



OFFICIAL PROCEEDINGS

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

JANUARY, 1998

**ANNUAL SESSION
OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JANUARY 6, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of January, 1998, at 9:30 A.M. in the forenoon in the County Board Room, Courthouse, Duluth, Minnesota, in annual session, it being the first Tuesday after the first Monday in January, the date set by statute for such session. Upon a roll call by the Clerk, the following members were present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Mike Forsman, Peg Sweeney, Liz Prebich, and Steve Raukar - 7. Absent: None.

County Auditor Gordon D. McFaul called for nominations for the Chair of the Board. Commissioner Prebich nominated

Commissioner Forsman. There being no further nominations, Commissioner Kron, supported by Commissioner Raukar, moved a unanimous ballot for Commissioner Forsman as Chair of the Board for 1998; seven yeas - zero nays.

Chair Forsman turned the meeting to outgoing 1997 Board Chair Commissioner Kron who presented a review of the past year of the Board - projects, joint ventures, savings, grants, awards, collaboratives, levies, etc. He expressed appreciation to employees of the County, Administrator, and Elected Officials and to each of the members of the Board.

Chair Forsman called for nominations for Vice-Chair of the Board. Commissioner Prebich nominated Commissioner Sweeney. There being no further nominations, Commissioner Kron, supported by Commissioner Prebich, moved a unanimous ballot for Commissioner Sweeney as Vice-Chair of the Board for 1998; seven yeas - zero nays.

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

2

Chair Forsman made appointments to Chairs of each of the Standing Committees as noted in Resolution No. 2.

Commissioner Prebich, supported by Commissioner Krueger, moved adoption of the schedule of County Board meetings for 1998, noting that the last meeting of each month, whichever day it falls on, is to be the traveling meeting rotating as in previous years from Virginia to Hibbing to Ely, and Resolution No. 1 was adopted.

Chair Forsman recommended Commissioners Krueger and Sweeney for representation on Arrowhead Counties Association, however, Commissioner Krueger said she would prefer that Commissioner Fink retain his seat. Thus Resolution No. 3 was adopted appointing the same representatives as 1997.

Chair Forsman determined that the process he would follow for the various committee appointments would be to first accept nominations to be followed by a resolution.

Commissioner Krueger nominated Commissioners Fink and Raukar for Arrowhead Regional Development Commission, Commissioner Sweeney nominated Commissioner Prebich. There are two terms expiring. Discussion was held on appointment of two and the third being an alternate, however, it is unknown if the bylaws of ARDC allow for alternates. Following discussion, Resolution No. 5 was adopted.

Commissioner Krueger nominated Commissioner Raukar to the Arrowhead Regional Development Commission Board of Directors for three year terms and Resolution No. 6 was adopted.

Commissioner Kron nominated Commissioner Sweeney and Commissioner Forsman as alternate to Arrowhead Regional Development Commission Metropolitan Interstate Committee and Resolution No. 7 was adopted.

Commissioner Krueger nominated Commissioner Forsman to Community Health Service Board for a three year term and Resolution No. 8 was adopted.

Commissioner Prebich nominated Commissioners Fink and Krueger to the St. Louis County Cooperative Extension Committee and Resolution No. 9 was adopted.

Commissioner Krueger nominated the Zoning Administrator and the County Assessor or their designees to the Duluth/St. Louis County Joint Airport Zoning Board for two year terms and Resolution No. 10 was adopted.

Commissioner Raukar nominated Commissioner Kron to the Duluth Area Family Service Collaborative and Resolution No. 11 was adopted.

Commissioner Prebich nominated Commissioner Krueger to the St. Louis County Grievance Board and Resolution

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

3

No. 12 was adopted.

Commissioner Raukar nominated Commissioner Prebich and Commissioner Forsman as alternate to the Job Training Partnership Act Board and Resolution No. 13 was adopted.

Commissioner Raukar nominated Commissioner Krueger, Mark Monacelli, and Anthony J. Bruno, Jr., to the St. Louis County Labor/Management Health Insurance Committee for three year terms and Resolution No. 14 was adopted.

Commissioner Prebich nominated Commissioners Kron, Raukar, and Commissioner Prebich as alternate to MICA and Resolution No. 15 was adopted.

Commissioner Krueger nominated Commissioner Forsman and Commissioner Prebich as alternate to the 9-1-1 North User Board and Commissioner Fink and Commissioner Sweeney as alternate to the 9-1-1 South User Board and Resolution No. 16 was adopted.

Commissioner Krueger nominated Commissioners Krueger and Sweeney to the Northeast Minnesota Managed Care Joint Powers Board and Resolution No. 17 was adopted.

Commissioner Krueger nominated Commissioners Fink and Kron and Commissioner Krueger as alternate to the Northwest Airlines Tax Increment Financing District Board and Resolution No. 18 was adopted.

Chair Forsman recommended Commissioner Fink and Commissioner Kron so nominated Commissioner Fink to the St. Louis County Planning Commission and Resolution No. 19 was adopted.

Commissioner Raukar nominated Commissioners Kron and Prebich to the St. Louis County Promotional Bureau and Resolution No. 20 was adopted.

Commissioner Prebich nominated Commissioners Kron, Prebich, and Raukar, and Commissioner Sweeney as alternate to the St. Louis/Lake Counties Regional Railroad Authority and Resolution No. 21 was adopted.

In that former Commissioner Herbert Lamppa no longer desires to serve as the representative to the Seaway Port Authority, Commissioner Prebich nominated Commissioner Raukar and Resolution No. 22 was adopted. On motion of Commissioner Raukar, supported by Commissioner Prebich, a letter of appreciation will be sent to Herbert Lamppa for serving on the Seaway Port Authority after the end of his term as Commissioner; seven yeas - zero nays.

Commissioner Krueger nominated Commissioner Fink to the newly formed Depot Strategic Planning Group for a one year term and Resolution No. 23 was adopted.

The resolution was introduced to place bailiffs into the unclassified service. Gloria

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

4

Pothast, Court Administrator, was present and in response to question advised that they are working with Civil Service and monitoring the workload of the bailiffs and will return later if additional changes are necessary. Resolution No. 26 was then adopted.

Resolution No. 27 was adopted ratifying the Health Care Basic Unit labor contract. Marsh Stenerson, Council 96, asked to make comment. He praised the staff at the nursing homes for their work in negotiations and also for the negotiating team's work in presenting it to the staff so that it was ratified by the members of the unit on December 26, 1997. He believes that there will be relief from the State for reimbursements to nursing homes, however, also believing that there will be challenges ahead and asking that the Commissioners remember that the staff adopted the concessionary contract in 1996 and now again ratified this current proposal to do their share in making the nursing homes viable.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Call for Extra Session of the Board of County Commissioners for the year 1998.--57104

Communications received by the St. Louis County Board for the year 1998.--57105

Letters from the County Administrator

for the year 1998 to the County Board regarding items on the Committee of the Whole and County Board Meeting Agendas.--57106

Health Care Basic Bargaining Agreement for 1997/1998 and Uniform Settlement Form.--98-1

BY COMMISSIONER PREBICH:
RESOLVED, that the St. Louis County Board of Commissioners will meet in 1998 commencing at 9:30 A.M. on Tuesdays as per the following schedule:

January:

- 6th - County Board Room, Duluth Courthouse
- 13th - County Board Room, Duluth Courthouse
- 20th - Virginia Courthouse
- 27th - No meeting

February:

- 3rd - County Board Room, Duluth Courthouse
- 10th - County Board Room, Duluth Courthouse
- 17th - County Board Room, Duluth Courthouse
- 24th - Hibbing Courthouse

March:

- 3rd - NACo Conference - No meeting
- 10th - County Board Room, Duluth Courthouse
- 17th - County Board Room, Duluth Courthouse
- 24th - Ely Government Services Building

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

5

31st - 5th week - No meeting

April:

7th - County Board Room, Duluth
Courthouse

14th - County Board Room, Duluth
Courthouse

21st - County Board Room, Duluth
Courthouse

28th - Virginia Courthouse

May:

5th - County Board Room, Duluth
Courthouse

12th - County Board Room, Duluth
Courthouse

19th - County Board Room, Duluth
Courthouse

26th - Hibbing Courthouse

June:

2nd - County Board Room, Duluth
Courthouse

9th - County Board Room, Duluth
Courthouse

16th - County Board Room, Duluth
Courthouse

23rd - Ely Government Services Building

30th - 5th week - No meeting

July:

7th - County Board Room, Duluth
Courthouse

14th - County Board Room, Duluth
Courthouse

21st - NACo Annual Conference - No
meeting

28th - Virginia Courthouse

August:

4th - County Board Room, Duluth
Courthouse

11th - Hibbing Courthouse

18th - No meeting

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

6

25th - No meeting

No. 1

September:

1st - County Board Room, Duluth
Courthouse

8th - County Board Room, Duluth
Courthouse

15th - County Board Room, Duluth
Courthouse

22nd - Ely Government Services Building

29th - 5th week - No meeting

BY COMMISSIONER RAUKAR:

WHEREAS, the following are the Standing Committees of the St. Louis County Board, with the Chairs as indicated appointed by the Chair of the County Board:

Health & Social Services
Commissioner Sweeney

October:

6th - County Board Room, Duluth
Courthouse

13th - County Board Room, Duluth
Courthouse

20th - County Board Room, Duluth
Courthouse

27th - Virginia Courthouse

Environment & Natural Resources
Commissioner Fink

Public Works & Transportation
Commissioner Raukar

Finance & Budget
Commissioner Prebich

November:

3rd - County Board Room, Duluth
Courthouse

10th - County Board Room, Duluth
Courthouse

17th - County Board Room, Duluth
Courthouse

24th - Hibbing Courthouse

Central Management & Inter-
Governmental
Commissioner Kron

Public Safety & Corrections
Commissioner Krueger

December:

1st - AMC Conference - No meeting

8th - County Board Room, Duluth
Courthouse

15th - County Board Room, Duluth
Courthouse

22nd - Ely Government Services Building

29th - 5th week - No meeting

Unanimously adopted. January 6, 1998.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board shall in the year 1998 meet as a Committee of the Whole immediately following the County Board meeting, on Tuesdays, as per the following schedule:

January:

6th - County Board Room, Duluth
Courthouse

13th - County Board Room, Duluth

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

7

	Courthouse	19th - County Board Room, Duluth
20th -	Virginia Courthouse	Courthouse
27th -	No meeting	26th - Hibbing Courthouse
February:		June:
3rd -	County Board Room, Duluth	2nd - County Board Room, Duluth
	Courthouse	Courthouse
10th -	County Board Room, Duluth	9th - County Board Room, Duluth
	Courthouse	Courthouse
17th -	County Board Room, Duluth	16th - County Board Room, Duluth
	Courthouse	Courthouse
24th -	Hibbing Courthouse	23rd - Ely Government Services Building
		30th - 5th week - No meeting
March:		July:
3rd -	NACo Conference - No meeting	7th - County Board Room, Duluth
10th -	County Board Room, Duluth	Courthouse
	Courthouse	14th - County Board Room, Duluth
17th -	County Board Room, Duluth	Courthouse
	Courthouse	21st - NACo Annual Conference - No
24th -	Ely Government Services Building	meeting
31st -	5th week - No meeting	28th - Virginia Courthouse
April:		August:
7th -	County Board Room, Duluth	4th - County Board Room, Duluth
	Courthouse	Courthouse
14th -	County Board Room, Duluth	11th - Hibbing Courthouse
	Courthouse	18th - No meeting
21st -	County Board Room, Duluth	25th - No meeting
	Courthouse	
28th -	Virginia Courthouse	September:
May:		1st - County Board Room, Duluth
5th -	County Board Room, Duluth	Courthouse
	Courthouse	8th - County Board Room, Duluth
12th -	County Board Room, Duluth	Courthouse
	Courthouse	15th - County Board Room, Duluth
		Courthouse
		22nd - Ely Government Service Building
		29th - 5th week - No meeting

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

8

October:

- 6th - County Board Room, Duluth
Courthouse
- 13th - County Board Room, Duluth
Courthouse
- 20th - County Board Room, Duluth
Courthouse
- 27th - Virginia Courthouse

November:

- 3rd - County Board Room, Duluth
Courthouse
- 10th - County Board Room, Duluth
Courthouse
- 17th - County Board Room, Duluth
Courthouse
- 24th - Hibbing Courthouse

December:

- 1st - AMC Conference - No meeting
- 8th - County Board Room, Duluth
Courthouse
- 15th - County Board Room, Duluth
Courthouse
- 22nd - Ely Government Services Building
- 29th - 5th week - No meeting

RESOLVED FURTHER, that it is the intent of the Board to conduct workshops on Mondays on the following dates, those for budget deliberations are so delineated, with the time and location to be announced at a later date:

- February 9, 1998
- March 16, 1998
- April 20, 1998
- May 18, 1998

June 15, 1998

July 13, 1998

September 21, 1998 <budget deliberations>

September 28, 1998 <budget deliberations>

October 5, 1998 <budget deliberations>

October 12, 1998 <budget deliberations>

October 19, 1998 <budget deliberations>

October 26, 1998 <budget deliberations>

November 2, 1998 <budget deliberations>

November 16, 1998

December 14, 1998

Unanimously adopted. January 6, 1998.

No. 2

BY COMMISSIONER KRUEGER:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Counties Association for one year terms which will expire on December 31, 1998: Commissioner Dennis Fink

Commissioner Peg Sweeney

Unanimously adopted. January 6, 1998.

No. 3

RESOLVED, that the St. Louis County Board hereby appoints three (3) Commissioners as representatives to Arrowhead Regional Corrections for one year terms which will expire on December 31, 1998:

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

9

Commissioner Dennis Fink
Commissioner William J. Kron
Commissioner Steve Raukar
Commissioner Liz Prebich (alternate)
Unanimously adopted. January 6, 1998.
No. 4

BY COMMISSIONER SWEENEY:
RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Regional Development Commission for three year terms which will expire on December 31, 2000:
Commissioner Liz Prebich
Commissioner Steve Raukar
Unanimously adopted. January 6, 1998.
No. 5

BY COMMISSIONER KRUEGER:
RESOLVED, that the St. Louis County Board hereby appoints the following as their representative on the Arrowhead Regional Development Commission Board of Directors for a three year term which will expire on December 31, 2000:
Commissioner Steve Raukar
Unanimously adopted. January 6, 1998.
No. 6

BY COMMISSIONER KRON:
RESOLVED, that the St. Louis County Board hereby appoints the following as their representative on the Arrowhead Regional Development Commission Metropolitan Interstate Committee for a one year term which will expire on December 31, 1998:
Commissioner Peg Sweeney
Commissioner Mike Forsman (alternate)

Unanimously adopted. January 6, 1998.
No. 7

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Community Health Service Board for a three year term which will expire on December 31, 2000:
Commissioner Mike Forsman
Unanimously adopted. January 6, 1998.
No. 8

BY COMMISSIONER PREBICH:
RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the St. Louis County Cooperative Extension Committee for one year terms which will expire on December 31, 1998:
Commissioner Dennis Fink
Commissioner Marilyn A. Krueger
Unanimously adopted. January 6, 1998.
No. 9

BY COMMISSIONER KRUEGER:
RESOLVED, that the St. Louis County Board hereby appoints as their representatives to the Duluth/St. Louis County Joint Airport Zoning Board for two year terms which will expire December 31, 1999:
Zoning Administrator (or designee)
County Assessor (or designee)
Unanimously adopted. January 6, 1998.
No. 10

BY COMMISSIONER PREBICH:
RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Governing

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

10

Board of the Duluth Area Family Services Collaborative for a one year term expiring on January 31, 1999:
Commissioner William J. Kron
Unanimously adopted. January 6, 1998.
No. 11

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the St. Louis County Grievance Board for a one year term which will expire on December 31, 1998:

Commissioner Marilyn A. Krueger
Unanimously adopted. January 6, 1998.
No. 12

BY COMMISSIONER SWEENEY:
RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Job Training Partnership Act for a one year term which will expire on December 31, 1998:
Commissioner Liz Prebich
Commissioner Mike Forsman (alternate)
Unanimously adopted. January 6, 1998.
No. 13

RESOLVED, that the St. Louis County Board hereby appoints the following persons to the St. Louis County Labor/Management Health Insurance Committee:
Commissioner Marilyn A. Krueger through December 31, 2000
Mark Monacelli through December 31, 1999
Anthony Bruno Jr. through December 31,

1999
Unanimously adopted. January 6, 1998.
No. 14

BY COMMISSIONER PREBICH:
RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Metropolitan Inter-County Association (MICA) for one year terms which will expire on December 31, 1998:
Commissioner William J. Kron
Commissioner Steve Raukar
Commissioner Liz Prebich (alternate)
Unanimously adopted. January 6, 1998.
No. 15

BY COMMISSIONER KRUEGER:
RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the 9-1-1 Emergency System User Board for North St. Louis County for a one year term which will expire on December 31, 1998:
Commissioner Mike Forsman
Commissioner Liz Prebich (Alternate)

RESOLVED FURTHER, that the St. Louis County Board hereby appoints one Commissioner as their representative to the 9-1-1 Emergency System User Board for South St. Louis County for a one year term which will expire on December 31, 1998:
Commissioner Dennis Fink
Commissioner Peg Sweeney (Alternate)
Unanimously adopted. January 6, 1998.
No. 16

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

11

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives on the Northeast Minnesota Managed Care Joint Powers Board for one year terms which will expire on December 31, 1998:

Commissioner Marilyn A. Krueger
Commissioner Peg Sweeney
Unanimously adopted. January 6, 1998.
No. 17

BY COMMISSIONER PREBICH:

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Northwest Airlines Tax Increment Financing District Board (Duluth) for one year terms which will expire on December 31, 1998:

Commissioner Dennis Fink
Commissioner William J. Kron
Commissioner Marilyn A. Krueger (Alternate)
Unanimously adopted. January 6, 1998.
No. 18

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the St. Louis County Planning Commission for a one year term which will expire on December 31, 1998:

Commissioner Dennis Fink
Unanimously adopted. January 6, 1998.
No. 19

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the St. Louis County Promotional Bureau for one year

terms which will expire on December 31, 1998:

Commissioner William J. Kron
Commissioner Liz Prebich
Unanimously adopted. January 6, 1998.
No. 20

BY COMMISSIONER PREBICH:

RESOLVED, that the St. Louis County Board hereby appoints three Commissioners as their representatives to the St. Louis/Lake Counties Regional Railroad Authority for one year terms which will expire on December 31, 1998:

Commissioner William J. Kron
Commissioner Liz Prebich
Commissioner Steve Raukar
Commissioner Peg Sweeney (Alternate)
Unanimously adopted. January 6, 1998.
No. 21

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Seaway Port Authority for a six year term which will expire on December 31, 2003:

Commissioner Steve Raukar
Unanimously adopted. January 6, 1998.
No. 22

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Depot Strategic Planning Group:

Commissioner Dennis Fink
Unanimously adopted. January 6, 1998.
No. 23

BY COMMISSIONER KRUEGER:

RESOLVED, that the Purchasing Agent is

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

12

hereby authorized to enter into a contract with the Duluth News Tribune for the 1998 Legal Printing services, in accordance with the specifications of Bid No. 3675 and their low bid for Item 1 (Official Newspaper) as follows:

1. Official Newspaper	Per Inch
a. Legal Notices	\$3.48
b. Board Proceedings	\$3.48

c. Notice of Expiration of Redemption	
First Publication	\$3.48
Second Publication	\$3.48
d. Financial Statement -	
First Publication	\$3.48

RESOLVED FURTHER, that the Purchasing Agent is hereby authorized to enter into a contract with the Gilbert Herald for the 1998 Legal Printing services, in accordance with the specifications of Bid No. 3675 and their low bid for Item 2 (Financial Statement - Second Publication) and Item 3 (Delinquent Tax List - First & Second Publications) as follows:

	Per Inch
2. Financial Statement - Second Publication	\$1.35
3. Delinquent Tax List	
First Publication	\$.76
Second Publication	\$.40

Unanimously adopted. January 6, 1998.
No. 24

BY COMMISSIONER SWEENEY:
RESOLVED, that the County Board increase the night hour rate for child care provided in St. Louis County to the maximum established child care rates.

COST/FUNDING:

The cost of increasing night hour rates to the maximum established child care rates will be approximately \$26,500 per year using 1997 utilization figures. The cost of increasing night hour rates should be offset

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

in 1998 by increases in MFIP and the Basic Sliding Fee Scale allocations. Budget Reference: Fund - 04 SSV Object - 2110, 2120, 2130, 2140 Unanimously adopted. January 6, 1998. <u>No. 25</u>	\$8.5000 \$8.8400 \$9.1936 <u>Step D</u> <u>Step E</u> <u>Step F</u> \$9.5613 \$9.9437 \$10.3415 <u>Step G</u> <u>Step H</u> \$10.7552 \$11.1854
--	---

BY COMMISSIONER KRON:
 RESOLVED, that the St. Louis County Board of Commissioners hereby approves Minnesota Laws of 1997, Chapter 188, to provide the County authority to add bailiffs to the unclassified service.
 RESOLVED FURTHER, that the St. Louis County Board hereby directs the St. Louis County Auditor to file with the Secretary of State the required certificate, and a copy of this Resolution with number of votes cast for and against, and to take such further action as the Auditor may deem necessary to accomplish the intent of this Resolution.
 RESOLVED FURTHER, that all Court Bailiff positions serving St. Louis County will be placed in the Unclassified Civil Service effective January 3, 1998.
 RESOLVED FURTHER, the terms of employment for Court Bailiff appointments in the Unclassified Civil Service are as follows:

1. The pay schedule will read as follows (1997 pay rate):
 <Based on a 37.5 hour work week>

Classification
 Court Bailiff

Step A Step B Step C

Positions in this Compensation Schedule will be eligible to receive a step increase every 1,950 hours of continuous service.

Future wages will reflect salary adjustments in the pay plans for unclassified staff.

2. One and one-half time overtime pay/compensatory time for hours worked in excess of 7 1/2 per day and 37 1/2 hours per week.

3. The following fringe benefits will be administered in accordance with provisions of the Civil Service Basic Unit contract: Holidays; Personal Leave; Vacations; Sick Leave; Employee Insurance Plans; Workers' Compensation; Meals and travel expenses; and Retirement.

Unanimously adopted. January 6, 1998.
No. 26

Upon motion of Commissioner Kron, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 27 which was not on the agenda.

BY COMMISSIONER KRON:
 RESOLVED, that the 1997/1998 Health Care Basic Bargaining Agreement, a copy of which is on file in Contract File No. 98-1, is hereby approved, and the appropriate County officials are authorized to execute

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

14

said contract.

RESOLVED FURTHER, that the one percent adjustment to the Health Care Basic Unit pay plan only applies to unit members employed at the time of ratification, and deletion of the two-tiered pay plan is effective the date of ratification by the Unit. The retro-payments for those employees hired on or after September 14, 1996, that result from the one percent increase in salary rates, will be based on the C2 pay plan rates.

Unanimously adopted. January 6, 1998.

No. 27

At 10:45 A.M. on Tuesday, January 6, 1998, upon motion of Commissioner Kron, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

15

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JANUARY 13, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of January, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address the Board on items not on the agenda for this meeting; there were none.

At 9:36 A.M., pursuant to St. Louis County Board Resolution No. 933, adopted December 16, 1997, a public hearing was convened to consider the proposed amend-ments to Ordinance No. 46, the St. Louis County Zoning Ordinance. Mark Flaherty, Planning Director, made the staff presenta-tion. He noted that the amendments had been proposed last summer, that they were referred back to the Planning Commission for further discussion, they did hold three additional hearings and were presenting the current recommendations on a unanimous basis. He covered the items outlined in

County Board Letter No. 98-6, a copy of which is on file in County Board File No. 57117. It included eight items to reduce ordinance requirements; nine items of clari-fication of existing standards; and two new requirements. Following discussion, at 9:55 A.M. the hearing was recessed to 9:35 A.M. on Tuesday, January 20, 1998, Courthouse, Virginia, Minnesota, on motion of Commis-sioner Raukar, supported by Commissioner Prebich; seven yeas - zero nays.

Discussion commenced on the proposed agreement to establish the St. Louis River Board. There are still items that need clarification, thus on motion of Commis-sioner Prebich, supported by Commissioner Kron, this item was tabled; seven yeas - zero nays. It was noted that the County withdrew from the previous St. Louis River Board, thus the need for a new agreement. It is the intent that the River Board would do annual plan review as well as monitor the lands purchased by the Department of Natural Resources; and further, that as in the past River Board, there would be three Commissioners and an alternate as representatives of St. Louis County.

The agreement with Arrowhead Counties for the lobbying services of John Ongaro was brought up for discussion. There are currently three proposed versions of the contract. The item was removed from the agenda and referred back to the Committee of the Whole on motion of Commissioner Kron, supported by Commissioner Prebich; seven yeas - zero

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

16

nays.

Commissioner Fink, supported by Commissioner Krueger, moved to suspend the rules to hear a resolution relative to the Community-Based Planning Act of 1997; seven yeas - zero nays. John Ongaro, Legislative Lobbyist, addressed the proposed resolution. The proposed resolution supports repeal of the Act and there is some concern in that the County Board has previously asked for additional Northern Minnesota representation and that has been agreed to. Another concern is that the current committee may be extended an additional eighteen months past the sunset date, and go into planning beyond establishment of criteria. Commissioner Fink, supported by Commissioner Prebich, moved adoption of the resolution and discussion continued. Following discussion, Commissioner Kron, supported by Commissioner Raukar, moved to remove this item from the agenda and refer it back to the Central Management & Inter-Governmental Committee on January 20, 1998, to allow Mr. Ongaro time to arrive at further information as requested by Commissioners; seven yeas - zero nays.

Also, proposed had been a resolution relative to property rights legislation, which was not added to the agenda by suspension, but was directed to be placed on the Committee meeting for January 20, 1998, under Central Management & Inter-Governmental Committee.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 1998.--57107

Land Commissioner submitting appraisal reports for the sale of timber for the year 1998.--57108

County Attorney submitting Workers' Compensation Reports for year 1998.--57109

County Auditor submitting applications for license to sell cigarettes at retail for the year 1998.--57110

County Auditor submitting applications for license to sell intoxicating liquor for the year 1998.--57111

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-4 regarding Sale - Non-Conforming Tax Forfeited Land (Rural).--57112

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-5 regarding Sale - Non-Conforming Tax Forfeited Land (Urban).--57113

St. Louis and Lake Counties Regional Railroad Authority submitting agendas and

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

17

minutes for their meetings held in the year 1998.--57114

Northern Counties Land Use Coordinating Board submitting minutes and agendas of their meetings for the year 1998.--57115

Land Commissioner submitting applications for special sales of tax forfeited lands for the year 1998.--57116

Julie Brunner, County Administrator, and Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-6 regarding Zoning Ordinance Amendments.--57117

James R. Cope, Cope & Peterson, submitting Summons and Complaint and Notice and Acknowledgment of Service by Mail in the matter of Field Township versus St. Louis County and John Luecken.--57118

Petition with residents' signatures requesting that the north mile of Pioneer Junction Road (County Road 250) remain open for access to public land.--57119

John M. Gassert, Rudy, Gassert, Yetka, Doran & Pritchett, submitting Order to Show Cause in the matter of the petition of Max L. Scheper and Robert A. Scheper for certain relief in connection with Certificate of Title No. 254958.--57120

Summons in Application for Registration of Land in the matter of Anton Jurkic and Frances Jurkic.--57121

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Grandview for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-2ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Horizons for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-3ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Jones for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-4ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Southside for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-5ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - In-Home Family Support for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-6ss

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

18

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Mike Taylor, SLS, for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-7ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Taylor SLS, Inc. (Mike Taylor, SLS, II), for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-8ss

Agreement between the County of St. Louis and the St. Louis and Lake Counties Regional Railroad Authority.--98-9

Amendment No. 2 to Lease No. I-4159 between the State of Minnesota, Department of Administration, and the County of St. Louis for rental of 1,579 square feet on the plaza level of the Government Services Center, Duluth.--98-10

Equipment Lease Agreement between St. Louis County and the City of Aurora for a cardboard baler.--98-11

Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Virginia.--98-12

Agreement for Collection of Residential and Commercial Recyclable Materials

between St. Louis County and the City of Mt. Iron.--98-13

St. Louis County Solid Waste Department First Extension of Service Agreement for Collection and Proper Disposal of Tires between the County of St. Louis and R & J Tire Recycling.--98-14

Agreement for Professional Services between St. Louis County and Barr Engineering Company.--98-15

Project Contract between the County of St. Louis and Charles L. Jacobsen Construction for Construction of Hulligan Lake and Crow's Nest Forest Management Roads.--98-16

State of Minnesota Collection Enterprise and St. Louis County District Court Debt Qualification Plan for Fines and Fees Assessed by the Court.--98-17

Project Contract between the County of St. Louis and H.G. Harvey Constructors, Inc., for St. Louis County Courthouse Elevator - Hibbing.--98-18

Amendment No. 10 to Lease No. I-8774 between the State of Minnesota Department of Administration, and the County of St. Louis for rental of 4,235 square feet of office space on the sixth floor of the Government Services Center, Duluth.--98-19

Amendment to Agreement for Collection of Waste from Canister Sites between St.

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

19

Louis County and Zenith/Kremer Can-Do Disposal.--98-20

Amendment to Agreement for Collection of Waste from Canister Sites between St. Louis County and Alvin O. James.--98-21

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the State of Minnesota, through its Court Administrator's Office, and the municipal agencies issuing parking tickets in St. Louis County.--98-22

Purchase of Service Agreement between the Arrowhead Regional Development Commission's Area Agency on Aging and the St. Louis County Social Service Department for Terms and Conditions for Contract 303 C2-03 for the period of January 1, 1998, through December 31, 1998.--98-23ss

Road Maintenance Exchange Agreement between the County of St. Louis and the City of Mountain Iron.--98-24

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Beverly Kamp Homes Plus.--98-25ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Range Residential Alternatives.--98-26ss

Group Residential Housing Rate

Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Claudette Lillian Lentz.--98-27ss

Addendum to Contract No. 20358 between the St. Louis County Board of Commissioners and Lutheran Social Services.--98-28ss

Non-Standard Hour Child Care Grant Award between the State of Minnesota, through its Department of Children, Families and Learning, and the St. Louis County Social Service Department.--98-29ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services--Adult.--98-30ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich.--98-31ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar.--98-32ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central.--98-33ss

Purchase of Service Agreement between the St. Louis County Board of

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

20

Commissioners and Northern Habilitative Services, Inc. - Supported Living Services-- Child.--98-34ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Douglas.--98-35ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Evans.--98-36ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Forest.--98-37ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton - K & D.--98-38ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton - Kenwood.--98-39ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton, Inc. - Lakeview.--98-40ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton, Inc. - 901.--98-41ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton - Nuvo.--98-42ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton - Spirit Valley.--98-43ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton - Springvale.--98-44ss

Addendum to Purchase of Service Agreement between the St. Louis County Board of Commissioners and the City of Duluth for provision of STRIDE and FSET services.--98-45ss

Agreement between the City of Duluth (Senior Dining Project) and St. Louis County Board of Commissioners.--98-46ss

Addendum to Contract No. 11996 between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc.--98-47ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Touraine Hotel, Inc.--98-48ss

St. Louis County Solid Waste Department First Extension of Service Agreement for Collection and Proper Disposal of Tires between the County of St. Louis and R &

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

21

J Tire Recycling.--98-49

Amendment No. 10 to Lease No. I-8200 between the State of Minnesota, Department of Administration, and the County of St. Louis for 3,104 square feet of office space in Room 131 on the plaza level of the Government Services Center, Duluth.--98-50

Amendment No. 5 to Lease No. I-2809 between the State of Minnesota, Department of Administration, and the County of St. Louis for 611 square feet of office space on the seventh floor of the Government Services Center, Duluth.--98-51

St. Louis County/Kangas Excavating, Inc., Regional Landfill Daily Operations Agreement.--98-52

Legal Services 1998 Agreement between the County of St. Louis; Alan L. Mitchell, St. Louis County Attorney; and the St. Louis County Housing and Redevelopment Authority.--98-53

Minnesota Breast and Cervical Cancer Control Program Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County for the period September 1, 1997, through August 31, 1998.--98-54

Agreement for Employee Assistance Services between the County of St. Louis and Lifeworks Employee Resource.--98-55

Agreement for the Purchase of Wetland

Banking Credits between the County of St. Louis and Robert N. And Mara J. Roning, and Chris H. and Judy L. Roning.--98-56

Minnesota Transportation Department Highway Lighting Agreement No. 76968M between the State of Minnesota, Department of Transportation, and the County of St. Louis for Maintenance and Electrical Energy for the new Highway Lighting Systems on Trunk Highway No. 53 at the DW&P Railroad Bridge, County Road 307 (Wuori Road), County Road 131 (Sand Lake Road), County Road 306 (Reid Road), C-SAH 68 (Britt Road), County Road 233 (West Donnywood Circle) - East Donnywood Circle, West Donnywood Acres - East Donnywood Acres, County Road 308 (South Shore Sand Lake Road), Comfort Point Road, Posimoke Drive, C-SAH 65 (Biss Road), County Road 240 (Peel Road) - County Road 377 (Peppard Road), C-SAH 22 - Trunk Highway No. 1, and at County Road 923 (Leander Road) - C-SAH 87 (East Leander Road).--98-57

Amendment No. 2 to State of Minnesota Lease No. I-4148 between the State of Minnesota, Department of Administration, and the County of St. Louis for six hundred feet of storage space on the lower level of the Government Service Center, Duluth.--98-58

Upon motion of Commissioner Prebich, supported by Commissioner Krueger, Resolutions No. 28 through 44, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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

22

BY COMMISSIONER PREBICH:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 9, 1997, are hereby approved. Adopted January 13, 1998. No. 28

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 9 & 10, 1997, are hereby approved. Adopted January 13, 1998. No. 29

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 16, 1997, are hereby approved. Adopted January 13, 1998. No. 30

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 23, 1997, are hereby approved. Adopted January 13, 1998. No. 31

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T22 Cities and Towns	\$ 15,761.32
T23 Game and Fish	36,420.00
T27 Refunds	43,016.60

T28 School Districts	38,038.30
T50 State of Minnesota	166,008.48
T72 Home CHDO	
Program Income	1,568.54
T74 Employer/Employee	
Deductions	1,196,478.56
T75 Savings Bonds	13,300.00
T77 Cancelled Checks	399.00
T80 Lake Superior -	
Forfeiture	392.12
T84 Attorneys Forfeitures	608.05
T85 Sheriffs Forfeitures	2,713.11
T89 District Administrator	1,616.89
T98 Work Study Agency	
Fund	1,036.85
T99 Reserve Health &	
Welfare	266.82
01 General Fund	1,016,613.72
02 Public Works	661,986.72
04 Social Services	2,375,687.34
08 Capital Projects	6,120.00
08A State Aid Road	286,363.58
08B Road & Bridge	
Building Const.	2,500.00
08Y Hibbing/Virginia Law	
Enforcement Centers	10,349.52
09 McKinney Homeless	
Grant	23,142.00
10B Emer. Shelt.	
95 Funds	11,177.31
11A Home Grant - All	
Years	138,201.79
12B CDBG Grant	309,532.43
127 Enhanced 9-1-1	
Fund	1,915.07
128 Law Library	6,722.04
129 City/County Comm.	
Antenna Site	911.46
13 St. Louis County	

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

	HRA	3,177.42	\$8,241,274.15
131	Extension Service	140,538.94	Adopted January 13, 1998. <u>No. 32</u>
15	Forfeited Tax	73,102.20	
16	Forest Resources	7,408.99	RESOLVED, that the appraisal reports for
26	Solid Waste		the sale of timber, numbered Tracts 1
	Authorities	195,325.25	through 6, as submitted by the Land Com-
49	Postage/Office		missioner, on file in the office of the
	Supplies	17,844.22	County Auditor, identified as County
50	Printing	14,376.06	Board File No. 57108, are approved and
51	County Garage	28,098.85	the County Auditor is authorized to carry
52A	Property, Casualty,		out the recom-mendations as listed in said
	Liability	1,500.00	appraisal reports.
52B	Workers		Adopted January 13, 1998. <u>No. 33</u>
	Compensation	75,759.80	
52D	Medical/Dental		RESOLVED, that Workers' Compensation
	Self Insurance	891.40	is hereby awarded to those persons who
53	Management		were injured while in the employ of the
	Information Systems		County of St. Louis, as set forth in the
		92,601.82	report of the County Attorney, dated
54	Regional Railroad		January 13, 1998, on file in the office of
	Authority	54,443.23	the County Auditor, identified as County
55	Telecommunications		Board File No. 57109, and the County
		51,722.71	Auditor is authorized to issue checks in
64A	Jensen Nursing		favor of said employees from Fund 52,
	Home	277,921.00	Department 12.
64B	Nopeming		Adopted January 13, 1998. <u>No. 34</u>
	Nursing Home	181,648.50	
64F	Community Food		RESOLVED, that the applications for
	Services	74,474.04	license to sell cigarettes at retail, on file in
64L	Laundry	25,183.68	the office of the County Auditor,
64S	Supervised Living		identified as County Board File No. 57110,
	Facilities	8,408.87	are hereby approved and the County
72	No. Counties Land		Auditor is authorized to issue licenses as
	Use Coord. Board	12,389.00	follows:
73	Arrowhead Regional		
	Corrections	334,107.08	Marie Anderson, d/b/a Anderson Canoe
74	Community Health		Outfitters, Unorganized Area 67-17,
	Services	91,719.97	Cigarette License No. C9814;
90	Range Maintenance		
	Facility	<u>109,783.50</u>	G.W. Resorts, Inc., d/b/a Borderland

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

24

Lodge, Unorganized Area 67-17, Cigarette License No. C9815;

C & B Warehouse Distr., Inc., d/b/a Britt Short Stop, Unorganized Area 60-18, Cigarette License No. C9816;

Richard Oveson, d/b/a Kettle Falls Hotel, Unorganized Area 70-18, Cigarette License No. C9817;

Simich Corp., d/b/a The Oasis, Unorganized Area 60-18, Cigarette License No. C9818;

Yelensky Resorts, Inc., d/b/a Rocky Point Resort, Unorganized Area 69-21, Cigarette License No. C9819;

Wrobel's of Pike, Inc., d/b/a Silverado Saloon, Unorganized Area 59-16, Cigarette License No. C9820;

Sunset Resort, Inc., d/b/a Sunset Resort, Inc., Unorganized Area 68-19, Cigarette License No. C9821;

Ironduck, Inc., d/b/a Wooden Table Inn, Unorganized Area 60-19, Cigarette License No. C9822.
Adopted January 13, 1998. No. 35

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor

licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

RESOLVED FURTHER, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

RESOLVED FURTHER, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

RESOLVED FURTHER, that said licenses shall be effective January 13, 1998, through June 30, 1998.

The following is a transfer from TSR, Inc., d/b/a The Other Place Lounge, Rice Lake Township:

Tanski Liquor Corp., d/b/a Tanski's Ridgeview Lanes, Rice Lake Township, On Sale Intoxicating Liquor License No. L9892 and Sunday On Sale Intoxicating Liquor License No. LS9892.

Adopted January 13, 1998. No. 36

RESOLVED, that the County Board approves renewing contracts with First Plan of Minnesota, Medica Choice Care, and UCare Minnesota for calendar year 1998, wherein the Social Service Department will provide volunteer transportation services for PMAP enrollees who meet the program's eligibility criteria. Medica, First Plan, and UCare will reimburse the Department at a rate of \$.49 per mile.

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

25

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Objects 6160 Transportation -
Adult, & 1160 Transportation - Child
Revenue Sources 9005 Federal Medical
Assistance (MA) Transportation & 9310
State Medical Assistance
Adopted January 13, 1998. No. 37

RESOLVED, that the St. Louis County Board of Commissioners authorizes Purchase of Service Agreements with Lutheran Social Services (Bethany Range Shelter) and the YWCA of Duluth, Minnesota, at the below-listed rates for the provision of supervised visitation services not to exceed the 1998 budgeted amount of \$89,527.00. These agreements will be in effect from January 1, 1998, through December 31, 1998.

Lutheran Social Services (Bethany Range Shelter)	\$16.74 per hour
YWCA	\$17.18 per hour

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes mileage reimbursement at the County Board approved mileage rate for county employees to Lutheran Social Services (Bethany Range Shelter) for travel to off-site visitation locations for the length of this agreement.

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Objects 1160 Transportation -
Child & 1190 Court Related Service -
Child

Revenue Source 0020 Local Taxes
Adopted January 13, 1998. No. 38

RESOLVED, that a Purchase of Service Agreement be entered into with Hansen-Pirila Adult Foster Care to provide MA MR/RC Waiver Supported Living Services at 9021 Eklund Road, Brookston, MN 55711-9712 for the period November 7, 1997, through June 30, 1998, at the rate of \$10.08 per hour.

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR ADULT FOSTER CARE ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted January 13, 1998. No. 39

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner;

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57112, are approved and the County Auditor is hereby authorized to offer said lands at a

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

26

non-public sale limited to the adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota

Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted January 13, 1998. No. 40

WHEREAS, land which cannot be improved because of non-compliance with local ordinances regarding minimum area, shape, frontage, or access may be sold by the County Auditor, pursuant to Minnesota Statutes 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to sell tax forfeited land, as on file in County Board File No. 57113, at a non-public sale limited to the adjacent property owners.

Adopted January 13, 1998. No. 41

RESOLVED: That the County Board:

- 1) Authorizes Purchase of Service Contracts with the following providers for the purchase of non-residential chemical dependency services at the following specified rates for the period January 1, 1998 through December

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

27

31, 1998:

SERVICE PROVIDER

Arrowhead Center on Problem Drinking

Adult & Youth

Outpatient Rx

\$31.7

2/client

hour

with a

contract

maximum

of

\$150,

000

Duluth Bethel Society

Mesabi Work

Release

\$12.00/client hour

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

28

Equaysayway

Outpatient Rx	\$24.50
Relapse Rx	\$20.00
	0/client hour with a contract maximum of \$75,000

Mesabi Regional Medical/Range Mental Health

Adult & Youth	
Evening	\$26.78
Day	\$23.89
	9/client hour with a contract maximum of \$590,000

Miller-Dwan Medical Center

Adult Evening	\$26.16
Adult Day	\$23.38
Youth Day	\$66.02
Relapse Rx	\$26.42
Extended Care	
\$23.38/client hour with a contract maximum of \$735,000	

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

29

Center for Alcohol & Drug Treatment

First Step	\$19.00
Phase 1	\$24.72
Relapse Outpatient	\$24.72
Project Recovery	\$24.72
Combined Relapse	\$24.72
MI/CD	\$24.72
Lake Superior Region	
Adolescent	

\$24.72/client hour with a
contract maximum of \$650,000

2) Authorizes Purchase of Service Contracts with the following residential chemical dependency treatment service providers at the following specified rates for January 1, 1998 through December 31, 1998.

SERVICE PROVIDER

Miller Dwan Medical Center

Residential

 Adult

\$267.13 per day

 Adolescent

\$267.13 per day

Mesabi Regional Medical Center by Range MHC

 Adult

\$212.74

 Youth

\$222.99 per day

3) Authorizes Purchase of Service Contracts with the following halfway house service providers at the following specified rates for the period January 1, 1998 through December 31, 1998:

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

30

SERVICE PROVIDER

Minnesota Indian Primary Residential Treatment
Center, Inc.

Thunderbird & Wren
Halfway House
\$24.48/day with a contract maximum
of \$30,000

Center on Alcohol and Drug Problems

Howard Friese \$59.23
Marty Mann \$62.93
per day

Duluth Bethel Society

Port
\$51.81 per day with a contract
maximum of \$350,000

Arrowhead Center, Inc.

Arrowhead Center Halfway House
\$59.00/day

Contract pending Rule 35 licensing by Minnesota
Department of Human Services.

4) That the County Board authorizes contracts with
the Duluth Bethel Society for extended care services at
the following specified rate for the period January 1,
1998 through December 31, 1998:

SERVICE PROVIDER

Duluth Bethel Society
Extended Care Rx \$90.69

Budget Reference:

Expenditures - Fund 04 Social Service

Agency SSV Social Services

Organization 2700 CD Services/South & 6700 Adult
Services/North

Object 3590

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

31

Revenue - Local Property Tax 0020
Adopted January 13, 1998. No. 42

RESOLVED, that the St. Louis County Board hereby makes the following Committee appointments:

BRIAR LAKE IMPROVEMENT DISTRICT

Kenneth Broman, Duluth, MN, to fill the expiring term of Ray Szezko (deceased) for a five year term expiring December 31, 2002.

COOPERATIVE EXTENSION COMMITTEE

Reappoint George E. Host for a three year term expiring December 31, 2000, and further, advertise to replace Milton Sundquist who does not wish to be reappointed.

ST. LOUIS COUNTY GRIEVANCE BOARD

Reappoint for one year terms, Donald J. Shippar and James Laumeyer as his alternate, terms to expire December 31, 1998.

PUBLIC HEALTH ADVISORY BOARD

Reappoint Larry Hurtig to a three year term expiring in 2000, and advertise for the vacancy of Jill Caven who does not wish to be reappointed; and further, include an advertisement for an anticipated vacancy in April of 1998.

CIVIL SERVICE COMMISSION

Reappointment for a three year term of Andrew S. Webb, said term expiring December 31, 2000.

CDBG ADVISORY BOARD

Reappointment of Frank Ongaro (Executive Director of Range Association of Municipalities) for a three year term expiring December 31, 2000; and further, to advertise for the following vacancies due to the incumbents not being eligible for another term - Small Cities, John Foschi of Proctor; Hermantown, John Klaers; Hibbing, Lance Sundquist; At large, Donald Cole; and also for the unexpired term of Sharon Chadwick (resigned) for an at large position expiring December 31, 1998.

ST. LOUIS COUNTY PLANNING COMMISSION

Reappointment of Andrew J. McDonough, Jr.; Paula Bloczynski; Neil Gardner for three year terms expiring December 31, 2000; and Joy Williams as alternate for Dale St. Marie for a one year term expiring December 31, 1998.

ST. LOUIS COUNTY ZONING BOARD OF ADJUSTMENT

Reappointment of Donald Grubich; Ray Harris, and Wayne Hakala for three year terms expiring December 31, 2000.
Adopted January 13, 1998. No. 43

WHEREAS, St. Louis County serves as a sponsor of various winter recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and WHEREAS, the construction and maintenance of these trails are funded through

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

32

the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, Minnesota Trail Assistance Program applications have been prepared for approval of St. Louis County as sponsor for the following trails funded by the State of Minnesota Trail Assistance Program:

Vermillion Penguins Snowmobile Club, an additional four (4) miles of trail connecting the sponsored trails in the Fortune Bay and "Y" Store areas.

Kabetogama Sno-Drifters of Ray, Minnesota, for three (3) miles of trail connecting service providers to the maintained system in the area.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor said trails at no cost to the County; and RESOLVED FURTHER, that the Chair of the Board and/or the County Auditor are authorized to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for construction, maintenance, and administration of said trails; RESOLVED FURTHER, that the Chair of the Board and/or the County Auditor are authorized to sign all easements, licenses, or other instruments associated with the trail, subject to the County Attorney; RESOLVED FURTHER, that this resolution is contingent upon each club subscribing to the general liability policy

covering St. Louis County sponsored State Grant-in-Aid Trails, and each club naming as additional insureds on said general liability policy, the landowners over whose land the trails travel, and St. Louis County. Adopted January 13, 1998. No. 44

At 10:35 A.M. on Tuesday, January 13, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JANUARY 20, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 20th day of January, 1998, at 9:40 A.M. in Court Room No. 4, Courthouse, Virginia, Minnesota. The meeting was

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

33

called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

At 9:45 A.M., pursuant to St. Louis County Board Resolution No. 933, adopted December 16, 1997, a public hearing originally convened at 9:35 A.M. on Tues-day, January 13, 1998, was reconvened to consider amendments to Ordinance No. 46, the St. Louis County Zoning Ordinance. Representing staff was Mark Flaherty, Planning Director; and Mark Johnson, Planning. Jeff Tweeten, resident, who had worked on the amendments also, was present for the discussion and raised various issues of concern he had. They dealt with Article II, Section 1.06, principle structures and other articles where structure or principle structure is used; Article IV, Section 3.02(e) requesting that all involved years be listed and not just 1982, possibly in an appendix; Article IV, Section 3.05(f) which treats shoreland and non-shoreland the same; lack of a definition for "roof"; requesting that references to Minnesota Statute have that statute in an appendix; that there be an index; Article IV, Section 3.02(c) changing the 25-foot setback to 50 feet; etc. The issue of the setback has been extensively discussed at Planning Commission meetings; Commissioner Prebich requested a transcript of the discussion of this issue; Commissioners also requested an impact assessment on a sample of three or four lakes. The hearing

closed at 10:45 A.M. on motion of Commissioner Sweeney, supported by Commissioner Krueger; six yeas - zero nays, Commissioner Raukar was out of the room at this time. Persons in attendance were invited to address the issue, however, no further wished to do so. Following further discussion, on motion of Commissioner Fink, supported by Commissioner Krueger, the issue was referred to the Committee of the Whole on February 17, 1998; with staff to present a new draft at that time incorporating the issues discussed during the hearing; seven yeas - zero nays.

A public hearing had been called for 9:40 A.M. this date to consider a petition of Weir Rainy Butte, Inc., for a cartway. County Attorney Alan Mitchell advised that the Board may not wish to convene the hearing after they receive his comments as follows. The petitioner has not yet done a survey which is necessary for purposes of assessment of damages and for filing of a cartway if one is granted. Also the petitioner has not served all involved parties with notice as required by statute. There is also an issue whereby the petitioner may have a legal easement to the property and if this is valid, he would not be allowed a cartway under statute. Following discussion, all persons in attendance were invited to address the issue, however, no one wished to do so. The issue was removed from the agenda on motion of Commissioner Prebich, supported by Commissioner Krueger; seven yeas - zero nays.

The resolution for the sublease from the

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

34

Hibbing Fair Association to the Roller Rink was brought up for discussion. Ann Harwood, Administration, advised that she did not yet have a copy of the required insurance certificate naming St. Louis County as a co-insured. However, the proposed resolution is contingent on its receipt, thus Resolution No. 64 was adopted.

Discussion commenced on the proposed Joint Powers Agreement for the St. Louis River Board. Commissioner Kron, supported by Commissioner Prebich, moved authorization and discussion continued. County Attorney Alan Mitchell advised that he has contacted ARDC relative to the changes in language that the Commissioners requested previously. They advised that they have already received one executed copy back from another entity. Discussion included funding for the River Board, staff attendance, Commissioners representation, how townships are appointed, etc. Following discussion, Resolution No. 65 was adopted which approves contingent on the County Attorney's approval of form and content.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for premises permits for the year 1998.--57122

Julie Brunner, County Administrator, and St. Louis County Labor/Management

Health Insurance Committee submitting Board Letter No. 98-9 regarding Major Organ Transplant Coverage.--57123

Mine Inspector submitting notices of inspections, accidents, and to fence mining property during the year 1998.--57124

Sheriff's Corrections Officers 1996/1997 Bargaining Agreement.--98-59

Agreement for Engineering Services between the County of St. Louis, through its Public Works Department, and Foster Jacobs & Johnson for Mechanical Upgrades to Heating System - Gas Conversion.--98-60

Supportive Housing Grant Agreement for 1996 between the United States Department of Housing and Urban Development and St. Louis County for the Salvation Army.--98-61

Supply Contract between the County of St. Louis and ARCO Coffee Company to Furnish and Deliver Coffee for County Institutions.--98-62

Supply Contract between the County of St. Louis and Pan-O-Gold Baking Company for Bakery Products.--98-63

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 45 through 62, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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

35

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 6, 1998, are hereby approved.

Adopted January 20, 1998. No. 45

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, numbered Tracts 1 through 15 (totaling \$510,377.00), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 20, 1998. No. 46

RESOLVED, that the St. Louis County Board authorizes the Department of Social Services to submit the Flexible Funding Plan to the Department of Human Services; accepts the \$1,034,583 in Flexible Dollars when allocated by the state in January of 1998; continues to fund the three (3) case management positions (contingent on continued Flex Funding); and allows the development of contracts with providers, as outlined in the plan. Contracts will be in effect from January 1, 1998, to December 31, 1998.

Funding Detail:

Fund 04 Social Services

Agency SSV Social Services

Organization 6730 MLRTC Flexible Funds

- North & 6740 MLRTC Flexible Funds - South

Revenue 9599 State Flexible Funds

Adopted January 20, 1998. No. 47

RESOLVED, that the Chair of the County Board, Health Director, and County Auditor be authorized to enter into an agreement with the Duluth Community Health Center to provide diagnosis and treatment of sexually transmitted diseases in the amount of \$20,000 for the time period of January 1, 1998, through December 31, 1998, payable from Fund 1, Agency 220 (Public Health Nursing), Org. 220.

Adopted January 20, 1998. No. 48

RESOLVED, that the County Board authorizes the Chairperson of the County Board, County Auditor, and Health Director to enter into an amended contract with the Minnesota Department of Health to provide HIV counseling and testing, which will extend the contract period through December 31, 1998, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 224.

Adopted January 20, 1998. No. 49

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 526, C.R. 379, over the Pike River, County Project 1820, S.P. 69-598-22 (Pike Township); and

WHEREAS, the improvement consists of reconstructing said roadway approaches and bridge as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together

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

36

with temporary construction easements. NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Public Works Department (Fund 08A, Agency 500, Object 365).
Adopted January 20, 1998. No. 50

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 284, C-SAH 120, over the Bear Island River, County Project 9566, S.A.P. 69-720-01 (Unorganized Township 61-12); and

WHEREAS, the improvement consists of reconstructing said roadway approaches and bridge as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Public Works Department (Fund 08A, Agency 500, Object 365).

Adopted January 20, 1998. No. 51

WHEREAS, the St. Louis County Public Works Department plans to reconstruct, widen, and improve a segment of C-SAH

27 and replace County Bridge 442 over the St. Louis River, County Project 9571, S.A.P. 69-627-08 (McDavitt Township); and

WHEREAS, the improvement consists of reconstructing said roadway approaches and bridge as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements.

Adopted January 20, 1998. No. 52

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract, in accordance with the specifications of Bid No. 3670, with C. Anderson Sand-Gravel & Demolition Co., of Duluth, Minnesota, for demolition/removal of buildings at 602 and 604 North Ugstad Road, at their low specification bid price of \$8,500.00, payable from Public Works (Fund 02, Agency A11, Org. 0008, Object 379).

Adopted January 20, 1998. No. 53

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves Premises Permit applications, on file in the office of the County Auditor, identified as County Board File

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

37

No. 57122, for the following organizations:

Celebrity Bowl Charities to operate out of Tanski's Ridgeview Lanes, Rice Lake Township, Change of lessor and business name;

Cook Timberwolves Snowmobile Club, Inc., to operate out of The Landing, Beatty Township, New;

Esko Area Hockey/Skating Association to operate out of the Detour Lounge, Brevator Township, Renewal;

Esko Area Hockey/Skating Association to operate out of the Munger Tavern, Solway Township, Renewal.

Adopted January 20, 1998. No. 54

WHEREAS, the State Auditor's Office, pursuant to Minnesota Statute 6.48, provides audit services of the financial statements of St. Louis County and the Medical Care Facilities;

THEREFORE, BE IT RESOLVED, that the appropriate County Officials are authorized to execute the engagement letters with the State Auditor's Office for audit services for the financial statements of the County and the Medical Care Facilities for the year ending December 31, 1997.

Adopted January 20, 1998. No. 55

RESOLVED, the St. Louis County Board of Commissioners does hereby authorize the County Sheriff Emergency Management Division to apply for a

Hazardous Materials Emergency Preparedness Grant in order to conduct an Emergency Management exercise;

RESOLVED FURTHER, that the County Board authorizes the Chair of the Board and the County Sheriff to sign a contract to accept granting funding in the amount up to \$1,500 from the Minnesota Department of Public Safety, Division of Emergency Management, for participation in the Emergency Management exercise; RESOLVED FURTHER, that the County Board authorizes the County Auditor to amend the 1998 revenue budget for the Emergency Management Division to include up to \$1,500 in grant money from the Minnesota Department of Public Safety (Fund 01, Agency 094).

Adopted January 20, 1998. No. 56

RESOLVED, that the name for the St. Louis County Chris Jensen Nursing Home Facility be changed to Chris Jensen Health and Rehabilitation Center, effective January 20, 1998.

Adopted January 20, 1998. No. 57

WHEREAS, St. Louis County wishes to develop a recycled materials processing facility to process recyclables collected in the St. Louis County Solid Waste Service Area; and

WHEREAS, the Minnesota Office of Environmental Assistance has a Solid Waste Processing Facility Capital Assistance Program offering grant funding for recycled materials processing facility development; and

WHEREAS, St. Louis County wishes to make application to the Office of

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

38

Environmental Assistance for a solid waste processing facilities capital assistance grant to construct a recycled materials processing facility; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of the Solid Waste Department to sign the Preliminary Capital Assistance Program Grant Application on behalf of St. Louis County.

BE IT FURTHER RESOLVED, by the St. Louis County Board of Commissioners, that St. Louis County will implement the project, provide necessary local financing, and accept and exercise the governmental powers necessary to develop and operate the project.

Adopted January 20, 1998. No. 58

WHEREAS, a FY96 McKinney Act Home-less Assistance SuperNOFA application was submitted on June 12, 1996, with the U.S. Department of Housing and Urban Development for the Supportive Housing and Shelter Plus Care Programs; and

WHEREAS, St. Louis County was granted Supportive Housing and Shelter Plus Care Program funding under the U.S. Department of Housing and Urban Development's SuperNOFA, as authorized by Title IV of the Stewart B. McKinney Homeless Assistance Act of 1987, for the purpose of carrying out eligible activities to address the needs of homeless persons; and

WHEREAS, the U.S. Department of Housing and Urban Development has

granted approval for The Salvation Army to proceed with their Supportive Housing Program proposal in order to serve the needs of homeless families in St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize the Planning Director and a representative of the County Attorney to execute a Grant Agreement between St. Louis County and The Salvation Army in an amount not to exceed \$305,000.

RESOLVED FURTHER, payment of funds under this Agreement shall be made payable from McKinney Act, Fund 09.

Adopted January 20, 1998. No. 59

RESOLVED, that the recommendation of the St. Louis County Labor/Management Health Insurance Committee, as contained in their report on file in County Board File No. 57123, dated January 13, 1998, is hereby adopted implementing major organ transplant coverage for all participants covered under the fee-for-service option in the St. Louis County Self-Insured Health Plan, effective February 1, 1998.

RESOLVED FURTHER, the County shall implement said major organ transplant coverage by electing to purchase this coverage from Blue Cross/Blue Shield of Minnesota (BCBSM) at the premium rates established by BCBSM.

RESOLVED FURTHER, that all single and family rates will be changed to reflect the cost of the premiums, and the County Auditor will bill County retirees for the February and March premiums on the

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

39

second quarter insurance billing.
RESOLVED FURTHER, that the Chair of the County Board, County Auditor, and County Attorney are hereby authorized to sign any necessary agreements with BCBSM.
RESOLVED FURTHER, that notice be given to each of the bargaining units of the County's implementation of major organ transplant coverage, effective February 1, 1998.
Adopted January 20, 1998. No. 60

RESOLVED, that the 1996/1997 Sheriff's Corrections Officers Bargaining Agreement, a copy of which is on file in Contract File No. 98-59, is hereby approved, and the appropriate County Officials are authorized to execute said contract.
Adopted January 20, 1998. No. 61

RESOLVED, that the St. Louis County Board hereby makes the following Committee appointments:

RAINBOW SENIOR CENTER
ADVISORY BOARD for terms of August 1, 1997, through July 31, 2000 -
Dorothy A. Johansen
Betty M. Lund
Jan Nelson
Blanche Krueger (reappointment)

ZONING BOARD OF ADJUSTMENT for a term of one year expiring December 31, 1998 -
Dale St. Marie
Adopted January 20, 1998. No. 62

BY COMMISSIONER PREBICH:
WHEREAS, County Financial Workers and Case Aides are dedicated to providing outstanding services to people of Minnesota administering public assistance programs; and
WHEREAS, County Financial Workers and Case Aides are responsible for the prudent expenditure of millions of dollars yearly and must meet very high standards of job performance in determining eligibility for public assistance; and
WHEREAS, County Financial Workers and Case Aides' duties require that they be well-versed in a number of areas so that they may effectively provide services to public assistance recipients as well as to the general public; and
WHEREAS, the nature of federal and state welfare legislation dictates that County Financial Workers and Case Aides continually improve their knowledge, skills, and expertise related to their profession; and
WHEREAS, County Financial Workers and Case Aides will be the key to the success of welfare reform implementation as they help move Minnesota's low-income families toward self sufficiency; and
WHEREAS, it is important that all County Financial Workers and Case Aides recognize the important services that they provide to all citizens of Minnesota.
NOW, THEREFORE, in appreciation of their public service, past and future, to the citizens of the State of Minnesota, we hereby proclaim Thursday, January 22, 1998, as County Financial Worker and Case Aide Day in the State of Minnesota.

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

40

Financial Workers and Case Aides now have a day that officially recognizes the important work they do. We hope you will be able to use this day creatively as a positive beginning for Financial Workers and Case Aides in each of the counties statewide.

Adopted January 20, 1998. No. 63

RESOLVED, the St. Louis County Board of Commissioners hereby approves the sublease between the St. Louis County Agricultural Fair Association (Hibbing Fair) and Dominic and Tonya Cannata, d/b/a Hibbing Roller Rink, for the period of one year, beginning January 15, 1998, contingent on receipt of the proper certificate of insurance naming St. Louis County as a co-insured party.

Adopted January 20, 1998. No. 64

BY COMMISSIONER KRON:

RESOLVED, the St. Louis County Board of Commissioners authorizes the Chair of the Board to sign an agreement between the Counties of St. Louis and Carlton, the City of Cloquet, and the Townships of McDavitt, White, Brevator, Stoney Brook, Culver, and Solway, establishing the St. Louis River Board, contingent on approval of the County Attorney as to the form and content of the agreement.

Adopted January 20, 1998. No. 65

At 11:17 A.M. on Tuesday, January 20, 1998, upon motion of Commissioner Prebich, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

41

FEBRUARY, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
FEBRUARY 3, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of February, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair presented an award to the Purchasing Department from the National Association of Purchasing Management naming Purchasing the Corporate Sponsor of the Month.

The Chair opened the meeting to citizens who wished to address the Board on items not on the agenda for this meeting. Elmer Kline presented a written complaint relative to Social Services interaction with his son's child support delinquencies, a

copy of which is on file in County Board File No. 57129. County Attorney Alan Mitchell advised that the information Mr. Kline is seeking can only be released with a properly executed release from Mr. Kline's son authorizing release of his information.

The Chair presented a Plaque to the 1997 Chair Commissioner Kron. The 1997 Chair presented a gavel and block to the 1998 Chair Commissioner Forsman.

Daniel Hardy, Nashwauk, addressed the Board on an issue of his son living in a situation where he believes abuse is possible. He has requested help through the Social Service Department previously, however, they had responded that there was nothing they could do. The Chair requested the Social Service Director, who was at the meeting, to meet with Daniel Hardy to address his concerns.

Commissioner Fink, supported by Commissioner Prebich, moved to table for one week an item removed from the Consent Agenda being the 1998 Recycling and Waste Reduction Grant Program; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Prebich, moved approval of the contract with ODC for the year 1998 for employment services with a

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

42

contract maximum of \$91,003.00; and discussion continued following which this motion failed on a vote of three yeas - four nays being Commissioners Fink, Krueger, Raukar, and Chair Forsman. Commissioner Raukar, supported by Commissioner Prebich, then moved approval of the contract with a maximum of \$97,757, as was the maximum set with GIVE for these services; and discussion continued. Commissioner Krueger, supported by Commissioner Fink, moved to table this issue to February 10, 1998; failed three yeas - four nays being Commissioners Kron, Sweeney, Prebich, and Raukar. Commissioner Fink, supported by Commissioner Krueger, moved to amend the resolution of the Board to a contract maximum of \$84,003 which would incorporate a reduction of \$7,000 from the Department's recommended 15 percent increase as was reduced on the GIVE contract from the recommended maximum;

discussion continued. Following this discussion, the amendment failed on a vote of one yeas - six nays. Commissioners Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman. The motion was a maximum of \$97,757 was then adopted as Resolution No. 87.

Commissioner Kron, supported by Commissioner Raukar, moved approval of the contract with Arrowhead Counties for the services of St. Louis County's Lobbyist John Ongaro; discussion continued. Commissioner Prebich presented information relative to the payment of the lobbying assessment that she had received from the County Auditor which indicated that in 1991 Itasca County did not pay; in 1992 Cook County did not pay; in 1995 Aitkin County did not pay; in 1996 Aitkin, Carlton, and Lake did not pay; Cook County paid for this year as well as the delinquent 1992; in 1997 ARDC became the fiscal administrator thus the Auditor had no record. It was further noted that in the payment of dues, all counties are current except St. Louis County which did not pay in 1996 or 1997, \$400 per year. Commissioner Prebich requested an amendment, which the maker accepted as friendly amendment, that the counties' contributions for lobbying efforts be expended only for the expenses of John Ongaro. It was noted that St. Louis County's contribution had been in-kind service. Commissioner Prebich further requested, and the maker of the motion accepted, that it include clarifying language within the contract that St. Louis

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

43

County's contribution is in-kind service. It was noted that the Arrowhead Counties Bylaws now reflect that members must pay dues to remain in the Association; and that, at that time, the delinquencies were eliminated and a fresh start taken. Following further discussion, Resolution No. 90 was adopted authorizing the contract.

Commissioner Krueger, supported by Commissioner Fink, moved that St. Louis County pay its back dues for 1996 and 1997 at \$400 per year; discussion continued. Commissioner Kron, supported by Commissioner Raukar, moved to make the proposed resolution contingent on the other counties paying their unpaid lobbying assessments from previous years; this amendment passed on a vote of four yeas - three nays being Commissioners Fink, Krueger, and Chair Forsman. In that Commissioner Krueger did not support the resolution as changed by the amendment, she withdrew her original motion. Commissioner Prebich, supported by Commissioner Kron, then moved the payment of back dues with the contingency as above and Resolution No. 90 was adopted. Commissioner Raukar presented comments as to in future years, Arrowhead Counties could hire their own lobbyist and St. Louis County's Lobbyist could work strictly for St. Louis County.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

St. Louis County Board Committee of the

Whole submitting minutes of their meetings for the year 1998.--57125

Mark A. Monacelli, County Recorder, submitting a report of all business transacted and monies received by the County Recorder and the Registrar of Titles for and during the year 1997.--57126

Highway Engineer submitting award of bids for county construction projects for the year 1998.--57127

Robert H. Stephenson, Trenti Law Firm, submitting Notice of Hearing and Petition in the matter of Eric J. Oakman and Alicia K. Oakman to vacate a portion of North Road in the plat of Vermillion Heights.--57128

Elmer Kline and Warren E. Nelson submitting a Legal Complaint against the St. Louis County Board, County Attorney, and Director of Social Services - Child Support Collection Department.--57129

Joint Agreement between St. Louis County, Arrowhead Regional Corrections, and Arrowhead Interfaith Council for 1998 chaplaincy services at the County Jail, Northeast Regional Corrections Center, and Arrowhead Juvenile Center.--98-64

Lobbying Services Agreement with Arrowhead Counties Association and John Ongaro for the year 1998.--98-65

Duluth Senior Dining Project, Title III-C-

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

44

1 Purchase Agreement between the City of Duluth, Title III-C-1 Senior Dining, operating through the Parks & Recreation Department, and the St. Louis County Board of Commissioners, through the Social Services Department.--98-66ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Suzanne Pacquette.--98-67ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and KAWS Corporation for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-68ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and KAWS Corporation, House II, for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-69ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nekton-Chester Park for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-70ss

Agreement between the City of Floodwood and the St. Louis County Board of

Commissioners for the exchange of road maintenance for the old County garage located at 305 Railroad Street in Floodwood.--98-71

Agreement for Economic Development Services between the County of St. Louis and the Seaway Port Authority of Duluth.--98-72

Project Contract between the County of St. Louis and General Heating & Mechanical Company for Heating System Gas Conversion.--98-73

Supply Contract between the County of St. Louis and PRAXAIR to furnish and deliver industrial oxygen and acetylene to various districts and departments in the Iron Range area.--98-74

State of Minnesota Grant Contract Amendment No. 4 to provide HIV counseling and testing.--98-75

Agreement for Services between the St. Louis County Board of Commissioners and the Duluth Community Health Center, Inc., to provide diagnosis and treatment of sexually transmitted diseases.--98-76

Professional Services Agreement between the St. Louis County Communications Department and Bernhardt & Associates.--98-77

Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of

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

Eveleth.--98-78

Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Hibbing.--98-79

Supply Contract between the County of St. Louis and Northern Airgas to Furnish and Deliver Industrial Oxygen and Acetylene to various Districts and Departments in the Duluth area.--98-80

Sublease and certificate of insurance between the St. Louis County Agricultural Fair Association (Hibbing Fair) and Dominic and Tonya Cannata, d/b/a Hibbing Roller Rink.--98-81

Tom Karlson, CPA, Senior Audit Review Manager, State of Minnesota Office of the State Auditor, submitting an engagement letter for the audit of the general purpose financial statements of St. Louis County.--98-82

Tom Karlson, CPA, Senior Audit Review Manager, State of Minnesota Office of the State Auditor, submitting an engagement letter for the audit of the financial statements of the Medical Care Facilities.--98-83

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 66 through 86, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 13, 1998, are hereby approved. Adopted February 3, 1998. No. 66

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 20, 1998, are hereby approved. Adopted February 3, 1998. No. 67

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail	
Assistance	\$ 1,020.50
T22 Cities and Towns	764,761.14
T23 Game and Fish	225,308.06
T27 Refunds	113,038.07
T28 School Districts	1,196,825.07
T49 Taconite Production	
Tax	1,588,050.00
T50 State of Minnesota	481,735.92
T66 Criminal Fines	59,484.49
T68 Parking & Seat	
Belt Fines	60,402.34
T74 Employer/Employee	
Deductions	374,081.56
T75 Savings Bonds	14,100.00
T77 Cancelled Checks	1,825.63
T78 Volunteer Fire	
Departments	133,034.91

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

46

T80	Lake Superior - Forfeiture	345.93	51	County Garage	34,110.03
T87	Assault Fees	630.46	52A	Property, Casualty, Liability	1,439.98
T89	District Administrator	2,648.73	52B	Workers Compensation	58,322.16
T90	Boundary Waters - Forfeiture	922.28	52D	Medical/Dental Self Insurance	3,299.50
T98	Work Study Agency Fund	1,583.11	53	Management Infor- mation Systems	65,229.48
T99	Reserve Health & Welfare	1,400.85	54	Regional Railroad Authority	187,362.66
01	General Fund	1,477,840.94	55	Telecommunications	22,458.79
02	Public Works	740,700.35	64A	Jensen Nursing Home	398,808.08
04	Social Services	4,039,274.53	64B	Nopeming Nursing Home	292,614.06
07A	Road Construction- County	5,000.00	64F	Community Food Services	22,015.43
08	Capital Projects	50.00	64L	Laundry	30,354.91
08A	State Aid Road	139,610.03	64S	Supervised Living Facilities	13,318.74
08B	Road & Bridge Building Const.	574.75	72	No. Counties Land Use Coord. Board	2,078.76
08Y	Hibbing/Virginia Law Enforcement Centers	286,595.34	73	Arrowhead Regional Corrections	415,154.36
09	McKinney Homeless Grant	30,936.00	73B	NERCC Remodeling Project	59,102.35
10B	Emer. Shelt. 95 Funds	1,312.00	74	Community Health Services	10,727.47
11A	Home Grant - All Years	5,916.42	85	Patients Trust Fund	5,385.87
12B	CDBG Grant	35,529.70	90	Range Maintenance Facility	<u>391.50</u>
128	Law Library	5,727.42			\$13,826,548.29
13	St. Louis County HRA	4,573.05			
131	Extension Service	9,136.17			
15	Forfeited Tax	112,829.96			
16	Forest Resources	9,664.23			
26	Solid Waste Authorities	239,866.88			
49	Postage/Office Supplies	18,491.89			
50	Printing	19,545.45			

Adopted February 3, 1998. No. 68

RESOLVED, that Workers' Compensation is hereby awarded to those persons who were injured while in the employ of the County of St. Louis, as set forth in the

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

47

report of the County Attorney, dated February 3, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, and the County Auditor is authorized to issue checks in favor of said employees from Fund 52, Department 12.

Adopted February 3, 1998. No. 69

RESOLVED, that the applications for licenses to sell cigarettes at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

William Parris, d/b/a Bil Mars Supper Club, Unorganized Area 55-21, Cigarette License No. C9823;

Georgia Nelson, d/b/a Vermilion Dam Lodge, Unorganized Area 68-19, Cigarette License No. C9824.

Adopted February 3, 1998. No. 70

RESOLVED, that the County Board shall authorize the Social Service Department to accept the state mental health dollars and to contract with the Human Development Center and the Range Mental Health Center to provide mental health services for the citizens of St. Louis County. The total amount for HDC will be \$822,972; for the Range Mental Health Center \$867,446 for the 1998 calendar year.

Budget Reference:

CSP:

Fund 04 Social Service

Agency SSV Social Services
Organization 6610 Range Mental Health Center

Organization 6620 Human Development Center

Revenue:

9322 Mental Health Rule 78 Adult Community Support

CSSA:

Fund 04 Social Service

Agency SSV Social Services

Organization 6700 Mental Health Services - Range

Organization 2500 Mental Health Services - Duluth

Adopted February 3, 1998. No. 71

RESOLVED, that the St. Louis County Board authorizes the St. Louis County Social Service Department Director to enter into an agreement with St. Luke's Hospital by which St. Luke's Hospital reimburses the Social Service Department for Financial Worker services at the rate of \$19.10 per hour from January 1, 1998, until the agreement is either modified or terminated by either party. Termination of the agreement shall be accomplished by providing 30 days written notice of intent to terminate to the other party.

RESOLVED FURTHER, that the County Board authorizes the St. Louis County Social Service Department Director to enter into an agreement with St. Mary's Medical Center by which St. Mary's Medical Center reimburses the Social Service Department for Financial Worker services at the rate of \$19.10 per hour from January 1, 1998, until the agreement is either modified or terminated by either

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

48

party. Termination of the agreement shall be accomplished by providing thirty days written notice of intent to terminate to the other party.

RESOLVED FURTHER, that the County Board authorizes the St. Louis County Social Service Department Director to enter into an agreement with Miller Dwan Medical Center by which Miller Dwan Medical Center reimburses the Social Service Department for Financial Worker services at the rate of \$19.10 per hour from January 1, 1998, until the agreement is either modified or terminated by either party. Termination of the agreement shall be accomplished by providing thirty days written notice of intent to terminate to the other party.

Budget References:

Revenue: Fund 04, Agency FIN, Org. 5999
Adopted February 3, 1998. No. 72

WHEREAS, the St. Louis County Public Works Department has plans to reconstruct a portion of County State Aid Highway 32 between the Haines Road (C-SAH 91) and Arlington Avenue (C-SAH 90);

WHEREAS, additional highway right-of-way is required for the reconstruction; and
WHEREAS, tax forfeited properties adjoin the proposed reconstruction; and

WHEREAS, Minnesota Statutes 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Auditor to

grant the necessary right-of-way easements for highway purposes over the following parcels located in the City of Duluth:

Parcel 36 West One-Half (W 1/2) of East One-Half (E 1/2) of East One-Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4), Section Seven (7), Township Fifty (50) North of Range Fourteen (14) West of the Fourth Principal Meridian.

Parcel 38 The Westerly One-Half of the Westerly One-Half of the South Half of Southwest Quarter of the Southwest Quarter of the Southeast Quarter (W 1/2 of W 1/2 of S 1/2 of SW 1/4 of SE 1/4) of Section Seven (7), in Township Fifty (50) North, Range Fourteen (14) West of the Fourth Principal Meridian, according to the United States Government Survey thereof.

Parcel 46, 48 The Westerly Three-Quarter (W'y 3/4) of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) EXCEPT that portion of the West Two Hundred Twenty-Five (225) Feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of Section Seven (7), in Township Fifty (50) North of Range Fourteen (14) West of the Fourth Principal Meridian, which lies north of the Swan Lake Road and contains 5.7 acres more or less, and ALSO EXCEPTING the Easterly 120 Feet thereof of Section Seven (7), Township Fifty (50) North of Range Fourteen (14)

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

49

West of the Fourth Principal Meridian, according to the United States Government Survey thereof, and FURTHER EXCEPTING, the Easterly 120 Feet of Westerly 465 Feet of SE 1/4 of SE 1/4 of Section Seven (7), Township Fifty (50) North of Range Fourteen (14) West of the Fourth Principal Meridian, according to the United States Government Survey thereof.

Parcel 53 West One Hundred (100) Feet of the South Six Hundred Twenty-Seven (627) Feet of the Southwest Quarter of Southwest Quarter (SW 1/4 of SW 1/4) of Section Eight (8), Township Fifty (50) North, Range Fourteen (14) West of the Fourth Principal Meridian, according to the Government Survey thereof.

RESOLVED FURTHER, that the timber damages be paid from the Public Works Department (Fund 08A, Account 500, Auditor's Account 365).
Adopted February 3, 1998. No. 73

WHEREAS, the City of Floodwood is planning the construction of an improvement referred to as the "Floodwood River Walkway" and has committed funds sufficient to provide feasibility study, engineering, right of way acquisition, project supervision, twenty percent of the construction costs, and long term ownership and maintenance of the project; and

WHEREAS, the City of Floodwood has applied for Federal Transportation Enhancement (ISTEA) funds for 80 percent (\$165,000.00) of the

construction costs for the fiscal year 2001; and

WHEREAS, regulations in the ISTEA Program require that projects proposed by units of government with populations under 5,000 be sponsored by a larger unit of government, normally the county; and WHEREAS, the population of Floodwood is currently below 5,000; and

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County hereby supports the "Floodwood River Walkway" Project, and the Public Works Department will assist the City of Floodwood in its submittal of appropriate documents and will act as the recipient and fiscal agent for the Federal ISTEA funding.

Adopted February 3, 1998. No. 74

RESOLVED, that the County Sheriff and Chair of the St. Louis County Board are hereby authorized to execute an agreement on behalf of St. Louis County with the Duluth Clinic, Ltd., to provide physician and nursing services at the County Jail for 1998. Said contract fees shall be increased 2.5 percent for the physician's fee and 3 percent for nursing services over 1997, and payable from Fund 01, Agency 101, Object 264.

Adopted February 3, 1998. No. 75

RESOLVED, that the Chair of the St. Louis County Board, the County Auditor, and the County Sheriff are hereby authorized to execute on behalf of St. Louis County a joint agreement with ARC and Arrowhead Interfaith Council for 1998 chaplaincy services at the County Jail, Northeast Regional Corrections

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

50

Center (NERCC) and Arrowhead Juvenile Center (AJC). The County's share of said contract, a copy of which is contained in Contract File No. 98-64, the amount of \$12,480, is payable from Fund 01, Agency 101, Object 299.

Adopted February 3, 1998. No. 76

RESOLVED, that the County Sheriff and Chair of the St. Louis County Board are hereby authorized to execute an agreement on behalf of St. Louis County with Trentech of Montgomery, Alabama, for maintenance of the security system at the County Jail in the amount of \$29,570, payable from Fund 01, Agency 101.

Adopted February 3, 1998. No. 77

WHEREAS, Minnesota Statutes 641.15, Subdivision 2, mandates that a county board pay for the costs of medical services for prisoners; and

WHEREAS, 1996 Minnesota Laws, Chapter 408, Art. 8, Section 22, amends Minnesota Statutes 641.15, Subdivision 2, to authorize a county board to charge a co-payment for medical services to be deducted from any of prisoners funds held by the county.

NOW, THEREFORE, BE IT RESOLVED, that the County Jail is hereby authorized to charge inmates \$5.00 for each inmate initiated medical service. Further, the Sheriff is authorized to deduct such fee from an inmate's trust account for deposit in the General Fund.

Adopted February 3, 1998. No. 78

WHEREAS, the Minnesota Legislature

recently passed a law providing that a county board may require that each person who is booked for confinement at a county jail, and not released upon completion of the booking process, pay a fee of \$10.00 to the Sheriff's Department. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners establishes a booking fee for persons who are booked for confinement at the St. Louis County Jail and not released, in the amount of \$10.00, effective January 1, 1998.

Adopted February 3, 1998. No. 79

RESOLVED, that the County Board approves a Purchase of Service Agreement with Cerebral Palsy of Northeastern Minnesota for the period January 1, 1998, to December 31, 1998, at the recommended rates listed below:

Round Trip Standard Rate*	\$10.71
Round Trip Wheel Chair Rate**	\$18.55

*Standard unit rate, without wheelchair and/or attendant

**Exceptional cases where an individual must be transported singly and required the use of mechanical lift devices because of wheelchair and/or attendant.

Fund 04C

Agency S75

Organization 5200 CSSA Purchase of Service

Revenue Source 0020 Local Taxes

Adopted February 3, 1998. No. 80

RESOLVED, that the County Board

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

hereby approves a Purchase of Service Agreement with GIVE for the period of January 1, 1998, through December 31, 1998, to provide the following employment services at the rates as listed below, with a contract maximum of \$97,757.00:

Shelter-Based Work \$5.05/worker/day
Supported Employment \$7.84/worker/day
Job Coaching \$16.25/hour

RESOLVED FURTHER, that this contract will be reviewed at the end of a six-month period.

Fund 04C
Agency S75
Org. 5200 CSSA Purchase of Service
Rev. Source 0020 Local Taxes
Adopted February 3, 1998. No. 81

RESOLVED, that the St. Louis County Board of Commissioners authorizes Purchase of Service Agreements for residential care services for youth for the period of January 1, 1998, through December 31, 1998, at the per diem rates listed:

Bethany Crisis Shelter \$117.53
 25-Day Evaluation \$133.00
Bethany Range Youth Shelter \$117.97
Spirit Lake Group
 30-Day Residential \$89.55
Fond du Lac Group Home \$100.58

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Objects 1710 Child Shelter &

1830 Rule 8 Group Home
Revenue Sources 9102 Title IV-E Cost of Care & 0020 Local Taxes - Current

Woodland Hills
 Main Program \$139.60
 Evaluation/Orientation \$139.60
 Chisholm House \$94.54

Northwood Children's Home
 Rule 5
 Main Program \$140.64
 West Program \$140.64
 Exceptional Children's
 Annex \$140.64
 Honors Home \$140.64
 Diagnostic Center \$140.64

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Objects 4830 Rule 5 Child Residential Treatment & 1850 Corrections Facilities Child

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

52

Revenue Sources 9102 Title IV-E Cost of Care & 0020 Local Taxes - Current

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes a Purchase of Service Agreement with Northwoods Children's Home for therapeutic child foster care, emergency child foster care, and respite child foster care services. Therapeutic child foster care service rates shall comply with Basic Maintenance and Difficulty of Care Rates set by the Minnesota Department of Human Services, in addition to a per diem of \$20 for licensing and resource development services. Respite child foster care and emergency child foster care shall be at rates listed below. This agreement will be in effect from January 1, 1998, through December 31, 1998.

Respite Foster Care	
Foster Care Service	\$37.00
Licensing & Placement	\$20.00
Emergency Foster Care	
Foster Care Service	\$50.00
Licensing & Placement	\$25.00

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Objects 1810 Child Foster Care & 1980 Licensing/Resource Development
Revenue Sources 9102 Title IV-E Cost of Care & 0020 Local Taxes

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes Purchase of Service Agreements

with the following providers at the below listed rates for child day treatment services effective January 1, 1998, through December 31, 1998.

Northwood Children's Home Day Treatment Program	
Main Campus	\$58.00 per day
Little Learner's Enrichment Center	\$58.00 per day
Merritt Day Treatment	\$58.00 per day
Woodland Hills Intensive Day Treatment Program	\$53.35 per day
Spirit Lake Group Home 30-Day Non-Residential	\$60.46 per day
Range Mental Health Center Day Treatment Program	\$18.95 per hour

Budget Reference:
Fund 04 Social Service
Agency SSV Social Services
Expense Object 4670 Child Day Treatment
Revenue Source 0020 Local Taxes - Current

RESOLVED FURTHER, that the totals obligated under such contracts shall not exceed \$1,900,000.

Adopted February 3, 1998. No. 82

WHEREAS, St. Louis County requires the services of a competent contractor to

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

53

operate the Hibbing Roll-Off Container Site (HROCS), haul municipal solid waste from HROCS to the Regional Landfill, haul recyclable materials from Virginia to Hibbing, and perform related services; and WHEREAS, this service was competitively bid in 1996 and awarded to Zenith/Kremer Waste Systems, Inc., with the cost of this service reduced from \$18.75/ton to \$14.75/ton; and

WHEREAS, Zenith/Kremer Waste Systems, Inc., has performed this service in a competent and satisfactory manner; and

WHEREAS, the original contract allowed two one-year extensions and authorized renegotiation of the contract price; and

WHEREAS, Zenith/Kremer Waste Systems, Inc., has agreed to a fourteen-month extension of this contract at a cost of \$15.50 per ton.

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to enter into a fourteen-month agreement with Zenith/Kremer Waste Systems, Inc., to include an optional ten-month extension, for the operation and haulage of municipal solid waste from the Hibbing Roll-Off Container Site to the Regional Landfill at an estimated cost in 1998 of \$226,000 payable from Fund J-26, Agency J-36 Transfer Stations.

Adopted February 3, 1998. No. 83

RESOLVED, that Commissioner Kron and Commissioner Sweeney are hereby appointed to the St. Louis County Election Canvassing Board for elections to be held in the year 1998.

Adopted February 3, 1998. No. 84

RESOLVED, that the salary rate for the Nursing Assistant Trainee classification is established at the legislated minimum wage rate, effective January 3, 1998.

Adopted February 3, 1998. No. 85

WHEREAS, most of the problems which the statewide Community Based Planning effort are attempting to address are restricted to a limited and relatively few high-growth areas of our state.

WHEREAS, many Minnesota Counties are already severely restricted in their ability to enjoy future economic and population growth, due to existing state laws and rules concerning their preponderance of wetlands, shoreline and other land use issues;

WHEREAS, many Minnesota Counties have over 50 percent of their land under public ownership and must cope with very limited and restricted economic use of this land;

WHEREAS, Minnesota Statutes 394 already more than adequately addresses the land use planning needs and challenges of most Minnesota local governments;

THEREFORE, BE IT RESOLVED, that the State Legislature should not decide to extend the statewide Community Based Planning effort (for up to an additional 18 months), however, if it does, then the makeup of the Advisory Council needs to be substantially changed with at least one half of the Council made up of local government representatives. Specifically five members as named by the Association of Minnesota Counties, three members as named by the League of Minnesota Cities, two members as named by the Minnesota

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

54

Township Officers Association, and two additional members being one citizen representative as appointed by the Governor and an additional local government representative as chosen by the Governor.

BE IT FURTHER RESOLVED, that in the absence of a substantial increase in local government representation on the Advisory Council, then all Minnesota Counties which have experienced no growth or low growth since the 1980 Census would be totally exempted from any mandatory or future mandatory requirements emanating from the Statewide Community Based Planning effort. Additional county exemption would also automatically result when a county has over 50 percent of their land in public ownership and/or has 50 percent or more of their pre-settlement wetlands still intact.

Adopted February 3, 1997. No. 86

BY COMMISSIONER RAUKAR:

RESOLVED, that the County Board hereby approves a Purchase of Service Agreement with ODC for the period of January 1, 1998, through December 31, 1998, to provide the following employment services at the rates as listed below, with a contract maximum of \$97,757.00:

Shelter-Based Work	\$7/worker/day
Supported Employment	
\$10/worker/day	
Job Coaching	\$22/hour

RESOLVED FURTHER, that this contract will be reviewed at the end of a six-month period.

Fund 04C

Agency S75

Org. 5200 CSSA Purchase of Service

Rev. Source 0020 Local Taxes

Yeas - Commissioners Sweeney, Prebich, Raukar, and Chair Forsman - 4

Nays - Commissioners Fink, Krueger, and Kron - 3

Adopted February 3, 1998. No. 87

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

S.P. 69-598-09 (C.R. 500), County Project 9520, located on County Road 500 between T.H. 73 and County Road 481 over Little Fork River in Section 14, Township 62 North, Range 20 West (11.27 km West of Cook). Length: 500 meters (1640.4 feet). Construction to consist of Prestressed Concrete Beam Bridge and Approaches.

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Mr. Ed Lincowski, at a meeting at 10:00 A.M. on January 26, 1998, and the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said

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

55

contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby approves the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-598-09
Minn. Proj.
No. BROS 6996(174)

CONTRACTOR

Redstone Construction Co., Inc.
2183 Highway 65
Mora, MN 55051

AMOUNT

\$652,068.02
Unanimously adopted. February 3, 1998.
No. 88

BY COMMISSIONER KRON:

RESOLVED, that the Chair of the Board and the County Auditor are hereby authorized to execute the Lobbying Services Agreement with Arrowhead Counties Association and John Ongaro, St. Louis County Legislative Lobbyist for the year 1998, as on file in Contract File No. 98-65. Said agreement to reflect that the Lobbying Assessment is to pay only for the services of John Ongaro; and further, to reflect that the contribution of St. Louis County will be in-kind services.
Unanimously adopted. February 3, 1998.
No. 89

BY COMMISSIONER PREBICH:

RESOLVED, that the St. Louis County Board hereby authorizes payment of its Arrowhead Counties Association dues in the amount of \$400.00 per year for the years of 1996 and 1997.

RESOLVED FURTHER, that this dues payment is contingent on all of the member counties of Arrowhead Counties Association, who have unpaid lobbying assessments for any of the years of 1991 through 1997, paying those unpaid lobbying assessments.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar - 4

Nays - Commissioners Fink, Krueger, and Chair Forsman - 3

Adopted February 3, 1998. **No. 90**

At 10:50 A.M. on Tuesday, February 3, 1998, upon motion of Commissioner Prebich, supported by Commissioner Kron, the Board of County Commissioners adjourned with Commissioner Krueger dissenting.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

56

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
FEBRUARY 10, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of February, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

Chair Forsman commented that starting with next week's meeting he would like to commence the meetings with the reciting of the Pledge of Allegiance to the Flag.

The Consent Agenda resolutions were moved by Commissioner Prebich, supported by Commissioner Sweeney; and discussion was held. County Attorney Alan Mitchell presented additional information on two items. On the item of appointments to the Minnesota Municipal Board which will consider annexation of Fayal to the City of Eveleth, the term ex-officio for the Commissioners does not

mean non-voting. Pursuant to governing statutes, the members receive a \$25.00 per diem, they do vote and there may be multiple meetings. He presented a newly drafted resolution relative to the Gang Task Force which addresses all of the issues including naming the County as a "Third Party Beneficiary" in that the County is not addressed in the original grant but will be a party to its execution; the use of vehicles by the task force members; funding; staff; etc. Following discussion, the Consent resolutions were adopted.

Ted Troolin, Solid Waste Director, presented the current recommended proposal for the resolution adopting the 1998 Recycling and Waste Reduction Grant Program. In the current version, the title was changed to "1998" to identify that this is a one year program, with no guarantee of continuation. The proposed version includes a provision that municipalities under a population of 500 are exempted from a one to one matching contribution to grant received, noting that 80 percent of the municipalities are over a population of 500. Commissioner Fink, supported by Commissioner Prebich, moved adoption of the program; discussion continued. Commissioner Raukar, supported by Commissioner Prebich, moved to amend to remove the criteria for exempting those with a population under 500 from providing the match and further that criteria be developed to consider on a case by case basis those municipalities with a hardship to provide the match; discussion

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

57

continued. It would be the intent that Solid Waste staffing develop hardship criteria and bring recommendation to the Solid Waste Subcommittee for their decision. It was also discussed that townships set their 1998 budget in March of 1997, thus they would not have set out match funds for 1998. Mr. Troolin noted that the program could be a two year program extending in 1999 which would allow the townships to consider funding for 1999 at the annual meetings in March of 1998. Following discussion, the amendment to the proposal was adopted on a vote of six yeas - one nay Commissioner Fink. Resolution No. 118.

It was proposed to suspend the rules to add to the agenda an issue to authorize submission of a LCMR grant proposal to Improve Water Quality through the Reduction of Non-Point Source Pollution. Commissioner Fink, supported by Commissioner Krueger, moved to send this issue back to Committee for discussion, recess the Board and then bring the issue back to the reconvened Board, as it had just been placed before the Commissioners at the commencement of this meeting; discussion continued. Due to time limitations, Commissioner Prebich, supported by Commissioner Raukar, moved to suspend the rules, however, after discussion with the County Attorney, the Chair ruled that the motion to send the issue back to Committee was on the table; failed on a vote of three yeas - four nays being Commissioners Kron, Sweeney, Prebich, and Raukar. Commissioner

Prebich, supported by Commissioner Sweeney, then moved to suspend the rules; seven yeas - zero nays. Commissioner Prebich, supported by Commissioner Sweeney, then moved to authorize the application; discussion continued. Mike Vidmar, Planning, gave the staff presentation, noting the history of the process and that the \$200,000 request is for staff and equipment for planning and development. The major portion of this project would be to update records management and complete the GIS mapping. The program is applicable to all of the County with the identified watersheds being given priority. From other funding sources, it is estimated that there will be \$350,000 put directly into corrective actions for sewage systems. Commissioner Krueger noted that in discussion with Carol Thibault and Dale Schroeder, Health, there are also many areas of concern throughout the City of Duluth. Following discussion; Commissioner Sweeney, supported by Commissioner Kron, "called the question"; four yeas - three nays Commissioners Fink, Krueger, and Forsman. Resolution No. 119 was then adopted.

Commissioner Kron, supported by Commissioner Raukar, moved to suspend the rules to consider the issue of authorization for preparation of transfer of Hibbing Fairgrounds land; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Raukar, moved to so authorize; discussion continued. Included discussion information was that a site has been selected between Hibbing and

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

58

Chisholm; there have been meetings with the Legislature and other involved parties and it is anticipated that the County will be made whole. It has been discussed that funding needed for a new fairground will be from the IRRRB, that Public Works will do the site preparation. The useable buildings will be moved from the current site to the new site and the others will be demolished. The County will retain the race track, ice arena, and parking provisions. This resolution would authorize negotiations and preparation of documents, the Board would need to consider final approval at a later date. There is urgency to adopt this resolution in that it is anticipated that the State Bonding bill, which includes funding for the expansion of the Hibbing Community College, will be heard this week. The Board has been in support of this proposal by previous actions since 1994. County Attorney Alan Mitchell noted his action from the direction of this resolution and based on historical discussions, would be to draft a Purchase Agreement for \$1.00. He noted that the County needs to see the final footprint for the proposed college expansion to see where on the land it will lie; the County needs to see the plan for ingress and egress for the race track and arena as well as for the college; and discuss parking such as would the county retain parking or grant the parking to the college and retain an easement for the ice arena and race track. Compensation to the County would not be a part of these negotiations, as the IRRRB is not a part of this current discussion committee. Following discussion, Resolution No. 120

was adopted.

Commissioner Kron, supported by Commissioner Raukar, moved to conduct a closed session this date for purposes of labor negotiations at 1:30 P.M.; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-64 regarding repurchase of tax forfeited land.--57130

St.Louis County's 1998-1999 Community Social Services Act (CSSA) Plan.--57131

Land Commissioner submitting applications for repurchases of tax forfeited property for the year 1998.--57132

Civil Service Director submitting specifications for various classifications for the year 1998.--57133

B. D. Lesar, Mine Inspector, submitting monthly outlines of daily activities for the year 1998.--57134

Monthly reports of the Sheriff for cash received and disbursed in the year 1998.--57135

Project Contract between the County of St. Louis and C. Anderson Gravels -

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

59

Demolition for Building Removal or Demolition.--98-84

Memorandum of Understanding between A.F.S.C.M.E. Council 96 and the County of St. Louis for participation in the St. Louis County Self-Insured Health Plan.--98-85

Agreement for Services between the County of St. Louis and Jodi LeMoine Bergh for redesigning and remodeling several areas in the Courthouse.--98-86

Agreement between St. Louis County and Minnesota Program Development, Inc., for the St. Louis County Domestic Abuse Intervention Model for Rural Law Enforcement Project.--98-87

Agreement between St. Louis County and Praxis International, Incorporated, for the St. Louis County Domestic Abuse Intervention Model for Rural Law Enforcement Project.--98-88

County of St. Louis Appraisal Assignment Authorization/Acceptance for Project No. 69-632-20, Arrowhead Road, C-SAH 32, Parcels No. 32 & 54.--98-89

Project Contract between the County of St. Louis and General Andrews Nursery, MN Department of Natural Resources, to Furnish and Deliver Bare-Root Tree Seedlings.--98-90

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney,

Resolutions No. 91 through 117, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that Workers' Compensation is hereby awarded to those persons who were injured while in the employ of the County of St. Louis, as set forth in the report of the County Attorney, dated February 17, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, and the County Auditor is authorized to issue checks in favor of said employees from Fund 52, Department 12.

Adopted February 10, 1998. No. 91

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Babbitt Foreign Legion, d/b/a Babbitt Foreign Legion, Unorganized Area 61-13, Tobacco Products License No. T9825;

Jill Malanowski, d/b/a Calm Bays White Eagle Resort, Unorganized Area 69-21, Tobacco Products License No. T9826;

Michele Richards, d/b/a Chainsaw Sisters, Unorganized Area 64-12, Tobacco Products License No. T9827;

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

Joanne Hendrickson, d/b/a Lakeland Store, Biwabik Township, Tobacco Products License No. T9828;

D & R Properties, Inc., d/b/a LeGrand Supper Club, Grand Lake Township, Tobacco Products License No. T9829;

Mary Anderson, d/b/a Mary's Bar, Kinney Township, Tobacco Products License No. T9830;

Brenda Kjenaas, d/b/a Pike-Sandy Co-op, Pike Township, Tobacco Products License No. T9831;

Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Tobacco Products License No. T9832;

Sand Lake J.F. Enterprises, Inc., d/b/a Voyageur's Sand Lake Resort, Tobacco Products License No. T9833;

Melvin Wright, d/b/a Wright's Way, Unorganized Area 63-19, Tobacco Products License No. T9834.
Adopted February 10, 1998. No. 92

RESOLVED, that the Social Service Department is authorized to enter into a contract with First Call Minnesota for the provision of regional information and referral services. The Director of the Social Service Department is authorized to sign the agreement.

RESOLVED FURTHER, that the Social Service Department is authorized to accept \$7,045, and hardware and software applications from First Call Minnesota.

RESOLVED FURTHER, that budgeted revenues and expenditures in Fund 04, Agency SSV, Organization 2140, are increased by \$7,045.

Adopted February 10, 1998. No. 93

RESOLVED, that the St. Louis County Board hereby appoints the following citizens to the Retired Senior Volunteer Program (RSVP) Advisory Council for the terms listed:

<u>Name</u>	<u>Term</u>	<u>Term Ends</u>
Beverly Muskat	2	2000
Bill Bradley	2	2000
Sharon Musolf	2	1999
Rodger Palmer	2	1999
Ray Cayemberg	1	1999
Dick Simmons	1	1999
Rose Tassoni	2	1998
Joe Gagne	1	1998
Kathy Larsen	On-going	
Margaret Hogg	On-going	

Adopted February 10, 1998. No. 94

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with Duluth Regional Care Center to provide the following MA MR/RC Waiver Service and group residential housing services at their adult foster home called DRCC-Northside at the following rates for the period February 12, 1998, through June 30, 1998:

Program
DRCC-Northside
220 Fifth St. North
Virginia, MN

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

61

Supported Living Service

\$16.80 per hour

Group Res. Housing

\$746 per resident/month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted February 10, 1998. No. 95

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with Innovative Living, Inc., to provide the following MA MR/RC Waiver Services and group residential housing services at their adult foster home at 4311 Woodland Avenue, Duluth, MN 55803, at the following rates for the period February 3, 1998, through June 30, 1998:

Program

Innovative Living, Inc.
4311 Woodland Avenue
Duluth, MN 55803

Supported Living Service

\$16.30 per hour

Group Res. Housing

\$602 per resident/month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted February 10, 1998. No. 96

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with the Lee Foster Care Home to provide MA MR/RC Waiver Supported Living Services at their home located at 25 Bruce Street, Duluth, MN 55803, at the rate of \$10.08 per hour for the period January 1, 1998, through June 30, 1998.

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR ADULT FOSTER CARE ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS UTILIZED FOR THESE

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

62

SERVICES.

Adopted February 10, 1998. No. 97

RESOLVED, that the County Board approves a Purchase of Service Agreement with HOMES, Inc., to provide MA MR/RC Waiver Supported Living Services and group residential housing services at their Hibbing Program at the following rates for the period December 28, 1997, through June 30, 1998:

Program

HOMES, Inc.
2318 Second Avenue West
Hibbing, MN

Program Service

Supported Living

Program Rate

\$17.07 per hour

GRH Rate

\$777.90 per resident per month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted February 10, 1998. No. 98

RESOLVED, that the St. Louis County

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

63

Board of Commissioners approves a Purchase of Service Contract with HOMES, Inc., for the provision of adult foster care services to eligible Community Alternatives for Disabled Individuals (CADI) waiver clients at the rates listed below for services provided at 2318 Second Avenue West, Hibbing, MN, for the period December 28, 1997, through June 30, 1998.

<u>Case Mix</u>	<u>R a t e / D a y</u> <u>Rate/Month</u>
A	\$36.43
B	\$41.42
C	\$47.08
D	\$52.24
E	\$57.53
F	\$57.86
G	\$62.37
H	\$70.85
I	\$73.84
J	\$78.48
K	\$88.27
	\$2,685

Budget Reference:
NO COUNTY FUNDS ARE UTILIZED. PAYMENTS ARE MADE DIRECTLY TO THE PROVIDER VIA THE MINNESOTA MEDICAL INFORMATION

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

64

SYSTEM (MMIS-II) FROM STATE MEDICAL ASSISTANCE (MA) FUNDS TO ELIGIBLE CADI WAIVER CLIENTS.

Adopted February 10, 1998. No. 99

RESOLVED, that the St. Louis County Board of Commissioners awards Child Care Service Development and School Age Care Grants as specified below, for the period beginning February 1, 1998, and not to exceed April 30, 1999:

Service Development Grants

McGregor Public Schools
\$

16,136

Chicagami Children's Development Center
\$

14,321

Ranget Center
\$

14,321

Kootasca Community Action
\$

11,419

Resource Development Council Cook County
\$

11,047

T o t a l
\$

67,244

School Age Care Grants

Cook County School District
\$

12,000

Floodwood Services & Training
\$

11,000

T o t a l
\$

23,000

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

65

RESOLVED FURTHER, that the County Board authorizes the Social Service Department to enter into contracts for child care grant awards of \$10,000 or less, as specified below, for the period beginning February 1, 1998, and not to exceed April 30, 1999:

Service Development Grants

Iron Range Learning & Development Center
\$
7,646
K i d d y K a r o u s e l
\$
7,500
Y W C A o f D u l u t h
\$
7,500
Moose Lake Independent School District 97
\$
7,400
F o n d d u L a c R e s e r v a t i o n
\$
7,100
D o r e e n T r a i f o r o s
\$
6,600
United Cerebral Palsy of Northeastern MN
\$
5,000
I t a s c a C o u n t y F a m i l y Y M C A
\$
5,000
Y W C A o f D u l u t h
\$
4,600
K o o c h i c h i n g C h i l d r e n ' s C e n t e r
\$
4,260
Duluth Association for the Education of Young
C h i l d r e n

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

\$
4,000
Koochiching Children's Center
\$
4,000
Itasca County Family YMCA
\$
3,000
Hope Nursery School
\$
2,352
Cloquet Public Schools/Community Education
\$
2,092
Endion Square Child Care Center
\$
1,900
Raggedy Ann Preschool
\$
700
T o t a l
\$
80,650

School Age Care Grants

Community Ed Venture Center
\$
9,266
Esako Public Schools
\$
9,019
Itasca County ISD # 318
\$
6,646
St. Louis County Schools, ISD #2142
\$
5,515
Grand Portage Tribal Council
\$
3,349

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

67

I t a s c a C o u n t y F a m i l y Y M C A
\$
3,050
T **o** **t** **a** **I**
\$
36,845

Budget Reference:
Service Development Grants
Fund 04
Agency SSV
Organization 7600
Object 2980

School Age Care Grants
Fund 04
Agency SSV
Organization 7900
Object 2980
Adopted February 10, 1998. No. 100

RESOLVED, that the St. Louis County Board:

- 1) Authorizes the Social Service Department to accept a grant from the Northland Foundation for \$10,000.
- 2) Authorizes that budgeted revenues in Fund 04, Agency SSV, Revenue Source 5999, be increased by \$10,000.
- 3) Authorizes the County Purchasing Agent to prepare bid specifications and advertise to receive proposals for the purchase of two new minibuses.
- 4) Appropriates \$10,000 to Fund 04, Agency SSV, Object 669 (other vehicles), from grant funds and appropriates the remaining dollars required for the purchase from Fund 04, Equity Account 2530 (Reserved for Seniors Transportation), for the purchase of two minibuses for the Rainbow and West End Senior

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

Centers.

Adopted February 10, 1998. No. 101

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the County Board, County Auditor, and the Health Director to sign an agreement with Miller Dwan Medical Center, Inc., to provide professional nursing and home management services to Community Alternative Care Client No. 011 effective January 1, 1998. Charges for services are billed to Medical Assistance and reimbursed through the Department of Human Services.

Adopted February 10, 1998. No. 102

RESOLVED, that the County Board Chairperson, County Auditor, and the Health Director be authorized to sign an agreement with Maurices, Inc., for health promotion services for the period January 1, 1998, through December 31, 2000, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 220, Revenue No. 1470.

Adopted February 10, 1998. No. 103

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with Taylor Rental/Party Plus for laundering services for a two-year period from the date of signature at the rate of \$.61/lb. clean dry weight for all rented items except for linens as follows:

<u>Quantity</u>	<u>Item</u>	<u>Size/Color</u>
8	Tablecloths	54 x 54
\$	1.14	
13	Tablecloths	54 x 120
	3.50	
13	Tablecloths	90 inch Round
	4.50	
12	Skirting	1 6 f e e t

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

69

	5.13	
5	Skirting	22 feet
	7.13	
50	Napkins	White
	.28	
50	Napkins	Red
	.28	
50	Napkins	Forest Green
	.28	
50	Napkins	Black
	.28	
50	Napkins	Burgundy
	.28	
37	Napkins	Purple
	.28	
50	Napkins	Raspberry
	.28	
50	Napkins	Navy
	.28	
50	Napkins	Pink
	.28	
50	Napkins	Teal
	.28	
50	Napkins	Royal Blue
	.28	
50	Napkins	Ivory
	.28	
50	Napkins	Light Blue
	.28	
50	Napkins	Peach
	.28	
50	Napkins	Seafoam Green
	.28	
50	Napkins	Yellow
	.28	

and at the rate of \$.50/lb. clean dry weight for all items laundered which are owned by Taylor Rental/Party Plus; and

further, that an environmental fee of 2.5 percent be added to the cost for each invoice, payable to Fund 64L (Laundry),

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

70

Agency N70, Revenue Code 1944.
Adopted February 10, 1998. No. 104

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57130, are approved.

Adopted February 10, 1998. No. 105

RESOLVED, that the County Board Chair, County Auditor, and County Attorney are hereby authorized to enter into an agreement with the City of Hibbing for the lease of office space for the County's Extension Service Office in the Hibbing Memorial Building at a cost not to exceed \$1,000 per month, payable from Minnesota Extension Service (Fund 01, Agency 031, Object 342).

Adopted February 10, 1998. No. 106

RESOLVED, that a public hearing will be held at 9:35 A.M. on February 17, 1998, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of Combination On/Off Sale and Sunday On Sale Intoxicating Liquor Licenses to Pappas Enterprises, Inc., d/b/a LeGrand Supper Club, Grand Lake Township.

Adopted February 10, 1998. No. 107

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on January 5, 1998, the

proposed specification for Assistant Manager for Office Automation is adopted and placed in the Civil Service Supervisory Unit at Grade 27 effective February 10, 1998.

Adopted February 10, 1998. No. 108

WHEREAS, the wolf population has become excessive since its protection under the Federal Endangered Species Act of 1973; and

WHEREAS, the biology and management of the wolves have had extensive research and are well understood and relatively straightforward; and

WHEREAS, the declassification of the wolf from the Federal Endangered Species Act of 1973 needs to be supported by a wolf management plan that assures the long-term survival of the wolf in Minnesota while addressing the effects of wolves on agriculture and other human interests.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby supports the declassification of the wolf from the Federal Endangered Species Act of 1973, and further supports wolf management at a state level in conjunction with local advisory.

Adopted February 10, 1998. No. 109

WHEREAS, the Western Lake Superior Sanitary District (WLSSD) has established a facility availability fee; and

WHEREAS, eight townships, Alden, Fredenberg, Gnesen (two townships), Normanna, North Star, Pequaywan, and two unorganized townships (Township 53

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

71

North, Range 15 West, and Township 54 North, Range 13 West) are outside of WLSSD service area and within St. Louis County jurisdiction; and

WHEREAS, WLSSD has provided solid waste disposal and recycling services for these townships;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Solid Waste Department to pay the 1998 WLSSD facility availability fee of \$12.67/resident times 3,008 residents, not to exceed \$38,111, payable from Fund 26, Agency J-32, General Management.

Adopted February 10, 1998. No. 110

WHEREAS, St. Louis County is committed to providing comprehensive recycling and waste reduction programs to its residents; and

WHEREAS, the County desires a contractor to collect and properly dispose or recycle major appliances brought to its solid waste facilities by County residents; and

WHEREAS, Requests for Proposals were solicited for this service and, after evaluation, Curtiss Whitegoods Processing, Inc., was found to have submitted the most cost-effective proposal.

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to enter into a two-year agreement with Curtiss Whitegoods Processing, Inc., for the collection and proper disposal of major appliances from County solid waste facilities at the per unit cost as specified in the proposal, an

anticipated cost of \$58,390.00 in 1998. Funding for this service is available in Fund 26, Agency J-33, Recycling.

Unanimously adopted. February 10, 1998.

No. 111

RESOLVED, that the County Board approves St. Louis County's 1998-1999 CSSA Plan and authorizes the Chair to execute necessary certifications and agreements, a copy on file in County Board File No. 57131.

Adopted February 10, 1998. No. 112

WHEREAS, the Year Four Action Plan of St. Louis County's 1995-1999 Consolidated Plan was filed on November 15, 1997, with the U.S. Department of Housing and Urban Development for the FY98 Emergency Shelter Grant (ESG) Program, the HOME Investment Partnership (HOME) Program, and the Community Development Block Grant (CDBG) Program; and

WHEREAS, the U.S. Department of Housing and Urban Development has approved the FY98 Year Four Action Plan and has tendered grant agreements in the amount of \$121,000 for the ESG Program, \$651,000 for the HOME Program, and \$3,072,000 for the CDBG Program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners accepts the above referenced FY98 awards and authorizes the County Administrator to execute the grant agreements, on behalf of St. Louis County,

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

along with all the necessary forms, attachments, addendums, and certifications to complete the contracts between St. Louis County and the U.S. Department of Housing and Urban Development; and RESOLVED FURTHER, that said grant funds be appropriated as follows:

\$ 121,000 ESG Grant to Fund 10
 651,000 HOME Grant to Fund 11
 3,072,000 CDBG Grant to Fund 12
 Adopted February 10, 1998. No. 113

WHEREAS, the St. Louis County Board of Commissioners has approved the 1998 Community Development Block Grant (CDBG) Program awards to forty-three communities and agencies totaling approximately \$2.7 million; and WHEREAS, the individual contracts may now be executed for the proper utilization of these federal funds in accordance with various federal rules and regulations. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby authorize the Planning Director and a representative of the County Attorney to execute CDBG contracts for the following approved projects:

<u>Account No.</u>	<u>Grant Amt.</u>	
<u>Project</u>		
6601	\$ 60,000	First Time
Homebuyer Program - AEOA		
6602	25,000	Range Respite
Home		
6604	530,000	Single-Family
Rehabilitation - AEOA		
6605	130,000	Buhl Youth
Academy		

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

73

6606	100,000	Floodwood
Commercial Rehab		
6607	75,000	Hoyt Lake
Commercial Rehab		
6608	40,000	Microenterprise -
ACEAC		
6609	55,000	Microenterprise -
NEEF		
6611	15,000	Apple Tree Multi-
Purpose Room		
6612	100,000	Aurora I & I
Program		
6614	25,000	Babbitt Trails
6615	10,000	Balkan Sanitary
Sewer Imp.		
6616	120,000	Breitung Street &
Utility Imp.		
6617	225,000	Chisholm Street &
Utility Imp.		
6618	86,000	Ely Semer Park
Road		
6619	100,000	Ely Wastewater
Treatment		
6620	5,000	Fairbanks Petrell
Hall - ADA		
6621	40,000	Floodwood DAC
Phase III		
6622	135,000	Floodwood Street
& Utility Imp.		
6623	50,000	Gilbert Waterline
Imp. - Lower Broadway		
6624	25,000	Hibbing Seniors'
Tourist Center		
6625	200,000	Hibbing Street &
Utility Imp.		
6626	56,000	Meadowlands
Sewer Imp. - Phase III		
6627	18,000	Mesabi Family
YMCA Parking - ADA		

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

74

6628	50,000	Mesabi Trail
6629	10,000	Mt. Iron
Comprehensive Planning		
6630	40,000	Range Center
Renovation		
6631	100,000	Tower Sewer Imp.
6632	10,000	CIL Handicapped
Ramps Project		
6634	40,000	Legal Aid
6635	15,000	Money
Management Program - Salvation Army		
6636	25,000	Nijjii Center
6637	20,000	Proctor House for
Youth		
6638	30,000	Range Shelter -
AEOA		
6639	30,000	Range
Transitional Housing		
6640	20,000	ROCK Program -
AEOA		
6641	20,000	RWA Children's
Program		
6642	19,000	Sexual Assault
Project Support		
6643	10,000	SOAR Becoming
Employed		
6644	15,000	Soup Kitchen -
Salvation Army		
6645	10,000	Virginia Teen
Center		

RESOLVED FURTHER, disbursements relative to the above CDBG subrecipient contracts shall be made from Fund 12.

Adopted February 10, 1998. No. 114

WHEREAS, the following CDBG subrecipients have requested an extension to their current contracts up to December 31, 1999, in order to complete the terms of their CDBG subrecipient contracts:

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

75

<u>Project No.</u>	<u>Subrecipient -</u>
<u>Project</u>	
6306	Embarrass - Pyhala
Renovation	
6308	Virginia Commercial
Rehabilitation	
6301	AEOA - Rental
Rehabilitation	
6402	AEOA - Rental
Rehabilitation	
6405	Alborn - Community
Center Improvements	
6412	Buhl - Library ADA
Improvements	
6423	Virginia - Sewer
Replacement	

WHEREAS, the addendum to six subrecipient contracts involves an extension of the term to December 31, 1999; and the addendum to the subrecipient contract with Alborn involves an extension of the term to December 31, 1999, and the addition of \$9,500 of approved FY98 CDBG funding; and WHEREAS, it is in the best interest of both the subrecipients and the County that the addendums be granted. THEREFORE BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County signatory officials and a representative of the County Attorney to execute addendums to each of the above CDBG subrecipient contracts extending the term of same to December 31, 1999; and to increase the amount of the Alborn - Community Center Improvements contract by \$9,500 to come from approved FY98 CDBG funding.

RESOLVED FURTHER, Alborn project payments shall be made payable from CDBG Fund 12.
Adopted February 10, 1998. No. 115

WHEREAS, the Minnesota Municipal Board has received a proposal for a boundary adjustment, and a hearing has been scheduled for February 26, 1998, in the Council Chambers of the Eveleth City Hall commencing at 8:30 A.M.; and WHEREAS, the proposal is for the Annexation of the entire Town of Fayal to the City of Eveleth; NOW, THEREFORE, BE IT RESOLVED, that Commissioner Fink, Commissioner Kron, and Commissioner Raukar, as alternate, are hereby appointed to the Minnesota Municipal Board to serve on this proceeding.
Adopted February 10, 1998. No. 116

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

76

WHEREAS, the State of Minnesota, pursuant to Minnesota Statutes, Section 299A.64, has created statewide gang task forces; and

WHEREAS, the State and local law enforcement agencies have combined to form the Duluth Regional Gang Strike Force ("Regional Strike Force"), which will include St. Louis County; and

WHEREAS, the City of Duluth has agreed to serve as the fiscal agent for the Regional Strike Force; and

WHEREAS, the City of Duluth has entered into a Criminal Gang Strike Force Joint Powers Agreement with the State ("Joint Powers Agreement") whereby the State will make funds available to the City to be used by the City, as fiscal agent for the Regional Strike Force, to reimburse amounts spent by Regional Strike Force member agencies which have contributed equipment and personnel to the Regional Strike Force; and

WHEREAS, the City of Duluth has also entered into a Criminal Gang Strike Force - Reimbursement Grant with the State ("Grant Agreement") whereby the State will make funds available to the City which the City, as fiscal agent for the Regional Strike Force, has agreed to use to reimburse St. Louis County for 75 percent of the salary and benefits of two deputies the St. Louis County Sheriff has dedicated to the Regional Strike Force; and

WHEREAS, the City of Duluth has agreed in the Grant Agreement to "expend grant funds allocated for this program according to the attached budget outline" which indicates that the City shall reimburse St. Louis County the amount of \$137,302

over a two-year period which is an amount equal to 75 percent of the salary and benefits for the two full-time deputies that the Sheriff has dedicated to the Regional Strike Force; and

WHEREAS, St. Louis County is a Third Party Beneficiary of the Grant Agreement; and

WHEREAS, the St. Louis County Sheriff has agreed to dedicate one full-time Deputy Sheriff and one full-time Deputy Sheriff Investigator to the Regional Strike Force and is required to replace those two positions, thereby increasing the Sheriff's Department staffing complement by 2.0 FTE's; and

WHEREAS, any individual hired or promoted as a result of this increase in FTE's would be advised that their continued service would be contingent upon continued reimbursement by the city or openings through normal attrition in the Sheriff's Department; and

WHEREAS, as part of the Grant Agreement the two deputies allocated to the Regional Strike Force will each be assigned a vehicle which will be leased by the City of Duluth; and

WHEREAS, the two deputies committed to the Regional Strike Force will have exclusive control of the leased vehicles and the Sheriff will provide funds from the Sheriff's budget for all maintenance and expenses for the vehicles which will include funds to the County's self-insurance fund to insure the vehicles; and
WHEREAS, the State of Minnesota requests that St. Louis County sign the Joint Powers Agreement and the Grant Agreement and agree to carry out all its

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

77

obligations thereunder; and

WHEREAS, the State of Minnesota requests that St. Louis County provide proof of self-insurance as to the two leased vehicles to be used exclusively by the Sheriff's deputies while assigned to the Regional Strike Force.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the appropriate County officials to sign the Joint Powers Agreement and the Grant Agreement and thereby agree to carry out all of the County's obligations thereunder; and

IT IS FURTHER RESOLVED, that the County Board of Commissioners authorizes the Sheriff to assign two full-time Deputy Sheriffs to the Regional Strike Force for as long as the Sheriff continues to receive reimbursement from the City of Duluth for 75 percent of the salaries and benefits of the two deputies assigned to the Regional Strike Force, the reimbursement to be credited to Fund 1, Department 091, Account 101; and

IT IS FURTHER RESOLVED, that the County Board of Commissioners authorizes the Sheriff to hire two full-time Deputy Sheriffs, thereby increasing the Sheriff's Department staffing complement by 2.0 FTE's, for as long as the Sheriff continues to receive reimbursement from the City of Duluth; and

IT IS FURTHER RESOLVED, that the County Board of Commissioners requests the Sheriff to inform the new hires that their continued service will be contingent upon the continuation of the Regional Strike Force reimbursement or normal

attrition in the Sheriff's Department; and
IT IS FURTHER RESOLVED, that the County Board of Commissioners authorizes the Sheriff, for as long as reimbursement continues, to allocate funds from the Sheriff's Department budget to pay for expenses for the two leased vehicles, including funds to the county self-insurance fund to insure the two vehicles, payable from Fund 1, Department 091, Account 336.

Adopted February 10, 1998. No. 117

BY COMMISSIONER FINK:

WHEREAS, state law establishes ambitious recycling goals for counties to meet and mandates that counties plan for and ensure the provision of recycling services and opportunities; and

WHEREAS, St. Louis County is committed to maintaining and expanding its already successful recycling and reduction programs; and

WHEREAS, the County supports efforts by local units of government to provide recycling services and to encourage their residents to recycle and practice other waste reduction measures; and

WHEREAS, the County's Solid Waste Department recognizes its responsibility to assist local units of government within the Solid Waste Department service fee area with their recycling and waste reduction programs; and

WHEREAS, one way that the Solid Waste Department can provide assistance is helping fund recycling and reduction activities by local units of government, and the Department has funding available

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

78

to provide such assistance; and
WHEREAS, local units of government must provide a one-to-one cash or in-kind match.

WHEREAS, staff will develop criteria for local units of government to apply for exemption from the required match due to hardship; which application will be determined by the Solid Waste Subcommittee.

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to establish the St. Louis County 1998 Recycling and Waste Reduction Grant for local units of government within the Solid Waste Department service fee area. The amount of grant funds available for the 1998 funding cycle will not exceed \$150,000 and will be payable from Fund 26, J-34, Recycling.

Unanimously adopted. February 10, 1998.
No. 118

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 119 which was not on the agenda.

BY COMMISSIONER PREBICH:

WHEREAS, the Legislative Commission on Minnesota Resources (LCMR) is accepting grant proposals for projects to help sustain and enhance Minnesota's natural resources; and

WHEREAS, the improvement and protection of water quality on a watershed(s) basis through research and processes to reduce non-point source pollution has been identified by the LCMR as a priority strategy; and

WHEREAS, St. Louis County has identified the prevention and mitigation of non-point source pollution as a priority issue area in the County Comprehensive Water Plan; and

WHEREAS, St. Louis County administers a low-interest loan program to mitigate non-point source pollution through the repair of individual sewage treatment systems;

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is authorized to sign and submit the LCMR grant application for up to \$200,000 for research to develop decision-making tools to be used in implementing an effective prevention and mitigation of non-point source pollution program.

Unanimously adopted. February 10, 1998.
No. 119

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 120 which was not on the agenda.

BY COMMISSIONER KRON:

RESOLVED, the County Board of Commissioners hereby authorizes the County Attorney to negotiate and prepare documents for final Board approval that would transfer to the State of Minnesota, by and through the Board of Trustees of the Minnesota State College and Universities, for the purpose of expansion of the Hibbing Community College, the Hibbing Fairgrounds land, with retention of the race track, ice arena, and provisions for parking and means for access to and from the race track, ice arena, and

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

79

parking, by St. Louis County.
Unanimously adopted. February 10, 1998.
No. 120

(Seal of the County Auditor)

Upon motion of Commissioner Kron, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 121 which was not on the agenda.

BY COMMISSIONER KRON:

RESOLVED, that the location of the previously scheduled County Board Meeting and Committee of the Whole Meeting for February 24, 1998, will be changed from the Hibbing Courthouse to the HIBBING CITY COUNCIL CHAMBERS, City Hall, Hibbing, Minnesota. The meetings will convene at their scheduled time of 9:30 A.M.
Unanimously adopted. February 10, 1998.
No. 121

At 11:30 A.M. on Tuesday, February 10, 1998, upon motion of Commissioner Prebich, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

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

80

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
FEBRUARY 17, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 17th day of February, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address items that were not on the agenda for this meeting; there were none.

At 9:36 A.M., pursuant to Resolution No. 107, adopted February 10, 1998, a public hearing was convened to consider the granting of Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor License to Pappas Enterprises, Inc., d/b/a LeGrand Supper Club. The owners were present for the hearing. County Attorney Alan Mitchell advised of the following: The required application is on file, the reviewing County Departments recommend approval, the required insurance certificate naming St. Louis County as a co-insured is on file, Grand

Lake Township recommends approval, the St. Louis County Liquor Committee reviewed the application and recommends approval, the required notices were given. All written documentation from this hearing is on file in County Board File No. 57140. All persons in attendance were invited to address this issue, no one wished to do so. The hearing was closed at 9:40 A.M. on motion of Commissioner Raukar, supported by Commissioner Sweeney; seven yeas - zero nays. Resolution No. 140 was adopted.

The issue concerning the Aid to Other Agencies appropriation to the Hibbing Fair was tabled to the meeting of March 17, 1998, on motion of Commissioner Prebich, supported by Commissioner Raukar; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-92 regarding rezoning for Section 9, Township 56 N., Range 16 W., from FAM-2 to MUNS-4.--57136

Julie Brunner, County Administrator, and Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-93 regarding rezoning of portions of Section 10, Township 62 N., Range 12 W. (Town of Morse), from FAM-1 to RES-3 and MUNS-3.--57137

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

81

Julie Brunner, County Administrator, and Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-94 regarding rezoning for the Town of Field reflecting changes in Sections 21, 22, 27, and 28, Township 62 N., Range 19 W., from FAM-1 to FAM-2 and FAM-3.--57138

Documentation relative to the issuance and sale of \$50,000 General Obligation Revenue Note, Series 1998, for the Septic Loan Program.--57139

Documentation from public hearing held on February 17, 1998, to consider the granting of Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor License to Pappas Enterprises, Inc., d/b/a LeGrand Supper Club, Grand Lake Township.--57140

Agreement for Services between the County of St. Louis, Arrowhead Regional Corrections, and Arrowhead Interfaith Council for 1998 chaplaincy services at the County Jail, Northeast Regional Corrections Center, and Arrowhead Juvenile Center.--98-91

Service Agreement between St. Louis County and Trentech for maintenance of the security system at the County Jail.--98-92

Parking Space Lease Agreement between Keglars, Inc., d/b/a The Incline Station Bowling Center and the County of St. Louis.--98-93

Agreement between St. Louis County and Peatlands Diversified for assisting St. Louis County in its peat lease negotiation with Northwoods Organics.--98-94

Amendment to Agreement between St. Louis County and the City of Chisholm for Hauling Mixed Solid Waste from the City to the Regional Landfill in Virginia.--98-95

Agreement between St. Louis County and the City of Chisholm for Collection of Residential and Commercial Recyclable Materials.--98-96

Agreement between St. Louis County and Dougherty Trucking and Recycling for Collection, Processing, and Marketing of Recyclables at the South St. Louis County Recycling Sit Sites and Designated Drop-Off Locations.--98-97

Agreement for Professional Services between St. Louis County and Smithkline Beecham Clinical Laboratories for blood lead testing of children provided services by the St. Louis County Department of Public Health and Long Term Medical Care.--98-98

Purchase of Service Agreement between St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Waiver SLS Programs).--98-99ss

Purchase of Service Agreement between St. Louis County Board of Commissioners

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

and Senior Living, Inc., for providing residential care services.--98-100ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and St. Ann's Home for providing residential care services.--98-101ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Family Support, Inc., for providing Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-102ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Hansen-Pirilla Adult Foster Care.--98-103ss

Grant Agreement between the St. Louis County Board of Commissioners and Arrow-head Economic Opportunity Agency, Retired Senior Volunteer Program.--98-104ss

Grant Agreement between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Senior Services.--98-105ss

Grant Agreement between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Meals on Wheels.--98-106ss

State of Minnesota Department of Public Safety Criminal Gang Strike Force Reimbursement Grant with the City of

Duluth Police Department.--98-107

State of Minnesota Department of Public Safety Joint Powers Agreement for Criminal Gang Strike Force with the City of Duluth Police Department.--98-108

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 122 through 139, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 3, 1998, are hereby approved. Adopted February 17, 1998. No. 122

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T23 Game and Fish	\$ 1,203.00
T27 Refunds	29,750.93
T50 State of Minnesota	199,350.74
T72 Home CHDO Program Income	5,086.00
T74 Employer/Employee Deductions	119,889.46
T77 Cancelled Checks	147.00
T84 Attorneys Forfeitures	413.47
T85 Sheriffs Forfeitures	292.58

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

83

T89	District Administrator	1,460.83	52D	Medical/Dental Self Insurance	82.45
T98	Work Study Agency Fund	937.67	53	Management Information Systems	78,924.48
T99	Reserve Health & Welfare	747.48	54	Regional Railroad Authority	1,240.37
01	General Fund	761,244.48	55	Telecommunications	36,407.27
02	Public Works	536,774.09	64A	Jensen Nursing Home	282,153.70
04	Social Services	2,280,894.56	64B	Nopeming Nursing Home	168,693.75
08	Capital Projects	107,185.00	64F	Community Food Services	46,340.82
08A	State Aid Road	29,769.35	64L	Laundry	13,835.44
08B	Road & Bridge Building Const.	140.00	64S	Supervised Living Facilities	7,759.83
08Y	Hibbing/Virginia Law Enforcement Centers	265,698.80	73	Arrowhead Regional Corrections	255,481.36
09	McKinney Homeless Grant	5,410.00	73B	NERCC Remodeling Project	44,091.40
10B	Emer. Shelt. 95 Funds	8,477.15	74	Community Health Services	9,319.43
11A	Home Grant - All Years	22,377.96	90	Range Maintenance Facility	<u>10,736.00</u>
12B	CDBG Grant	52,405.71			\$5,829,018.63
127	Enhanced 9-1-1 Fund	511.88			
128	Law Library	2,289.85			
13	St. Louis County HRA	1,904.06			
131	Extension Service	6,247.71			
15	Forfeited Tax	50,584.14			
26	Solid Waste Authorities	128,489.34			
37L	Hibbing Public Works Facility Debt	67,175.35			
49	Postage/Office Supplies	3,200.00			
50	Printing	5,829.08			
51	County Garage	5,931.64			
52A	Property, Casualty, Liability	72.53			
52B	Workers Compensation	172,060.49			

Adopted February 17, 1998. No. 123

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Cormar Corp., d/b/a The Aspen, Unorganized Area 60-18, Tobacco Products License No. T9835;

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

84

Keith Nelson, d/b/a At Your Convenience,
Fayal Township, Tobacco Products
License No. T9836;

Black Bear Cafe, Inc., d/b/a Black Bear
Cafe, Vermilion Lake Township, Tobacco
Products License No. T9837;

Triple R Enterprises of Duluth, Inc., d/b/a
Blue Max Resort, Fredenberg Township,
Tobacco Products License No. T9838;

Diane Koski, d/b/a CC Campground Store,
French Township, Tobacco Products
License No. T9839;

Charles Frieschmann, d/b/a Clover Valley
General Store, Duluth Township, Tobacco
Products License No. T9840;

City of Cook, d/b/a Cook Last Chance
Liquor, City of Cook, Tobacco Products
License No. T9841;

T. Musech Enterprise, Inc., d/b/a Country
Store, City of Cook, Tobacco Products
License No. T9842;

Gary Bielejeski, d/b/a Crossroads
Convenience and Liquor Store, Clinton
Township, Tobacco Products License No.
T9843;

David Scofield, d/b/a Dave's Riverside
Sales, French Township, Tobacco Products
License No. T9844;

Douglas Miller/James Dedina, d/b/a
Dawghouse Bar & Grill, Northland
Township, Tobacco Products License No.

T9845;

John Dohnansky, d/b/a Dohnansky's Bar,
City of Meadowlands, Tobacco Products
License No. T9846;

Edwards Oil, Inc., d/b/a Edwards Lucky 7,
Ashawa, City of Cook, Tobacco Products
License No. T9847;

C & B Warehouse Distr., Inc., d/b/a Ely
Lake Shortstop, Fayal Township, Tobacco
Products License No. T9848;

Bill McKenzie, d/b/a Eveleth Pro Shop,
Fayal Township, Tobacco Products
License No. T9849;

William/Donna Mitchell, d/b/a Glenwood
Lodge, Unorganized Area 63-15, Tobacco
Products License No. T9850;

Karen Kackman, d/b/a Hi Way 5
Convenience, Toivola Township, Tobacco
Products License No. T9851;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky
Seven, City of Hoyt Lakes, Tobacco
Products License No. T9852;

Kennedy's Bar & Lounge, Inc., d/b/a
Kennedy's Bar & Lounge, Inc., City of
Proctor, Tobacco Products License No.
T9853;

Ronald Leslie, d/b/a Lakewood One Stop,
Lakewood Township, Tobacco Products
License No. T9854;

Martinson Log Cabin, Inc., d/b/a Log

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

85

Cabin, Angora Township, Tobacco Products License No. T9855;

Meadowlands Co-op, d/b/a Meadowlands Co-op, Meadowlands Township, Tobacco Products License No. T9856;

Mesaba Drug, Inc., d/b/a Mesaba Drug, Inc., City of Hoyt Lakes, Tobacco Products License No. T9857;

Georgette Saugestad, d/b/a Melrude Pub, Ellsburg Township, Tobacco Products License No. T9858;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Canosia Township, Tobacco Products License No. T9859;

Leon Polley, d/b/a Polley's Resort, Unorganized Area 63-17, Tobacco Products License No. T9860;

Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, Tobacco Products License No. T9861;

Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, Tobacco Products License No. T9862;

Dana Gangsei, d/b/a Side Lake Store, French Township, Tobacco Products License No. T9863;

James Sathers, d/b/a Three Lakes Trees and Treats, Northland Township, Tobacco Products License No. T9864;

VFW Post 1757, d/b/a VFW Post 1757, City of Cook, Tobacco Products License No. T9865;

BJM, Inc., d/b/a Voyaguair Lodge, Unorganized Area 67-17, Tobacco Products License No. T9866;

Dean Esala, d/b/a Wayside Cafe, Greenwood Township, Tobacco Products License No. T9867;

James Donahue, d/b/a Winton Bait Shop, City of Winton, Tobacco Products License No. T9868;

Jarth, Inc., d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T9869.

Adopted February 17, 1998. No. 124

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with Moose Lake Regional State Operated Services to provide MA MR/RC Waiver Crisis Respite Services for the period July 1, 1997, through June 30, 1998.

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER CRISIS RESPITE SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. NO COUNTY FUNDING IS INVOLVED.

Adopted February 17, 1998. No. 125

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

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with DeRungs Adult Foster Home, Inc., to provide the following MA MR/RC Waiver Services and group residential housing services at the following rates for the period February 10, 1998, through June 30, 1998.

Program

DeRungs Adult Foster Care Home, Inc.
414 North Court
Sandstone, MN 55072

Supported Living Services

\$16.27 per hr.

Group Res. Housing

\$620 per resident per month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted February 17, 1998. No. 126

RESOLVED, that the County Board accepts additional grant funds and approves the contract amendment in the amount of \$135,684 from the

Department of Children, Families, and Learning for the Child Care Resource and Referral Operating Grant for the purposes of capacity building, grants administration, and support for informal caregivers for the period from July 1, 1997, through June 30, 1999, such funds to be credited to Fund 04, Agency SSV, Revenue Source 9304 (State Child Care Resource and Referral Revenues).

RESOLVED FURTHER, that \$78,800 of this revenue be appropriated in the 1998 expenditure budget into Fund 04, Agency SSV.

RESOLVED FURTHER, that the Social Service Department be directed to include unexpended funds from this grant in the 1999 budget request.

RESOLVED FURTHER, that the County Board accepts funds for the 1998 budget as follows:

Revenue Code 9304

Add \$76,000 to revenue for 04 SSV -7100 (Operating Fund)

Add \$9,400 to revenue for 04 SSV - 7200 (Special Needs Grant)

RESOLVED FURTHER, that the County Board increases the 1998 budget by the following amounts and appropriate funds as follows:

Increase expenditure for 04 SSV -7100 by \$76,000

Budget Reference:

Fund 04, Agency SSV, Organization 7100

Object 101 (Salary)	\$20,600
---------------------	----------

Object 162 (Fringe)	2,000
---------------------	-------

Object 171 (Fringe)	4,200
---------------------	-------

Object 331 (Travel)	700
---------------------	-----

Object 333 (Travel)	200
---------------------	-----

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

87

Object 334 (Travel)	200
Object 335 (Travel)	200
Object 336 (Travel)	700
Object 241 (Advertising)	500
Object 2980 (Licensing & Resource Development)	46,000
Object 243 (Staff Training)	700

from December 9, 1997, to December 31, 1998, for the Family Choices Parent Education Program; funds to be deposited in 04D (Duluth Area Family Service Collaborative), ORD (Ordean Foundation), Revenue Code 5999 (Private Grants).
Adopted February 17, 1998. No. 128

Increase expenditure for 04 SSV - 7200 by \$2,800
(This adjusts the existing 1998 budget of \$6,600 to a total of \$9,400)
Budget Reference:
Fund 04
Agency SSV
Organization 7200
Object 2980 (Licensing & Resource Development)
Adopted February 17, 1998. No. 127

RESOLVED, that the Purchasing Agent is hereby authorized to purchase office furniture, in accordance with the State of Minnesota Contract No. 415433 (free standing furniture) and University of Minnesota Contract No. U42.13 (modular systems furniture) from Duluth Typewriter & Business Furniture at the following contract price of \$43,687.92 which includes tax, delivery, and installation, payable from Fund 15 (Tax Forfeited Land), Agency E21 (Administration), Object 647 (Office Equipment).
Adopted February 17, 1998. No. 129

RESOLVED, that the St. Louis County Board of Commissioners hereby:

1. Approves the receipt of grant funds by the Social Services Department (as Fiscal Agent) in the amount of \$20,000 from the Ordean Foundation for the period from November 11, 1997, to December 31, 1998, for the operations of the Washington Family Resource Center; funds to be deposited in 04D (Duluth Area Family Service Collaborative), ORD (Ordean Foundation), Revenue Code 5999 (Private Grants).

RESOLVED, that a public hearing will be held at 9:35 A.M. on Tuesday, February 24, 1998, in the City Council Chambers, City Hall, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18.
Adopted February 17, 1998. No. 130

2. Approves the receipt of grant funds by the Social Services Department (as Fiscal Agent) in the amount of \$37,720 from the Ordean Foundation for the period

RESOLVED, the St. Louis County Board of Commissioners awards \$50,000 to the City of Duluth for a cooperative site acquisition and building project they are involved in with the Lake Superior and

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

Mississippi Railroad, payable from the Land Department Forest Recreation Fund F21.
Adopted February 17, 1998. No. 131

RESOLVED, that the MIS Department is hereby authorized to enter into a Supplemental Labor/Flexible Work Schedule Agreement with the St. Louis County Employees Association, representing St. Louis County Civil Service Supervisory Unit Employees, allowing the department's employees represented by that bargaining unit to negotiate flexible schedules. It is understood that this agreement will be modified or terminated if it is shown to adversely affect the MIS Department's operations.
Adopted February 17, 1998. No. 132

RESOLVED, that the County Board:

- 1) Authorizes Purchase of Service Contracts with the following home delivered meals service providers for the period January 1, 1998, through December 31, 1998, at the rates listed below:

<u>Home Delivered Meals</u>		<u>1998</u>
<u>1998</u>	<u>AC/Waiver</u>	<u>Recom</u>
<u>mended</u>	<u>Provider</u>	<u>County</u>
<u>Rate</u>	<u>Rate</u>	
	Aurora/Hoyt Lakes Meals N Wheels	\$1.00
		\$3.68
	Cherry/Mt. Iron Wheeling Meals	1.15
	3.83	
	Special Diet	1.45
	4.15	
	City of Duluth Senior Dining	1.05
	3.73	
	Ely Meals on Wheels	1.50
	4.20	
	Special Diet	1.65

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

89

4.36	
Have Meals Will Travel	1.20
3.89	
Kelsey Recreation Club	1.50
4.20	
Lakeshore Lutheran	2.10
4.83	
Meals Our Mission	1.15
3.83	
Special Diet	1.45
4.15	
MITH - East	1.50
4.20	
MITH - West	1.50
4.20	
Proctor Meals on Wheels	0.95
3.62	
Arrowhead Economic Opportunity	
Agency (AEOA)	N/A
4.25	

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services,
Organization 2300 Title III Home Delivered Meals
Revenue Source 0020 Local Taxes (Current), 1873
Home Delivered Meals, 9106 Title III Home
Delivered Meals, MMIS-II AC/Waiver

Personal Emergency Response

2) Authorizes Purchase of Service Contracts with the following personal emergency response equipment service providers for the period January 1, 1998, through December 31, 1998, at the rates listed below:

Arrowhead Health Alternatives (Virginia)

With voice communication:

\$30.00 per month

Installation fee (one time cost):

\$35.00

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

90

HealthLine, Inc.-Lifeline (Hibbing)
With voice communication:
\$30.00 per month
Installation fee (one time cost):
\$35.00

HealthStar Home Health Agency (Virginia)
With voice communication:
\$30.00 per month
Installation fee (one time cost):
\$35.00

HomeCare Specialists (Hibbing):
With voice communication:
\$29.00 per month
Installation fee (one time cost):
\$33.00

Interim Health Care (Duluth):
With voice communication:
\$35.00 per month
Installation fee (one time cost):
\$50.00

AC/Waiver Only

Midwest Medical Equipment and Supply
(Duluth)
With voice communication:
\$35.00 per month
Installation fee (one time cost):
\$35.00

Vermilion Home Care (Cook)
With voice communication:
\$30.00 per month
Installation fee (one time cost):
\$35.00

Budget Reference:
Fund 04 Social Service, Agency SSV Social Services,

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

91

Organization 2200 Elderly Services/South & 6200
Elderly Services/North
Revenue Source 0020 Local Taxes & MMIS-II
AC/Waiver

Home Care Services

- 3) a. Approves 1998 rate maximums for County funded homemaker services at \$2.81/quarter hour and home health aide services at \$3.88/quarter hour.
- b. Approves 1998 rate maximums for AC/all Waiver funded homemaker services at \$3.24/quarter hour, AC/Elderly Waiver funded home health aide/home health aide extended services at \$4.55/quarter hour and CADI/TBI waiver funded home health aide extended services at \$3.85/quarter hour.
- c. Approves contracts with the following providers for homemaker and home health aide services at the following rates for the period January 1, 1998, through December 31, 1998:

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

<u>Local Home Provider Health Aide</u>	<u>Local Homemaker</u>
Accessible Space, Inc. N/A	\$2.81 1/4 hr.
Arrowhead Health Alternatives \$3.88 1/4 hr.	\$2.81 1/4 hr.
HealthLine, Inc. \$3.88 1/4 hr.	\$2.81 1/4 hr.
HealthStar Home Health Agency \$3.88 1/4 hr.	\$2.81 1/4 hr.
HomeCare Specialists, Inc. \$3.88 1/4 hr.	\$2.81 1/4 hr.
Interim Health Care \$2.81 1/4 hr.	\$3.88 1/4 hr.
Olsten Kimberly Quality Care \$3.88 1/4 hr.	\$2.81 1/4 hr.
St. Luke's Home Care \$3.88 1/4 hr.	\$2.81 1/4 hr.
St. Mary's Home Care \$3.88 1/4 hr.	\$2.81 1/4 hr.
Senior Friend Associates \$3.78 1/4 hr.	\$2.81 1/4 hr.
TLC Home Care N/A	\$2.81 1/4 hr.
Vermilion Home Care \$3.78 1/4 hr.	\$2.80 1/4 hr.
Allied Health Alternatives \$3.88 1/4 hr.	\$2.81 1/4 hr.
Nurses That Care \$3.88 1/4 hr.	\$2.81 1/4 hr.
Villa Home Health \$3.88 1/4 hr.	\$2.81 1/4 hr.
	<u>AC/Waiver</u>
<u>AC/Elderly Waiver Provider Home Health Aide</u>	<u>Homemaker</u>
Arrowhead Health Alternatives \$4.55 1/4 hr.	\$3.24 1/4 hr.

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

93

HealthLine, Inc.	\$3.24 1/4 hr.
\$4.12 1/4 hr.	
HealthStar Home Health	\$3.24 1/4 hr.
\$4.55 1/4 hr.	
HomeCare Specialists, Inc.	\$3.24 1/4 hr.
\$4.31 1/4 hr.	
Interim Health Care	
\$3.24 1/4 hr.	\$4.55 1/4 hr.
Olsten Kimberly Quality Care	\$3.24 1/4 hr.
\$4.55 1/4 hr.	
St. Luke's Home Care	\$3.24 1/4 hr.
\$4.55 1/4 hr.	
St. Mary's Home Care	\$3.15 1/4 hr.
\$4.20 1/4 hr.	
Senior Friend Associates	\$2.88 1/4 hr.
\$3.78 1/4 hr.	
TLC Home Care	\$3.24 1/4 hr.
No HHA Service	

AC/Waiver

AC/Elderly Waiver

Provider

Home Health Aide

Homemaker

Vermilion Home Care	\$2.80 1/4 hr.
\$3.78 1/4 hr.	
Allied Health Alternatives	\$3.24 1/4 hr.
\$4.55 1/4 hr.	
Nurses That Care	\$3.24 1/4 hr.
\$4.50 1/4 hr.	
Villa Home Health	\$3.24 1/4 hr.
\$4.55 1/4 hr.	

CADI/TBI

Home

Provider

Health Aide

Arrowhead Health Alternatives	\$3.85 1/4 hr.
HealthLine, Inc.	\$3.85 1/4 hr.
HealthStar Home Health	\$3.85 1/4 hr.
HomeCare Specialists, Inc.	\$3.85 1/4 hr.

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

94

Interim Health Care	
\$3.85 1/4 hr.	
Olsten Kimberly Quality Care	\$3.85 1/4 hr.
St. Luke's Home Care	\$3.85 1/4 hr.
St. Mary's Home Care	\$3.85 1/4 hr.
Senior Friend Associates	\$3.78 1/4 hr.
Vermilion Home Care	\$3.78 1/4 hr.
Allied Health Alternatives	\$3.85 1/4 hr.
Nurses That Care	\$3.85 1/4 hr.
Villa Home Health	\$3.85 1/4 hr.

d. Authorizes the Department to contract with the above listed providers for extended hours of service at rates that are less than the approved maximum hourly rates.

e. Authorizes the Department to reimburse the above providers an additional \$.20 per hour for County funded homemaker and home health aide services delivered in rural St. Louis County.

Budget Reference:

Fund 04 Social Service, Agency SSV Social Services,
Organization 2200 Elderly Services/South & 6200
Elderly Services/North
Revenue Source 0020 Local Taxes (Current) &
MMIS-II AC/Waiver

Home Health RN-Services

4) Authorizes contracts for the period January 1, 1998, through December 31, 1998, with the following Home Health Nursing-RN service providers at the state approved Alternative Care rate maximum of \$5.88 per quarter hour.

Provider

Arrowhead Health Alternatives
HealthLine, Inc.
HealthStar Home Health

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

95

HomeCare Specialists, Inc.
Interim Health Care
Olsten Kimberly Quality Care
St. Mary's Home Care
Senior Friends Associates
Vermilion Home Care
Allied Health Alternatives
Nurses That Care
Villa Home Health
Budget Reference:
Fund 04 Social Service, Agency SSV Social Services,
Organization 2200 Elderly Services/South & 6200
Elderly Services/North
Revenue Source MMIS-II Alternative Care Only

Home Health LPN-Services

5) Authorizes contracts for the period January 1, 1998, through December 31, 1998, with the following Home Health Nursing-LPN service providers at the state approved Alternative Care rate maximum of \$4.49 per quarter hour.

Provider

Arrowhead Health Alternatives
HealthStar Home Health
HomeCare Specialist, Inc.
HealthLine, Inc.
Olsten Kimberly Quality Care
Interim Home Care
Senior Friends Associates
Vermilion Home Care
Allied Health Alternatives
Nurses That Care
Villa Home Health

Personal Care Attendant

6) Authorizes contracts with the following personal

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

care attendant/extended personal care attendant service providers to meet client specific needs for the period January 1, 1998, through December 31, 1998.

<u>Provider</u>	<u>Rate/Pr</u>
<u>ogram</u>	
Interim Health Care 1/4 hr., EW, CADI, TBI	\$3.09
Allied Health Alternatives 1/4 hr., AC, EW, CADI, TBI	\$3.09
HealthLine, Inc. 1/4 hr., AC, EW, CADI, TBI	\$3.09
HealthStar Home Health 1/4 hr., AC, EW, CADI, TBI	\$3.09
Budget Reference:	
Fund 04 Social Service, Agency SSV Social Services, Organization 2200 Elderly Services/South & 6200 Elderly Services/North Revenue Source MMIS-II, AC/Waiver Only	

Adult Day Care

7) Approves contracts with the following providers at the below listed rates for adult day care, adult day care bath and extended transportation services for the period January 1, 1998, to December 31, 1998.

Benedictine HCC - Duluth

Adult Day Care Services
County Rate
\$36.80/day
EW
\$4.97/30 mins.
AC
\$4.92/30 mins.
CADI & TBI
\$49.73/day
Adult Day Care Bath Services
EW & AC
\$5.64/15 mins.

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

97

Benedictine HCC St. Anthony-Duluth

Adult Day Care Services

County Rate

\$36.80/day

EW

\$4.97/30 mins.

AC

\$4.92/30 mins.

CADI & TBI

\$49.73/day

Adult Day Care Bath Services

EW & AC

\$5.64/15 mins.

Daybreak ADC-Cook

Adult Day Care Services

County Rate

\$36.80/day

EW

\$4.97/30 mins.

AC

\$4.92/30 mins.

(CADI & TBI)

\$49.73/day

Adult Day Care Bath Services

EW & AC

\$5.64/15 mins.

Extended Transportation

EW

\$.29/mile

Ely-Bloomenson Hospital

County

\$36.80/day

EW

\$4.97/30 mins.

AC

\$4.92/30 mins.

CADI & TBI

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

98

\$49.73/day
MR/RC
\$38.64/day
Adult Day Care Bath Services
EW & AC
\$5.64/15 mins.
Extended Transportation
EW
\$.29/mile

UMC/M-Hibbing

Adult Day Care Services
Local
\$36.80/day
EW
\$4.97/30 mins.
AC
\$4.92/30 mins.
CADI & TBI
\$49.73/day
MR/RC
\$38.64/day
Adult Day Care Bath Services
EW & AC
\$5.64/15 mins.
Extended Transportation
EW
\$.29/mile

R.M.H.C.-Virginia

Day Care Services
Local
\$36.80/day
EW
\$4.97/30 mins.
AC
\$4.92/30 mins.
CADI & TBI
\$49.73/day
MR/RC

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

99

\$38.64/day
Adult Day Care Bath Services
EW & AC
\$5.64/15 mins.
Extended Transportation
EW
\$.29/mile
Budget Reference:
Fund 04 Social Service, Agency SSV Social Services,
Organization 2200 Elderly Services/South & 6200
Elderly Services/North
Revenue Source 0020 Local Taxes (Current) &
MMIS-II AC/Waiver

Transportation

8) Approves a contract with Arrowhead Transit at the below listed rates for transportation services for the period January 1, 1998, through December 31, 1998.

One Way Trip	\$1.50
Round Trip	\$3.00

Budget Reference:
Fund 04 Social Services, Agency SSV Social Services,
Organization 6200 Elderly Services/North
Revenue Source 0020 Local Taxes (Current)
Adopted February 17, 1998. No. 133

RESOLVED, the St. Louis County Board amends the Zoning Map for Section 9, Township 56N., Range 16W., from FAM-2 to MUNS-4 as shown in the Zoning Map identified as "Proposed Zoning" placed in Board File No. 57136. The Board, in approving the rezoning, is making the findings found in the Staff Report to the Planning Commission and also placed in Board File No. 57136.

Adopted February 17, 1998. No. 134

RESOLVED, the St. Louis County Board of Commissioners approves the rezoning of portions of Section 10, Township 62N., Range 12W. (Town of Morse) from FAM-1 to RES-3 and MUNS-3 as shown on the map placed in Board File No. 57137 and identified as proposed zoning. The Board, in approving the rezoning, is

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

100

making the findings also placed in Board File No. 57137.

Adopted February 17, 1998. No. 135

RESOLVED, the St. Louis County Board of Commissioners adopts the zoning map for the Town of Field, identified in Board File No. 57138. This zoning reflects changes in Sections 21, 22, 27, and 28, Township 62N., Range 19W., and involves changes zoning from FAM-1 to FAM-2 and FAM-3. The Board, in approving this rezoning, is making the findings found in Board File No. 57138.

Adopted February 17, 1998. No. 136

WHEREAS, it is important to St. Louis County to continue with an effective Resource Management Program that is comprehensive and coordinated to perpetuate and protect ecological conditions and diversity while carrying out the County Board's overall policy and direction to manage Tax Forfeited Trust lands and resources; and

WHEREAS, it is necessary to establish Operational Resource Management Policies and Guidelines to provide direction for the professional resource staff which will enable them to carry out these management programs in a consistent professional manner.

NOW, THEREFORE, BE IT RESOLVED, that the Land Commissioner is hereby directed to develop and institute all operational policy directives needed to assure practical and workable resource management programs and to review and modify said policy directives from time to time in order to carry out sound resource

management in keeping with County statute and County policy.

RESOLVED FURTHER, that the Land Commissioner will make a presentation to the Board of new policy directives that are developed prior to their implementation. Adopted February 17, 1998. No. 137

**RESOLUTION AUTHORIZING THE
ISSUANCE AND SALE OF \$50,000
GENERAL OBLIGATION REVENUE
NOTE, SERIES 1998, AND
PROVIDING FOR ITS PAYMENT**

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

Section 1. Authorization and Sale of Note.

1.01. Findings.

A. Pursuant to Minnesota Statutes, Section 17.117, the Minnesota Department of Agriculture (the "Department") has created a program to provide funds for loans to landowners and businesses to prevent or mitigate sources of nonpoint sources of water pollution.

B. The Board has previously found and determined, and such determination is hereby ratified and approved, to be necessary and in the best interest of the County, the residents of the County and the environment, to provide low-interest loans to landowners for facilities, fixtures, equipment or other sustainable practices that prevent or mitigate sources of

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

101

nonpoint source water pollution (the "Project").

C. The County has applied for funding from the Department for such loan program. It has been determined that the sum of \$50,000 will be needed in order to initially fund loans for the Project. The County desires to obtain additional funds for such loan program.

1.02. Note for Low-Interest Loans to Landowners. It is further hereby found and determined to be necessary and in the best interest of the County and the residents of the County to sell and issue a general obligation revenue note of the County payable to the Minnesota Department of Agriculture in the amount of \$50,000 to provide the initial funds for the loan program for the Project, all pursuant to Minnesota Statutes, Chapter 475, and Section 17.117, and subject to execution by the Department and State of Minnesota of a loan agreement as further described below.

1.03. Issuance and Sale of Note. The County hereby authorizes the issuance and sale of its \$50,000 General Obligation Revenue Note, Series 1998 (the "Note"), in substantially the form, as on file in County Board File No. 57139, for the purposes specified in Section 1.01 above, to the Minnesota Department of Agriculture (the "Lender") pursuant to a Loan Agreement between the Lender and the County, in substantially the form presented to the Board and on file with the

County Auditor (the "Loan Agreement"), which is hereby authorized and approved.

Section 2. Execution and Delivery of Note and Loan Agreement.

2.01. The Note to be issued hereunder shall be dated as of the date of issuance, shall be issued in the principal amount of \$50,000, at an interest rate of 0% per annum, in fully registered form and lettered and numbered R-1. The principal payment is due and payable 15 years from the date of issuance of the Note, subject to the mandatory principal prepayments set forth in Section 2.02(a). As the Note is payable primarily from loan repayments and not ad valorem taxes, and as the Board hereby estimates that such loan repayments are sufficient to pay the Note when due, and as the loan repayments are irrevocably appropriated to payment of the Note, the Note is excepted from the requirements of Minnesota Statutes, Section 475.54, Subd. 1.

2.02. (a) Mandatory Prepayment. The County shall make the following prepayments of the Note to the Lender:

- (i) The County shall pay an amount equal to all of the funds in the Principal Subaccount on the date ten years after the date of the issuance of the Note; and
- (ii) The County shall pay an amount equal to all of the funds in the Principal Subaccount on the date ten

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

102

years and six months after the date of the issuance of the Note and semiannually thereafter.

(b) Optional Prepayment. The County shall have the option to prepay the Note, in whole or in part, upon providing written notice to the Lender at least thirty days prior to repayment.

2.03. The Note and the Loan Agreement shall be prepared for execution in accordance with the approved forms. The Note and the Loan Agreement shall be signed by the 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 Note shall cease to be an officer before delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

2.04. The County will cause to be kept at its offices a register in which, subject to such reasonable regulations as the County may prescribe, the County shall provide for the registration of transfers of ownership of the Note. The Note shall be initially registered in the name of the Lender and shall be transferable upon the register by the Lender in person or by its agent duly authorized in writing, upon surrender of the Note, together with a written instrument of transfer satisfactory to the County Auditor, duly executed by the Lender or its duly authorized agent.

2.05. Delivery of the Note shall be made

at a place mutually satisfactory to the County and the Lender. The Note shall be furnished by the County without cost to the Lender. The Note, when prepared in accordance with this resolution and executed, shall be delivered to the Lender by and under the direction of the County Auditor. Disbursement of the proceeds of the Note shall be made pursuant to the Loan Agreement.

Section 3. Accounts and Tax Levies.

3.01. The County hereby creates, and covenants to continue to operate throughout the term of the Note, the Revolving Septic Loan Fund (Fund 3) (the "Loan Fund") and the following accounts therein:

- (a) The Agency State Account (the "State Account") and two subaccounts therein: (i) The Principal Subaccount, and (ii) The Interest Subaccount;
- (b) The Agency County Account (the "County Account"); and
- (c) The 1998 State Note Debt Service Account (the "Debt Service Account").

3.02. (a) The proceeds of the Note, which are received pursuant to the terms of the Loan Agreement, shall be credited to the State Account and loaned to borrowers pursuant to the Loan Agreement for the Project. Upon receipt of loan repayments from such loans, the principal component of the payments shall be deposited in the Principal

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

103

Subaccount and the interest and fee component of the payment shall be deposited in the Interest Subaccount. The County covenants and agrees to make loans to borrowers pursuant to the Loan Agreement with repayment terms such that the Note will be repaid when due from loan repayments. The Auditor shall transfer first from the Principal Subaccount and then from the Interest Subaccount to the Debt Service Account on the principal payment dates for the Note, as set forth in Section 2 hereof, the amount needed for such payment.

(b) In the event the County appropriates funds to the County Account, the County may make loans to borrowers for eligible Projects with such funds. Payments of principal and interest on loans from the County Account shall be deposited to the County Account and may be used to make additional loans for eligible Projects.

3.03. The money in the Debt Service Account shall be used for no purpose other than the payment of principal on the Note to pay investment income earned on the Principal Subaccount payable to the Lender pursuant to Paragraph IV D of the Loan Agreement and principal and interest, if any, on other notes similarly authorized and payable to the Lender; provided, however, that if any payment of principal or interest shall become due when there is not sufficient money in the Debt Service Account, the County Auditor shall pay the same from any other funds of the County and said funds shall be

reimbursed for such advance from the Debt Service Account when a sufficient balance is available therein. The County further irrevocably pledges and appropriates to the Debt Service Account for payment of the principal of and interest, if any, on the Note:

(a) All principal and interest loan repayments made by the borrowers from the State Account needed to pay the Note when due, including, but not limited to, the mandatory prepayments under Section 2.02(a);

(b) All sums collected from the taxes, if any, extended and assessed under the provisions of Section 3.04; and

(c) All income and gain from investment of the Debt Service Account.

3.04. The full faith and credit and taxing powers of the County are irrevocably pledged for the prompt and full payment of the principal on the Note, as such principal becomes due. However, the monies and payments appropriated to the Debt Service Account in Section 3.03(a) hereof are estimated to be not less than five percent in excess of the principal of and interest on the Note when due, and accordingly, no tax is levied at this time.

3.05. In the event the monies and payments appropriated to the Debt Service Account in Section 3.03 hereof are insufficient to pay principal of and interest on the Note as the same become

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

104

due, the County is required by law and by contract with the holder of the Note and hereby obligates itself to levy and cause to be extended, assessed and collected any additional taxes found necessary for full payment of the principal of and interest, if any, on the Note.

3.06. Monies on deposit in the Loan Fund may, at the discretion of the County Auditor, be invested in any securities permitted by Minnesota Statutes, Chapter 118A, and in accordance with resolutions of the County; provided, however, such investments shall mature at such times and in such amounts as will permit payments by the County for authorized purposes, when due. Pursuant to Paragraph IV D of the Loan Agreement, the County is required to pay investment income earned on the Principal Subaccount to the Lender when the principal payment is due.

Section 4. Registration of Note.

A certified copy of this resolution shall be filed with the County Auditor, together with such other information as the County Auditor may desire concerning the Note issued hereunder and the Auditor shall certify that the issue has been entered on the Auditor's register.

Section 5. Authentication of Note Transcript.

5.01. The officers of the County are authorized and directed to furnish to the Lender certified copies of proceedings and information in their official records

relevant to the authorization and issuance of the Note and the execution and delivery of the Loan Agreement, and such certificates and affidavits as to other matters appearing in their official records or otherwise known to them as may be reasonably required to evidence the validity and security of the Note, and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations and recitals of the County as to the correctness of all facts stated therein and the completion of all proceedings stated therein to have been taken.

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

Adopted February 17, 1998. No. 138

WHEREAS, on May 13, 1997, the Board authorized a \$60,000 appropriation of the fund balance from Fund 01 to the Capital Projects Fund 08, Agency 090, Org. EXTN, for the purpose of the acquisition of interior furnishings and equipment for the Minnesota Extension Service's new location in Duluth; and
WHEREAS, this appropriation remains in the Capital Projects Fund;
NOW, THEREFORE, BE IT RESOLVED,

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

105

that the Board authorizes expenditure of these funds not to exceed \$17,000 for the acquisition of interior furnishings and equipment at the Minnesota Extension Service's Virginia and Hibbing locations. This expenditure decreases the funds available for furnishings and equipment at a new Duluth location.

Adopted February 17, 1998. No. 139

BY COMMISSIONER SWEENEY:

WHEREAS, Pappas Enterprises, Inc., d/b/a LeGrand Supper Club, Grand Lake Township, St. Louis County, Minnesota, has applied for Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on February 17, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses; and

WHEREAS, with regard to the applications for said licenses Pappas Enterprises, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and

the propriety of the location and has recommended approval of the application; NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses (License Numbers L9893 and LS9893) shall be issued to Pappas Enterprises, Inc., d/b/a LeGrand Supper Club, Grand Lake Township;

FURTHER RESOLVED, that said liquor licenses shall be effective February 17, 1998, through June 30, 1998;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. February 17, 1998. No. 140

At 9:45 A.M. on Tuesday, February 17, 1998, upon motion of Commissioner Prebich, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board

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

106

of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
FEBRUARY 24, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of February, 1998, at 9:35 A.M. in the City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address the Board on items not on the agenda for this meeting; there were none.

At 9:36 A.M., pursuant to Resolution No. 130, adopted February 17, 1998, a public hearing was convened to consider the granting of an Off-Sale Intoxicating Liquor License to Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops in

Unorganized Township 60, Range 18. Mario Spampinato, representing the establishment, was present for the hearing. County Attorney Alan Mitchell presented information that the application is on file, the approving departments recommend approval, the Liquor License Committee recommends approval, the required insurance certificate is on file, the notices required have been given. He also advised that the County processes the documentation, the State of Minnesota issues the license, thus the County cannot assign an effective date for the license. All written documents are on file in County Board File No. 57143. All persons in attendance were invited to address the issue, no one wished to do so. The hearing closed at 9:44 A.M. on motion of Commissioner Prebich, supported by Commissioner Sweeney; seven yeas - zero nays. Resolution No. 159 was adopted.

Commissioner Fink, supported by Commissioner Raukar, moved adoption of the amendments to Ordinance No. 46, the St. Louis County Zoning Ordinance, which had been reviewed at previously held public hearings; discussion continued. Mark Johnson, Planning, made a staff report outlining the process to date, that the intent is that the document be user friendly, that incorporate new State laws and regulations, and that it is beneficial in some areas to persons who wish to improve their property. The staff is currently completing the appendix and will supply as soon as available, noting that this will have ongoing changes. Following

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

107

discussion, the vote was seven yeas - zero nays.

AMENDMENT TO ORDINANCE
NO. 46, ZONING ORDINANCE

ZONING MAP, BASED UPON THE COMPATIBILITY OF THE DESIGNATED TYPE OF LAND USE WITH THE PUBLIC WATERS CLASSIFICATION.

AN ORDINANCE ESTABLISHING COMPREHENSIVE LAND USE REGULATIONS FOR THAT PORTION OF ST. LOUIS COUNTY, MINNESOTA, OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 394, 103 A, B, F, G, H, 116D, AND ALL ACTS AMENDATORY THEREOF, TO PROMOTE THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE INHABITANTS BY DIVIDING THE COUNTY INTO ZONES AND REGULATING THEREIN THE USES OF LAND AND THE PLACEMENT OF ALL STRUCTURES WITH A VIEW TO ENCOURAGING THE MOST APPROPRIATE USE OF LAND IN THE COUNTY, AND TO RECOGNIZE AND PRESERVE THE ECONOMIC AND ENVIRONMENTAL VALUES OF ALL LANDS WITHIN THE COUNTY. ALL PUBLIC WATERS WITHIN THE UNINCORPORATED AREAS OF ST. LOUIS COUNTY, MINNESOTA, HAVE BEEN GIVEN A PUBLIC WATERS CLASSIFICATION, PURSUANT TO MINNESOTA STATUTES 103F AND ALL ACTS AMENDATORY THEREOF, AND USES OF SHORELANDS WITHIN THESE CLASSES ARE HEREBY DESIGNATED WITHIN THIS ORDINANCE, AND ON THE OFFICIAL

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

108

The amendments to Ordinance No. 46 are primarily found in the following locations in the Ordinance:

Article II-General Provisions, Section Application and Interpretation

Article II-General Provisions, Sec. 6-Definitions

Article III-Dimensional Standards, Sec. 3-Dimensional Standards and River Corridor

Article III-Dimensional Standards, Sec. 5-Sanitary System Setbacks and Standards

Article IV-Nonconformities, Sec. 3-Nonconforming Structures

Article IV-Nonconformities, Sec.4-Shoreline Averaging

Article VI-Performance & Administrative Standards, Sec. 11-Wetlands

Article VI-Performance & Administrative Standards, Sec. 13.01-Water Oriented Accessory Uses

Article VIII-Administration and Enforcement, Sec. 1-General

Article VIII-Administration and Enforcement, Sec. 2-Enforcement

Article VIII-Administration and Enforcement, Sec. 5-Permit Noncompliance

TABLE OF CONTENTS

ARTICLE **PAGE**

I GENERAL STANDARDS AND ADMINISTRATION 1

II GENERAL PROVISIONS

- Sec. 1 Application and Interpretation 2
- 2 Environmental Review 3
- 3 Earth Tone Colors 4
- 4 Screening 4
- 5 Zoning Map 5
- 6 Definitions 5
- 7 State Shoreland Classifications 16

III DIMENSIONAL STANDARDS

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

Sec. 1 General Standards	17
2 Lot Dimension Table	17
3 Dimensional Standards and River Corridor	
Width	19
4 Shore Setback and Shore Impact Zone	
Requirements	19
5 Sanitary System Setbacks and Standards	20
6 Road Right-of-Way Setbacks	20
7 Bluff Area Standards	21
8 Significant Historic Sites	23
9 Placement and Design of Roads	23
10 Riparian and Nonriparian Property ..	23
11 Mine Pit Lakes	23
12 Storage of Structures	24
13 Erosion Hazard Areas-Lake Superior	
Shoreline	24
IV NONCONFORMITIES	
Sec. 1 General	25

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

110

2 Nonconforming Uses	25
3 Nonconforming Structures	25
4 Shoreline Averaging	29
5 Decks	30

V LAND USE CONTROLS

Sec. 1 Use of Zone Districts	31
2 Land Use District Titles	31
3 Use Classification	31
4 District Conversion Table	32
5 Land Use Districts	33

VI PERFORMANCE AND ADMINISTRATIVE STANDARDS

Sec. 1 General	42
2 Residential	43
3 Intensive Vegetation Removal	44
4 Utility Structures	46
5 Steep Slopes	46
6 Stairways, Lifts & Landings	47
7 Alternative Shore Impact Zone	47
8 Recreational Vehicles on Lots	47
9 Community Centers	48
10 Home Business	48
11 Wetlands	49
12 Land Alterations (Shoreland Areas) ..	51
Sec.13 Water Oriented Accessory Structures .	53
13.02 Saunas	54
13.03 Storage Buildings & Fish Cleaning Houses	54
13.04 Boathouses	55
13.05 Satellite Dish	55
13.06 Gazebos & Screen Houses	56
13.07 Detached Decks	56
14 Other Structures	57
15 Domesticated Animals	58
16 Parking	59
17 Placement/Design of Driveways/Parking Areas (Shore Areas)	60

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

18	Large Parking Lots	61
19	Signs	61
20	Salvage Yards	65
21	Contaminated Soils	66
22	Houseboats	67
23	Rural Industry	68
24	Density Transfer	68
25	Borrow Pits	69
26	Mineral Exploration	78
27	Solid Waste	79

VII PLANNED DEVELOPMENT

Sec. 1	Information Requirements	80
2	Development Density	80
3	Design Criteria	81
4	Residential Planned Development	81
5	Commercial Planned Development	85
6	Resort Conversion & Development on Existing Resorts	89
7	Planned Unit Development Standards - N. Shr. Mgmt. Pln. Area	90
8	Administration	93
9	Resorts in Shoreland Commercial District	94

VIII ADMINISTRATION AND ENFORCEMENT

Sec. 1	General	95
2	Enforcement	96
3	Conditional Uses	97
4	Appeals from Decisions	99
5	Variances and Other Appeals	100
6	Amendments	103
7	Hearings and Hearing Notices	105
8	Planning Commission and Board of Adjustment Rehearing	107
9	New Application After Denial	108
10	Permit Revocation	108
11	Interpretation of Decision	110
12	Notification Procedures for North Shore Management Board	110

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

112

IX PLANNING COMMISSION

Sec. 1 Creation	111
2 Membership	111
3 Appointments	112
4 Removal for Cause	113
5 Organization and Procedures	113
6 Authority and Duties	115
7 Compensation	115
8 Planning Commission Standing Committees	116

X BOARD OF ADJUSTMENT

Sec. 1 Creation	117
2 Membership	117
3 Appointments	117
4 Removal for Cause	118
5 Organization and Procedures	119
6 Authority and Duties	120
7 Compensation	121

XI VALIDITY AND EXEMPTIONS

Sec. 1 Severability	122
2 Impact Upon Other Property	122
3 Federal Government	122
4 State Government	122
5 More Restrictive Standards	122
6 Township Zoning	122

XII FEES 123

EFFECTUATION 124

INDEX

APPENDIX

A complete copy of Ordinance No. 46, as amended, is on file in the office of the County Auditor, Courthouse, Duluth, Minnesota.

Commissioner Fink, supported by Commissioner Kron, moved award of bid for 1998 tree planting to Express Forestry Service, \$23,084.52; and discussion

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

113

continued. Mr. Kirk advised, after discussion with the Labor Department, that the Land Department does have sealed records of payroll for this company; that the Land Department holds them for three years and then destroys them; that they can be opened for review but don't have to be; the County Attorney advises that they may be opened and reviewed by the Commissioners if they so desire. Mr. Kirk suggested that if Commissioners wish to review these records, they come to the Land Department and not open them at a public meeting, so that they do not become a part of the official Board records and public to any individual. Commissioner Prebich, supported by Commissioner Raukar, moved to table the issue to the next meeting to allow for a review of the payroll records; failed three yeas - four nays Commissioners Fink, Krueger, Kron, and Sweeney. Mr. Kirk further advised that the current low bidder has stated that if the bid is not awarded at this meeting, he wishes to withdraw his bid. Mr. Kirk advised that the process is that first the company inserts advertisements into the paper, if no response the State checks for available workers, if none the Department of Labor checks the area where the planting will be done and if there are any Federal contracts operating, that becomes the pre-vailing wage that must be paid to workers. Larry Anderson, Esko, MN, who plants trees in other counties, appeared before the Board to object to this contract, indicating that he plants for Lake County and they use In State bidding only in their bid specifications. He stated that his bid would

have been approximately double the above bid, however, he pays his staff a higher wage and also works on the planting task with them. It was determined that this be an issue for a Strategic Planning Session with the Land Department. Commissioner Krueger, supported by Commissioner Kron, moved to "call the question"; seven yeas - zero nays. Resolution No. 160 was then adopted.

Commissioner Prebich, supported by Commissioner Sweeney, moved approval of the recommended 1998 vehicle purchases totaling \$897,592.54; discussion continued. Commissioner Raukar underlined the fact that in this purchase the County will be paying \$36,567.74 in state sales tax. Carol Thibault, Health Director, responded to questions on the need for a four-wheel drive truck, stating that they do have problems with getting stuck when they go out into the rural areas on inspections, which then requires getting a tow truck to come out. However, this is not an absolute major purchase if the Board determines to not authorize. Bruce Hagerness of 9-1-1 was present relative to their request noting that the vehicle they will dispose of has, in addition to other age and mileage factors, bullet holes in the hood. Commissioner Raukar, supported by Commissioner Prebich, moved to amend the purchase to delete the four-wheel drive for the Health Department and discussion continued. John Valentine, Purchasing Agent, and Dell Bernard, Purchasing, were present for the discussion. Following further discussion, Commissioner Sweeney, supported by Commissioner Krueger,

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

114

moved to "call the question", however, before a vote Commissioner Raukar withdrew his amend-ment. Discussion continued including that these proposed purchases are included in the 1998 budget for the various departments and the Motor Pool. The County Administrator discussed the ongoing analysis of the Motor Pool, noting that this will not deal with the individual department vehicles, that their report is anticipated to be before the Board in March of 1998 at a Board Workshop, that this would be a recommendation for Phase I but review and recommendations will be ongoing for the Motor Pool. Commissioner Sweeney, supported by Commissioner Prebich, moved to "call the question" seven yeas - zero nays. Resolution No. 161 was then adopted.

Commissioner Kron, supported by Commissioner Krueger, moved to conduct a closed session for purposes of labor negotiations, this date at 1:00 P.M.; seven yeas - zero nays.

At 11:05 A.M. in the forenoon of Tuesday, February 24, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the meeting was declared in recess until 1:30 P.M. on February 24, 1998, in the City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 3:36 P.M. on Tuesday, February 24, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

On motion of Commissioner Prebich, supported by Commissioner Sweeney, a second Consent Agenda was adopted being those items forwarded from this date's Committee of the Whole meeting.

Commissioner Prebich, supported by Commissioner Sweeney, moved to set the public hearing for the Capital Improvement Plan, this item forwarded from the Committee of the Whole meeting of this date and Resolution No. 173 was adopted.

Commissioner Fink, supported by Commissioner Kron, moved award of the bid for chemical site preparation, this item forwarded from the Committee of the Whole meeting of this date and Resolution No. 174 was adopted.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-107 regarding repurchase of tax forfeited land.--57141

Fabian Danich, Chisholm, submitting Summons and Complaint in the matter of Margie M. Rantala, f/k/a Margie M. Hall, versus CNAC, City of Mountain Iron, Virginia Regional Medical Center, First National Bank, and St. Louis County.--57142

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

115

Documentation from public hearing held on February 24, 1998, to consider the granting of an Off-Sale Intoxicating Liquor License to Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18.--57143

Health Care Supervisory Bargaining Agreement for 1997/1998 and Uniform Settlement Form.--98-109

St. Louis County and City of Hoyt Lakes Cardboard Baler Lease Agreement.--98-110

Agreement for Professional Services between St. Louis County and Owen Ayres & Associates for the design of a Wastewater Facility Plan for the North Shore Study Area.--98-111

Agreement for Laundry and Linen Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care, Laundry Division, and Taylor Rental/Party Plus.--98-112

Agreement for Health Promotion Services between Maurices, Inc., and St. Louis County, through its Department of Public Health and Long Term Medical Care.--98-113

Agreement between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Miller Dwan Medical Center, Inc.--98-114

Purchase of Service Agreement between St. Louis County Board of Commissioners

and Empowerment Services of Minnesota, Inc. (ESI, Inc.).--98-115ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass.--98-116ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik.--98-117ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora.--98-118ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and ABC Community Services, Inc. - Humes House.--98-119ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and ABC Community Services, Inc. - Longview House.--98-120ss

Northeastern Minnesota Managed Care Joint Powers Agreement between the Counties of Carlton, Cook, Koochiching, Lake, and St. Louis.--98-121ss

Addendum to Agreement for Medical Services for St. Louis County Jail between the County of St. Louis, through the Sheriff of St. Louis County, and the Duluth Clinic, Ltd.--98-122

Agreement for Professional Services

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

116

between St. Louis County and Steven P. Nystedt, d/b/a Nystedt Enterprises, Inc.--98-123

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 141 through 158, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

F.M. Loeffler, Inc., d/b/a Aurora Drug & Variety Store, City of Aurora, Tobacco Products License No. T9870;

Blackhawk Saloon, Inc., d/b/a Blackhawk Saloon, City of Aurora, Tobacco Products License No. T9871;

Marie Colletti, d/b/a Colletti's Market, City of Aurora, Tobacco Products License No. T9872;

5717, Inc., d/b/a Crossroads Store, Brevator Township, Tobacco Products License No. T9873;

Associated Enterprises, Inc., d/b/a Dino's Bottle Shop, City of Aurora, Tobacco Products License No. T9874;

Kindgren Enterprises, d/b/a Flip's Bar, City of Proctor, Tobacco Products License No. T9875;

LMI of Virginia, Inc., d/b/a Four Seasons Restaurant & Liquor Store, Wuori Township, Tobacco Products License No. T9876;

Misty Inc., d/b/a Fredenberg Minnoette, Fredenberg Township, Tobacco Products License No. T9877;

Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19, Tobacco Products License No. T9878;

ILI, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T9879;

Blackhawk Saloon, Inc., d/b/a The Other Bar, City of Aurora, Tobacco Products License No. T9880;

Paulson's Super Valu, Inc., d/b/a Paulson's Super Valu, Inc., Canosia Township, Tobacco Products License No. T9881;

Best Oil Co., Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T9882;

Rudy's - Loeffler, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products License No. T9883;

Sandy Point Lodge, Inc., d/b/a Sandy Point Lodge, Unorganized Area 69-21, Tobacco

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

117

Products License No. T9884;

Vaughn, Inc., d/b/a Taconite Have Sports Lounge, City of Hoyt Lakes, Tobacco Products License No. T9885;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T9886.

Adopted February 24, 1998. No. 141

RESOLVED, that Workers' Compensation is hereby awarded to those persons who were injured while in the employ of the County of St. Louis, as set forth in the report of the County Attorney, dated February 24, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, and the County Auditor is authorized to issue checks in favor of said employees from Fund 52, Department 12.

Adopted February 24, 1998. No. 142

RESOLVED, that the County Board authorizes the St. Louis County Social Service Department Director and the St. Louis County Public Health Director to enter into an agreement by which the Nopeming Nursing Home reimburses the Social Service Department for Financial Worker services at the rate of \$19.10 per hour from January 1, 1998, until the agreement is either modified or terminated by either party. Termination of the agreement shall be accomplished by providing 30 days written notice of intent to terminate to the other party.

Adopted February 24, 1998. No. 143

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Social Service Department to accept State/Federal Retired Senior Volunteer Program (RSVP) grant funds totaling \$67,854 for the 1998 calendar year. Revenues from these grants have been included in the 1998 budget in Fund 04 (Social Service), Agency SSV (Social Services), Revenue Source 9104 (Federal) & 9320 (State). A match for this grant is required in the amount of \$41,412. This match is included in expense budget Fund 04 (Social Service), Agency SSV (Social Services), Organization RSVP (Retired Senior Volunteer Program).

Budget Reference:

Match Funds

Fund 04 (Social Service)

Agency SSV (Social Services)

Organization RSVP (Retired Senior Volunteer Program)

Revenue Source 0020 (Tax Dollars - Current)

Adopted February 24, 1998. No. 144

RESOLVED, that the County Board authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with the Carlton-Cook-Lake-St. Louis Community Health Board for the home visiting grant for 1998 in the amount of \$31,688, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 252.

BE IT FURTHER RESOLVED, that pursuant to Resolution No. 567 personnel positions added due to a grant funding shall be discontinued at the same time the grant funding is discontinued unless the

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

118

program/positions have been reviewed and approved for continued funding by the County Board prior to the cessation of the grant.

Adopted February 24, 1998. No. 145

RESOLVED, that the County Board authorizes its Chairperson, Health Director, and County Auditor to sign an agreement with the Community Health Board for Immunization Action Program and Procedures for the period January 1, 1998, through December 31, 1998, in the amount of \$31,333, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 254, and continue the part-time Public Health Nursing I position previously authorized; and

BE IT FURTHER RESOLVED, that any personnel positions added due to grant funding or temporary increases in allocated dollars shall be discontinued at the same time the grant funding discontinues or temporary increases in allocated dollars return to normal levels unless the program/positions have been reviewed and approved for continued funding by the County Board prior to the cessation of the grant.

Adopted February 24, 1998. No. 146

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57141, is

approved.

Adopted February 24, 1998. No. 147

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

City of Mt. Iron, NE 1/4 of NE 1/4, NW 1/4 of NE 1/4 ex. RR R/W 2 20/100 ac., SW 1/4 of NE 1/4 ex. RR R/W 6 20/100 ac., NE 1/4 of NW 1/4, and SE 1/4 of NW 1/4 ex. Hwy. R/W, NW 1/4 of SE 1/4 ex. RR R/W 1 34/100 ac., Section 10, Township 58, Range 18.

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners

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

119

hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted February 24, 1998. No. 148

WHEREAS, the St. Louis County Public Works Department has leased a gravel pit from the Minnesota Department of Natural Resources in the SW 1/4 of the NW 1/4 of Section 36, Township 63 North, Range 12 West (Lease No. 144-002-0084); and

WHEREAS, this lease expired December 31, 1997; and

WHEREAS, it would be beneficial for the County to renew this lease;

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Board Chair and the County Auditor to execute the lease on behalf of St. Louis County. The annual lease rate of \$350 plus \$.70 per cubic yard is payable from Fund 02, Agency A12, Object 329.

Adopted February 24, 1998. No. 149

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a segment of County State Aid Highway 4 from County State Aid Highway 111 to the Embarrass River (County Project 9198; State Aid Projects 69-604-44 and 69-604-53); and

WHEREAS, the improvement consists of constructing said roadway as determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together

with temporary construction easements; and

WHEREAS, plats of additional right of way would be beneficial for acquisition purposes and for future reference of road right of way.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to prepare right of way acquisition plats for the reconstruction of County State Aid Highway 4, said plats to be named "ST. LOUIS COUNTY RIGHT OF WAY PLAT NO. 15" (from County Road 525 to the Embarrass River), and "ST. LOUIS COUNTY RIGHT OF WAY PLAT NO. 16" (from County State Aid Highway 111 to County Road 525), and record said plats for future reference.

Adopted February 24, 1998. No. 150

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves Premises Permits, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organizations:

Multiple Sclerosis Society to operate out of Myrtle Lake Resort, LLC, Portage Township, new;

Climb, Inc., to operate out of Timber's Edge, Unorganized Area 56-17, new;

Camp Chicagami, Eveleth, to operate out of the Babbitt Foreign Legion, Unorganized Area 61-13, renewal;

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

120

VFW Post 8831, Pengilly, to operate out of Buddy's Tavern, Cherry Township, renewal.

Adopted February 24, 1998. No. 151

RESOLVED, that pursuant to the recommendation of the Civil Service Commission, the revised specifications for the Assistant Administrator-Operations and Assistant Administrator-Security classifications be approved with no change in the current pay grades, effective March 3, 1998.

Adopted February 24, 1998. No. 152

RESOLVED, the State of Minnesota Board of Water and Soil Resources has awarded a 1998 Natural Resources Block Grant in the amount of \$78,323 to the County to assist in costs of State mandated wetland and shoreland programs administration and water planning; and

WHEREAS, \$10,000 of said grant shall be set aside for use by the local Soil and Water Conservation Districts; and

WHEREAS, said grant requires a local match of \$101,451, which will be provided \$23,000 from current County appropriations to Soil and Water Conservation Districts and \$78,451 in-kind services from the St. Louis County Planning Department.

THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners accepts the above-referenced 1998 Natural Resources Block Grant award of \$78,323 and authorizes the Chair of the County Board and the County Auditor to execute the grant agreement on

behalf of the County, along with all necessary forms, attachments, addendums, and certifications to complete the contract between St. Louis County and the State of Minnesota Board of Water and Soil Resources; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the required match of \$101,451 as indicated above; and

RESOLVED FURTHER, that said grant funds be appropriated to and disbursed from Fund 01, Agency 021, Org. 239D.

Adopted February 24, 1998. No. 153

WHEREAS, St. Louis County acquired certain lands described as Lot Numbers Thirty-Five (35), Thirty-Six (36), Thirty-Seven (37), and Thirty-Eight (38), Hillside Garden Tracts to Proctor, for the purpose of reconstruction of Boundary Avenue; and

WHEREAS, the reconstruction project is now complete and these lots are no longer needed; and

WHEREAS, these lots are currently zoned residential; however, the County and the City of Proctor are interested in the highest and best use for this land, which they believe is commercial use;

THEREFORE, BE IT RESOLVED, that the County Board authorizes the Public Works Department to file necessary paperwork to rezone the property to C-1 Commercial with the intent to dispose of the property.

Adopted February 24, 1998. No. 154

RESOLVED, that the St. Louis County

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

121

Board, as the governing body of unorganiz-edterritory, hereby elects Kalie Klaysmat and Jim Sanborn to the Crane Lake Water and Sanitary District Board (CLWSDB) for terms expiring January 1, 2001.

Adopted February 24, 1998. No. 155

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Liz Prebich and Commissioner William Kron (alternate) as the County's representatives to the AMC Task Force responsible for researching, reviewing, and recommending legislative positions and policies as they relate to the Native American community and their status as a sovereign nation.

Adopted February 24, 1998. No. 156

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Mike Forsman as the alternate for the St. Louis County Grievance Board hearing to be held on March 6, 1998.

Adopted February 24, 1998. No. 157

RESOLVED, that the 1997/1998 Health Care Supervisory Bargaining Agreement, a copy of which is on file in Contract File No. 98-109, is hereby approved and the appropriate County Officials are authorized to execute said contract.

Adopted February 24, 1998. No. 158

BY COMMISSIONER PREBICH:

WHEREAS, Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating Liquor License; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on February 24, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Hibbing, Minnesota, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, with regard to the application for said license Oh Laughing Buddha, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application; NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number L9894) shall be issued to Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18;

FURTHER RESOLVED, that said liquor license shall be valid through June 30, 1998;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to

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

122

the licenseholder.

Unanimously adopted. February 24, 1998.
No. 159

BY COMMISSIONER FINK:

RESOLVED, that the Purchasing Agent is hereby authorized to execute, in accordance with the specifications of Bid No. 3705, a contract with Express Forestry Service of Leslie, Arkansas, to plant trees on twenty-three (23) sites in St. Louis County totaling 618 acres, at their low specification bid price of \$23,084.52, payable from Fund 16 - Forest Resources, Agency F41 - Resource Development, Object 299 - Professional. Yeas - Commissioners Fink, Krueger, Kron, Sweeney - 4
Nays - Commissioners Prebich, Raukar, and Chair Forsman - 3
Adopted February 24, 1998. No. 160

BY COMMISSIONER PREBICH:

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3684, 1998 vehicles including state sales tax and delivery charges totaling \$897,592.54, as follows:

1.0 Eleven (11) Class III, full-size, four door sedans, with police package, from Northstar Ford at their low specification bid price of \$20,399.00 each for a total of \$224,389.00, (these vehicles are not subject to state sales tax), no delivery charge, units will be picked up, payable from Fund 01 (General), Agency 091 (Sheriff), Object Code 661 (Automobiles).

2.0 Five (5) Class II, mid-size, four door sedans, with police package, from Sonju Two Harbors at their low specification bid price of \$17,837.00 each for a total of \$89,185.00, plus 6.5% state sales tax of \$5,797.03, and delivery charge to Virginia of \$45.00 per unit (2 units), and to Duluth of \$10.00 per unit (3 units), for a total purchase price of \$95,102.03, payable from Fund 01 (General), Agency 091 (Sheriff), Object Code 661 (Automobiles).

3.0 One (1) Class III, full-size, four door sedan, from Northstar Ford at their low specification bid price of \$19,099.00 each for a total of \$19,099.00, plus 6.5% state sales tax of \$1,241.44, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$20,360.44, payable from Fund 51 (Motor Pool - Virginia), Agency M51 (Motor Pool), Object Code 661 (Automobiles).

4.0 One (1) Class II, mid-size, four door sedan, from Eggebrecht Chevrolet at their low specification bid price of \$14,794.00 each for a total of \$14,794.00, plus 6.5% state sales tax of \$961.61, and delivery charge to Virginia of \$50.00 per unit, for a total purchase price of \$15,805.61, payable from Fund 02 (Public Works - Virginia), Agency A14 (Equipment & Shops), Object Code 661 (Automobiles).

5.0 One (1) 1/2-ton, extended cab, 4-wheel drive, pickup truck with 6 ft. box, from Northstar Ford at their low specification bid price of \$16,756.00 each for a total of \$16,756.00, plus 6.5% state

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

123

sales tax of \$1,089.14, no delivery charge to Duluth, for a total purchase price of \$17,845.14, payable from Fund 51 (Motor Pool - Duluth), Agency M51 (Motor Pool), Object Code 662 (Pickups/Vans).

6.0 Three (3) 5/8-ton, 2-wheel drive, pickup trucks with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$46,836.00, plus 6.5% state sales tax of \$3,044.34, no delivery charge to Duluth, for a total purchase price of \$49,880.34, payable from Fund 02 (Public Works - Jean Duluth), Agency A14 (Equipment & Shops), Object Code 662 (Pickups/Vans).

6.1 One (1) 5/8-ton, 2-wheel drive, pickup truck with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$15,612.00, plus 6.5% state sales tax of \$1,014.78, no delivery charge to Duluth, for a total purchase price of \$16,626.78, payable from Fund 02 (Public Works - Pike Lake), Agency A14 (Equipment & Shops), Object Code 662 (Pickups/Vans).

6.2 One (1) 5/8-ton, 2-wheel drive, pickup truck with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$15,612.00, plus 6.5% state sales tax of \$1,014.78, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$16,646.78, payable from Fund 02 (Public Works - Virginia), Agency A14 (Equipment & Shops), Object Code 662 (Pickups/Vans).

6.3 Two (2) 5/8-ton, 2-wheel drive, pickup trucks with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$31,224.00, plus 6.5% state sales tax of \$2,029.56, and delivery charge to Hibbing of \$20.00 per unit, for a total purchase price of \$33,293.56, payable from Fund 02 (Public Works - Hibbing), Agency A14 (Equipment & Shops), Object Code 662 (Pickups/Vans).

6.4 One (1) 5/8-ton, 2-wheel drive, pickup truck with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$15,612.00, plus 6.5% state sales tax of \$1,014.78, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$16,646.78, payable from Fund 51 (Motor Pool - Virginia), Agency M51 (Motor Pool), Object Code 662 (Pickups/Vans).

6.5 One (1) 5/8-ton, 2-wheel drive, pickup truck with 8 ft. box, from Northstar Ford at their low specification bid price of \$15,612.00 each for a total of \$15,612.00, plus 6.5% state sales tax of \$1,014.78, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$16,646.78, payable from Fund 26 (Solid Waste), Agency J32 (Solid Waste Management), Object Code 662 (Pickups/Vans).

7.0 Four (4) 5/8-ton, 4-wheel drive, pickup trucks with 8 ft. box, from Eggebrecht Chevrolet at their low specification bid price of \$18,749.00 each

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

124

for a total of \$74,996.00, plus 6.5% state sales tax of \$4,874.74, and no delivery charge to Pike Lake, for a total purchase price of \$79,870.74, payable from Fund 15 (Forfeited Tax), Agency E21 (Land), Object Code 662 (Pickups/Vans).

8.0 One (1) 5/8-ton, extended cab, 4-wheel drive, pickup truck with 6 1/2 ft. box, from Northstar Ford at their low specification bid price of \$20,369.00 for a total of \$20,369.00, plus 6.5% state sales tax of \$1,323.99, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$21,712.99, payable from Fund 51 (Motor Pool - Virginia), Agency M51 (Motor Pool), Object Code 662 (Pickups/Vans).

8.1 One (1) 5/8-ton, extended cab, 4-wheel drive, pickup truck with 6 1/2 ft. box, from Northstar Ford at their low specification bid price of \$20,369.00 for a total of \$20,369.00, plus 6.5% state sales tax of \$1,323.99, and delivery charge to Virginia of \$20.00 per unit, for a total purchase price of \$21,712.99, payable from Fund 15 (Forfeited Tax), Agency E21 (Land), Object Code 662 (Pickups/Vans).

9.0 One (1) 3/4-ton, 2-wheel drive, pickup truck with 8 ft. box, from Lundgren Motors, Inc. at their low specification bid price of \$16,619.60 for a total of \$16,619.60, plus 6.5% state sales tax of \$1,080.27, and no delivery charge, unit will be picked up, for a total purchase price of \$17,699.87, payable from Fund

02 (Public Works - Bridge - Virginia), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

9.1 One (1) 3/4-ton, 2-wheel drive, pickup truck with 8 ft. box, from Lundgren Motors, Inc. at their low specification bid price of \$16,619.60 for a total of \$16,619.60, plus 6.5% state sales tax of \$1,080.27, and no delivery charge, unit will be picked up, for a total purchase price of \$17,699.87, payable from Fund 02 (Public Works - Virginia), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

10.0 One (1) 3/4-ton, extended cab, 2-wheel drive, pickup truck with 8 ft. box, from Sonju Two Harbors at their low specification bid price of \$19,000.00 for a total of \$19,000.00, plus 6.5% state sales tax of \$1,235.00, and a delivery charge to Virginia of \$45.00 per unit, for a total purchase price of \$20,280.00, payable from Fund 02 (Public Works - Bridge - Virginia), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

11.0 One (1) 3/4-ton, 2-wheel drive, "Carry-All" from Eggebrecht Chevrolet at their low specification bid price of \$28,605.00, for a total of \$28,605.00, plus 6.5% state sales tax of \$1,859.33, and no delivery charge to Duluth, for a total purchase price of \$30,464.33, payable from Fund 01 (General), Agency 101 (Jail Prisoners), Object Code 662 (Pickups/Vans).

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

125

12.0 One (1) 1-ton, crew cab, 2-wheel drive, pickup truck with 8 ft. box, from Sonju Two Harbors at their low specification bid price of \$20,475.00 for a total of \$20,475.00, plus 6.5% state sales tax of \$1,330.88, and a delivery charge to Virginia of \$45.00 per unit, for a total purchase price of \$21,850.88, payable from Fund 02 (Public Works - Ely), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

12.1 One (1) 1-ton, crew cab, 2-wheel drive, pickup truck with 8 ft. box, from Sonju Two Harbors at their low specification bid price of \$20,475.00 for a total of \$20,475.00, plus 6.5% state sales tax of \$1,330.88, and a delivery charge to Virginia of \$45.00 per unit, for a total purchase price of \$21,850.88, payable from Fund 02 (Public Works - Linden Grove), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

13.0 Three (3) mid-size, 4-wheel drive, utility vehicles with special service package, from Lundgren Motors, Inc. at their low specification bid price of \$24,515.20 for a total of \$73,545.60, (these vehicles are not subject to state sales tax), no delivery charge, units will be picked up, for a total purchase price of \$73,545.60, payable from Fund 01 (General), Agency 091 (Sheriff), Object 662 (Pickups/Vans).

14.0 One (1) mid-size, 4-wheel drive, utility vehicle, from Eggebrecht Chevrolet at their low specification bid price of \$22,718.00 for a total of \$22,718.00, plus

6.5% state sales tax of \$1,476.67, and no delivery charge to Duluth, for a total purchase price of \$24,194.67, payable from Fund 15 (Forfeited Tax), Agency E21 (Land), Object 662 (Pickups/Vans).

15.0 One (1) 1-ton cargo van with windows, from Sonju Two Harbors at their low specification bid price of \$21,992.00 for a total of \$21,992.00, plus 6.5% state sales tax of \$1,429.48, and delivery charge to Hibbing of \$45.00 per unit, for a total purchase price of \$23,466.48, payable from Fund 02 (Public Works - Engineers), Agency A14 (Equipment & Shops), Object 662 (Pickups/Vans).

Yeas - Commissioners Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 6

Nays - Commissioner Fink - 1

Adopted February 24, 1998. No. 161

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 162 through 172, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted with Commissioner Krueger absent.

BY COMMISSIONER PREBICH:

RESOLVED, that the St. Louis County Board of Commissioners approves a Congregate Housing Service Program/Assisted Living Service rate of \$321.00 per month for Congregate Housing Service Program (CHSP) services provided to eligible Alternative Care (AC), Elderly Waiver (EW), and Community

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

126

Alternatives for Disabled Individuals (CADI) waiver program participants residing at the Housing and Redevelopment Authority of Duluth's King Manor, Tri-Towers, Midtowne Manors I and II high-rises. This rate would be effective March 1, 1998.

Budget Reference:

Fund 64S

Agency N75

Organization 2100 King Manor & 2200

Midtowne Manor II

Revenue Sources:

9514 Elderly Waiver-State of Minnesota

9114 Elderly Waiver - Federal

9515 AC (180 day eligible)

9516 CADI Waiver - State of Minnesota

9116 CADI Waiver - Federal

1950 BD/LD HRA

Adopted February 24, 1998. No. 162

WHEREAS, land which cannot be improved because of non-compliance with local ordinances regarding minimum area, shape, frontage, or access may be sold by the County Auditor, pursuant to Minnesota Statutes 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to sell tax forfeited land, as on file in County Board File No. 57116, at a non-public sale limited to the adjacent property owners.

Adopted February 24, 1998. No. 163

RESOLVED, that the Purchasing Agent is hereby authorized to execute, in accordance with the specifications of Bid No. 3709, a contract with Itasca Greenhouse, Inc., of Cohasset, MN, to Furnish and Deliver 110,000 Containerized Seedlings for planting in Spring 2000, at their low specification bid price of \$17,164.50, payable from: Fund 16 Forest Resources, Agency F41 Resource Development, Object 299 Professional.

Adopted February 24, 1998. No. 164

WHEREAS, the U.S. Department of Housing and Urban Development has approved the County's FY 98 Action Plan application and has executed a grant agreement for \$121,000 with St. Louis County for the FY 98 Emergency Shelter Grant (ESG) Program; and

WHEREAS, Grant Agreements for the non-profit service providers to carry out eligible homeless program activities are listed below:

Arrowhead Economic Opportunity Agency	\$
44,950	
Legal Aid Service of NE Minnesota	12,400
Life House - Proctor	10,000
Range Transitional Housing	30,000
Salvation Army - Hibbing	8,825
Salvation Army - Virginia	<u>8,825</u>
TOTAL	\$15,000

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of

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

127

Commissioners does hereby authorize the County Planning Director and a representative of the County Attorney to execute said ESG Program Agreements in amounts indicated above; and

BE IT FURTHER RESOLVED, that said payments shall be made from Fund 10, ESG Program.

Adopted February 24, 1998. No. 165

WHEREAS, the County is a member of the Northeast Minnesota Housing Consortium comprised of Cook, Lake, Koochiching, Itasca, and St. Louis Counties, and has received HOME Program funds under the HOME Investment Partnership Act, Title II of the National Affordable Housing Act of 1990, for the purpose of carrying out eligible housing activities under the Act; and

WHEREAS, assistance to first time homebuyers, rehabilitation of existing single family housing units, and creation of permanent housing units are identified in the Consolidated Plan as critical components of a comprehensive housing strategy; and

WHEREAS, the Consortium desires to have Community Housing Development Organizations carry out permanent housing activities through the rehabilitation of existing housing, and through construction of new housing units.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby authorize the County Planning Director and a representative of the County Attorney to execute Agreements between St. Louis County and the

following:

Arrowhead Economic Opportunity Agency, Inc.

\$133,422	Single Family Rehabilitation Program
133,422	First Time Homebuyer Program
129,474	CHDO Set-Aside
21,548	CHDO Operating

KOOTASCA Community Action, Inc.

\$127,839	First Time Homebuyer Program
59,193	CHDO Set-Aside
11,002	CHDO Operating

RESOLVED FURTHER, disbursements relative to the above HOME Agreements shall be made from Fund 11, HOME Program.

Adopted February 24, 1998. No. 166

RESOLVED, that the St. Louis County Board of Commissioners hereby establishes a public hearing for Tuesday, April 14, 1998, at 9:35 A.M. in the Duluth Courthouse for the purpose of obtaining public comment on the proposed ordinance regulating the retail sale of tobacco products.

Adopted February 24, 1998. No. 167

RESOLVED, that the County Board of Commissioners authorizes the Department of Public Health and Long Term Medical Care to change the position of Social Service Specialist to Registered Nurse, effective upon passage; and

BE IT FURTHER RESOLVED, that the

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

128

Chris Jensen Health and Rehabilitation Center 1998 budget, Fund 64A, Agency N71, Org. 1100, be increased \$4,724.00. Adopted February 24, 1998. No. 168

RESOLVED, that the County Board of Commissioners authorizes the Department of Public Health and Long Term Medical Care to change the position of Social Service Specialist to the Social Worker classification, effective upon passage. Adopted February 24, 1998. No. 169

WHEREAS, in the interest of public safety and convenience, it is necessary for the County of St. Louis to reconstruct and widen a segment of County State Aid Highway No. 32 (Arrowhead Road), from C-SAH No. 91 (Haines Road) to C-SAH 90 (Arlington Avenue) (S.P. 69-632-20); and WHEREAS, in order to perform said reconstruction, it is necessary for the County of St. Louis to obtain additional highway right of way; and WHEREAS, the following numbered parcels (and owners of said parcels) cannot be acquired by negotiation and direct purchase:

<u>Parcel</u>	<u>Owner</u>
3	Derricks Investment Co.
6	William and Stacey Rautio
14	Kelvin and Phyllis Herstad
25-29	Independent School District 709
30	Leo and Marion Szybnski
31	Estate of Ervin C. Eischen
33	Dairy Delite, Inc.
34	Inter City Oil Co., Inc.
44	Ray and Phyllis Miller

56	Ed and Sandra Reid
59 & 60	Eastridge Community Church
62	College of St. Scholastica/Randy Nelson
63, 71	North Country Equipment, Inc.
65	Super America Group, Inc.
68	Richard and Cheryl LeBeau
72	James and Sandra Fronden
73 & 74	Ronald Johnson
76	Minnesota Power and Light Company
77	Larry and Susan Modean

NOW, THEREFORE, BE IT RESOLVED, that under the authority granted by Minnesota Statute 163.02, Subdivision 2, and Minnesota Statute 163.11, the Board of Commissioners for the County of St. Louis hereby authorizes Alan L. Mitchell, St. Louis County Attorney, to proceed under Minnesota Statutes, Chapter 117, to acquire the necessary highway right of way by condemnation proceedings. Adopted February 24, 1998. No. 170

WHEREAS, St. Louis County wishes to continue its support for coordinated housing programs of the Northeast Minnesota Housing Consortium; and WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has established the HOME Investment Partnerships Program (HOME) with provisions for entitlement funding for County consortiums; and WHEREAS, access to said HOME Program funding for St. Louis County affordable housing initiatives can be accomplished through participation in the

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

129

Northeast Minnesota Housing Consortium;
and

WHEREAS, St. Louis County desires to continue to participate in the Northeast Minnesota Housing Consortium;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby approve the Joint Powers Agreement among the Counties of Lake, Cook, Koochiching, Itasca, and St. Louis and various units of local government within those Counties; and

BE IT FURTHER RESOLVED, that the Chair of the St. Louis County Board of Commissioners and a representative of the County Attorney's Office are hereby authorized to execute all agreements relating to the continuation of the Northeast Minnesota Housing Consortium; and

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize County representatives to participate in the continued activities of the Northeast Minnesota Housing Consortium.

RESOLVED FURTHER, that Resolution No. 576, adopted July 22, 1997, is hereby rescinded in its entirety.

Adopted February 24, 1998. No. 171

RESOLVED, the St. Louis County Board authorizes the Chair of the Board, the Auditor, and the Administrator to execute an agreement for professional services with Steven P. Nystedt, d/b/a Nystedt Enterprises, Inc., not to exceed \$35,000, of which \$20,000 is payable from General Fund 01, Dept. 015 Administration,

Object 299 (Other Professional), and \$15,000 is payable from General Fund 01, Dept. 081 Property Management, Object 299 (Other Professional), a copy of which is on file in Contract File No. 98-123. Adopted February 24, 1998. No. 172

BY COMMISSIONER PREBICH:

RESOLVED, the St. Louis County Board of Commissioners hereby establishes a public hearing for 9:35 A.M. on Tuesday, April 7, 1998, at the Duluth Courthouse for the purpose of obtaining public comment on the 1998-2002 Capital Improvement Plan.

Unanimously adopted. February 24, 1998. No. 173

BY COMMISSIONER FINK:

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract, in accordance with the specifications of Bid No. 3708, with Sundance Silviculture, Inc., of Duluth, MN, for Chemical Site Preparation - Broadcast Application of Nine (9) Sites totaling 221.5 acres, at their low specification bid price of \$32,943.63, payable from: Fund 16 Forest Resources, Agency F41 Resource Development, Object 299 Professional.

Yeas - Commissioners Fink, Kron, Sweeney, Raukar, and Chair Forsman - 5

Nays - Commissioner Prebich - 1

Absent - Commissioner Krueger - 1

Adopted February 24, 1998. No. 174

At 3:40 P.M. on Tuesday, February 24, 1998, upon motion of Commissioner Kron, supported by Commissioner Raukar,

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

130

the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor and Ex-Officio Clerk of the Board of County Commissioners

(Seal of the County Auditor)

MARCH, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
MARCH 10, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of March, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Liz Prebich,

Steve Raukar, and Vice-Chair Sweeney - 6.
Absent: Chair Mike Forsman - 1.

Vice-Chair Commissioner Sweeney presented to St. Louis County Auditor Gordon D. McFaul a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

The Vice-Chair opened the meeting to persons in attendance who wished to address issues not on the Agenda for this meeting; there were none.

Commissioner Kron, supported by Commissioner Fink, moved to request the Minnesota Congressional Delegation to have the Administration take immediate action to rescind the unconscionable ban on human enjoyment of 4,667 acres in Voyageurs National Park due to the closure of 11 areas by the Park Superintendent; and discussion continued. James Sanders, Assistant Park Superintendent, appeared to address the Board. He requested that they not adopt this

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

131

resolution and allow them their three-year period to do research on the issue to determine if the closures should remain or be reopened. They have contracted with a consultant from the University of Michigan to do research to investigate the effects of humans on the wolf and eagle populations in the closed areas. History of this issue was discussed commencing with the original 17 closures and the various court rulings. The Park has received \$150,000 to fund the research, the closures cover 5.5 percent of the total area of the Park. Discussion included do the research first and then determine closures later; the eagle population has been up and down over the past 20 years and there is no research data at this time; 60 percent of the area of St. Louis County is public ownership and this is additional land to that; concern that the Park is moving towards "wilderness" designation; the process that will follow after completion of the research; that a 1994/95 visitor survey indicated that 83 percent did not believe the closings to be a major issue, that they come to see wildlife and follow developed trails; the Park is developing a Management Plan for the Park and would welcome input from the County; etc. At the end of discussion, Commissioner Kron, supported by Commissioner Krueger, moved to table this issue; four yeas - two nays Commissioners Fink and Raukar. The following persons were present and requested to address the issue even though it had been tabled. Dave Zentner, supporting the Park's closures and asking the Board to not adopt the proposed

resolution; Alan Birchel, Moose Horn Resort, supporting the resolution opposing the closures; Nancy McCreedy supporting the resolution and opposing the closures; Jeff Tweeten supporting the resolution and opposing the closures, study first; Jeff

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

132

Mausolf, Minnesota United Snowmobile

Association, supporting the resolution and opposing the closures. Mr. Mausolf also noted that they have requested the U.S. Supreme Court to hear an appeal to the previous Eighth District Court of Appeals ruling which allowed the closings.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for permits authorizing the consumption of and display of intoxicating liquors for the year 1998.--57144

St. Louis County Extension Committee submitting minutes and reports for the year 1998.--57145

Robert H. Stephenson, Trenti Law Firm, submitting Amended Notice of Hearing and Amended Petition in the matter of Eric J. Oakman and Alicia K. Oakman to vacate a portion of North Road and a portion of Elm Lane, both in the Plat of Vermilion Heights.--57146

Purchase of Service Agreement between St. Louis County Board of Commissioners and KAG Adult Foster Home (renamed Barbara Gross Adult Foster Home).--98-124ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Reigstad Home II.--98-125ss

Purchase of Service Agreement between

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

133

St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home.--[98-126ss](#)

Purchase of Service Agreement between St. Louis County Board of Commissioners and Seeland Adult Foster Home.--[98-127ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Dianna L. Anderson.--[98-128ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Loretta Renick.--[98-129ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and H.O.M.E.S., Inc.--[98-130ss](#)

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Innovative Living.--[98-131ss](#)

Amendment for Agreement for Collection for Professional Services between St. Louis County and Northeast Technical Services, Inc.--[98-132](#)

Agreement of Grantee between the St. Louis County Board of Commissioners, through the Social Service Department,

and the Northland Foundation for Rainbow Senior Center to support the Senior Center Minibus Purchase Project.--[98-133ss](#)

Loan Agreement between St. Louis County and the Minnesota Department of Agriculture for St. Louis Septic System Loan Program.--[98-134](#)

Purchase of Service Agreement between St. Louis County Board of Commissioners and Macor Adult Foster Home.--[98-135ss](#)

Purchase of Service Agreement between St. Louis County Board of Commissioners and Lakewind, Inc.--[98-136ss](#)

Second Amendment to the Memorandum of Agreement between St. Louis County and Community Health Board of Carlton-Cook-Lake-St. Louis Counties for Immunization Action Program and Procedures - 1998.--[98-137](#)

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

134

Memorandum of Agreement between St. Louis County and the Community Health Board of Carlton-Cook-Lake-St. Louis Counties for Home Visiting Program - 1998.--98-138

Grant Agreement between St. Louis County Board of Commissioners and Valley Youth Center.--98-139ss

Grant Agreement between St. Louis County Board of Commissioners and Copeland Community Center, Inc.--98-140ss

Grant Agreement between St. Louis County Board of Commissioners and Arrowhead Center, Inc.--98-141ss

Grant Agreement between St. Louis County Board of Commissioners and Ely Community Resources.--98-142ss

Grant Agreement between St. Louis County Board of Commissioners and St. Louis County Council on Aging.--98-143ss

Grant Agreement between St. Louis County Board of Commissioners and Sexual Assault Program of Northern St. Louis County, Inc.--98-144ss

Grant Agreement between St. Louis County Board of Commissioners and Legal Aid Service of Northeastern Minnesota.--98-145ss

Grant Agreement between St. Louis County Board of Commissioners and

Indian Legal Assistance Program.--98-146ss

Grant Agreement between St. Louis County Board of Commissioners and Minnesota Program Development, Inc.--98-147ss

Grant Agreement between St. Louis County Board of Commissioners and Program for Aid to Victims of Sexual Assault.--98-148ss

Agreement for Architectural Services between the Arrowhead Regional Corrections Board and Architects IV for Construction of Food Service and Dining Hall Expansion at NERCC.--98-149

Agreement between St. Louis County and Range Women's Advocates, Inc., for implementation of a Domestic Abuse Intervention Model for Rural Law Enforcement.--98-150

Supplemental Labor Agreement between St. Louis County Board of Commissioners and Civil Service Supervisory Bargaining Unit for a flexible work schedule for MIS Department employees.--98-151

Facilities Lease between the City of Hibbing and St. Louis County for rental of the Hibbing Memorial Building.--98-152

Purchase of Service Agreement between St. Louis County Board of Commissioners and Woodview Home.--98-153ss

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

135

Purchase of Service Agreement between St. Louis County Board of Commissioners and Pirila Adult Foster Home.--98-154ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Dallmann Adult Foster Home.--98-155ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Andler Homes, Inc., Home No. 2.--98-156ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Andler Homes, Inc., Home No. 1.--98-157ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 4.--98-158ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 3.--98-159ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 2.--98-160ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 1.--98-161ss

Purchase of Service Agreement between

St. Louis County Board of Commissioners and Homes, Inc. (SILS-SILVR).--98-162ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc. (SILS-SILVR) - Virginia.--98-163ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Virginia.--98-164ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Hibbing.--98-165ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc.--98-166ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.--98-167ss

Agreement for the purchase of six Intel Pentium 5/200 MMX personal workstations from Citon Research Corporation.--98-168

Hewlett Packard Support Services Agreement No. 2606B3183 with St. Louis County.--98-169

Hewlett Packard Support Services

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

136

Agreement No. 2606S7746 with St. Louis County.--98-170

Hewlett Packard Support Services Agreement No. 2606C7555 with St. Louis County.--98-171

St. Louis County Supply contract with United Electric for Electric Lamps.--98-172

Upon motion of Commissioner Prebich, supported by Commissioner Raukar, Resolutions No. 175 through 180, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 10, 1998, are hereby approved. Adopted March 10, 1998. No. 175

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 17, 1998, are hereby approved. Adopted March 10, 1998. No. 176

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 4,352.82
T22 Cities and Towns	165,551.22
T23 Game and Fish	44,164.56
T27 Refunds	143,874.08
T48 Taconite Relief/Other	185,660.00
T49 Taconite Production Tax	11,653,919.00
T50 State of Minnesota	57,654.89
T52 Taxes and Penalties	112,353.04
T66 Criminal Fines	70,577.66
T68 Parking and Seat Belt Fines	47,032.00
T74 Employer/Employee Deductions	913,886.81
T75 Savings Bonds	12,150.00
T77 Cancelled Checks	1,229.16
T78 Volunteer Fire Departments	4,195.00
T84 Attorneys Forfeitures 17.10	
T87 Assault Fees	2,209.44
T89 District Administrator 1,625.41	
T92 Controlled Substances 13,977.00	
T98 Work Study Agency Fund	941.12
01 General Fund	1,133,638.06
02 Public Works	1,103,706.97
04 Social Services	3,884,873.84
08 Capital Projects	39,231.10
08A State Aid Road	155,934.59
08B Road & Bridge Building Const.	32,210.00
08Y Hibbing/Virginia Law	

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

137

	Enforcement Centers		64L Laundry	21,759.56
	62,211.93		64S Supervised Living	
09	McKinney Homeless		Facilities	7,817.72
	Grant	17,637.00	72 No. Counties Land	
10B	Emer. Shelt.		Use Coord. Board	2,198.60
	95 Funds	4,469.13	73 Arrowhead Regional	
11A	Home Grant - All		Corrections	504,199.52
	Years	153,379.22	73A 1995 AJC Capital	
12B	CDBG Grant	464,584.09	Improv. Funds	48,397.16
128	Law Library	8,173.46	73B NERCC Remodeling	
129	City/County Com.		Project	49,514.95
	Antenna Site	458.41	74 Community Health	
13	St. Louis County		Services	8,668.69
	HRA	3,040.72	90 Range Maintenance	
131	Extension Service	29,915.33	Facility	<u>3,939.00</u>
15	Forfeited Tax	101,932.35		\$22,632,585.01
16	Forest Resources	10,761.75		
26	Solid Waste		Adopted March 10, 1998. <u>No. 177</u>	
	Authorities	227,666.55		
49	Postage/Office		RESOLVED, that Workers' Compensation	
	Supplies	26,623.06	is hereby awarded to those persons who	
50	Printing	20,015.48	were injured while in the employ of the	
51	County Garage	32,772.66	County of St. Louis, as set forth in the	
52A	Property, Casualty,		report of the County Attorney, dated	
	Liability	1,697.09	March 10, 1998, on file in the office of	
52B	Workers		the County Auditor, identified as County	
	Compensation	88,869.60	Board File No. 57109, and the County	
52D	Medical/Dental Self		Auditor is authorized to issue checks in	
	Insurance	1,854.11	favor of said employees from Fund 52,	
53	Management Informa-		Department 12.	
	tion Systems	155,382.38	Adopted March 10, 1998. <u>No. 178</u>	
54	Regional Railroad			
	Authority	12,583.18	RESOLVED, that the applications for	
55	Telecommunications	106,903.29	licenses to sell tobacco products, at retail,	
64A	Jensen Nursing		on file in the office of the County	
	Home	393,952.25	Auditor, identified as County Board File	
64B	Nopeming Nursing		No. 57110, are hereby approved and the	
	Home	235,240.49	County Auditor is authorized to issue	
64F	Community Food		licenses as follows:	
	Services	41,001.41		
			Bimbo's, Inc., d/b/a Bimbo's Octagon,	

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

138

French Township, Tobacco Products License No. T9888;

Blackwood's of Proctor, Inc., d/b/a Blackwood's Grill and Bar, City of Proctor, Tobacco Products License No. T9889;

J & M Ventures, Inc., d/b/a Breeze Inn, Lakewood Township, Tobacco Products License No. T9890;

Amundson Enterprises, LLC, d/b/a Cook IGA Foods, City of Cook, Tobacco Products License No. T9891;

Corner Express, d/b/a Corner Express, Gilbert Township, Tobacco Products License No. T9892;

Jauert, Inc., d/b/a Eagle's Nest Resort, Fredenberg Township, Tobacco Products License No. T9893;

Thomas Burris, d/b/a Ethel's Bait Shop, Beatty Township, Tobacco Products License No. T9894;

Curtis Convenience Store, Inc., d/b/a Food N Fuel, Cotton Township, Tobacco Products License No. T9895;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Inc., Fredenberg Township, Tobacco License No. T9896;

Michael Grubb, d/b/a Hitching Post, Gnesen Township, Tobacco Products License No. T9897;

Holiday Station Stores, Inc., d/b/a Holiday Station Store #184, White Township, Tobacco Products License No. T9898;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Cotton Township, Tobacco Products License No. T9899;

Alan Jenny, d/b/a Island Beach Campground, Fredenberg Township, Tobacco Products License No. T98100;

Ely-Winton Rod & Gun Club, Inc., d/b/a Longbranch Clubhouse, City of Winton, City of Winton, Tobacco Products License No. T98101;

Edwards Oil Co., Inc., d/b/a Lucky Seven General Store, City of Aurora, Tobacco Products License No. T98102;

JDL Enterprises, Inc., d/b/a Old Muni Bar & Lounge, City of Cook, Tobacco Products License No. T98103;

Lakehead Oil Company, Inc., d/b/a Pike Lake Holiday, Canosia Township, Tobacco Products License No. T98104;

Dennis Paulsen, d/b/a Rocky Ledge Resort, Unorganized Area 69-21, Tobacco Products License No. T98105;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, Tobacco Products License No. T98106;

Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-

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

139

18, Tobacco Products License No. T98107;

Vernon Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, Tobacco Products License No. T98108;

Elizabeth Kirsh, d/b/a Sportsmens Inn, Gnesen Township, Tobacco Products License No. T98109;

Daley Corporation, d/b/a Vermillion Beach Resort, Unorganized Area 63-17, Tobacco Products License No. T98110;

Walt's Cloquet River Inn, Inc., d/b/a Walt's Cloquet River Inn, Grand Lake Township, Tobacco Products License No. T98111;

Weiberg's, Inc., d/b/a Weiberg's, Colvin Township, Tobacco Products License No. T98112;

Winton Municipal Liquor Store, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T98113.

Adopted March 10, 1998. No. 179

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

Dolores McDonell, d/b/a Fall Inn Tavern, Rice Lake Township, Permit No. S994;

Michael Grubb, d/b/a Hitching Post, Gnesen Township, Permit No. S999;

Barbara Boisjolie, d/b/a Jerry's Place, Unorganized Area 63-19, Permit No. S9910;

Florence Kacer, d/b/a Sanitary Harry's, Kelsey Township, Permit No. S9914. Adopted March 10, 1998. No. 180

Upon motion of Commissioner Kron, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 181 which was not on the agenda.

BY COMMISSIONER KRON:

RESOLVED, the St. Louis County Board hereby requests that the St. Louis County Agricultural Society provide the following information to the Chair of the Central Management and Intergovernmental Committee by March 16, 1998:

1. A copy of all annual financial reports/statement for 1993-1997.
2. A current list of St. Louis County Agricultural Society fund balances as of 12/31/97.
3. A list of all travel and related expenses paid for by the St. Louis County Agricultural Society for the fair manager and the fair board officers for the years 1993-1997.

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

140

4. Fair Board credit card receipts since its inception this year.

5. A copy of any and all checks written from 1993-1997 to repair race track lighting, including bucket truck rental, hourly rates, and a record of the person doing the repair and the date of the repair.

6. A list of current members, including name, address, affiliation, and/or district of representation.

Unanimously adopted. March 10, 1997.

No. 181

At 11:10 A.M. on Tuesday, March 10, 1998, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Peg Sweeney, Vice-Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, 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**

141

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
B O A R D O F C O U N T Y
COMMISSIONERS OF THE COUNTY
OF ST. LOUIS, MINNESOTA, HELD
ON**

MARCH 17, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 17th day of March, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address the Board on any items not on the agenda for this meeting. There were none who wished to do so.

The Resolution reference a 1998 appropriation to the St. Louis County Agricultural Society (Hibbing Fair Board) was brought up for discussion. Several items, as previously requested, were received from the Fair Board at this meeting. To allow time for Commissioners to review the materials, the matter was tabled on motion of Commissioner Prebich, supported by Commissioner Kron; six yeas - one nay - Chair Commissioner Forsman.

The Resolution requesting the Minnesota Congressional Delegation to have the

Administration take immediate action to rescind a ban on human enjoyment of 4,667 acres in Voyageurs National Park was placed on the floor on motion of Commissioner Kron, supported by Commissioner Fink; discussion continued. The motion included removal of the language addressing no public input (the third Whereas) and removing the word "unconscionable" in the Resolved. Barbara West, Park Superintendent, addressed the Board and presented written documents which will be on file in County Board File No. 57152. Her charge is to promote and regulate the Park and the Park Service can only do what is authorized. In surveys done on the approval rating for the Park, it is 72 percent to 78 percent approval, with a lower approval rating from those residents in the immediate area of northern St. Louis County. The study related to the 11 bay closures is scheduled to take three years. The Park is to commemorate the route of the Voyageurs and there are 110 miles of trails open for public use. Following further discussion, Commissioner Krueger, supported by Commissioner Raukar, moved to amend the proposed resolution to change the action requested from rescind to review; this amendment failing on a vote of three yeas - four nays being Commissioners Fink, Kron, Sweeney, and Chair Forsman. Resolution No. 227 was then adopted and will be sent with a cover letter of submission to be drafted by Commissioner Kron.

Carol Thibault, Director of Public Health

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

142

and Long Term Care, was present to respond to questions concerning the proposed contract with Von Goertz and VanHove, Inc., for a media campaign. They did not put the project out on bids. They have used this firm for other projects and have been satisfied with their work; and further, this firm has worked extensively in the health care field. Following discussion, Resolution No. 228 was adopted.

Commissioner Kron commented on a Editorial Letter in today's Duluth News Tribune relative to the Board not accepting the low bid for tree planting this year, when in fact they did award the low bid.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Civil Service Director submitting Personnel Transactions for the year 1998.--57147

Finance and Budget Committee submitting recommendations for reduction and correction of assessed valuations and taxes for the year 1998.--57148

County Auditor submitting lists of tax forfeited property declared in default during the year 1998.--57149

Land Commissioner submitting lists of tax forfeited lands in rural and urban areas of St. Louis County and withdrawals from

Memorial Forest to be offered for public sale during the year 1998.--57150

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-155 regarding repurchases of tax forfeited land.--57151

Barbara J. West, Superintendent, Voyageurs National Park, National Park Service, United States Department of the Interior, relative to the closing of eleven bays in Voyageurs National Park to recreational use for the 1997/1998 winter season.--57152

John M. Foschi, City Administrator, City of Proctor, submitting the Modified and Restated Plan for the Proctor Economic Development Authority Tax Increment Financing Plan for Tax Increment Financing District No. 2 which a hearing has been scheduled for Monday, April 6, 1998, at 6:30 P.M. at the Proctor Council Chambers.--57153

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between St. Louis County Board of Commissioners and Equaysaway.--98-173ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between St. Louis County Board of Commissioners and the University Medical Center - Mesabi.--98-174ss

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

143

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment.--98-175ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Vernon Place (renamed Morgan Park Place).--98-176ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. (SILS).--98-177ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. (SILS-SILVR).--98-178ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Tracy Gellatly.--98-179ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and North Pines Home I.--98-180ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and North Pines Home II.--98-181ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc.--98-182ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Fifth Street.--

98-183ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Mitchell I (pre-viously called Mitchell Circle).--98-184ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Mitchell II (pre-viously called Mitchell Circle).--98-185ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Ramsey I.--98-186ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Ramsey II.--98-187ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Ramsey III.--98-188ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc. - Supported Living Services-Adult.--98-189ss

Joint Powers Agreement between the Counties of St. Louis and Carlton, and the City of Cloquet, the Townships of McDavitt, White, Brevator, Stoney Brook, Culver, and Solway.--98-190

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

144

Recreation Grant Agreement between St. Louis County Board of Commissioners and Regional Railroad Authority.--98-191

Purchase of Service Agreement between St. Louis County Board of Commissioners and Maki Adult Foster Home.--98-192ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Shannon Petersen.--98-193ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Carey Special Needs Foster Home.--98-194ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Hermantown Residential Care.--98-195ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Leann Diler.--98-196ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Myra Lee Russeth.--98-197ss

Grant Award Amendment Child Care Resource & Referral Supplement No. 1 to Grant Award P.O. No. E37-13141 between St. Louis County Social Services Department and Minnesota Department of Children, Families and Learning.--98-198ss

Supply Contract between the County of St. Louis and Auto Glass Specialists for Glass Replacement - Vehicle & Equipment.--98-199

Supply Contract between the County of St. Louis and Contech Construction Products, Inc., for Furnish Culverts - Corrugated Steel Pipe.--98-200

Minnesota Department of Natural Resources Lease for Removal of Earth Materials for St. Louis County to remove gravel from part of the SW 1/4 of NW 1/4, Section 36, Township 63, Range 12.--98-201

Amendment for Agreement for Collection of Waste from Canister Sites between St. Louis County And Suburban Sanitation Service, Inc.--98-202

Minnesota Board of Water and Soil Resources 1998 Natural Resources Block Grant with St. Louis County.--98-203

Recreation Grant Agreement between the St. Louis County Board of Commissioners and Regional Railroad Authority for construction of the Mesabi Trail Project.--98-204

Grant Agreement between the St. Louis County Board of Commissioners and The Depot.--98-205ss

Grant Agreement between the St. Louis County Board of Commissioners and Women's Coalition.--98-206ss

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

145

Grant Agreement between the St. Louis County Board of Commissioners and Range Women's Advocates.--98-207ss

Grant Agreement between the St. Louis County Board of Commissioners and Duluth Community Health Center.--98-208ss

Grant Agreement between the St. Louis County Board of Commissioners and University of Minnesota for the Darland Intergenerational Program.--98-209ss

Grant Agreement between the St. Louis County Board of Commissioners and First Witness Child Abuse Resource Center.--98-210ss

Grant Agreement between the St. Louis County Board of Commissioners and Elder Services Network.--98-211ss

Deferred Compensation Program Administrative Agreement between the County of St. Louis and The Copeland Companies.--98-212

Agreement between St. Louis County and The Women's Coalition, Inc., for implementing a Domestic Abuse Intervention Model for Rural Law Enforcement.--98-213

Attachment 1 to the Software License Agreement between System Software Associates, Inc., and St. Louis County.--98-214

Uniform Agreement for Operations of the

St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Eveleth.--98-215

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Hibbing.--98-216

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Ely.--98-217

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Floodwood.--98-218

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the Lake Superior College.--98-219

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Aurora.--98-220

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Hermantown.--98-221

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

146

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the City of Mt. Iron.--98-222

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the Town of Fredenberg.--98-223

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the Town of Canosia.--98-224

Uniform Agreement for Operations of the St. Louis County Violations Bureau between the County of St. Louis, through the Court Administrator's Office, and the University of Minnesota - Duluth.--98-225

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 182 through 224, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 24, 1998, are hereby approved. Adopted March 17, 1998. No. 182

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - Rickie Armstrong, \$150.62; Carol Bakke, \$154.14; Mildred Bell, \$427.62; Scott Bigelow, \$1,615.30; Arlen Boso, \$122.02; Charles Bruns, \$1,353.34; Richard Carlson, \$1,607.48; Milan Chorkovich, \$1,173.08; Miriam Cora, \$362.38; Richard Cora, \$73.18; County Auditor, Cncl. Forfeiture; Baudouin DeMarcken, \$1,417.60; Bobby Douglas, \$164.92; Dul. Bldg. Lmt'd. Liabil., \$3,908.40; Joel Elden, \$1,039.20; Erie Mining Co., \$1,030.18; David Garrick, \$115.37; Nancy Gerard, \$491.76; Garold Glanville, \$1,435.84; Marie Halberg, \$720.42; David Halverson, \$907.38; Phillip Hart, \$1,454.86; Norman Hayes, \$198.56; Johann Hoche, \$429.36; Cynthia F. Holenko, \$653.88; Holiday Station Store, \$2,120.82; Horngren Management, \$2,119.98; Kathryn Jolliffe, \$749.38; Joseph Kovich, \$1,202.22; Ray Allen Krahl, \$607.10; Kenneth Lampi, \$91.16; Jon Lee Lapine, \$2,478.84; David Larson, \$777.54; Marcelene Lenka, \$72.12; Gregory Lynch, \$1,414.32; John Marty, \$360.06; Ryan Mitzner,

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

147

\$1,153.20; Gaylen R. Nelson, \$519.14; Duy Nguyen, \$853.64; Charles Norgren, \$245.42; Clyde Prudhomme, \$203.74; Robert Rabold, \$720.48; Harold Reinholt, \$477.88; Paul Rome, \$49.39; Phil Sanders, \$31.96; Danforth Sherman, \$308.52; State of Minn., \$330.40; John Suonvieri, \$207.18; Roderick Syck, \$1,292.38; John Sylvester, \$60.36; John Themmes, \$662.76; Diane Troia, \$555.40; Stanley Van Keckerix, \$558.52; Jason Zwicky, \$609.56.

Personal Property - Scott Christopherson, \$79.46; Marian Laudke, \$164.30; Karl Littler, \$173.26; Jim Marshall, \$247.50; William Nash, \$239.16; Ann Terhark, \$110.84.

Adopted March 17, 1998. No. 183

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted March 17, 1998. No. 184

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Holiday Stationstores, Inc., d/b/a Holiday

Stationstore 85, City of Proctor, Tobacco Products License No. T98114;

Joly, Inc., d/b/a Keyboard Lounge, City of Proctor, Tobacco Products License No. T98115;

Ted Melgeorge, d/b/a Melgeorge's Resort, Unorganized Area 66-19, Tobacco Products License No. T98116;

Moccasin Point, Inc., d/b/a Moccasin Point Resort, Greenwood Township, Tobacco Products License No. T98117;

David Healy, d/b/a Ranger Gourmet, City of Hoyt Lakes, Tobacco Products License No. T98118;

Sweeney Vending, Inc., d/b/a Sweeney Vending, Inc., City of Hoyt Lakes, Tobacco Products License No. T98119;

Sandra Hammerlind, d/b/a Sturgeon River Landing, French Township, Tobacco Products License No. T98120.

Adopted March 17, 1998. No. 185

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

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

148

J & M Ventures, Inc., d/b/a Breeze Inn,
Lakewood Township, Permit No. S992;

Kathy Sarff, d/b/a Buddy's Tavern, Cherry
Township, Permit No. S993;

Raymond Hawk, d/b/a Hawk's Pour House,
Sturgeon Township, Permit No. S996;

Hellman's Store, Inc., d/b/a Hellman's
Store, Ault Township, Permit No. S997;

Hi Banks Resort, Inc., d/b/a Hi Banks
Resort, Inc., Fredenberg Township, Permit
No. S998;

Georgette Saugestad, d/b/a Melrude Pub,
Ellsburg Township, Permit No. S9911;

Saginaw Union Station, Inc., d/b/a Saginaw
Union Station, Inc., Solway Township,
Permit No. S9913;

Vernon Skoglund, d/b/a Silver Fox Lodge,
Gnesen Township, Permit No. S9915;

Sportsman's Last Chance, Inc., d/b/a
Sportsman's Last Chance, Inc., Portage
Township, Permit No. S9916.
Adopted March 17, 1998. No. 186

RESOLVED, that the appraisal reports for
the sale of timber to be offered at Public
Timber Auction, numbered Tracts 1
through 18 (totaling \$526,335.90), as
submitted by the Land Commissioner, on
file in the office of the County Auditor,
identified as County Board File No. 57108,
are approved and the County Auditor is

authorized to carry out the
recommendations as listed in said appraisal
reports.

Adopted March 17, 1998. No. 187

RESOLVED, that the St. Louis County
Board of Commissioners approves the
below listed rates for family adult foster
care and family adult day care services
provided to eligible Alternative Care (AC),
Elderly Waiver (EW), Community
Alternatives for Disabled Individuals
(CADI), and Traumatic Brain Injury
Waiver (TBIW) clients effective April 1,
1998.

Family Foster Care

<u>Case</u>	<u>Day</u>	<u>Monthly</u>
<u>Mix</u>	<u>Rate</u>	<u>Rate</u>
A	\$25.86	\$ 787
B	\$29.23	\$ 889
C	\$33.04	\$1,005
D	\$36.67	\$1,116
E	\$40.38	\$1,228
F	\$40.80	\$1,241
G	\$44.05	\$1,340
H	\$49.76	\$1,513
I	\$51.76	\$1,574
J	\$54.86	\$1,669
K	\$61.44	\$1,869

Family Adult Day Care

\$4.00 per 30 minutes

Budget Reference:

No county funds, payments are made
directly to the provider by DHS via the
Minnesota Medical Information System
(MMIS-II) from State Medical Assistance
(MA) funds to eligible AC, EW, CADI, and

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

149

TBIW clients. provide the following MA MR/RC Waiver Services and group residential housing services at 514 - 8 1/2 St. South, Virginia, MN, "Ivy" Program at the following rates for the period March 2, 1998, through June 30, 1998:

Adopted March 17, 1998. No. 188

RESOLVED, that the County Board approves a Purchase of Service Agreement with Northern Habilitative Services, Inc., to

PROGRAM SERVICES

<u>Program</u>	<u>Supported Living Services</u>
	<u>Group Res. Housing</u>
NHS - Ivy	\$16.79 per hour \$911.92 per resident /

mo.

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted March 17, 1998. No. 189

RESOLVED, that the County Board approves Purchase of Service Agreements with Covenant Enabling Residence II of Minnesota, Inc., to provide MA MR/RC Waiver Supported Living Services and group residential housing services at their "Our Place - A" and "Our Place - B" residential programs at the following rates for the period March 1, 1998, through June 30, 1998:

<u>Programs</u>	<u>Supported Living Services</u>
	<u>Group Res. Housing</u>
1. Our Place-A	\$ 17.33 per hour \$845.58/person/month 322(A) North 60th Ave. W. Duluth, MN.

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

150

55807-1329

2. Our Place-B \$ 17.44 per hour
 \$845.58/person/month 322(B) North

60th Ave. W.
Duluth, MN.
55807-1329

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted March 17, 1998. No. 190

RESOLVED, that the County Board approves a Purchase of Service Agreement with Paragon Services, Inc., to provide the following MA MR/RC Waiver Services and group residential housing services at their "Faribault" Program, 152 West Faribault St., Duluth, MN 55805, at the following rates for the period of August 1, 1997, through June 30, 1998:

<u>Program</u>	<u>Supported Living Services</u>
----------------	----------------------------------

<u>Group Res. Housing</u>

Paragon Services,	\$ 17.02 per hour
	\$602/resident/month

Inc.-Faribault

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED

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

151

BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted March 17, 1998. No. 191

RESOLVED, that the County Board approves a Purchase of Service Agreement with Paragon Services, Inc., to provide MA MR/RC Waiver Supported Living Services and group residential housing services at their "Selfridge" Program, 611 Selfridge Drive, Duluth, MN 55811, at the following rates for the period of August 25, 1997, through June 30, 1998:

<u>Program</u>	<u>Supported Living Services</u>
	<u>Group Res. Housing</u>
Paragon Services, Inc.- Selfridge	\$17.04 per hour \$602/resident/month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted March 17, 1998. No. 192

RESOLVED, that the Chairperson of the County Board, County Auditor, and Health Director are hereby authorized to enter into an agreement with the Community Health Board of Lake, Carlton, Cook, and St. Louis Counties for the provision of maternal and child health services in the amount of \$476,160 for the two-year

period ending December 31, 1999, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 223.

Adopted March 17, 1998. No. 193

RESOLVED, that the County Board authorizes the Chairperson, County Auditor, and Health Director to enter into

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

152

agreements with the Duluth Community Health Center, Northland Family Programs, Association for Retarded Citizens (Arc Duluth), Bois Forte Head Start/Day Care, St. Mary's Medical Center, Fond du Lac Band of Lake Superior Chippewa, and Cathie Trachsel for Maternal Child Health services, effective January 1, 1998 - December 31, 1999, payable from Maternal Child Health Grant funds, Fund 1, Agency 220 (Public Health Nursing), Org. 223, Object 299. Adopted March 17, 1998. No. 194

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and the Health Director to sign an agreement with the Minnesota Department of Human Services (DHS) for a MinnesotaCare Outreach Grant for the period of January 1, 1998, through June 30, 1999, in the amount of \$78,000, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 258, and hereby amends the 1998 budget. Adopted March 17, 1998. No. 195

RESOLVED, that the County Board of Commissioners authorizes the Department of Public Health and Long Term Medical Care to apply to the Children's Trust Fund for the period of July 1, 1998, through June 30, 2001, for a grant in the amount of \$100,000. Adopted March 17, 1998. No. 196

RESOLVED, that the County Board authorizes the Chair of the Board, County Auditor, and Health Director to sign the

agreement with the Arrowhead Economic Opportunity Agency for the home visiting grant for 1998 in the amount of \$36,406, payable from Fund 1, Agency 220 (Public Health Nursing), Org. 252. Adopted March 17, 1998. No. 197

RESOLVED, that the mileage reimbursement rate for medical assistance eligible transportation provided by volunteer drivers and foster parents is set at 31.5 cents per mile, effective January 1, 1998. No county funds are involved, costs are covered through state and federal medical funds reimbursed to the county. Adopted March 17, 1998. No. 198

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21. Adopted March 17, 1998. No. 199

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for

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

153

sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law on Tuesday, June 9, 1998, at 10:00 A.M. at the Duluth Entertainment and Convention Center in Duluth, Minnesota. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that all parcels of land on the list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies that the County Land Commissioner has reviewed and certified the land sale list and identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted March 17, 1998. No. 200

RESOLVED, that under the provisions of

Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

1. Township of Lavell, SW 1/4 of SE 1/4 except S 1/2, Section 25, Township 56, Range 19.

Adopted March 17, 1998. No. 201

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57151, are approved.

Adopted March 17, 1998. No. 202

RESOLVED, that the Purchasing Agent is hereby authorized to execute, in accordance with the specifications of Bid No. 3721, a contract with Tom Bildeaux, Sr., of Isabella, Minnesota, to provide Conifer Plantation Improvement by Basal Pruning at their low specification bid price of \$18,212.50, payable from: Fund F16 Forest Resources, Agency F41 Resource Development, Object 299 Professional.

Adopted March 17, 1998. No. 203

RESOLVED, that the Purchasing Agent is hereby authorized to execute a Purchase Agreement, in accordance with the specifications of Bid No. 3711, for the

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

154

sale of the Alborn Garage to George Hatecke of Culver, Minnesota, for the amount of \$20,860.00.

Adopted March 17, 1998. No. 204

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Clinton for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Clinton agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 205

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Wuori for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Wuori agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 206

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Kelsey for general surface maintenance

and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Kelsey agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 207

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Cotton for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Cotton agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 208

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Colvin for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Colvin agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

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

155

Adopted March 17, 1998. No. 209

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Northland for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Northland agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 210

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Ellsburg for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Ellsburg agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 211

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of McDavitt for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one

year. The Town of McDavitt agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A.

Adopted March 17, 1998. No. 212

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Sandy for general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins November 1, 1997 and continues for one year. The Town of Sandy agrees to pay the County \$250 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department Fund 02, Agency 00A. Adopted March 17, 1998. No. 213

WHEREAS, the County of St. Louis has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of S.P. 69-598-09, County Bridge 69527, over the Little Fork River (Section 14, Township 62 North, Range 20 West), on County Road 500; and WHEREAS, the application for the grant has been reviewed by the Arrowhead Regional Development Commission; and WHEREAS, the amount of the grant has been determined to be \$90,486.02 by reason of the lowest responsible bid. NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis does hereby affirm that any cost of the bridge in excess of the grant will be appropriated from funds available to the County of St. Louis

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

156

and that any grant monies appropriated for the bridge, but not required, based on the final estimate, shall be returned to the Minnesota State Transportation Fund.

RESOLVED FURTHER, that the federal monies are being used to participate in the cost of the bridge, grant monies as matching funds shall be transferred directly to the agency account, and that the records of the County of St. Louis shall so state.

Fund 29 (Grant)	\$ 90,486.02
Bridge Replacement	
STP Funds	361,944.10
St. Louis County Funds	<u>199,637.90</u>
Total Project Cost =	\$52,038.02
Adopted March 17, 1998.	<u>No. 214</u>

WHEREAS, that pursuant to St. Louis County Ordinance No. 28, Section 4. General Provisions, Subd. 4.07. If, during the term of any liquor license, the place of business of and licensee shall be destroyed or so damaged by fire or otherwise, that the licensee shall cease to carry on the licensed business the County Board may refund to the licensee such part of the license fee paid by him as corresponds to the time such license had yet to run;

WHEREAS, that the establishment known as Saginaw Detour Lounge & Restaurant, Inc., located at 4571 Old Hwy. 33 No., Saginaw, MN 55779, was destroyed by fire January 12, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes a refund of Combination On/Off-Sale and Sunday

On-Sale Intoxicating liquor license fees paid by James Pederson, Pres., Saginaw Detour Lounge & Restaurant, Inc., Brevator Township; and

RESOLVED FURTHER, that said refund will be as follows:

On-Sale Intoxicating
Liquor License Fee -
\$378.00

Off-Sale Intoxicating
Liquor License Fee -
\$78.00

(In combination with on-sale)

Sunday On-Sale Intoxicating
Liquor License Fee -
\$ 51.00

\$558.00

payable from Fund 01, Agency 051, Revenue Source 4040.
Adopted March 17, 1998. No. 215

RESOLVED, that a public hearing will be held at 9:35 A.M. on March 24, 1998, in the Ely Government Services Center, Ely, Minnesota, for the purpose of considering the granting of Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License to Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19.
Adopted March 17, 1998. No. 216

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves a Premises Permit, on file in the office of the County Auditor,

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

157

identified as County Board File No. 57122, for the following organization:

Duluth Softball Players Association to operate out of the Dry Dock, Midway Township, renewal.

Adopted March 17, 1998. No. 217

WHEREAS, the Amended and Restated Master Financing Agreement and Development Agreement among the State of Minnesota, St. Louis County, City of Duluth, DEDA, NAI, Inc., and NWA, Inc., and Northwest Airlines Corporation sets forth the way in which tax increment produced by payment of real estate taxes on the Northwest Maintenance Facility is distributed and defines "State TIF Amount"; and

WHEREAS, the parties have identified an unintended result of a statutory change in the class rate applicable to the Project; and

WHEREAS, the parties agree that such unintended result can be cured by further amendment without adverse affect on any party that is consistent with the original intention of the parties.

BE IT THEREFORE RESOLVED, that Section 10(f)(2) of the Amended and Restated Master Financing Agreement and Development Agreement for the Northwest Airlines Maintenance Base Project shall be amended to change the definition of "State TIF Amount" by deleting the phrase "original Assessor's Minimum Market Value" and inserting the phrase "Tax Increment Debt Service (as defined in the Loan Agreement)".

BE IT FURTHER RESOLVED, that the

St. Louis County Chair and Auditor are hereby authorized to execute such an amendment subject to approval of the St. Louis County Attorney.

Adopted March 17, 1998. No. 218

RESOLVED, that the County Board of Commissioners hereby accepts the Department of Agriculture's loan of \$200,000 and authorizes the County Administrator to sign the loan agreement and other related documents on behalf of the County; distributes the funds as specified in the Septic Loan Ordinance; sets the loan interest rate at 3 percent; and amends the Department of Public Health and Long Term Medical Care expenditure/revenue budget in the amount of \$200,000 in Fund 3, Agency ST.

Adopted March 17, 1998. No. 219

RESOLVED, that the Purchasing Agent is hereby authorized to execute an agreement with Digital Equipment Corporation for the purchase and installation of a DEC Alpha server at the State of Minnesota contract price of \$93,400.00, less trade-in of \$3,000.00 plus sales tax of \$5,876.00 for a total purchase amount of \$96,276.00.

FURTHER RESOLVED, that the Resolution is amended to also authorize the Purchasing Agent to execute an agreement with Tiburon, Inc., as per their quote for technical services dated November 1, 1997, at the quoted price of \$18,981.00 plus applicable shipping fees and sales tax.

Services quoted include:

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

158

Onsite installation of the Tiburon CAD, RMS, MDT, and Externals software on the DEC Alpha Conversion of software, files and executables
Project management, support and Travel expenses

Object 101 Salaries	- 23,085
Object 161 PERA Basic	- 3,704
Object 151 Medical Insurance	- 69
Object 152 Life Insurance	- 182
Object 153 Dental Insurance	- <u>2,476</u>
Net effect on budget	0

Adopted March 17, 1998. No. 221

The purchase amounts shall be payable from the 911 Communications Equipment Reserve Fund (Fund 53, Dept. 560, Org. 098, Obj. 653).
Adopted March 17, 1998. No. 220

RESOLVED, that with the retirement of the incumbent in the position of Account Technician (assigned to County Garage Fund duties) in the Auditor's Department, the position is to be transferred to the County Garage Fund under the supervision of the Fleet Manager. The funding for the position is already budgeted in the County Garage Fund and was previously used to reimburse the Auditor's Department for the position.

RESOLVED FURTHER, that the Auditor's Department (Fund 01, Agency 051) position allocations be reduced by one Account Clerk Technician and the County Garage Fund (Fund 51, Agency M51) position allocations be increased by one Account Clerk Technician.

RESOLVED FURTHER, that the Auditor's (Fund 01, Agency 051) 1998 budget is hereby amended as follows:

Object 100 Salary	
Reimbursement	+ 23,085
Object 150 Fringe	
Reimbursement	+ 6,431

WHEREAS, the St. Louis County Auditor License Center has experienced a protracted and problematic staff shortage since May of 1997 due to a medical leave resulting from surgical complications; and WHEREAS, April to July are the busiest months for the License Center;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the addition of one Clerk Intermediate to the staff of the Auditor License Center until such time as the status of the employee on medical leave is resolved.
Adopted March 17, 1998. No. 222

WHEREAS, St. Louis County was negatively impacted by the Boundary Waters Canoe Area Wilderness (BWCAW) legislation passed in 1978; and

WHEREAS, St. Louis County has struggled for nineteen years to complete exchanges with the United States Forest Service (USFS) for county lands remaining in the BWCAW; and

WHEREAS, St. Louis County still owns approximately 2,300 acres of land in the BWCAW, including eight to ten miles of lakeshore; and

WHEREAS, St. Louis County has experienced difficulties in working with

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

159

the USFS on these exchanges due to insufficient funding for land exchanges; and

WHEREAS, St. Louis County continues to have as a priority the completion of the land exchange process so that all County lands in the BWCAW would be exchanged for land of equal value outside of the wilderness area; and

WHEREAS, St. Louis County is not interested in any cash purchase of its BWCAW lands, believing that such an action is not in the best interest of the County; and

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County requests that the Federal government approve a special appropriation of funds to expedite all BWCAW-related land exchanges so they can be completed within a timely period of three years.

BE IT FURTHER RESOLVED, that the said appropriation include sufficient funds so that the entire cost of such land exchanges would be borne by the Federal government and not the County.

Adopted March 17, 1998. No. 223

WHEREAS, in March of 1991, and by amendment in 1992, St. Louis County implemented a comprehensive parking program which provided for employee contract parking while ensuring adequate meter parking for the general public; and WHEREAS, costs have increased and require additional adjustment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby amends Resolution No. 590, adopted July 28, 1992, as follows:

That the Board hereby amends the fees for monthly parking in County-owned and leased lots in the Duluth Civic Center area at \$30 in open lots and \$35 in ramps effective April 1, 1998.

That the appropriate St. Louis County Officials are hereby authorized to execute an Addendum to the lease agreement with Duluth City and County Employees Credit Union for the parking lot on Fourth Avenue West and Third Street, Duluth, to reflect a monthly increase to \$2,500 per month, effective April 1, 1998.

BE IT FURTHER RESOLVED, that the Board authorizes the Administration Department to annually review these parking fees and adjust as needed to ensure costs are recovered from employees' monthly parking contracts.

Adopted March 17, 1998. No. 224

BY COMMISSIONER RAUKAR:

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

County Project 3496 - St. Louis County Highway Striping for 1998 located on various bituminous highways throughout St. Louis County. Project to consist of furnishing and installing 26,570 gallons yellow and 15,900 gallons white striping paint.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 16, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of

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

160

said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

AAA Striping

ADDRESS

5392 Quam Ave.
P.O. Box 349
Rogers, MN 55374

AMOUNT

\$445,079.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A12, Org. 0010, Object 518.

Unanimously adopted. March 17, 1998.

No. 225

BY COMMISSIONER PREBICH:

WHEREAS, the St. Louis County Public

Works Department plans to reconstruct, widen, and improve a segment of County State Aid Highway 7 (SAP 69-607-24), located in McDavitt Township, and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public, and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements.

Unanimously adopted. March 17, 1998.

No. 226

BY COMMISSIONER KRON:

WHEREAS, Voyageurs National Park was created for the enjoyment of both present and future generations; and

WHEREAS, the Voyageurs National Park Superintendent, Barbara West, has "closed to human use" approximately 4,667 acres in 11 areas, which not only eliminates snowmobiling, but closes said acreage to "ice fishing, snowshoeing, cross country skiing or foot access" for the winter recreational season of 1997-98; and

WHEREAS, such ban is not supported by scientific data or proven protection need.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners requests the Minnesota Congressional Delegation to have the

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

161

Administration take immediate action to rescind the ban on human enjoyment of 4,667 acres in Voyageurs National Park.

Yeas - Commissioners Fink, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 6

Nays - Commissioner Krueger - 1

Adopted March 17, 1998. No. 227

BY COMMISSIONER PREBICH:

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Director of Public Health and Long Term Medical Care to sign an agreement with Von Goertz and VanHove, Inc., for the purpose of development and placement of a media campaign for the MinnesotaCare Outreach Program effective upon execution by the parties through June 30, 1999, in the amount of \$40,000 from Fund 1, Agency 220 (Public Health Nursing), Org. 258.

Unanimously adopted. March 17, 1998. No. 228

At 10:50 A.M. on Tuesday, March 17, 1998, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor

and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
MARCH 24, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of March, 1998, at 9:35 A.M. in Room No. 24, Government Services Center, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address any items that were not on the agenda for this meeting; there were none.

Commissioner Prebich, supported by Commissioner Forsman, put forth the Resolution, which had been tabled at the meeting of March 17, 1998, relative to

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

162

the 1998 appropriation for the St. Louis County Agricultural Society; and discussion continued. Following discussion, the proposed resolution failed on a vote of two yeas - five nays being Commissioners Fink, Krueger, Kron, Sweeney, and Raukar.

Representatives of the State of Minnesota Department of Transportation, District 1, appeared to make a presentation on the 1999-2001 Prioritization Process of the Northeastern Minnesota Transportation Improvement Plan of the Northeastern Minnesota Transportation Partnership, requesting ISTE A funds. Those appearing were Michael Robinson, Denny Johnson, Gus Peterson, and Gary Tonkin, an ARDC consultant on enhancement projects. They distributed several items of information which are on file in County Board File No. 57157. The State has the current three-year plan, however, they are also working on a twenty-year plan and invited input into that plan. They noted that the years indicated on the information are the State Fiscal Years, thus the actual time period commences in July of the year previous to that listed. Mr. Peterson reviewed the projects listed for 2001 as the other two years have been reviewed previously. Kevin Adolfs, St. Louis County Public Works, was also present and reviewed the County projects. In response to a question as to C-SAH No. 23 south of Cook not being listed as a recommended project, Mr. Johnson reviewed the process of selection of projects. He noted that the County had two large projects, C-SAH No. 23 and C-SAH No. 9 (Wallace Avenue from Fourth

Street to Woodland Avenue) which were each listed with a total cost of \$2 million and only one was to be included. The review committee relied on a recommendation of Public Works Director Richard Hanson that Wallace Avenue should be included. Chair Commissioner Forsman provided information that in meetings with Congressman Oberstar's aides, it is believed that Special Federal Funding can be achieved for this project. In that meeting St. Louis County priorities were C-SAH No. 4, Wallace Avenue and a new Administration Facility. It was believed that C-SAH No. 23 could be on the ISTE A funding list and Wallace Avenue would receive Federal Funding and thus both projects could be completed. There was concern raised that the Special Federal Funding would not be received and there is a youth safety issue involved with Wallace Avenue in that it serves a large Catholic School and East High Public School with students forced to walk in the street as there are no sidewalks. Commissioner Prebich, supported by Commissioner Raukar, moved to prioritize as No. 1 the C-SAH No. 23 project and replace Wallace Avenue on the ISTE A funding program; discussion continued. Included in discussion were issues of safety on both of the projects, facts that had been considered in the ISTE A review committee but were not available at this meeting, the process of selection, what happens to the funding if Wallace Avenue remains on the listing and then receives Special Federal Funds, equity of dollars expended in north and south areas of the County for highway purposes, that

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

163

Commissioners review is part of the process, that the ISTEA formal recommendation will be finalized by the end of June, that dollars are allocated based on size of system and usage, etc. The Commissioners inquired as to having Wallace Avenue and C-SAH No. 23 both on the listing and should Special Funding be received for Wallace Avenue, C-SAH No. 23 would replace it. The State responded that this would have to be a determination of the Partnership Review Committee. Commissioner Krueger called the question and the vote was four yeas - three nays being Commissioners Fink, Krueger, and Kron.

At 11:00 A.M., pursuant to Resolution No. 216, adopted March 17, 1998, a public hearing was convened to consider the granting of a Combination On/Off Sale and Sunday On Sale Intoxicating Liquor License to Debra Jones, d/b/a Frontier Resort in Unorganized Township 69 - Range 19. County Attorney Alan Mitchell advised that the required application is on file, the required reviewing County Departments recommend approval, the required insurance certificate is on file naming the County as an insured, the required notices were given, the Liquor Committee did review the application and recommends approval. The documents from this hearing are on file in County Board File No. 57158. Ms. Jones was present for the hearing and advised that she had managed the establishment for the past nine years for her mother, that she has now

purchased it. All persons in attendance were invited to address the issue; however, no one wished to do so. The hearing closed at 11:05 A.M. on motion of Commissioner Krueger, supported by Commissioner Prebich; seven yeas - zero nays. Resolution No. 243 was then adopted.

Commissioner Kron, supported by Commissioner Prebich, moved to suspend the rules to consider a resolution relative to a funding request to the Legislature for the Veterans Memorial Hall; and discussion continued. The recommendation was for a request of \$175,000 from the "county and local preservation grants" funded in the bonding bills. There is \$1 million in the funding for the State Historical Society to appropriate to societies throughout the State. Should this funding be received, a one-for-one local match would be required. Discussion included note that there had been consideration of the state granting \$14 million for the Veterans Project of the Des Moines and that the County should request \$350,000, the project budget, for this project in that the Des Moines was turned down by the City of Duluth voters. Following discussion, the vote was seven yeas - zero nays for a request of \$350,000. Following the next action of the Board, Commissioner Kron, supported by Commissioner Krueger, moved to reconsider the resolution on the Veterans Memorial Hall and on motion of Commissioner Kron, supported by Commissioner Raukar, it was then adopted as Resolution No. 248 with a funding

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

164

request amount of "up to \$500,000".

At the request of the County Auditor, Commissioner Kron, supported by Commissioner Raukar, moved to suspend the rules to hear a proposed resolution; seven yeas - zero nays. Gordon D. McFaul, County Auditor, presented a request for a Board Resolution which would oppose HF 2574 which eliminates the bonding requirement for fish and game subagents and puts the financial responsibility on the County. He is recommending that the bill be opposed or amended to eliminate the County's financial responsibility for these subagents. He noted that there are 270 subagents with 101 selling on consignment. Following discussion, Resolution No. 249 was adopted.

Commissioner Krueger, supported by Commissioner Kron, moved to suspend the rules to hear a proposed resolution on funding for the Wallace Avenue project discussed earlier this meeting; seven yeas - zero nays. Commissioner Krueger, supported by Commissioner Fink, moved that in the event Special Federal Funding is not made available, St. Louis County will place the Wallace Avenue Project as a number one priority for C-SAH funding in the next budget; discussion continued. Discussion included a need for further information on the project and the effect of making it a C-SAH funding priority, that the Public Works Director should be in attendance for the discussion, that action today would be information to constituents, etc. Following discussion,

Commissioner Prebich, supported by Commissioner Raukar, moved to table the proposed resolution; four yeas - three nays being Commissioners Fink, Krueger, and Kron.

At the request of the County Attorney Alan Mitchell, for purposes of litigation, Commissioner Kron, supported by Commissioner Prebich, moved to conduct a closed session; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

St. Louis County Housing and Redevelopment Authority submitting notices, resolutions, and minutes of their meetings for the year 1998.--57154

Timothy Lee, Assistant County Attorney, regarding County of St. Louis v. Derrick Investments No. 91, Inc., et al.--57155

Gloria Pothast, Court Administrator, submitting Notice of Hearing on Case Number C5-98-600508 in the matter of the condemnation of certain land for road right-of-way purposes to be held at 11:00 A.M. on June 8, 1998, in Courtroom No. 2, Fourth Floor, Courthouse, Duluth, MN.--57156

Documentation from presentation made by State of Minnesota Department of Transportation, District 1 Representatives, on the 1999-2001 Prioritization Process of the Northeastern Minnesota Transportation Improvement

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

165

Plan of the Northeastern Minnesota Transportation Partnership.--57157

Documentation from public hearing held on March 24, 1998, to consider the granting of a Combination On/Off Sale and Sunday On Sale Intoxicating Liquor License to Debra Jones, d/b/a Frontier Resort, located in Unorganized Township 69, Range 19.--57158

Sheriff's Supervisory Bargaining Agreement for 1997 and Uniform Settlement Form.--98-226

Agreement between the County of St. Louis, County Attorney, and the Arrowhead Regional Corrections Board for providing legal services to ARC Board.--98-227

Agreement between the County of St. Louis, Civil Service Commission, and the Arrowhead Regional Corrections Board for providing personnel services to the ARC Board.--98-228

Agreement between the County of St. Louis, County Auditor, and the Arrowhead Regional Corrections Board for providing fiscal services to ARC Board.--98-229

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and TBI Residential and Community Services, Inc.--98-230ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and H.O.M.E.S., Inc.--98-231ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Lakeshore Manor Homes.--98-232ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Crisis Respite Programs).--98-233ss

Grant Agreement between the St. Louis County Board of Commissioners and Grand Portage Tribal Council.--98-234ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Allied Health Alternatives, Inc.--98-235ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Villa Home Health Nursing Services.--98-236ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Nurses That Care, Inc.--98-237ss

Purchase of Service Agreement between the St. Louis County Board of

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

166

Commissioners and Fond du Lac Reservation.--98-238ss

Grant Agreement between the St. Louis County Board of Commissioners and Bethany Crisis Nursery.--98-239ss

Lease and Purchase Option Agreement between Norwest Investment Services, Inc., and Town of Rice Lake.--98-240

National Association of Counties Deferred Compensation Program Administrative Agreement between the County of St. Louis and Public Employees Benefit Services Corporation.--98-241

Agreement between the County of St. Louis and The Sanitary Board of the Western Lake Superior Sanitary District.--98-242

Service Agreement for the Collection and Disposal of Major Appliances/Scrap Metals between the County of St. Louis, through the Solid Waste Department, and Curtiss Whitegoods Processing, Inc.--98-243

Amendment to Agreement for Bois Forte Canister Site Operations between the County of St. Louis and the Bois Forte Reservation Tribal Council.--98-244

Project Contract between the County of St. Louis and Sundance Silviculture, Inc., for Chemical Site Preparation - Broadcast Application.--98-245

Addendum No. 1 to Agreement between

St. Louis County and the City of Buhl for ADA improvements to the Buhl Public Library.--98-246

Addendum No. 1 to Agreement between St. Louis County and the Town of Embarrass to renovate and restore the Pyhala Farmstead.--98-247

Grant Agreement between the St. Louis County Board of Commissioners and Iron Range Learning and Development Center.--98-248

Grant Agreement between the St. Louis County Board of Commissioners and Range Center, Inc.--98-249ss

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 229 through 241, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 10, 1998, are hereby approved. Adopted March 24, 1998. No. 229

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

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

167

<u>FUND</u>	<u>TOTAL</u>		
T11 MN Trail Assistance	\$6,098.36	50 Printing	18,008.74
T23 Game and Fish	94,233.46	51 County Garage	30,988.90
T27 Refunds	19,776.35	52A Property, Casualty, Liability	494.90
T50 State of Minnesota	333,494.73	52B Workers Compensation	115,468.68
T66 Criminal Fines	77,117.04	52D Medical/Dental Self Insurance	485.81
T68 Parking and Seat Belt Fines	59,247.68	53 Management Information Systems	87,623.60
T74 Employer/Employee Deductions	1,155,202.53	54 Regional Railroad Authority	15,525.43
T75 Savings Bonds	5,425.00	55 Telecommunications	55,152.52
T84 Attorneys Forfeitures 8.30		64A Jensen Nursing Home	215,643.70
T87 Assault Fees	1,667.11	64B Nopeming Nursing Home	227,058.74
T89 District Administrator	1,460.85	64F Community Food Services	33,999.72
T98 Work Study Agency Fund	744.64	64L Laundry	13,153.23
01 General Fund	801,492.37	64S Supervised Living Facilities	8,318.82
02 Public Works	516,537.10	73 Arrowhead Regional Corrections	215,636.91
04 Social Services	3,338,904.91	74 Community Health Services	80,217.77
08 Capital Projects	7,500.00	85 Patients Trust Fund	630.12
08A State Aid Road	179,269.81	90 Range Maintenance Facility	<u>51,363.50</u>
08Y Hibbing/Virginia Law Enforcement Centers	314,834.44		\$8,361,448.70
09 McKinney Homeless Grant	6,636.00		
10B Emer. Shelt. 95 Funds	5,107.48		
12B CDBG Grant	23,233.03		
127 Enhanced 9-1-1 Fund	742.50		
13 St. Louis County HRA	3,950.76		
131 Extension Service	9,998.94		
15 Forfeited Tax	99,358.58		
16 Forest Resources	17,689.00		
26 Solid Waste Authorities	79,413.83		
49 Postage/Office Supplies	32,532.81		

Adopted March 24, 1998. No. 230

RESOLVED, that pursuant to the recommendations of the Tax Committee, the application of the following named person for reduction and correction of assessed valuations and taxes in the following amount plus on those abatements of penalty and interest, any

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

168

additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, is hereby approved:

Real Estate - Frank Shuster, \$216.14.
Adopted March 24, 1998. No. 231

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.
Adopted March 24, 1998. No. 232

RESOLVED, that Workers' Compensation is hereby awarded to those persons who were injured while in the employ of the County of St. Louis, as set forth in the report of the County Attorney, dated March 24, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, and the County Auditor is authorized to issue checks in favor of said employees from Fund 52, Department 12.
Adopted March 24, 1998. No. 233

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Charles Halmet, d/b/a Halmet's General Store, White Township, Tobacco Products License No. T98121;

Soudan Community Store, d/b/a Soudan Community Store, Breitung Township, Tobacco Products License No. T98122.
Adopted March 24, 1998. No. 234

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144;
RESOLVED FURTHER, that said permits are approved contingent upon approval by the Sheriff's Department and Attorney's Office:

J and G Enterprises of KAB, LLP, d/b/a Pine Aire Resort, Unorganized Area 69-21, Permit No. S9912;

Jeffrey Hammerlind, d/b/a Sturgeon River Landing, French Township, Permit No. S9917.
Adopted March 24, 1998. No. 235

RESOLVED, that the County Board authorizes the Social Service Department to submit a grant request to the Federal Corporation for National Service in the amount of \$11,400 for the purpose of implementing a senior volunteer tutorial

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

169

program under the auspices of the Duluth area RSVP.

Adopted March 24, 1998. No. 236

RESOLVED, that the revised classification specifications for Solid Waste Worker I and Solid Waste Worker II are adopted and retained in Salary Grades 3 and 9, respectively, on the Civil Service Basic Bargaining Agreement Pay Plan, effective March 28, 1998; and

RESOLVED FURTHER, that the new classification specifications for Solid Waste Worker-Intermediate and Solid Waste Worker Technician are adopted and placed in Salary Grades 6 and 14, respectively, on the Civil Service Basic Bargaining Agreement Pay Plan, effective March 28, 1998.

Adopted March 24, 1998. No. 237

RESOLVED, that the Purchasing Agent is hereby authorized to enter into a two-year Site License Agreement with Novell Corporation for the purchase of 227 new GroupWise e-mail licenses and to provide Upgrade Protection for all of the County's product licenses of NetWare and GroupWise at a fixed cost for two years as per Novell's quote dated March 9, 1998. All new license costs and the first year's upgrade protection costs presently totaling \$49,179.96 payable from MIS Fund 53, Org. 550, Object 348, and reimbursable by the using departments based on their usage levels.

Adopted March 24, 1998. No. 238

RESOLVED, that the St. Louis County

Board hereby appoints Commissioners Mike Forsman, Liz Prebich, and Steve Raukar to serve on the Crane Lake Firefighters Relief Association.

Adopted March 24, 1998. No. 239

RESOLVED, that the 1997 Sheriff's Supervisory Bargaining Agreement, a copy of which is on file in Contract File No. 98-226, is hereby approved, and the appropriate County Officials are authorized to execute said contract.

Adopted March 24, 1998. No. 240

RESOLVED, that the St. Louis County Board hereby appoints Bonnie J. Keeling to the Public Health Advisory Board for a three-year term commencing in April of 1998.

Adopted March 24, 1998. No. 241

BY COMMISSIONER PREBICH:

WHEREAS, as part of the Prioritization Process of the Northeast Minnesota Area Transportation Partnership, the State of Minnesota Department of Transportation District One made a presentation of projects recommended to be included in the year 2001 Intermodal Surface Transportation Efficiency Act (ISTEA) funding for the cycle of 1999 through 2001;

WHEREAS, the County Board did review the projects on the listing for St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby determines that C-SAH 23, four miles Southeast of Orr, reconstruction, total

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

170

cost \$2,000,000, Federal-Aid \$1,600,000 be listed as Priority One and will replace C-SAH 9, Fourth Street to Woodland Avenue on Wallace Avenue, reconstruction, total cost \$2,000,000, Federal-Aid \$1,600,000 on the listing of FY 2001 Federal-Aid Solicitation Summary Projects recommended for funding under ISTEA.

Yeas - Commissioners Sweeney, Prebich, Raukar, and Chair Forsman - 4

Nays - Commissioners Fink, Krueger, and Kron - 3

Adopted March 24, 1998. No. 242

BY COMMISSIONER KRUEGER:

WHEREAS, Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19, St. Louis County, Minnesota, has applied for a Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor Licenses; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on March 24, 1998, at or about 9:35 A.M. in the Ely Government Services Center, Ely, Minnesota, for the purpose of considering the granting of the Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor Licenses; and

WHEREAS, with regard to the applications for said licenses Debra Jones has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing

Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the applications;

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor Licenses (License Numbers L9895 and LS9895) shall be issued to Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19; FURTHER RESOLVED, that said liquor licenses shall be effective through June 30, 1998;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. March 24, 1998. No. 243

BY COMMISSIONER PREBICH:

RESOLVED, that the St. Louis County Board of Commissioners hereby approves an agreement between the County of St. Louis; Alan L. Mitchell, St. Louis County Attorney; and the Arrowhead Regional Corrections Board, a copy of which is on file in Contract File No. 98-227 to provide legal services to the ARC Board for an annual fee of \$35,000.00;

RESOLVED FURTHER, that the Chair of the County Board, and the County

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

171

Attorney are authorized to sign said agreement on behalf of St. Louis County. RESOLVED FURTHER, that the St. Louis County Attorney's Office (Fund 01, Agency 031) will be reimbursed \$35,000.00 for the services it provides to this agency.

Unanimously adopted. March 24, 1998.
No. 244

RESOLVED, that the St. Louis County Board of Commissioners hereby approves an agreement between the County of St. Louis; the St. Louis County Civil Service Commission; and the Arrowhead Regional Corrections Board, a copy of which is on file in Contract File No. 98-228 to provide personnel services to the ARC Board for an annual fee of \$35,500.00; RESOLVED FURTHER, that the Chair of the County Board, the Chair of the Civil Service Commission, and the Civil Service Director are authorized to sign said agreement on behalf of St. Louis County. RESOLVED FURTHER, that the St. Louis County Civil Service Department (Fund 01, Agency 063) will be reimbursed \$35,500.00 for the services it provides to this agency.

Unanimously adopted. March 24, 1998.
No. 245

RESOLVED, that the St. Louis County Board of Commissioners hereby approves an agreement between the County of St. Louis; Gordon D. McFaul, St. Louis County Auditor; and the Arrowhead Regional Corrections Board, a copy of which is on file in Contract File No. 98-

229 to provide fiscal services to the ARC Board for an annual fee of \$100,000.00; RESOLVED FURTHER, that the Chair of the County Board and the County Auditor are authorized to sign said agreement on behalf of St. Louis County.

RESOLVED FURTHER, that the St. Louis County Auditor's Office (Fund 01, Agency 051) will be reimbursed \$100,000.00 for the services it provides to this agency.

Unanimously adopted. March 24, 1998.
No. 246

Upon motion of Commissioner Fink, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 247 which was not on the agenda.

BY COMMISSIONER FINK:

WHEREAS, St. Louis County requires the services of a competent contractor to operate the Hibbing Roll-Off Container Site (HROCS), haul municipal solid waste from HROCS to the Regional Landfill, haul recyclable materials from Virginia to Hibbing, and perform related services; and WHEREAS, this service was competitively bid in 1996 and awarded to Zenith/Kremer Waste Systems, Inc., with the cost of this service reduced from \$18.75/ton to \$14.75/ton; and

WHEREAS, Zenith/Kremer Waste Systems, Inc., has performed this service in a competent and satisfactory manner; and

WHEREAS, the original contract allowed two one-year extensions and authorized renegotiation of the contract price; and WHEREAS, Zenith/Kremer Waste

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

172

Systems, Inc., has agreed to a fourteen-month extension of this contract at a cost of \$15.50 per ton.

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to enter into a fourteen-month agreement with Zenith/Kremer Waste Systems, Inc., to include an optional ten-month extension, for the operation and haulage of municipal solid waste from the Hibbing Roll-Off Container Site to the Regional Landfill at an estimated cost for this agreement of \$257,000 payable from Fund J-26, Agency J-36 Transfer Stations. BE IT FURTHER RESOLVED, that Resolution No. 83, dated February 3, 1998, is hereby rescinded.

Unanimously adopted. March 24, 1998.
No. 247

Upon motion of Commissioner Kron, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 248 which was not on the agenda.

BY COMMISSIONER KRON:

WHEREAS, Duluth recently rejected an advisory referendum on the USS Des Moines Veterans Park Project; and
WHEREAS, a subject which all parties in the Des Moines debate agreed to was the need to do something meaningful to honor our veterans; and

WHEREAS, the Veterans Memorial Hall Project in the St. Louis County Heritage and Arts Center, estimated to cost \$350,000, has been in the planning stages for over two years and will gather, preserve, interpret, and promote the rich and diverse human experiences of

veterans, their families and communities through museum archival and educational programs; and

WHEREAS, the St. Louis County Board of Commissioners has endorsed the Veterans Memorial Hall Project through the inclusion of planning funds in its 1998 budget.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners respectfully requests that the 1998 Minnesota Legislature's Omnibus Bonding Bill Conference Committee, appropriate up to \$500,000 for the establishment of a Veterans Memorial Hall in the St. Louis County Heritage and Arts Center.

Unanimously adopted. March 24, 1998.
No. 248

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 249 which was not on the agenda.

BY COMMISSIONER KRON:

WHEREAS, the Minnesota State Legislature is now considering HF2574/SF2268 which amends M.S. 97A.485 by eliminating the requirement that County Auditor appointed game and fish sub-agents acquiring licenses on consignment always post a sufficient financial assurance bond; and
WHEREAS, Subdivision 5(a) of the same statute makes the County Auditor and/or County financially responsible for all licenses and fees received by such sub-agents;

NOW, THEREFORE, BE IT RESOLVED,

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

173

that the Board of Commissioners of St. Louis County requests legislators representing all or part of St. Louis County to oppose the aforementioned bills or seek to amend them to eliminate the financial liability of the County Auditor and/or County Board.

Unanimously adopted. March 24, 1998.

No. 249

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 250 which was not on the agenda.

BY COMMISSIONER PREBICH:

WHEREAS, the Minnesota State Legislative Auditor has issued a report identifying inconsistencies and problems within the child protection system in Minnesota; and

WHEREAS, this report suggests that the funding of child protection services in Minnesota weighs too heavily on county property taxpayers; and

WHEREAS, the State of Minnesota has an unprecedented \$1.9 billion surplus; and

WHEREAS, legislation has been introduced and is moving through the 1998 Legislature to remedy some of the programmatic problems with the child protection system in Minnesota; and

WHEREAS, the counties of Minnesota have cooperated with the Minnesota Department of Finance to develop a local impact fiscal note setting the cost of implementation of this legislation statewide at approximately \$40 million; and

WHEREAS, there is almost total agreement on the part of the members of the Legislature and county representatives that the proposed changes would improve the quality of life for children in Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board urges the Legislature to use a portion of the nearly \$2 billion surplus to fully fund the proposed changes in the child protection system.

BE IT FURTHER RESOLVED, that this would, in part, conform with recommendations made by the Legislative Auditor to increase the state portion of funding for child protection services.

BE IT FURTHER RESOLVED, that this resolution be communicated to members of the St. Louis County Legislative Delegation and legislative leadership.

Yeas - Commissioners Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 6

Nays - None

Out of Room - Commissioner Fink - 1

Adopted March 24, 1998. No. 250

At 11:55 A.M. on Tuesday, March 24, 1998, upon motion of Commissioner Prebich, supported by Commissioner Krueger, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor

and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
APRIL 7, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of April, 1998, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

Chair Commissioner Forsman read a proclamation of Public Health Week, which was listed on the Consent Agenda for this date. Maureen Strange, Public Health and Long Term Medical Care, made remarks on the occasion and presented a new video the Department created on Public Health. Commissioner Prebich, supported by Commissioner Raukar, moved approval of the Proclamation, adopted as Resolution No. 266.

At 9:45 A.M., pursuant to St. Louis County Board Resolution No. 173, adopted February 24, 1998, a public hearing was convened to receive public comment on the proposed amendment to the Capital Improvement Plan for the

years of 1998 - 2002. Ann Harwood, Administration, presented the proposal in the form of a written summary document and overheads, copies of which are on file in County Board Document File No. 57162. The Chair invited persons in attendance to address this hearing, no one wished to do so. The hearing was closed at 9:55 A.M. on motion of Commissioner Raukar, supported by Commissioner Prebich; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Sweeney, moved approval of the Plan as presented; seven yeas - zero nays.

The Chair invited persons in attendance to address items not on the agenda for this meeting; there were none.

Discussion commenced on the resolution relative to Wallace Avenue as a highway project, which was tabled at the meeting of March 24, 1998. Richard Hansen, Public Works Director, was present for the discussion. He advised that they have been in contact with Congressman Oberstar, and that the Echo Trail Highway No. 116 was dropped from the priority listing and Wallace Avenue was inserted, for Special Federal Funding that is pending for highway projects. Discussion continued including that both projects are believed to be on the priority list, that Wallace Avenue is included in highway projects to be completed in 2001, etc. Commissioner Raukar, supported by Commissioner Prebich, moved to remove this item from the agenda, however, as the tabled resolution was now on the floor, Commissioner Krueger withdrew that motion. She did so with the understanding that the Wallace Avenue project will be completed in 2001.

Commissioner Kron, supported by

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

121

Commissioner Prebich, at the request of the County Attorney, moved to conduct a closed session this date for legal purposes; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-194 regarding repurchase of tax forfeited land.--57159

St. Louis County Labor/Management Health Insurance Committee recommendations for Johnson Insurance Consultants contract, educate employees regarding self-insured health plan and contract for newsletter services, production of quarterly newspaper, and partial funding of the support staff.--57160

Lynn Lander, City Administrator, City of Hermantown, submitting their Tax Increment Financing Authority Report for 1997.--57161

Documentation from public hearing held on April 7, 1998, on the proposed amendment to the Capital Improvement Plan for the years 1998 through 2002.--57162-D

County Auditor submitting applications for license to sell 3.2 percent malt liquor for the year 1998.--57163

Land Commissioner submitting recommendations for the sale of tax forfeited lands to various municipalities and governmental units for the year 1998.--57164

Minnesota Department of Transportation Agency Agreement 77267, S.P. 69-632-20, Arrowhead Road between Haines Road and Arlington Road.--98-250

Agreement with the Fond du Lac Reservation Business Committee for the provision of law enforcement services.--98-251

Grant Agreement between the St. Louis County Board of Commissioners and Life House.--98-252ss

Joint Powers Agreement between the Counties of St. Louis, Koochiching, Itasca, Lake, and Cook.--98-253

Purchase of Service Agreement between St. Louis County Board of Commissioners and Paragon Services, Inc.--98-254ss

Agreement for Services between St. Louis County, through its Department of Public Health and Long Term Medical Care, and St. Mary's Medical Center.--98-255

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Cathie Trachsel.--98-256

Agreement for Services between St. Louis

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

122

County, through its Department of Public Health and Long Term Medical Care, and Bois Forte Reservation.--98-257

Agreement for Services between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Fond du Lac Band of Lake Superior Chippewa.--98-258

Agreement for Services between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Association for Retarded Citizens.--98-259

Agreement for Services between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Northland Family Programs.--98-260

Agreement for Services between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Duluth Community Health Center.--98-261

County Grant Contract between the State of Minnesota, acting through its Department of Human Services, and St. Louis County for a MinnesotaCare Outreach Grant.--98-262

Maternal and Child Health Grant Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--98-263

Agreement for Communications Plan between St. Louis County Board of

Commissioners and Von Goertz and VanHove, Inc.--98-264

Road Maintenance Agreement between St. Louis County and Clinton Township.--98-265

Road Maintenance Agreement between St. Louis County and Wuori Township.--98-266

Road Maintenance Agreement between St. Louis County and Kelsey Township.--98-267

Road Maintenance Agreement between St. Louis County and Cotton Township.--98-268

Road Maintenance Agreement between St. Louis County and Colvin Township.--98-269

Road Maintenance Agreement between St. Louis County and Northland Township.--98-270

Road Maintenance Agreement between St. Louis County and Ellsburg Township.--98-271

Road Maintenance Agreement between St. Louis County and McDavitt Township.--98-272

Road Maintenance Agreement between St. Louis County and Sandy Township.--98-273

Addendum No. 1 to Agreement between

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

123

St. Louis County and Arrowhead Economic Opportunity Agency.--98-274

Addendum No. 2 to Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.--98-275

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 251 through 265, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 7, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted April 7, 1998. No. 251

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

El Toro Lounge, Inc., d/b/a El Toro Lounge, Inc., Cotton Township, Tobacco Products License No. T98123;

Pequaywan Inn Resort, Inc., d/b/a

Pequaywan Inn Resort, Inc., Unorganized Area 54-13, Tobacco Products License No. T98124.

Adopted April 7, 1998. No. 252

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

Louis Birchem, d/b/a Birchem's Lakeview Resort, Unorganized Area 69-21, Permit No. S991.

Adopted April 7, 1998. No. 253

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 57163, is hereby approved and the County Auditor is authorized to issue License No. T981 to the applicant:

Industrial Vol. Fire Dept., Industrial Township, Temporary On-Sale 3.2 Percent Malt Liquor License No. T981, for May 9, 1998.

Adopted April 7, 1998. No. 254

RESOLVED, the that County Sheriff, County Auditor, and Chair of the St. Louis County Board are hereby authorized to

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

execute an agreement on behalf of St. Louis County with the Social Security Administration to allow for reporting of inmate social security information.

RESOLVED FURTHER, that incentive payments for reporting this information range from \$200 to \$400 per inmate who are suspended from receiving SSI as a result of a penal institution providing detention related information.

Adopted April 7, 1998. No. 255

RESOLVED, that under the provisions of Minnesota Statutes 282.01, that the County Auditor is hereby authorized to sell the following described tax forfeited land to the City of Hibbing:

City of Hibbing: Mesaba Manor, Lot 2,
Parcel Code No. 140-132-90--

Land Value	\$11,000.00
3% Assurance Fee	330.00
Deed Fee	25.00
Deed Tax	36.30
Recording Fee	<u>19.50</u>
Total Consideration	\$11,410.80

Adopted April 7, 1998. No. 256

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57159, are approved.

Adopted April 7, 1998. No. 257

WHEREAS, the St. Louis County Public Works Department has leased 4.67 acres of land for the Linden Grove Maintenance facility from the Minnesota Department of Natural Resources in the SE 1/4 of the SW 1/4 of Section 10, Township 62 North, Range 20 West (Lease No. 144-015-0164); and

WHEREAS, this lease expired December 31, 1997; and

WHEREAS, it would be beneficial for the County to renew this lease;

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the Chairman of the County Board, County Auditor, and County Attorney to execute the lease on behalf of St. Louis County effective January 1, 1998, payable from Public Works Department, Fund 2, Agency A11, Org. 0003, Object 349. Rental payment is \$300.00 for a five-year term.

Adopted April 7, 1998. No. 258

BE IT RESOLVED, that the Chair of the County Board, the Public Works Director, the County Attorney, and the County Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in the "Minnesota Department of Transportation Agency Agreement 77267", S.P. 69-632-20, Arrowhead Road between Haines Road and Arlington Road, a copy of said agreement

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

125

was before the County Board and is made a part hereof by reference, with a copy on file in Contract File No. 98-250.
Adopted April 7, 1998. No. 259

RESOLVED, that an agreement with the Town of White for general surface maintenance and winter maintenance responsibilities on certain streets and roadways, as listed in the agreement, is hereby approved. The term of this agreement shall be from January 1, 1998, until such time either party wishes to terminate this agreement (with 30 days written notice). The Township agrees to perform said maintenance for the sum of \$40,000 per year, payable from Fund 02, Agency A12, Object 951.

RESOLVED FURTHER, that the Chairperson of the County Board, County Auditor, County Highway Engineer, and County Attorney are hereby authorized to execute said agreement and thereby assume for and on behalf of the County, all of the contractual obligations contained therein.
Adopted April 7, 1998. No. 260

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on February 9, 1998, the revised specification for Planner II is adopted and remains in the Civil Service Basic Unit at Grade 22, effective April 7, 1998.

Adopted April 7, 1998. No. 261

RESOLVED, that the St. Louis County Board hereby accepts a grant in the amount of \$560.00 from the State of

Minnesota for "Operation NightCAP", which provides for increased patrol shifts targeting alcohol impaired drivers.

RESOLVED FURTHER, that the grant shall be reimbursed to the Sheriff's Law Enforcement Budget, Fund 01, Agency 091.

Adopted April 7, 1998. No. 262

RESOLVED, that the Chair of the Board, County Sheriff, and County Auditor are authorized to execute an agreement with the Fond du Lac Reservation Business Committee for the provision of law enforcement services, copy on file in the office of the County Auditor, identified as Contract File No. 98-251;

RESOLVED FURTHER, that the Sheriff is authorized to accept the compensation of \$50,000 and that it be allocated to Fund 01 (General Fund), Agency 091 (Sheriff).
Adopted April 7, 1998. No. 263

WHEREAS, St. Louis County has had a long-term commitment to recycling and salvaging of waste materials; and
WHEREAS, scrap metal is collected at various solid waste facilities in St. Louis County; and

WHEREAS, these recyclable scrap metal materials do have a value to scrap metalprocessors, and can be a source of revenue for St. Louis County; and

WHEREAS, Curtiss Whitegoods Processing Incorporated of Cohasset, Minnesota, submitted a proposal that the Purchasing and Solid Waste Departments have determined best meets the needs of the County for scrap metal disposition;

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

126

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent and the Solid Waste Department are hereby authorized to execute an agreement with Curtiss Whitegoods Processing, Inc., of Cohasset, Minnesota, to collect, transport and recycle scrap metal based on a \$12/ton price paid to St. Louis County for all scrap metal recycled at the solid waste sites.

Adopted April 7, 1998. No. 264

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Labor/Management Health Insurance Committee to continue the contract with Johnson Insurance Consultants for the year 1998 in an amount not to exceed \$12,000. Expenditures in the contract may be authorized by the signatures of the Co-Chairs of the Committee, such amount to be payable from Fund 52-D, Agency P-17, Object 299;

BE IT FURTHER RESOLVED, that the recommendation of the St. Louis County Labor/Management Health Insurance Committee to authorize up to \$5,000 in 1998 for the education of employees and retirees in regard to the County's self-insured health plan, and to contract for services for the newsletter, distribution costs, and other related expenditures payable from Fund 52-D, Agency P-17, Object 299;

BE IT FURTHER RESOLVED, that the County Board authorizes the Labor/Management Health Insurance Committee to contract with a consultant for the year 1998 in an amount not to exceed \$4,175 for assistance with the

production of the quarterly newspaper payable from Fund 52-D, Agency P-17, Object 299, is hereby approved;

BE IT FURTHER RESOLVED, that the recommendation of the St. Louis County Labor/Management Health Insurance Committee, to provide funds not to exceed \$19,000 payable from the Health Insurance Fund (Fund 52-D, Agency P-17, Object 299) for partial funding of the support staff provided to the Committee by the Civil Service/Personnel Department, is hereby adopted as per information in County Board File No. 57160.

Adopted April 7, 1998. No. 265

BY COMMISSIONER PREBICH:

WHEREAS, Americans today enjoy better health, live in healthier conditions, know more about how to take care of their health, and live longer than at any time in the past and to a large extent, these trends are the result of the efforts and activities of Public Health; and

WHEREAS, over the past 50 years, the American medical care system has made remarkable gains in saving lives and relieving suffering, and that much of our improved health is due to the non-medical advances of Public Health; and

WHEREAS, Public Health has provided the foundation for the many significant improvements in both health and life expectancy by contributing to declines in illness and injury including heart disease and stroke, smoking, infectious disease, and motor vehicle and workplace injuries; and

WHEREAS, St. Louis County Public

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

127

Health, during 1997, in addition to the ongoing services, expanded work on a community wide immunization registry, initiated a septic loan program, expanded its involvement in Family Service Collaboratives, and recommended the County Board resolution submitted to Federal legislators regarding the tobacco industry's global settlement; and WHEREAS, this and other successes deserve to be shared with the public and many Public Health partners including the media, legislature, business, science, the medical community, government and voluntary organizations;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners affirms the assertion of former United States Surgeon General C. Everett Koop that "health care is vital to all of us some of the time, but Public Health is vital to all of us all of the time", and proclaims April 6-12, 1998, as PUBLIC HEALTH WEEK in St. Louis County and strongly urges all civic, scientific, medical, educational, voluntary and health care organizations and professionals to join in this week of recognition and in the months ahead to work together to increase awareness of the importance of Public Health in our County.

Unanimously adopted. April 7, 1998. No. 266

BY COMMISSIONER RAUKAR:

WHEREAS, the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"),

pursuant to Minnesota Statutes, Section 373.40 (the "Act"), previously approved a Capital Improvement Plan (the "Plan"); and

WHEREAS, the Board has proposed an amendment to the Plan; and

WHEREAS, a public hearing, as required by the Act, was held on the proposed amendment to the Plan on April 7, 1998. NOW, THEREFORE, BE IT RESOLVED, by the Board that:

1. The Capital Improvement Plan, as amended, presented to the Board of County Commissioners, and on file as County Board Document File No. 57162, is hereby approved.

2. The County Administrator is hereby directed to cause the Capital Improvement Plan to be submitted to the Community Development Division of the Department of Trade and Economic Development for approval.

Unanimously adopted. April 7, 1998. No. 267

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

M.P. 3488 (North Half St. Louis County Crushing Project) located in various pits in North St. Louis County. Project to consist of Crush, Screen, and Stockpile 334,000 Tons Class 5, Modified Aggregate;

WHEREAS, said bids or proposals were duly opened in the County Board Room at

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

128

10:00 A.M., April 6, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Premier Aggregates, Inc.

ADDRESS

P.O. Box 961
Virginia, MN 55792

AMOUNT

\$449,770.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A12, Org. 0010, Object 502.

Unanimously adopted. April 7, 1998. No. 268

WHEREAS, bids have been received by the

County Auditor for the following project:

M.P. 3489 (South Half St. Louis County Crushing Project) located in various pits in South St. Louis County. Project to consist of Crush, Screen, and Stockpile 83,000 Tons Class 5, Modified Aggregate;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 6, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Premier Aggregates, Inc.

ADDRESS

P.O. Box 961
Virginia, MN 55792

AMOUNT

\$113,630.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are

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

129

hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A12, Org. 0010, Object 502.

Unanimously adopted. April 7, 1998. No. 269

BY COMMISSIONER KRUEGER:

RESOLVED, that the St. Louis County Board hereby authorizes an allocation of \$16,000 from the General Fund (Fund 01) balance reserve to the Sheriff's budget (Fund 01, Agency 093, Medical Examiner), as St. Louis County's share for construction and remodeling costs at the University of Minnesota-Duluth Medical School building for Medical Examiner services.

RESOLVED FURTHER, that the County Board Chair, County Auditor, and Sheriff are authorized to execute a contribution agreement with the University of Minnesota-Duluth School of Medicine for this project.

Unanimously adopted. April 7, 1998. No. 270

At 10:17 A.M. on Tuesday, April 7, 1998, upon motion of Commissioner Prebich, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

130

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
B O A R D O F C O U N T Y
C O M M I S S I O N E R S O F T H E C O U N T Y
O F S T. L O U I S, M I N N E S O T A, H E L D
O N**

APRIL 14, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of April, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

At this time a public hearing was convened, pursuant to County Board Resolution No. 167, adopted February 24, 1998, to consider the adoption of an Ordinance Regulating the Sale, Possession and Use of Tobacco and Tobacco-Related Devices; Mandating Yearly Compliance Checks of all Licensees; and Establishing Penalties and Procedures for Violations, all in accordance with Minnesota Statutes,

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

131

Chapter 461 (1997). Shaun Floerke, Assistant County Attorney, present-ed the proposed Ordinance. The actions to be taken, if the Board determines to adopt, are to adopt the Ordinance, set fees and designate an Administrative Hearing Officer. One of the major issues discussed was that the proposed Ordinance bans all vending machines, which is more restrictive than Federal Law and requires a Federal Waiver. It also prohibits all self-service sales, re-quiring a transaction for sale to be between two persons. The Sheriff's Department would do the compliance checks and it is recommended that the Health Department provide the Administrative Hearing Officer, and further, that the license fee be set at \$165.00. It was noted that this first year would be a trial period for compliance checks and expenses, that most of the estab-lishments have been licensed for this year at the current \$12.00 fee, however, a new fee would apply to any new licenses, that the recommended fee is an estimate of what it would be to recover the cost to the County. Discussion also covered diversionary pro-grams, however, they have been in place for minors for a few years and their cost was not included in this Ordinance fee as that is an ongoing program and not covered under the proposed Ordinance. In discussion of the issue of Administrative Hearing Officer, should it be the County Attorney in lieu of Health, Mr. Flourke responded that should the hearing proceed to the next step, being Court, the County Attorney would be the representative for the County at that time

and if they were also the Administrative Hearing Officer, there could be conflict. Minnesota Statute describes legal and illegal activities and thus is referred to by reference in the Ordinance so that as State Law changes, there would not have to be a public hearing and amendments to the Ordinance, it would just be complied with through reference. The hearing was opened to persons wishing to address the issue and the following ap-peared: 1) Anita Vieau, ACT, supporting a strong Ordinance; 2) Steve Belcher, Duluth retailer, who was most concerned with the penalty to the minor purchasers as opposed to the licensee or clerk; 3) David Grivette, retailer, questioning another regulation, use of minors for compliance checks, the amount of the fee, the expense attributed to the Sheriff if no new personnel are to be hired, can establishments retain fake identifications if they are presented, etc.; 4) Steve O'Neil, Duluth, who works with programs to educate and reduce use by youth; 5) Jack Curtis, re-tailer, supporting a strong Ordinance, sup-ported a ban on self-service and in support of the fee to be assessed to Clerks; 6) Pat McKone, American Lung Association, in support of a strong Ordinance. The hearing closed at 10:40 A.M. on motion of Commis-sioner Sweeney, supported by Commissioner Prebich; six yeas - zero nays. Commis-sioner Sweeney, supported by Commissioner Prebich, moved adoption of the Ordinance and the resolution to set the fee and Administrative Hearing Officer, and discus-sion continued. Questions were

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

132

raised in discussion as to the total ban of vending; grandfathering in some establishments such as private clubs and worksites; moveable vendors and how the Sheriff could do compliance checks on them; that the fees truly are an estimate, experience with enforcement is needed; that the County Administrator had directed staff to incorporate their best estimate of cost into the recommended fee to recover all costs for the County; that there is also a criminal process that deals with purchase, use and possession by minors; the fees are not in the Ordinance, but set by Resolution and will be a part of the annual fee review and determination for all County Departments; etc. Commissioner Raukar moved to table the issue to the meeting of April 28, 1998; failed for lack of support. Commissioner Raukar moved to amend the proposal in that the ban on vending machines would exempt those establishments with a requirement of being 21 years of age to be on the premises; etc. Following this further discussion, Commissioner Prebich, supported by Commissioner Raukar, moved to table this issue to the meeting of April 28, 1998, four yeas - two nays being Commissioner Fink and Chair Forsman. County Attorney Alan Mitchell advised that the issue had been tabled, prior to any direction being given as to changes they want drafted into the proposed Ordinance, he will not be drafting any new language.

The Chair opened the meeting to persons in attendance who wished to address items not on the agenda for this meeting; there were none.

The Chair presented the Proclamation of the Week of April 12 through 18, 1998, as Public Safety Telecommunicators Week to Paul Kent, 9-1-1 Director. The official resolution of the proclamation is included within the Consent Agenda Resolutions for this meeting.

The Chair advised that the previously scheduled Board workshop of April 20, 1998, has been canceled. Commissioner Fink will be in Washington D.C. testifying on behalf of the County for Payments in Lieu of Taxes.

Commissioner Fink, supported by Commissioner Raukar, moved the award of bid to Sundance Silviculture for conifer plantation release - broadcast chemical application on 178 acres of tax forfeited land, and discussion continued. George Kirk, Land Department, was present to respond to questions, noting that this process is used on already planted areas, that it is applied to only those areas where the competitive vegetation is holding the growth of the trees, does not kill the vegetation but temporarily sets its growth back, that it is only used until the trees grow above the competitors. They are doing three sites in the north half of the county in the Cook area and four sites in the south half of the county. Following discussion, Resolution No. 304 was adopted.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

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

133

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-213 regarding repurchase of tax forfeited land.--57165

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-219 regarding public hearing on the land exchange between St. Louis County and the Minnesota Power and Light Company.--57166

St. Louis County Recreation Plan for the Cloquet, St. Louis, and Whiteface Rivers.--57167-D

Public Works Director submitting Exhibit A relative to the vacation of a portion of Bodas Road.--57168

Fabian Danich, Cianni Law Offices, submitting Notice of Motion and Motion and Affidavit in the matter of Margie M. Rantala, f/k/a Margie M. Hall, versus CNAC, City of Mountain Iron, Virginia Regional Medical Center, First National Bank, and St. Louis County.--57169

Kevin C. Cornwell, Stauber & Lien, submitting Summons and Complaint in the matter of Stretar Masonry Co., Inc., versus Bradley Real Estate, Inc., d/k/a Bradley Real Estate Trust; Bradley Operating Limited Partnership; Irving Trust Company and D.W. May, as Trustees; Minnesota Power & Light Co.; Best Buy Co., Inc.; St. Louis County; and

City of Duluth.--57170

Summons in Application of the State of Minnesota for Registration of Land in Sections 18 and 19, Township 59, Range 15; and Sections 19 and 30, Township 59, Range 15.--57171

Nystedt Property Management Services submitting Saint Louis County Motor Pool Study 1998.--57172-D

Seaway Port Authority of Duluth Board of Commissioners submitting notices, minutes, and reports of their meetings for the year 1998.--57173

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Paragon Services, Inc.-Selfridge.--98-276ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Paragon Services, Inc.-Faribault.--98-277ss

Transportation Agreement between Medica and St. Louis County Board of Commissioners.--98-278ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and TBI Residential and Community Services.--98-279ss

Grant Agreement between the St. Louis County Board of Commissioners and Esko Public Schools.--98-280ss

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

134

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Bethlehem Lutheran Church "Meals on Wheels".--98-281ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Lakeshore Lutheran Home.--98-282ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Ely Meals on Wheels.--98-283ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Aurora-Hoyt Lakes Meals-N-Wheels.--98-284ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Ivy.--98-285ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Hassett Adult Foster Care Home.--98-286ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and DeRungs Adult Foster Care Home.--98-287ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Services Department, and Duluth Regional Care Center.--98-288ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Services Department, and Covenant Enabling Residence of MN, Inc. (322B N. 60th Ave. W.)--98-289ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Services Department, and Covenant Enabling Residence of MN, Inc. (322A N. 60th Ave. W.)--98-290ss

Recreation Grant Agreement between the St. Louis County Board of Commissioners and the City of Duluth for site acquisition and construction of maintenance shed for Lake Superior and Mississippi Railroad.--98-291

Software Support and Maintenance Fee Agreement between St. Louis County, through the MIS Department, and Tiburon for Project No. NU173-98.--98-292

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - Our Place B.--98-293ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - Our Place A.--98-294ss

Purchase of Service Agreement between the St. Louis County Community Social

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

135

Service Board and Kelsey Recreation Center.--98-295ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Have Meals - Will Travel.--98-296ss

Grant Agreement between the St. Louis County Board of Commissioners and United Cerebral Palsy of Northeastern Minnesota.--98-297ss

Grant Agreement between the St. Louis County Board of Commissioners and YWCA of Duluth.--98-298ss

Grant Agreement between the St. Louis County Board of Commissioners and Kootasca Community Action, Inc.--98-299ss

Grant Agreement between the St. Louis County Board of Commissioners and Independent School District 318.--98-300ss

Grant Agreement between the St. Louis County Board of Commissioners and Cook County School District.--98-301ss

Grant Agreement between the St. Louis County Board of Commissioners and McGregor Public School.--98-302ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and DeRungs Adult Foster Home, Inc.--98-303ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Northside.--98-304ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Goodwill Industries Vocational Enterprises, Inc. (GIVE).--98-305ss

Grant Agreement between the St. Louis County Board of Commissioners and Lutheran Social Services.--98-306ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc.--98-307ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Paragon Services, Inc.--98-308ss

Agreement for Consulting Services between the County of St. Louis and the Nystedt Enterprises, Inc.--98-309

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Arrowhead Economic Opportunity Agency to assist in preventing child abuse and neglect.--98-310

Project Contract between the County of St. Louis and Thomas C. Bildeaux, Sr., for

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

136

Conifer Plantation Improvement by Basal Pruning.--98-311

Project Contract between the County of St. Louis and Itasca Greenhouse, Inc., for Containerized Seedlings.--98-312

Agreement for Consulting Services between St. Louis County and RREM, Inc., for development of a wetland on the Roningen Property.--98-313

U.S. Department of Housing and Urban De-velopment, Office of Community Planning and Development, submitting Funding Ap-proval/Agreement for Title I of the Housing and Community Development Act.--98-314

U.S. Department of Housing and Urban De-velopment, Office of Community Planning and Development, submitting Funding Approval and HOME Investment Partnership Agreement for the Northeast Minnesota Housing Consortium.--98-315

Funding Approval under the Stewart B. McKinney Homeless Assistance Act for St. Louis County Grant No. S-98-UC-27-0005.--98-316

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for First Time Homebuyers (Account No. 6601).--98-317

St. Louis County Community

Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Range Respite.--98-318

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for Single-Family Rehabilitation (Account No. 6604).--98-319

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Floodwood for Commercial Rehabilitation (Account No. 6606).--98-320

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Northeast Entrepreneur Fund for Microenterprise - NEEF (Account No. 6609).--98-321

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Iron Range Learning and Development, Inc., for Apple Tree Multi-Purpose Room (Account No. 6611).--98-322

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Aurora.--98-323

St. Louis County Community

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

137

Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Town of Balkan.--98-324

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Town of Breitung.--98-325

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Ely for Semer Park Road (Account No. 6618).--98-326

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Ely for Wastewater Treatment (Account No. 6619).--98-327

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Floodwood Developmental Achievement Center, Inc.--98-328

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Floodwood.--98-329

St. Louis County Community Development Block Grant Program Year

6 (Six), FY 1998, Agreement between St. Louis County and City of Meadowlands.--98-330

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and St. Louis and Lake Counties Regional Rail Authority for Mesabi Trail (Account No. 6628).--98-331

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Range Center, Inc.--98-332

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.--98-333

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Miikana Bimaadiziwin for Nijjii Center (Account No. 6636).--98-334

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Life House, Inc.--98-335

St. Louis County Community Development Block Grant Program Year

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

138

6 (Six), FY 1998, Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for Range Shelter (Account No. 6638).--98-336

St. Louis County Community Development Block Grant Program Year 6 (Six), FY1998, Agreement between St. Louis County and Range Transitional Housing, Inc.--98-337

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for ROCK Program (Account No. 6640).--98-338

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Range Women's Advocates, Inc.--98-339

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Sexual Assault Program of Northern St. Louis County.--98-340

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Project SOAR of Northeastern Minnesota.--98-341

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Virginia Teen Center.--

98-342

Tobacco Free Communities for Children Program Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) and St. Louis County.--98-343

Addendum No. 1 to Agreement between St. Louis County and Town of Alborn for improvements to the Alborn Community Center.--98-344

State of Minnesota Shared Services Agreement with St. Louis County, through its Social Services Department, to be the Host County for Carlton County, Cook County, Itasca County, Koochiching County, Lake County, and St. Louis County who need psychiatric services.--98-345ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and University Medical Center/Mesabi - Hibbing Adult Day Care.--98-346ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Homecare Specialists, Inc.--98-347ss

Grant Agreement between the St. Louis County Board of Commissioners and Duluth Association for the Education of Young Children.--98-348ss

Grant Agreement between the St. Louis County Board of Commissioners and Community Ed. Venture Center.--98-

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

139

349ss

Grant Agreement between the St. Louis County Board of Commissioners and Merritt House.--98-350ss

Grant Agreement between the St. Louis County Board of Commissioners and The Occupational Development Center.--98-351ss

Grant Agreement between the St. Louis County Board of Commissioners and Merritt House.--98-352ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home.--98-353ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Midwest Medical Equipment and Supply - Lifeline Program.--98-354

United States of America, State of Minnesota, St. Louis County, Minnesota, General Obligation Revenue Note, Series 1998, for \$50,000.--98-355

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 271 through 298, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 17, 1998, are hereby approved. Adopted April 14, 1998. No. 271

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 24, 1998, are hereby approved. Adopted April 14, 1998. No. 272

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 15,325.14
T21 Beer License	40.00
T22 Cities and Towns	35,685.18
T23 Game and Fish	357.50
T27 Refunds	72,150.99
T28 School Districts	15,020.66
T49 Taconite Production Tax	44,422.00
T50 State of Minnesota	222,694.10
T72 Home CHDO Program Income	1,376.50
T74 Employer/Employee Deductions	1,549,226.79
T75 Savings Bonds	13,250.00
T84 Attorneys Forfeitures	972.50

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

140

T85	Sheriff's Forfeitures	1,354.68	Compensation	50,709.79
T89	District Administrator	1,947.68	52D Medical/Dental Self Insurance	310.52
T98	Work Study Agency Fund	1,615.13	53 Management Information Systems	114,327.58
T99	Reserve Health & Welfare	1,080.00	54 Regional Railroad Authority	23,583.43
01	General Fund	1,416,355.89	55 Telecommunications	64,737.43
02	Public Works	855,064.58	64A Jensen Nursing Home	350,999.50
04	Social Services	4,662,064.50	64B Nopeming Nursing Home	245,730.94
08	Capital Projects	13,820.00	64F Community Food Services	21,507.36
08A	State Aid Road	384,393.74	64L Laundry	34,070.05
08B	Road & Bridge Building Const.	4,600.00	64S Supervised Living Facilities	11,192.62
08Y	Hibbing/Virginia Law Enforcement Centers	142,058.52	72 No. Cities Land Use Coord. Board	2,312.03
09	McKinney Homeless Grant	7,561.00	73 Arrowhead Regional Corrections	379,571.46
10B	Emer. Shelt. 95 Funds	1,786.56	73B NERCC Remodeling Project	60,069.45
11A	Home Grant - All Years	20,086.03	74 Community Health Services	17,360.36
12B	CDBG Grant	123,049.73	85 Patients Trust Fund	<u>\$ 345.21</u>
127	Enhanced 9-1-1 Fund	877.50		\$11,268,796.49
128	Law Library	9,312.89		
129	City/Cty. Comm. Antenna Site	172.47		
13	St. Louis County HRA	3,193.28		
131	Extension Service	14,354.29		
15	Forfeited Tax	95,549.50		
16	Forest Resources	23,471.00		
26	Solid Waste Authorities	95,995.85		
49	Postage/Office Supplies	4,997.52		
50	Printing	13,205.38		
51	County Garage	18,966.48		
52A	Property, Casualty, Liability	4,513.20		
52B	Workers			

Adopted April 14, 1998. No. 273

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County

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

141

Board File No. 57148, are hereby approved:

Real Estate - Ronald Abrahamson, \$620.94; Robert Akeman, \$1,032.44; Thomas Alvar, \$847.06; Nicholas Alworth, \$1,426.22; Donotella Amitrano, \$338.42; Corrine Anderson, \$365.60; Gerald Anderson, \$231.22; Ann M. Arko, \$536.64; Donald Bertram, \$719.40; Daniel E. Bliss, \$484.46; Richard Borg, \$477.10; David Brandt, \$412.72; Glenn Bressler, \$558.40; Ronald Brooks, \$670.40; Rev. Elton Brown, \$180.44; Richard Browne, \$685.90; Roger Buhr, \$299.72; Lloyd Cardinal, \$234.66; David Carlson, \$271.76; James Carlson, \$261.42; Kenneth Carlson, \$1,054.16; Chisholm-Hibbing Air., \$443.52; Ethel Collins, \$914.38; Tammy Lee Combs, \$552.74; Miriam Cora, \$372.06; Kelly Delancey, \$340.66; Mark Delorme, \$448.62; Nichole Dixon, \$863.60; Kerry M. Donars, \$787.00; Bobby Douglas, \$182.44; Brian Doyle, \$656.04; John Drevlow, \$329.90; Rickey Dyer, \$105.90; Timothy Eliason, \$46.82; Ronald Envall, \$1,001.70; Eveleth Taconite, \$4,829.00; Craig Fagerstrom, \$40.04; Bridget Flinchum, \$180.96; John Florek, \$992.82; Troy Fralich, \$1,237.48; Dane Francis, \$680.14; Sheila Fryberger, \$442.32; Robert Gibson, \$503.98; Douglas Golden, \$931.06; Bryan Gray, \$519.66; Chad Gruszka, \$672.44; Roy Gustafson, \$491.38; Kristen Harper, \$935.52; Susan Hawkinson, \$57.22; Robert Heffernan, \$473.68; Lynne Henderson, \$90.24; Linda Hendrickson, \$857.78; Mary Ann Herrela,

\$754.28; Hibbing Animal Shelt., \$1,919.08; Martin Hignell, \$956.18; Douglas Hoemberg, \$171.56; Cynthia F. Holenko, \$328.82; Clayton Holliday, \$143.36; Jeffery Holmes, \$277.70; Thomas N. Hougdahl, \$575.42; Russell Howard, \$1,298.36; Christopher Hussey, \$351.14; Trent Ioerger, \$46.86; Paul F. Ivancich, \$142.64; Jodi Janezich, \$497.68; Gerry Johnson, \$616.78; Jason Johnson, \$806.50; Wesley Johnson, \$140.12; Kabetogama Comm. Club, \$566.18; Michale Kaipainen, \$2,713.88; Kimberly Karkkainen, \$532.04; Patrick Kelly, \$326.18; Steven Konczak, \$521.54; John Konstad, \$493.40; Kordel, Inc., \$146.94; Arvid J. Koski, \$195.80; Robert Kostelic, \$391.06; David Kratochwill, \$130.92; Drew Lashmett, \$862.38; Ryan Lick, \$1,291.24; James Litwin, \$403.46; Lance Lohman, \$666.90; Steven Long, \$617.30; John McColley, \$509.20; Douglas Meaden, \$765.50; Jonathan Mertz, \$841.46; Angela Miller, \$290.98; Gloria Mirkovich, \$1,030.58; John Moody, \$149.58; Barbara Myers, \$104.64; Edward Nelson, \$894.10; Matthew Nelson, \$727.20; Carol Ostrom, \$259.28; Jeffrey Palo, \$176.10; Debra Pawlowicz, \$1,138.44; Mark Pernu, \$336.48; Wayne Perry, \$949.00; Jay Peuranen, \$1,605.26; Candice Potter, \$452.26; Mark Prebeg, \$927.82; John Rackliffe, \$1,057.48; Brent Repensky, \$771.04; Mary Rhode, \$317.22; Debra Sandstrom, \$1,019.92; Richard Schaeffer, \$705.28; Wade Schottmuller, \$472.18; Raymond Scott, \$1,204.38; William See, \$742.32; Marion Silverness, \$1,073.12;

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

142

Francis Simonson, \$245.62; Joyce Skeryance, \$2,165.56; Micha Stauffenecker, \$123.76; David Strusinski, \$359.52; Cary Sullivan, \$1,335.34; Daryl Swan, \$707.82; Paul Tessier, \$189.62; Tammie Treat, \$1,158.06; Amy Tresemer, \$639.24; Jeremy Turchi, \$1,015.14; Ronda R. Turja, \$547.02; Unknown, \$455.46; Roger Vine, \$585.76; Richard Walkowiak, \$95.16; Brian Weiss, \$867.70; Jeffrey Widness, \$1,685.26; Larry D. Wiggins, \$716.12; Steven Yoder, \$467.82; Grant Young, \$1,432.08; Ryan Ziegler, \$1,039.92.

Personal Property - Peter Beckwith, \$25.00; Ilse Engineering, Inc., \$111.48; John Richards, \$32.38; Richard Starkman, \$55.78; Charles Suominen, \$876.30. Adopted April 14, 1998. No. 274

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

SAS Design Company, d/b/a Big Lake Wilderness Lodge, Unorganized Area 65-13, Tobacco Products License No. T98125;

Elaine Goodrum, d/b/a Birch Grove Resort, Unorganized Area 69-21, Tobacco Products License No. T98126;

Acronym's, Inc., d/b/a Classroom Lounge, Fine Lakes Township, Tobacco Products

License No. T98127.

Adopted April 14, 1998. No. 275

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign agreements for registered dietician services with Laurie Arndt for up to 24 hours per week at the rate of \$30.00 per hour, Debbie Motley for up to 24 hours per week at the rate of \$25.00 per hour, and Pam Roline for up to 21 hours per week at the rate of \$25.00 per hour for the period of January 1, 1998, through December 31, 1998, payable from Fund 64B (Nopeming Nursing Home), Agency N72, Org. 6100, and Fund 64A (Chris Jensen Health and Rehabilitation Center), Agency N71, Org. 6100. Adopted April 14, 1998. No. 276

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with Quality Medical Services, Inc., to provide Registered Nurses, Licensed Practical (Vocational) Nurses, and Nursing Assistants/Registered upon request of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home effective April 1, 1998, until June 30, 2000, payable from Fund 64A (Chris Jensen Health and Rehabilitation Center), Agency N71, Org. 1200 (RNs), 1300 (LP[V]Ns), and 1400 (NA/Rs), Object 264; and payable from Fund 64B (Nopeming Nursing Home), Agency N72, Org. 1200 (RNs), 1300 (LP[V]Ns), and 1400 (NA/Rs), Object 264.

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

143

Adopted April 14, 1998. No. 277

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with Carole Wick, 521 N.E. Sixth Street, Grand Rapids, MN 55744, to provide MA MR/RC Waiver Respite Care Services to client with Social Service Case No. 47588 at the rate of \$7.00 per hour for the period April 7, 1998, through June 30, 1998.

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. NO COUNTY COSTS ARE INCURRED.

Adopted April 14, 1998. No. 278

RESOLVED, that the County Board approves a Purchase of Service Agreement with Vernon Street Adult Foster Care Home to provide MA MR/RC Waiver Supported Living Services and group residential housing services at 3113 Vernon Street, Duluth, MN 55806, at the following rates for the period September 1, 1997, through June 30, 1998:

Program

Vernon Street Adult Foster Care Home
3113 Vernon St.
Duluth, MN 55806

Supported Living Services

\$10.08 per hour

Group Res. Housing

\$602/resident/month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted April 14, 1998. No. 279

RESOLVED, that the St. Louis County Board of Commissioners approves a contract addendum with Duluth Regional Care Center, Inc., that amends their DRCC-West contract to reflect the following, effective July 18, 1997:

- c CHANGE OF NAME TO: DRCC-Woodland
- c CHANGE OF ADDRESS TO: 430 West Faribault, Duluth, MN
- c CHANGE OF GROUP RESIDENTIAL HOUSING RATE TO: \$750 per resident per month

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND

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

144

PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. COSTS INCURRED FOR GROUP RESIDENTIAL HOUSING ARE COVERED BY THE RESIDENT'S SOCIAL SECURITY GRANT (FEDERAL FUNDING) AND THE MSA PROGRAM (STATE FUNDING). NO COUNTY FUNDING IS INVOLVED.

Adopted April 14, 1998. No. 280

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Department of Social Service to amend the current Purchase of Service Agreement with TBI Residential and Community Services, Inc., to authorize the provision of adult foster care services under the Traumatic Brain Injury, Traumatic Brain Injury Neurobehavioral Hospital, and Community Alternatives for Disabled Individuals waiver programs at a fifth location, 668 Leicester Avenue, Duluth, MN 55803, for the period April 15, 1998, through the duration of the current contract, May 31, 1998.

Budget Reference:

All traumatic brain injury waiver and community alternatives for disabled individuals waiver funded services authorization and payment occurs through the Minnesota Medicaid Management Information System (MMIS-II).

Adopted April 14, 1998. No. 281

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57165, is approved.

Adopted April 14, 1998. No. 282

RESOLVED, that the Purchasing Agent is hereby authorized to purchase a Prefabricated Forty (40) Foot Long Steel Bridge from Big R Corporation of Greeley, Colorado, in accordance with their quotation dated 2-25-98 for a cost of \$20,500.00, plus 6.5 percent MN use tax of \$1,332.50, for a total price of \$21,832.50, payable from: Fund 15 (Tax Forfeited Land), Agency E21 (Land Administration), Object 659 (Other Equipment Purchases).

Adopted April 14, 1998. No. 283

RESOLVED, that the St. Louis County Board of Commissioners hereby approves a one-year agreement with the University of Minnesota to investigate the growth response and survival of advance white pine regeneration to release by partial removal of an aspen overstory. Said agreement includes a \$10,000 St. Louis County contribution to research costs for this, the first of three annually renewed agreements for this three-year project, payable from Fund 15, Agency E21, Object 299.

RESOLVED FURTHER, that each year's agreement and \$10,000 County contribution will require County Board approval and authorization of appropriate signatures.

Adopted April 14, 1998. No. 284

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

145

WHEREAS, the County needs an inventory of the bio-physical resource on tax forfeited land for use in the integrated prescriptive management of lands in the Tax Forfeit Trust; and

WHEREAS, Natural Resources Services, Limited, the Contractor, has the experience and expertise in the area of physical resource inventory for forest land management and can assist the department with training of seasonal inventory crews, assist with the analysis of biophysical inventory data, train department personnel in the interpretation and use of biophysical inventory data, and assist the department in the development of future strategies; and

WHEREAS, the Contractor has been on contract with the department since the inception of the biophysical resource inventory and has provided the expertise necessary for the department to continue the biophysical resource inventory in a quality manner; and

WHEREAS, the inventory will characterize the physical resource in a manner that is compatible with the Land Department's geographic information system; and

WHEREAS, the cost of these services shall not exceed \$25,000, this fiscal year; and

NOW, THEREFORE, BE IT RESOLVED, that the appropriate St. Louis County Officials are authorized to sign, on behalf of St. Louis County, an agreement with Natural Resources Services, Limited, payable from Fund 16, Agency F11. Adopted April 14, 1998. No. 285

WHEREAS, St. Louis County encourages public and private entities to recycle; and WHEREAS, the County utilizes the services of Floodwood Services & Training, Inc., to process recyclable materials collected in the City of Floodwood and its surrounding area; and WHEREAS, Floodwood Services & Training, Inc., desires to collect, process, and market recyclable materials collected in the south St. Louis County recyclables program; and

WHEREAS, it is in the best interest of the County for Floodwood Services & Training, Inc., to collect, process, and market recyclables at their recyclable materials processing facility; and

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to enter into an agreement from May 1, 1998, through April 30, 1999, with possible one year extension, with Floodwood Services & Training, Inc. (reimbursement not to exceed \$2,700 payable from Fund 26, J-34 Recycling). Adopted April 14, 1998. No. 286

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

146

WHEREAS, St. Louis County has entered into a Joint Use Agreement for the Build It Recycled Trailer with Carlton County, Lake County, and the Western Lake Superior Sanitary District; and
WHEREAS, various other parties have requested to use the trailer in connection with their recycling education efforts; and
WHEREAS, all parties of the original agreement have determined to rent the Build It Recycled Trailer to other entities pursuant to a short term rental agreement;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairman of the Board of County Commissioners to sign the Addendum to Joint Use Agreement for the Build It Recycled Trailer with approval as to form and content by the County Attorney.
Adopted April 14, 1998. No. 287

WHEREAS, pursuant to Minnesota Statutes 94.341 to 94.349, inclusive, a proposal has been submitted to the County Board of St. Louis County, State of Minnesota, for the exchange of certain Class "B" lands owned by the State of Minnesota for certain other lands owned by the Minnesota Power and Light Company; and
WHEREAS, this proposed exchange has been reviewed by the St. Louis County Land Department to determine the suitability of lands for exchange, and the St. Louis County Land Department has completed an appraisal of the lands to be exchanged and the offered lands; and
WHEREAS, the St. Louis County Attorney's Office has examined and approved that Minnesota Power and Light Company owns title to the lands offered by the Minnesota Power and Light Company in this land exchange. The approval is contained in two title opinions issued by the St. Louis County Attorney's Office, dated January 22, 1998, and on file in County

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

147

Board File No. 57166; and
 WHEREAS, the lands acquired by the St. Louis County Land Department would consolidate the County managed land base and would result in more efficient management of the forest resources for the benefit of the taxpayers of St. Louis County; and
 WHEREAS, the lands received by the Minnesota Power and Light Company in this exchange would further consolidate their ownership and improve their management options; and
 WHEREAS, the joint proposal is to exchange the following described lands being and lying in St. Louis County, Minnesota, to-wit:

OFFERED LANDS (MPL)

<u>Township-Range</u>	<u>Section</u>	<u>Description</u>
<u>Acres</u>		
T53N-R14W. Lot 1 20.0	14	S 1/2 Gov't
T53N-R14W. 1/4 40.0	14	NW 1/4 - NE
T53N-R14W 1/4 40.0	14	SE 1/4 - NE
T53N-R14W 1/4 40.0	14	SE 1/4 - SE
T52N-R16W	23	Gov't Lot 4
	<u>28.75</u>	(East of DWP
tracks) 168.75 Acres		

TAX-FORFEITED LAND (CLASS "B" LAND)

<u>Township-Range</u>	<u>Section</u>	<u>Description</u>
<u>Acres</u>		
T53N-R15W. 1/4 40.0	25	SW 1/4 - NW
T53N-R15W.	25	NE 1/4 - SW

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

1/4	40.0		
T53N-R14W.		29	SE 1/4 - NW
1/4	40.0		
T53N-R14W.		31	N 1/2 - NE
1/4	7.1		(S.ofBoulder
			Dam Rd.)
T52N-R15W.		10	NW 1/4 - NE
1/4	40.0		
T52N-R15W.		10	E 1/2 - SW
1/4	<u>80.0</u>		

247.1 Acres

WHEREAS, the St. Louis County Land Department has appraised the value of the properties as follows:

Minnesota Power Offered Lands:	
\$239,985	
Tax-Forfeited Class "B" Lands:	
\$217,483	

WHEREAS, the Applicant, Minnesota Power and Light Company, has filed a Waiver of Payment for the difference in value;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies and approves the appraisals of those Class "B" lands offered for exchange with Minnesota Power and Light Company as recommended by the Land Department.

RESOLVED FURTHER, that pursuant to Minnesota Statute 94.344, Subdivision 7, a public hearing shall be scheduled on Tuesday, May 5, 1998, at 9:35 A.M. at the St. Louis County Courthouse, Duluth, Minnesota.

RESOLVED FURTHER, that the County Auditor shall post notice of hearing in his office containing a description of the lands affected and shall cause a copy of said notice to be published in the official newspaper at least two weeks before the date of hearing.

Adopted April 14, 1998. No. 288

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

149

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organizations:

American Red Cross to operate out of Forbes Country Corner, McDavitt Township, new;

C.C. Riders Snowmobile Club to operate out of the El Toro Lounge, Cotton Township, new;

Voyagers Trail Society, Inc., to operate out of Rocky Point Resort, Unorganized Area 69-21, new.
Adopted April 14, 1998. No. 289

WHEREAS, the effective personnel strength of the Planning Department has been reduced, through attrition, of one assigned Human Services Planner; and WHEREAS, it is in the interest of the County to maintain staff capacity in this area.

THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners approves raising the authorized personnel strength of the Planning Department, Human Services Planning Division, by one (1) Planner II position, effective April 14, 1998.
Adopted April 14, 1998. No. 290

RESOLVED, that pursuant to the recom-

mendation of the Civil Service Commission on March 9, 1998, the revised specification for Director of Nursing is adopted and placed in the Health Care Supervisory Unit at Grade 28, effective April 14, 1998.

FURTHER RESOLVED, in accordance with the understanding reached between St. Louis County and the Health Care Supervisory Bargaining Unit, the incumbents of the classification will be awarded retroactive pay to July 19, 1997, as they have been performing the job duties outlined in the revised class specification.

Adopted April 14, 1998. No. 291

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes County participation in the "Take Our Daughters to Work Day" on April 23, 1998.

Adopted April 14, 1998. No. 292

RESOLVED, that the County Board of Commissioners hereby authorizes the Public Health staff to make recommendations to the Board regarding the licensing fee structure for food and beverage establishments before September 15, 1998.

Adopted April 14, 1998. No. 293

WHEREAS, April 12 - 18, 1998, is National Public Safety Telecommunicators Week, which honors those persons who perform call-taking, dispatching, and other duties for public safety communications departments; and

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

150

WHEREAS, 9-1-1 Telecommunicators are the link between the citizens who phone for help and the agencies that provide help. They often work long hours under extremely stressful conditions; and

WHEREAS, St. Louis County's 9-1-1 Emergency Communications Department's forty-seven women and men serve our area's nearly two hundred thousand residents, answering more than 240,000 calls for help each year; and

WHEREAS, Public Safety Answering Centers in Duluth and Virginia cover St. Louis County's 7,092 square miles, providing the link between 185 public safety agencies and the people who need them.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners honors 9-1-1 Telecommunicators, Dispatchers, Call-Takers, and support staff by proclaiming the week of April 12 - 18 as St. Louis County Public Safety Telecommunicators Week for their dedication and courage in performing one of the most important jobs in society. Adopted April 14, 1998. No. 294

WHEREAS, the development of the St. Louis County Recreation Plan for the Cloquet, St. Louis, and Whiteface River Corridor was authorized by the River Land Use Plan adopted in 1994 by the County Board as an amendment to the County Comprehensive Plan Ordinance.

WHEREAS, said Recreation Plan provides guidance to the Department of Natural Resources, other units of government and recreational groups regarding recreational use of lands in the Corridor, particularly

those administered by the State.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners approves the "St. Louis County Recreation Plan for the Cloquet, St. Louis, and Whiteface Rivers" and said plan shall be placed in County Board Document File No. 57167 and made a part of this resolution by reference.

Adopted April 14, 1998. No. 295

WHEREAS, an effective household hazardous waste (HHW) program is an essential component of a comprehensive solid waste management program; and

WHEREAS, the current contract with WLSSD for HHW management services needs to be amended to allow for payment of \$35 per hour for HHW site supervision services, and \$25 per hour for labor unloading, unpacking and repacking HHW; and

WHEREAS, the Solid Waste Department has scheduled forty-one (41) HHW collections throughout their service area during 1998; and

WHEREAS, the total cost of the 1998 HHW program services provided by WLSSD will cost \$108,150; and

WHEREAS, the Minnesota Pollution Control Agency will provide a stipend of \$8,490 to offset the cost of the 1998 HHW program;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Solid Waste Department to amend the current contract with WLSSD to pay \$35 per hour for a HHW collection site manager, and \$25 per hour for labor for unloading, unpacking, and

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

151

repacking HHW; and
BE IT FURTHER RESOLVED, the St. Louis County Board of Commissioners authorizes the Solid Waste Department to pay WLSSD \$99,660 for HHW program management services in 1998, payable from Fund 26, Agency J-33 SCORE Recycling; and
BE IT FURTHER RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of the Solid Waste Department to sign this amendment as laid out in this resolution.
Adopted April 14, 1998. No. 296

WHEREAS, a segment of County Road 950 (Bodas Road) was reconstructed and relocated in 1986 between Trunk Highway 53 and County State Aid Highway 132; and

WHEREAS, a portion of the old road located in the Southeast Quarter of Southeast Quarter (SE 1/4 of SE 1/4), in Section Twenty (20), Township Fifty-Seven (57), Range Seventeen (17), established by resolution of the St. Louis County Board on February 7, 1918, is no longer used and is not necessary for the County highway system.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 163.11, Subdivision 4, the St. Louis County Board of Commissioners hereby vacates the following portion of the Bodas Road more particularly described as follows:

All that part of abandoned roadway located in Southeast Quarter of Southeast

Quarter (SE 1/4 of SE 1/4), in Section Twenty (20), Township Fifty-Seven (57), Range Seven-teen (17), lying northerly of the following described line:

Commencing at the Southeast Corner of said Section Twenty (20); thence Westerly along the South line of said Section Twenty (20) a distance of 18.7 feet to the West Right of Way line of County State Aid Highway 132 (Formerly State Highway No. 53) and said point also being the Point of beginning of the "Line" to be described; thence continuing Westerly along the South line of said Section Twenty (20) a distance of approximately 340 feet to the northerly Right of Way line of the newly constructed Bodas Road as said right of way was recorded in the Office of the Saint Louis County Recorder on July 3, 1986, as Document No. 415301; thence northwesterly along said Right of Way line a distance of approximately 120 feet, and said line there terminating. And shown on "Exhibit A" on file in County Board File No. 57168 and made a part hereof.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Board Chair and the County Auditor to execute a Quit Claim Deed for the vacated right of way in running in favor of the adjacent property owners.
Adopted April 14, 1998. No. 297

WHEREAS, in 1997, the Minnesota Amateur Sports Commission awarded a Mighty Ducks grant in the amount of

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

152

\$50,000 to help rehabilitate the Proctor Area Sports Arena, contingent upon a match from local sources; and WHEREAS, the local match requirement has been met in the following way:

\$12,500	Proctor School District
\$12,500	City of Proctor
\$25,000	St. Louis County (Recreation Funds)
\$5,000	PAHA
<u>\$5,000</u>	St. Louis County Proctor Fair Board
\$60,000	Subtotal

THEREFORE, BE IT RESOLVED, that the County Board authorizes the County to serve as fiscal agent for the project and accept funds from the above sources into Fund T95, Department T95, Org. DUCK. Adopted April 14, 1998. No. 298

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

M.P. 16-1423 (C-SAH 16) located between 1.913 km West of C-SAH 7 & C-SAH 7 (Forbes). Length: 1.913 km (1.19 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 13, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and WHEREAS, in the judgment of this Board

it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER
Hardrives, Inc.

ADDRESS
2372 N. Yoki Road
Zim, MN 55738

AMOUNT
\$85,521.17

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528. Unanimously adopted. April 14, 1998. No. 299

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

M.P. 22-1424 (C-SAH 22) located between C-SAH 5 & C-SAH 107 (approximately 17.0 miles SW of Cook, MN. Length: 4.883 km (3.0 miles).

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

153

Project to consist of Plant Mixed Bituminous Surface & Aggregate Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 13, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Ulland Brothers, Inc.

ADDRESS

2372 N. Yoki Road
Cloquet, MN 55720

AMOUNT

\$198,718.86

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project;

payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 14, 1998.
No. 300

BY COMMISSIONER PREBICH:

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

M.P. 27-1425 (C-SAH 27) located between C.R. 477 & C-SAH 25 (approximately 3.8 miles West of Zim, MN). Length: 4.844 km (3.0 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 13, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardrives, Inc.

ADDRESS

2372 N. Yoki Road

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

154

Cloquet, MN 55720

AMOUNT
\$194,733.49

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 14, 1998.

No. 301

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

M.P. 101-1426 (C-SAH 101) located between C.R. 788 & a point 150m North of C.R. 955 (Mt. Iron). Length: 3.202 km (1.99 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 13, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED,

by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER
Mesabi Bituminous

ADDRESS
P.O. Box 728
Gilbert, MN 55741

AMOUNT
\$128,728.65

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 14, 1998.

No. 302

BY COMMISSIONER RAUKAR:

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

M.P. 137-1427 (C-SAH 137) located between a point 370m South of C.R. 457 and North to T.H. 169 (Mt. Iron). Length: 2.136 km (1.33 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shoulders;

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

155

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 13, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardives, Inc.

ADDRESS

2372 N. Yoki Road
Zim, MN 55738

AMOUNT

\$94,258.92

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 14, 1998.

No. 303

BY COMMISSIONER FINK:

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract, in accordance with the specifications of Bid No. 3740, with Sundance Silviculture, Inc., of Duluth, MN, for conifer plantation release - broadcast chemical application of approximately 178 acres, at their low specification bid price of \$22,296.99, payable from Fund F16 Forest Resources, Agency F41 Resource Development, Object 299 Professional.

Yeas - Commissioners Fink, Kron, Sweeney, Raukar, and Chair Forsman - 5

Nays - Commissioner Prebich - 1

Absent - Commissioner Krueger - 1

Adopted April 14, 1998. No. 304

At 11:35 A.M. on Tuesday, April 14, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

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

156

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS
OF THE MEETING OF THE
B O A R D O F C O U N T Y
COMMISSIONERS OF THE COUNTY
OF ST. LOUIS, MINNESOTA, HELD
ON**

APRIL 21, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 21st day of April, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Dennis Fink - 1.

Commissioner Krueger, supported by Commissioner Sweeney, moved adoption of the one year Pilot Program for Recreation Fund grants; discussion continued. Commissioner Raukar, supported by Commissioner Prebich, moved to amend the proposed policy to include involvement of the Administration Department; five yeas - one nay Commissioner Krueger. Resolution No. 320, as amended, was then adopted.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-244 regarding repurchase of tax forfeited land.--57174

St. Louis County Recreation Grant Program, Policy, and Procedures.--57175

Barry D. Lesar, Inspector of Mines, submitting the Annual Report of the Inspector of Mines for 1997.--57176-D

Agreement between the Social Security Administration and the County of St. Louis for reporting of inmate social security information.--98-356

Agreement between the Social Security Administration and the St. Louis County Jail for reporting of inmate social security information.--98-357

Contribution Agreement between the County of St. Louis and Regents of the University of Minnesota, through the University of Minnesota Duluth and the University of Minnesota Duluth School of Medicine.--98-358

State of Minnesota Grant Contract with the County of St. Louis, through the Sheriff's Department, for "Operation NightCAP".--98-359

Road Maintenance Agreement between the County of St. Louis and Town of White.--98-360

Minnesota Trail Assistance Program

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

157

Agreement with the County of St. Louis for the Gateway Store Bunts and Vermillion Access.--98-361

Upon motion of Commissioner Prebich, supported by Commissioner Raukar, Resolutions No. 305 through 319, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 7, 1998, are hereby approved.
Adopted April 21, 1998. No. 305

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 21, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted April 21, 1998. No. 306

RESOLVED, that the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

John Mattila, d/b/a Birch Lake Resort, Unorganized Area 61-12, Tobacco

Products License No. T98128;

Raymond Hawk, d/b/a Hawk's Pour House, Sturgeon Township, Tobacco Products License No. T98129;

Marie Kreegier, d/b/a Homestead Restaurant, Clinton Township, Tobacco Products License No. T98130;

Loran/Diane Tardy, d/b/a Tardy's Fuel & Food, Sturgeon Township, Tobacco Products License No. T98131;

John Rykken, d/b/a Timber Bay Lodge & Houseboats, Unorganized Area 61-12, Tobacco Products License No. T98132;

Bernie Zupancich, d/b/a Zup's Cook, City of Cook, Tobacco Products License No. T98133.

Adopted April 21, 1998. No. 307

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

RESOLVED FURTHER, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

RESOLVED FURTHER, that if named licenseholders sell their licensed place of

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

158

business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

RESOLVED FURTHER, that said licenses are approved upon the contingencies as stated:

John LaMontagne, d/b/a Burntside Lodge, Morse Township, Seasonal On-Sale Intoxicating Liquor License No. S981 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SS981, contingent upon town board approval;

Nelson's Resort, Inc., d/b/a Nelson's Resort, Inc., Unorganized Area 67-17, Seasonal On-Sale Intoxicating Liquor License No. S982 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SS982, contingent upon proof of liquor liability insurance;

Fry & Fry, Inc., d/b/a Northland Lodge, Leiding Township, Seasonal On-Sale Intoxicating Liquor License No. S983, contingent upon proof of liquor liability insurance;

B & G Vacations, Inc., d/b/a Olson Bay Resort, Morse Township, Seasonal On-Sale Intoxicating Liquor License No. S984 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SS984, contingent upon payment of fees and proof of liquor liability insurance;

Daley Corporation, d/b/a Vermilion Beach Resort, Unorganized Area 63-17, Seasonal

On-Sale Intoxicating Liquor License No. S985 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SS985, no contingencies.

Adopted April 21, 1998. No. 308

RESOLVED, that the St. Louis County Board of Commissioners approves a grant application in the amount of \$641 to the Duluth Target Store to fund equipment for the Teen Choices Program.

Budget Reference:

Fund 04 Social Services

Agency FIN Income Maintenance

Expense 3113 FAD Unit Budget

Adopted April 21, 1998. No. 309

RESOLVED, that the St. Louis County Board of Commissioners:

1) Supports the "Application for Need Determination" and "Rate Variance Request" submitted by the Moose Lake Regional State Operated Services which requests a program rate increase at their West End Day Training and Habilitation Program and recommends to the Commissioner of the Department of Human Services approval of this application; and

2) Approves an "Addendum to Purchase Agreement" which increases the program rate of the Moose Lake Regional State Operated Services West End Day Training and Habilitation Program rate to \$63.45 per client per day effective January 1, 1998, subject to the final approval of the Commissioner of the Department of Human Services.

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

159

Budget Reference:

COSTS INCURRED FOR MA MR/RC WAIVER SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. NO COUNTY FUNDING IS INVOLVED.

Adopted April 21, 1998. No. 310

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the County Board, Health Director, and County Auditor to sign an agreement with the Minnesota Department of Health, through the Community Health Board, for the Minnesota Healthy Communities Program for the period January 1, 1998, through December 31, 1998, in the amount of \$5,130 payable to Fund 01, Agency 220 (Public Health Nursing), Org. 257.

Adopted April 21, 1998. No. 311

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with Interim Healthcare of Lake Superior to provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants/Registered upon request of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home effective July 1, 1998, through June 30, 2000, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/R), Object 264; and payable from Fund 64B (Nopeming),

Agency N72, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/R), Object 264. Adopted April 21, 1998. No. 312

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the County Board, Health Director, and County Auditor to sign an agreement with Minnesota Department of Health, through the Community Health Board, for the Tobacco Free Communities for Children Grant for the period January 1, 1998, through December 31, 1999, in the amount of \$5,281, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 259.

Adopted April 21, 1998. No. 313

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

Westerly 130 ft. of Northerly 620 ft. of SE 1/4 of NE 1/4, Section 33, Township 63, Range 17;

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel is approved and the County Auditor is hereby authorized to offer said lands at a Special Public Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the

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

160

parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted April 21, 1998. No. 314

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

NW 1/4 of SE 1/4 except 2.97 acres for RR Right-of-Way, Section 14, Township 52, Range 16;

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01,

Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted April 21, 1998. No. 315

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner;

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel, on file in the office of the County Auditor, identified as County Board File No. 57116, is approved and the County Auditor is hereby authorized to offer said land at a non-public sale limited to the adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies

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

161

the parcel of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted April 21, 1998. No. 316

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57174, is approved.

Adopted April 21, 1998. No. 317

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3736, One (1) 2.5 Cubic Yard Front End Loader with optional bucket attachment, from North Country Equipment, Inc., of Duluth, Minnesota, at their low total specification bid price of \$69,772.00, plus the 6.5 percent state sales tax of \$4,535.18, for a total of \$74,307.18, payable from Fund 15 Forfeited Tax, Agency E21 Land - Administration, Object 664 Heavy Equipment;

RESOLVED FURTHER, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3737, One (1) 2.75 Cubic

Yard Front End Loader from North Country Equipment, Inc., of Duluth, Minnesota, at their low total specification bid price of \$91,490.00, plus 6.5 percent state sales tax of \$5,946.85, for a total of \$97,436.85, payable from Fund 02 Public Works, Agency A14 Equipment & Maintenance Shops, Object 664 Heavy Equipment;

RESOLVED FURTHER, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3738, Three (3) 3.5 Cubic Yard Front End Loaders from North Country Equipment, Inc., of Duluth, Minnesota, at their low total specification bid price of \$331,580.00, plus 6.5 percent state sales tax of \$21,552.70, for a total of \$353,132.70, payable from Fund 02 Public Works, Agency A14 Equipment & Maintenance Shops, Object 664 Heavy Equipment.

Adopted April 21, 1998. No. 318

RESOLVED, that the St. Louis County Board hereby appoints Connie Sabetti, Eveleth, as their representative to the Arrow-head Library System Board for a three-year term from July 1, 1998, to June 30, 2001.

Adopted April 21, 1998. No. 319

BY COMMISSIONER KRUEGER:

WHEREAS, the St. Louis County Board has adopted the St. Louis County Recreation Plan by County Board Resolution No. 244, dated April 28, 1986; and

WHEREAS, the St. Louis County Board

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

162

has directed its Land Commissioner to draft policy and procedures for the administration of the Recreation Grant Program and the Recreation Fund (16-F21) that is consistent with that Recreation Plan;

NOW, THEREFORE, BE IT RESOLVED, that the policy directives for the administration of a One Year Pilot Recreation Grant Program of the Land Department are as follows:

1. Recreation Grant Program Goals

To help provide quality recreation opportunities and experiences for residents and visitors of St. Louis County.

2. Qualifying Applicants for Recreation Grant Funds

Only other public agencies and organizations and governmental subdivisions may apply for and be granted funds from the recreation grant program. Federal agencies, state agencies, multi-county-sponsored projects, townships, schools, cities, and special taxing districts/authorities may legally receive recreation grant funds (M.S. 398.32, Subd. 6).

3. Maximum Funding per Individual Grant

Sixty-five percent (65%) of unencumbered recreation funds will be made available for individual grants ranging in amounts up to \$7,500. Thirty-five percent (35%) of unencumbered recreation funds will be available for individual grants ranging up to that amount of available funds.

4. Maximum Funding for All Grants Per

Funding Cycle

The maximum funding for all grants will be the total unencumbered funds in the recreation fund.

5. Limiting Grants to Single-Year Requests

Grants are limited to being awarded on a year-by-year basis. If a project wishes to obtain funding over multiple years, the sponsoring agency is required to file a new Recreation Grant Application each year and compete equally with other applicants for available funds.

6. Rating Applications

Applications for grant funds will be evaluated by the Land Department based on the following criteria:

- A. How many people will this project serve?
- B. Who will this project serve?
- C. How strong is the need for this project?
- D. What are the economic, social, and individual benefits of this project?
- E. To what degree will grant funds be utilized to leverage funds from other sources?
- F. What are the contingencies (if any) that could keep this project from being successfully completed, and to what degree have these contingencies been met?

7. Grant Selection and Funding

The Land Department will utilize the application ratings to select and recommend projects to the Board for funding. A representative from the Administration Department will

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

163

participate in this process. Grants may be made for the entire amount requested, or can be made for individual components of proposed projects. Specific stipulations for the use of funds may also be attached to each funding agreement.

8. Applications

The Land Commissioner will advertise the availability of this Piloted Program and allow a sixty (60) day period for applications after adoption by the Board.

BE IT FURTHER RESOLVED, that the St. Louis County Board directs its Land Commissioner to administer this Recreation Grant Program with this policy and those procedures that are specified in the St. Louis County Recreation Grant Program, Policy and Procedures, as submitted by the Land Commissioner and on file in the office of the County Auditor, and identified as County Board File No. 57175.

Unanimously adopted. April 21, 1998.
No. 320

BY COMMISSIONER KRON:

RESOLVED, that the St. Louis County Board hereby appoints as their representative on the St. Louis County Cooperative Extension Committee, Debbie Ortman, Hermantown, for a three-year term expiring December 31, 2000.

Yeas - Commissioners Kron, Sweeney,
Prebich, and Raukar - 4
Nays - Commissioner Krueger and
Chair Forsman - 2
Absent - Commissioner Fink - 1

Adopted April 21, 1998. No. 321

At 9:45 A.M. on Tuesday, April 21, 1998, upon motion of Commissioner Prebich, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, 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**

164

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
B O A R D O F C O U N T Y
COMMISSIONERS OF THE COUNTY
OF ST. LOUIS, MINNESOTA, HELD
ON**

APRIL 28, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of April, 1998, at 9:40 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair presented 9-1-1 Lifesaver Awards to the following persons. These persons were involved in a 9-1-1 call in October of 1997 involving a kitchen fire in the home of a disabled person. Those presented were: Home Health Care Worker Stephanie Pessenda; Hibbing Police Officer Dale Wright, Capt. Duane Gielen, Officer Larry Schmidt, and Sgt. Alan Nickila; Hibbing Fire Department Mark Vosburg, John Marinach, Tony Pogorels, John Olson, Tim Collyard, Robert Marinucci, Capt. Steve Gillitzer; Hibbing Ambulance Lonny Abate and Alan Bexell; St. Louis County 9-1-1 Dispatchers Jan Mankowski and Dana Nelson.

The Chair opened the meeting to persons in attendance who wished to address issues not on the agenda for this meeting. Vi Hall, Greaney, MN, addressed the condition of County Road No. 535 and its repair versus rebuilding in a new location. Dave Skelton, Public Works, was present and responded that the Department is currently in design for this project with an estimated cost of \$200,000 for repair.

Commissioner Sweeney, supported by Commissioner Prebich, moved adoption of St. Louis County Ordinance No. 51 "An Ordinance Regulating the Sale, Possession and Use of Tobacco and Tobacco-Related Devices; Mandating Yearly Compliance Checks on all Licensees; and Establishing Penalties and Procedures for Violations, all in accord with Minnesota Statutes, Chapter 461 (1997). Discussion continued. The public hearing for this proposed Ordinance was held on April 14, 1998. Commissioner Raukar moved to amend to include "It shall be unlawful for any person licensed under this Ordinance to allow the sale of tobacco, tobacco products or tobacco related devices by the means of a vending machine unless minors are at all times prohibited from entering the licensed establishment" which mirrors state and federal law; amendment died for lack of support. Chair Forsman handed the "Chair" to Commissioner Sweeney (Vice-Chair) and moved to amend, supported by Commissioner Raukar, to set the penalty for violation by establishment clerks at \$50.00, eliminating the escalating \$75.00 second offense and \$100.00 third offense; discussion

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

165

continued. David Grivette, Aurora, spoke in opposition to the Ordinance and its license fee, the use of minors for compliance checks and paying their salary and meals, that education is the answer. Vi Hall spoke in opposition to the Ordinance. County Attorney Alan Mitchell suggested that the amendment proposed by Commissioner Forsman be "to the minimum penalty required by State Statute" in lieu of a specific fee, Commissioner Forsman concurred. Following further discussion, this amendment failed on a vote of two yeas - five nays being Commissioners Fink, Krueger, Kron, Sweeney, and Prebich. Commissioner Forsman returned to the Chair of the Board. Discussion was held on vendor penalties and moveable places of business. Commissioner Raukar, supported by Commissioner Forsman, moved to set the license fee at \$100.00. Discussion continued including should taxpayers bear part of the cost as a health issue; that the Ordinance can be reviewed at a later date when there is experience to see if it is reflective of the issue and is achieving desired results. The fee would become effective June 1, 1998, and remain until such time as action is taken to change it by resolution. Carol Thibault, Health Director, and Julie Burns, Health Department, responded to questions. The vote was taken on the amendment to the fee amount and it failed on a vote of two yeas - five nays being Commissioners Fink, Krueger, Kron, Sweeney, and Prebich. Discussion was held on who would be appointed as Administrative

Hearing Officer, be it the Health Department or could it be designated the Liquor License Committee. County Attorney Alan Mitchell advised that at this time the Ordinance is on the table for

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

consideration for the Hearing Officer and License Fee is a separate action by resolution. Commissioner Raukar, supported by Commissioner Kron, moved as to vending machines that remote controlled vending machines would be allowed in the workplace and private clubs where minors are not allowed; however, following discussion Commissioner Kron withdrew his support and this amendment died for lack of support. Commissioner Sweeney “called the question” and the vote to adopt the Ordinance, as proposed, was seven yeas - zero nays.

**ORDINANCE #51
AN ORDINANCE REGULATING THE SALE,
POSSESSION AND USE OF TOBACCO AND
TOBACCO-RELATED DEVICES; MANDATING
YEARLY COMPLIANCE CHECKS OF ALL
LICENSEES; AND ESTABLISHING PENALTIES
AND PROCEDURES FOR VIOLATIONS, ALL IN
ACCORD WITH MINNESOTA STATUTES
CHAPTER 461 (1997).**

TABLE OF CONTENTS

Section 100. Purpose	1
Section 200. Definitions and Interpretations	1
Subd. 1 Tobacco	1
Subd. 2 Tobacco-Related Devices	1
Subd. 3 Self-Service Merchandising	1
Subd. 4 Vending Machine ...	1
Subd. 5 Loosies	2
Subd. 6 Minor	2
Subd. 7 Retail Establishment .	2

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

167

Subd. 8 Moveable Place of Business	2
Subd. 9 Sale	2
Subd. 10 Compliance Checks	2
Section 300. License	2
Subd. 1 Application	2
Subd. 2 Action	3
Subd. 3 Term	3
Subd. 4 Revocation or Suspension	3
Subd. 5 Transfers	3
Subd. 6 Moveable Place of Business	3
Subd. 7 Display	3
Subd. 8 Renewals	3
Section 400. Fees	3
Section 500. Basis for Denial of License	3
Section 600. Prohibited Sales	4
Section 700. Self-Service Sales	4
Section 800. Responsibility	5
Subd. 1 Licensees	5
Subd. 2 Clerks/Employees	5
Section 900. Compliance Checks and Inspections	5
Section 1000. Other Illegal Acts	5
Subd. 1 Use of False Identification	6
Section 1100. Hearings	6
Subd. 1 Notice	6
Subd. 2 Hearings	6
Subd. 3 Hearing Officer	6

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

Subd. 4 Decision 6
Subd. 5 Appeals 6
Subd. 6 Continued Violation . 6

Section 1200. Penalties 6
 Subd. 1 Licensees 6
 Subd. 2 Other Individuals . . . 7
 Subd. 3 Minors Using False
 Identification 7
 Subd. 4 Minors 7

Section 1300. Exceptions and Defenses 7

Section 1400. Severability and Savings Clause 7

Section 1500. Misdemeanor Prosecution 7

Section 1600. Effective Date 7

TOBACCO ORDINANCE

ORDINANCE #51

An ordinance relating to the sale, possession and use of tobacco and tobacco-related devices in St. Louis County.

The Board of Commissioners of St. Louis County Ordains:

Section 100. Purpose. The purpose of this Ordinance is to regulate the sale of tobacco and tobacco-related devices and to restrict access to tobacco and tobacco-related devices for persons under the age of 18 years.

Section 200. Definitions and Interpretations. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly

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

169

accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter, and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have the definitions given to them:

Subd. 1 Tobacco. “Tobacco” shall have the same meaning as that contained in Minnesota Statutes Section 609.685, subdivision 1(a) (1997).

Subd. 2 Tobacco-Related Devices. “Tobacco-related devices” shall have the same meaning as that contained in Minnesota Statutes Section 609.685, subdivision 1(b) (1997).

Subd. 3 Self-Service Merchandising. “Self-Service Merchandising” shall mean open displays of tobacco or tobacco-related devices in any manner where any person shall have access to the tobacco or tobacco-related devices, without the assistance or intervention of the licensee or the licensee’s employee. The assistance or intervention shall entail the actual physical exchange of the tobacco or tobacco-related device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

Subd. 4 Vending Machine. “Vending Machine” shall mean any mechanical, electric or electronic, or other type of device which dispenses tobacco or tobacco-related devices upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase

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

170

the tobacco or tobacco-related device.

Subd. 5 Loosies. “Loosies” shall mean the common term used to refer to a single or individually packaged cigarette.

Subd. 6 Minor. “Minor” shall mean any natural person who has not yet reached the age of eighteen (18) years.

Subd. 7 Retail Establishment. “Retail Establishment” shall mean any place of business where tobacco or tobacco-related devices are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants.

Subd. 8 Moveable Place of Business. “Moveable Place of Business” shall refer to any form of business operated out of a truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Subd. 9 Sale. A “sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

Subd. 10 Compliance Checks. “Compliance Checks” shall mean the system the County uses to investigate and ensure that those authorized to sell tobacco and tobacco-related devices are following and complying with the requirements of this ordinance. Compliance checks shall involve the use of minors as authorized by this ordinance. Compliance Checks shall also mean the use of minors who attempt to purchase tobacco

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

171

or tobacco-related devices for educational, research and training purposes as authorized by State and Federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or local laws and regulations relating to tobacco and tobacco-related devices.

Section 300 License. No person shall sell or offer to sell any tobacco or tobacco-related device without first having obtained a license to do so from the County, unless located within a town or a home rule charter or statutory city that has retained licensing authority under Minnesota Statutes Section 461.12, subdivision 1.

Subd.1 Application. An application for a license to sell tobacco or tobacco-related devices shall be made on a form provided by the County. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the County deems necessary. Upon receipt of a completed application, the County Auditor shall forward the application to the County Board for action at its next regularly scheduled Board meeting. If the County Auditor shall determine that an application is incomplete, the application shall be returned to the applicant with notice of the information necessary to make the application complete.

Subd. 2 Action. The County Board of Commissioners may either approve or deny the license, or it may delay action for such

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

172

reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the County Board shall approve the license, the County Auditor shall issue the license to the applicant. If the County Board denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the decision.

Subd. 3 Term. All licenses issued under this ordinance shall be valid for the calendar year of the date issued.

Subd. 4 Revocation or Suspension. Any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties section of this ordinance.

Subd. 5 Transfers. All licenses issued under this ordinance shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the County Board.

Subd. 6 Moveable Place of Business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.

Subd. 7 Display. All licenses shall be posted and displayed in plain view of the general public on the licensed premises.

Subd. 8 Renewals. No license is renewed until the renewal application has been

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

173

approved by the County Board. The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty days but no more than sixty days prior to the end of the calendar year for which the current license was issued. Issuance of a license issued under this ordinance shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

Section 400. Fees. No license shall be issued under this ordinance until the appropriate license fee shall be paid in full. The fee for a license under this ordinance shall be established by resolution of the County Board.

Section 500. Basis for Denial of License. The following shall be grounds for denying the issuance or renewal of a license under this ordinance; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the County must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section:

- A. The applicant is under the age of 18 years.
- B. The applicant has been convicted within the past five years of any violation of a Federal, State, or local law, ordinance provision, or other regulation relating to tobacco or tobacco-related devices.

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

174

- C. The applicant has had a license to sell tobacco or tobacco-related devices revoked within the preceding twelve months of the date of application.
- D. The applicant fails to provide any information required on the application, or provides false or misleading information.
- E. The applicant is prohibited by Federal, State, or other local law, ordinance, or other regulation, from holding such a license.

Section 600. Prohibited Sales. It shall be a violation of this ordinance for any person to sell or offer to sell any tobacco or tobacco-related device:

- A. To any person under the age of eighteen (18) years.
- B. By means of any type of vending machine.
- C. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premises in order to receive the tobacco or tobacco-related device and whereby there is not a physical exchange of the tobacco or tobacco-related device between the licensee or the licensee's employee, and the customer, except as may be otherwise provided in this ordinance.

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

175

- D. By means of loosies as defined in Section 200 of this ordinance.
- E. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.
- F. By any other means, to any other person, on in any other manner or form prohibited by Federal, State, or other local law, ordinance provision, or other regulation.

Section 700. Self-Service Sales. It shall be unlawful for a licensee under this ordinance to allow the sale of tobacco or tobacco-related devices by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the tobacco or the tobacco-related device between the licensee or his or her clerk and the customer. All tobacco and tobacco-related devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Licensees which prohibit individuals less than 18 years of age from entering the premises and which derive at least 90 percent of their revenue from tobacco and tobacco-related products are exempt from this subdivision. Any retailer selling tobacco or tobacco-related devices at the time this ordinance is adopted

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

176

shall comply with this Section within sixty (60) days following the effective date of this ordinance.

Section 800. Responsibility.

Subd. 1 Licensees. All licensees under this ordinance shall be responsible for the actions of their employees in regard to the sale of tobacco or tobacco-related devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder.

Subd. 2 Clerks/Employees. Notwithstanding the above, the clerk or employee specifically involved in a compliance check violation or determined to have violated the provisions of this ordinance in connection with the sale of tobacco or tobacco-related devices shall be personally liable to pay an administrative fee in addition to any fees imposed upon the employer or license holder.

Section 900. Compliance Checks and Inspections. All licensed premises shall be open to inspection by local law enforcement officers or other authorized County official during regular business hours. From time to time, but at least once per year, the licensing authority shall conduct compliance checks by engaging, with the written consent of their parents or guardians, minors over the age of fifteen (15) years but less than eighteen (18) years, to enter the licensed premises to attempt to purchase tobacco or tobacco-related devices. Minors used for the purpose of compliance checks shall be supervised by the St. Louis County Sheriff or his designee. Minors used for compliance checks shall not be guilty of the unlawful purchase or attempted purchase, nor the unlawful possession of tobacco or tobacco-related devices when such items are obtained or attempted to be obtained as

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

177

a part of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor's age, and all minors lawfully engaged in a compliance check shall answer all questions about the minor's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this Section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

Section 1000. Other Illegal Acts. Unless otherwise provided, the following shall be a violation of this ordinance.

Subd. 1 Use of False Identification. It shall be a violation of this ordinance for any minor to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

Section 1100 Hearings.

Subd. 1 Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a written notice that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation.

Subd. 2 Hearings. If a person accused of violating this ordinance so requests, a hearing

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

178

shall be scheduled, the time and place of which shall be provided to the accused violator.

Subd. 3 Hearing Officer. A person or persons designated by the County Board shall serve as the hearing officer(s).

Subd. 4 Decision. If the hearing officer determines that a violation of this ordinance did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under Section 1300 of this ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.

Subd. 5 Appeals. Appeals of any decision made by the hearing officer shall be taken as provided in Minnesota Statutes Section 461.12.

Subd. 6 Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

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

179

Section 1200 Penalties.

Subd. 1 Licensees. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance, shall be charged an administrative fine of \$100 for a first violation of this ordinance; \$300 for a second offense at the same licensed premises within a twenty-four month period; and \$500 for a third or subsequent offense at the same location within a twenty-four month period. In addition, the Licensee's license shall be suspended for not less than ten days for a third or subsequent offense at the same location within a twenty-four month period.

Subd. 2 Other Individuals. Other individuals, other than minors regulated by subdivisions 3 and 4 of this Subsection, found to be in violation of this ordinance shall be charged an administrative fine of \$50 for a first violation of this ordinance; \$75 for a second offense; and \$100 for a third or subsequent offense.

Subd. 3 Minors Using False Identification. Minors found to be in violation of Section 1100, Subd. 1 of this ordinance shall be charged an administrative fine of \$50 for a first violation of this ordinance; \$75 for a second offense; and \$100 for a third or subsequent offense.

Subd. 4 Minors. Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase, tobacco or tobacco-related devices, shall be referred to the St. Louis County Attorney's Office's juvenile diversion program created pursuant to

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

180

Minnesota Statutes Section 388.24.

Section 1300. Exceptions and Defenses. Nothing in this ordinance shall prevent the providing of tobacco or tobacco-related devices to a minor as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this ordinance for a person to have reasonably relied on proof of age as described by State law.

Section 1400. Severability and Savings Clause. If any section or portion of this ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or effect the validity and enforceability of any other section or provision of this ordinance.

Section 1500. Misdemeanor Prosecution. Nothing in this ordinance shall prohibit the County from seeking prosecution as a misdemeanor for any alleged violation of this ordinance.

Section 1600. Effective Date. This ordinance shall take effect June 1, 1998.

EFFECTUATION

This ordinance shall take effect and be in full force on the first day of June, 1998, upon its adoption by the St. Louis County Board of Commissioners and its publication in the official newspaper(s) of St. Louis County as provided by Minnesota Statutes.

A public hearing was held by the St. Louis County Board of Commissioners on April 14, 1998.

Commissioner Sweeney moved the adoption of this

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

181

ordinance, and Commissioner Prebich duly seconded the motion, and the ordinance was adopted on the following vote:

Yeas: Commissioners Fink, Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 7

Nays: None

Absent: None

Mike Forsman
Chair of

County Board

Certified as a

complete and
accurate copy of Ordinance No. 51

Gordon D.

McFaul

C o u n t y

Auditor

Attest:

Karen Erickson

Clerk of the County Board

Commissioner Sweeney, supported by Commissioner Prebich, moved adoption of the resolution which appoints the Health Director or designee as Administrative Hearing Officer and sets the fee at \$165.00; discussion continued. After further consideration of her suggestion for the Liquor Committee as Hearing Officer, Commissioner Prebich withdrew that comment but did request a quarterly report from the Health Department on hearings

and their outcomes. Commissioner Raukar requested a division of the question on this resolution with the resulting vote and adoption of Resolution No. 337. The Administrative Hearing Officer adopted on a vote of seven yeas - zero nays and the license fee adopted on a vote of five yeas - two nays being Commissioner Raukar and Chair Commissioner Forsman.

Commissioner Kron, supported by

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

182

Commissioner Krueger, moved to authorize payment from the Health Insurance Fund for a liver transplant provided to a member of the plan on December 2, 1997, before the County implemented transplant coverage. The County will pay \$46,000 from the fund contingent on Arrowhead Regional Corrections reimbursing the fund one-half of this amount. Resolution No. 344 was adopted. Jean Specht, the transplant recipient, was present and expressed appreciation to the County Board for their assistance.

Commissioner Kron, supported by Commissioner Prebich, moved to conduct a closed session for purposes of labor negotiations at 1:30 P.M. this date; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Tricia Jatkola.--98-362ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Lakewind, Inc.--98-363ss

Grant Agreement between St. Louis County Board of Commissioners and Range Mental Health Center for PATH

Grant.--98-364ss

Grant Agreement between St. Louis County Board of Commissioners and Human Development Center for PATH Grant Services.--98-365ss

Grant Agreement between St. Louis County Board of Commissioners and Arrowhead House for Rule 36 Grant.--98-366ss

Grant Agreement between St. Louis County Board of Commissioners and St. Louis Riverview Homes, Incorporated, for Rule 36 Grant.--98-367ss

Memorandum of Understanding for Transportation Services between First Plan of Minnesota Prepaid Medical Assistance Program (PMAP) and St. Louis County Social Service Department.--98-368ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Young Women's Christian Association for Supervised Parent/Child Visitations.--98-369ss

St. Louis County Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement with Duluth Bethel Society.--98-370ss

Grant Agreement between St. Louis County Board of Commissioners and St. Louis Riverview Homes, Incorporated, for Flex Fund Grant.--98-371ss

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

183

Grant Agreement between St. Louis County Board of Commissioners and Human Development Center for Flex Fund Grant.--98-372ss

Grant Agreement between St. Louis County Board of Commissioners and Range Mental Health Center for Flex Fund Grant.--98-373ss

Grant Agreement between St. Louis County Board of Commissioners and Range Mental Health Center for CSSA/CSP Grant.--98-374ss

Grant Agreement between St. Louis County Board of Commissioners and Human Development Center for CSSA/CSP Grant.--98-375ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Child Day Treatment Services.--98-376ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Shelter) for Child Residential Treatment.--98-377ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Range Shelter) for Child Residential Treatment.--98-378ss

Purchase of Service Agreement between St. Louis County Board of Commissioners

and Innovative Living, Inc., for Supported Living Services-Adult.--98-379ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc. - Hibbing (MA MR/RC Waiver SLS).--98-380ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc. - Hibbing (CADI Waiver).--98-381ss

Grant Agreement between St. Louis County Board of Commissioners and McGregor Public School for Child Care Resource & Referral Grant.--98-382ss

Grant Agreement between St. Louis County Board of Commissioners and Floodwood Services and Training for Child Care Resource & Referral Grant.--98-383ss

Grant Agreement between St. Louis County Board of Commissioners and Itasca County Family YMCA for Child Care Resource & Referral Grant.--98-384ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Vermilion Home Care Personal Emergency Response.--98-385ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency (AEOA) for Transportation

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

184

Services.--98-386ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Healthline, Inc. - Lifeline for Personal Emergency Response.--98-387ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Arrowhead Health Alternatives for Personal Emergency Response.--98-388ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency (AEOA) for Home Delivered Meals.--98-389ss

Agreement to Conduct a Cooperative Research Project Evaluating the Growth Response of White Pine Regeneration Released from Competition with an Aspen Overstory.--98-390

St. Louis County Land Department Agreement for a Bio-Physical Resource Inventory of Tax Forfeited Lands with Natural Resource Services, Limited, through Donald H. Prettyman.--98-391

Purchase of Service Agreement between St. Louis County Board of Commissioners and Laurie Arndt for Registered Dietician services.--98-392

Purchase of Service Agreement between St. Louis County Board of Commissioners and Pam Roline for Registered Dietician services.--98-393

Purchase of Service Agreement between St. Louis County Board of Commissioners and Debbie Motley for Registered Dietician services.--98-394

Agreement for Professional Services between St. Louis County and Wenck Associates, Inc., for Gas Venting System Design.--98-395

Addendum to Joint Use Agreement between Carlton County, Lake County, and St. Louis County, Minnesota, and the Sanitary Board of the Western Lake Superior Sanitary District for Build It Recycled Trailer.--98-396

Amendment to the Operating Agreement for the Hibbing Roll-Off Container Site between St. Louis County and Zenith/Kremer Waste Systems, Inc.--98-397

Addendum to Purchase Agreement between the St. Louis County Board of Commissioners and the Duluth Regional Care Center, Inc.--98-398ss

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 322 through 336, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 14, 1998, are hereby approved.
Adopted April 28, 1998. No. 322

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

185

RESOLVED, that the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue a license as follows:

Vicki Thronson, d/b/a Forbes Country Corner, McDavitt Township, Tobacco Products License No. T98134.
Adopted April 28, 1998. No. 323

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A.414, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a bottle club permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club Corp., Inc., Morse Township, Bottle Club Permit No. BC991.
Adopted April 28, 1998. No. 324

RESOLVED, that the Purchasing Agent is hereby authorized to purchase two (2) Sixteen-Passenger Mini-Buses from Minnesota Body and Equipment of Shakopee, Minnesota, in accordance with the specifications of Bid No. 3742, including handicapped access doors, at their low bid price of \$32,338.00 each,

plus 6.5 percent Minnesota tax of \$4,203.94, for a total price of \$68,879.94, payable from: Fund 04 (Social Service), Agency SSV (Social Services), Org. 5160 (Rainbow Senior Center) and 5170 (West End Senior Center).
Adopted April 28, 1998. No. 325

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract, in accordance with the specifications of Bid No. 3753, with Sundance Silviculture, Inc., of Duluth, MN, for Mechanical Site Preparation - Row Scarification, Disc Trenching, of approximately 105.5 acres, at their low specification bid price of \$12,170.00 (non-taxable), payable from: Fund 16 Forest Resources, Agency F41 Resource Development, Object 299 Professional.
Adopted April 28, 1998. No. 326

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent easement to the St. Louis and Lake Counties Railroad Authority for multi-purpose recreational trail right-of-way purposes on and across the following tax forfeited land:

A 40-foot easement along an existing road for recreational trail purposes on, over and across the East Half of the Northwest Quarter of Section 27, Township 58 North, Range 20 West of the Fourth Principal Meridian, in St. Louis County, Minnesota, the centerline of said easement

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

186

is described as follows:

Beginning at a point on the west line 558.06 feet south of the northwest corner of said East Half of the Northwest Quarter and assuming said west line to bear South 03 degrees, 24 minutes, 15 seconds East; thence southeasterly 587.17 feet along a non-tangential curve, the center of circle for said curve bears South 06 degrees, 41 minutes, 28 seconds West, with a radius of 877.87 feet, and a central angle of 38 degrees, 19 minutes, 20 seconds; thence South 45 degrees, 11 minutes, 27 seconds East 845.81 feet; thence southeasterly 206.63 feet along a tangential curve concave to the northeast with a radius of 576.85 feet, and a central angle of 20 degrees, 31 minutes, 25 seconds and there terminating on the east line of said East Half of the Northwest Quarter.

For the consideration of \$270.00 land value, \$100.00 administration cost, \$6.00 publication cost, and \$19.50 recording fee, for a total cost of \$395.50 to be paid to the Tax Forfeit Trust Fund 15-E21 by transfer of encumbered dollars from the Forest Recreation Fund 16-F21;

RESOLVED FURTHER, that said easement is contingent on the Regional Railroad Authority providing the required insurance.

Adopted April 28, 1998. No. 327

WHEREAS, the Town of Balkan operates a solid waste canister site, accepting MSW and approved recyclable materials at 11489 Vlasich Road; and

WHEREAS, the township provides the canister site, and pays for site maintenance and all employee costs of operating the site; and

WHEREAS, the Town of Balkan collects the current applicable tipping fees and forwards these fees to the County; and

WHEREAS, St. Louis County already pays, under separate Agreements, to transport the solid waste generated at the site for final disposal at the Regional Landfill, and to transport, process, and market the recyclables collected at the site; and

WHEREAS, this Agreement will formalize the cooperative effort being utilized to operate the Balkan Canister site; and

WHEREAS, this Agreement will save the County the expense of providing the canister site, and the expense of maintaining and staffing the site;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Solid Waste Department to enter into a one-year Canister Site Services Agreement with the Town of Balkan, with the possibility of up to three one-year extensions by mutual consent of the County and the Town of Balkan.

Adopted April 28, 1998. No. 328

RESOLVED, that the Purchasing Agent and Public Works Director are hereby authorized to contract with MARKHURD of Minneapolis, MN, for Aerial Photogrammetric Services covering various County State Aid Highways in the current construction program at their quoted price of \$14,150, payable from

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

187

Fund 02 (Public Works Department), Agency A11 (Administration & Engineering), Object 299 (Other Professional), and reimbursed from State Aid or Federal Aid funds.

Adopted April 28, 1998. No. 329

RESOLVED, that a public hearing will be held at 9:40 A.M. on May 5, 1998, in the St. Louis County Courthouse, County Board Room, Second Floor, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Britt Country Store & Lounge, Inc., d/b/a Britt Country Store & Lounge, Inc., Unorganized Area 60-18.

Adopted April 28, 1998. No. 330

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on April 6, 1998, the revised specification for Building Maintenance Worker is adopted, effective April 28, 1998.

Adopted April 28, 1998. No. 331

RESOLVED, that pursuant to the recommendation of the Civil Service Commission, the specification for the new classification of Safety and Training Division Administrator be approved and placed in the Civil Service Supervisory Unit Pay Grade 30, effective April 28, 1998.

Adopted April 28, 1998. No. 332

RESOLVED, that the St. Louis County Board of Commissioners appropriates funds in the amount of \$9,000 from the

Supervised Living Facilities Balance Sheet Account 2580 - "Retained Earnings" to Fund 64S, Agency N75, Organization 2200.

RESOLVED FURTHER, that the Board approves a grant with the Housing and Redevelopment Authority of Duluth for \$9,000 from Fund 64S, Agency N75, Organization 2200, for the purchase of a replacement therapy tub at the Midtowne Manor II complex. Terms of the grant are as follows:

c The County will provide a grant allocation of \$9,000 to the Housing and Redevelopment Authority (HRA) of Duluth for the purchase and installation of a replacement therapy tub at the Midtowne Manor II housing complex.

c HRA will have 90 days from the execution date of the grant agreement to purchase the tub.

c The County will retain ownership of the replacement tub purchased and installed by the HRA of Duluth at Midtowne II.

c HRA of Duluth will, at no cost to the County, cover the replacement cost of a new therapy tub at the King Manor housing complex when replacement of the current tub is deemed appropriate and

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

necessary.

Adopted April 28, 1998. No. 333

RESOLVED, that the Purchasing Agent is hereby authorized to purchase one (1) 4,000 gallon heated emulsion tank from Welders Supply and Fabrication of Staunton, Virginia, as per their quotation dated 2-19-98 for a cost of \$31,000.00, plus 6.5 percent Minnesota Use Tax of \$2,015.00, for a total price of \$33,015.00, payable from: Fund 02 (Public Works), Agency A14 (Equipment and Maintenance Shops), Object 659 (Other Equipment Purchases).

Adopted April 28, 1998. No. 334

WHEREAS, the County of St. Louis and the Burlington Northern and Santa Fe Railway Company desire that new concrete railroad crossing surfaces be installed and the in place active warning devices (signals) be relocated at the Burlington Northern and Santa Fe Railway Company Railroad-Highway Grade Crossing on County State Aid Highway 30 (7th Avenue) in Floodwood, St. Louis County, Minnesota; and

WHEREAS, the Burlington Northern and Santa Fe Railway Company is willing to install and maintain the concrete crossing surfaces and install, maintain, and operate the relocated active warning devices.

NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis shall enter into an agreement with the Burlington Northern and Santa Fe Railway Company, a copy of which was before the Board, for the installation and maintenance of two new concrete crossing surfaces and the

relocation of the in place active warning devices at the intersection of County State Aid Highway 30 (7th Avenue) with the tracks of the Burlington Northern and Santa Fe Railway Company in Floodwood, St. Louis County, Minnesota. The estimated cost to the County is \$41,600.00 payable with State Aid Funds. RESOLVED FURTHER, that the proper County Officers be and are hereby authorized to execute said agreement, and thereby assume for and on behalf of the County all contractual obligations contained therein.

Adopted April 28, 1998. No. 335

WHEREAS, the St. Louis County Board, in 1992 Resolution No. 700, established a nineteen (19) member CDBG Advisory Board; and

WHEREAS, vacancies presently occur in five (5) CDBG Advisory Board assignments, one (1) each from the communities of Hibbing and Hermantown, one (1) representing the St. Louis County Smaller Cities, and two (2) At-Large.

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed to the CDBG Advisory Board:

<u>Name</u>	<u>Representing</u>	<u>Term Expiring</u>
Lynda J. Bolf	City of Hibbing	12-31-00
Lynn Lander	City of Hermantown	12-31-00
Herbert R. Lamma	Smaller Cities	12-31-00

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

189

Mary Jo
Herrett At-Large 12-31-00

Bill
Wagner At-Large 12-31-00
Adopted April 28, 1998. No. 336

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Board of Commissioners adopted St. Louis County Ordinance No. 51, An Ordinance Regulating the Sale, Possession and Use of Tobacco and Tobacco Related Devices; Mandating Yearly Compliance Checks of All Licensees; and Establishing Penalties and Procedures for Violations, All in Accord with Minnesota Statutes Chapter 461 (1997); and

WHEREAS, Ordinance No. 51 states the County Board shall designate a person or persons to serve as the hearing officer(s); and

WHEREAS, Ordinance No. 51 also states the County Board shall establish the license fee.

1. NOW, THEREFORE, BE IT RESOLVED, that the Director of the Department of Public Health and Long Term Medical Care, or designee(s), shall serve as the administrative hearing officer(s) required by this Ordinance No. 51; and

2. RESOLVED FURTHER, that the yearly license fee for establishments licensed pursuant to Ordinance No. 51 shall be \$165.00.

Resolved No. 1: Yeas - Commissioners

Fink, Krueger, Kron,
Sweeney, Prebich,
Raukar, and Chair
Forsman - 7
Nays - None

Resolved No. 2: Yeas - Commissioners
Fink, Krueger, Kron,
Sweeney, and Prebich - 5
Nays - Commissioner
Raukar and Chair
Forsman - 2

Adopted April 28, 1998. No. 337

BY COMMISSIONER RAUKAR:

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

M.P. 232-1187 (C.R. 232, Lake Nichols Road) located between U.S. 53 and C.R. 740 (approximately 5.8 miles south of Cotton). Length: 3.938 km (2.45 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular

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

190

session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Ulland Brothers, Inc.

ADDRESS

P.O. Box 340
Cloquet, MN 55720

AMOUNT

\$140,208.63

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.

No. 338

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

M.P. 241-1197 (C.R. 241, Maxwell Road) located from Town Road 2701 (Oak Street - Duluth) to C-SAH 10 (West Tischer Road). Length: 1.595 km (1.0 mile). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at

10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Glacier Paving, Inc.

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$70,903.40

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.

No. 339

WHEREAS, bids have been received by the

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

191

County Auditor for the following project:

M.P. 818-1198 (C.R. 818, Roberg Road) located from C.R. 293 (North Tischer Road) to C-SAH 12 (Lester River Road) 4.5 miles north of Duluth. Length: 1.596 km (1.0 mile). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Glacier Paving

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$70,020.41

RESOLVED FURTHER, that the

Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.
No. 340

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

M.P. 252-1199 (C.R. 252, Medin Road) located from C-SAH 37 (Jean Duluth) to C.R. 241 (Maxwell Road). Length: 2.352 km (1.46 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

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

192

LOW BIDDER

Glacier Paving

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$109,658.85

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.

No. 341

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

M.P. 31-1206 (C-SAH 31, Brookston Road) located from C.R. 857 (Eklund Road) to C-SAH 8 (Duluth - St. Vincent Road). Length: 4.836 km (3.00 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were

invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardrives, Inc.

ADDRESS

2372 N. Yoki Rd.
Zim, MN 55738

AMOUNT

\$207,465.05

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.

No. 342

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

M.P. 89-1207 (C-SAH 89, Highland Street) located from 57th Avenue West to

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

193

C.R. 696 (Skyline Parkway) - Duluth. Length: 1.470 km (0.91 miles). Project to consist of Plant Mixed Bituminous Surface & Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 27, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Glacier Paving

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$70,907.08

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to

execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 528.

Unanimously adopted. April 28, 1998.
No. 343

BY COMMISSIONER KRON:

WHEREAS, a member of the St. Louis County self-insured health plan required extensive medical services that included a liver transplant procedure; and

WHEREAS, there were medical services provided that were clearly covered by the health insurance plan provided by the employer, as well as the transplant services that were excluded from the health plan; and

WHEREAS, there exists a substantial outstanding balance of \$155,350 with respect to these transplant services; and

WHEREAS, there is an issue concerning information provided to the hospital, to the employee, and the health plan administrator that led to the services being provided; and

WHEREAS, there is a potential for future litigation that could be resolved immediately with the hospital, plan administrator, County, employer, and employee all participating in the solution.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Attorney to settle this matter, and expend an amount not to exceed \$46,000 payable from the health insurance fund, Fund 52D.

BE IT FURTHER RESOLVED, that payment of these monies is contingent

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

194

upon Arrowhead Regional Corrections paying a minimum of one-half of the settlement to the St. Louis County self-insurance health plan, Fund 52D. Unanimously adopted. April 28, 1998. No. 344

At 11:20 A.M. on Tuesday, April 28, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor and Ex-Officio Clerk of the Board of County Commissioners

(Seal of the County Auditor)

MAY, 1998

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

MAY 5, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of May, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

At this time a public hearing was convened, pursuant to Resolution No. 288, adopted April 14, 1998, to consider a land exchange between tax forfeited land and Minnesota Power and Light Company. Larry Duffy, representing the Land Department, presented the proposal and the written documentation which was included in Board Letter No. 98-219, a copy of which is on file in County Board File No. 57181. It is proposed that St. Louis County will receive 168.75 acres with a total value of \$217,483.00. Minnesota Power has waived their right to payment of the difference. A representative of Minnesota Power was also present for this hearing. It was noted that although the county receives lesser acreage it will receive high value timber and one gravel pit. All persons in attendance were invited to address the issue, however, no one wished to do so. The hearing closed at 9:55 A.M. on motion of Commissioner Sweeney, supported by Commissioner Kron, seven yeas - zero nays. Resolution No. 365 was

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

195

adopted authorizing

the exchange.

At 9:56 A.M. a public hearing was convened, pursuant to Resolution No. 330, adopted April 28, 1998, to consider the application of the Britt Country Store & Lounge, Inc., located in Unorganized Township 60 - Range 18, for an Off-Sale Intoxicating Liquor License. Barbara Dishneau, applicant on behalf of the Corporation, was present for the hearing. County Attorney Alan Mitchell advised that the application was on file, the necessary approvals have been given by the County Departments, the required Certificate of Insurance has been filed, the Liquor Committee did meet and review the application and recommends approval, the required notices have been given, there is no Town Board approval required as this is located in an unorganized township. The documents of this hearing are located in County Board File No. 57180. All persons in attendance were invited to address the issue, no one wished to do so. Resolution No. 366 was then adopted granting the license.

The Chair opened the meeting to persons in attendance who wished to address the Board on items not on the agenda for this meeting. Dr. Will Sandstrom addressed the issue of his being able to access tax forfeited land in the Cook area. Following his presentation, Resolution No. 367 was adopted granting him permission to access

the land. Commissioner Raukar requested Administration to contact the Land Department in regards to one of their staff telling Mr. Sandstrom that he needed permission to access the land, find out what their policies are, and reference the fact that tax forfeited land is open to the public.

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

196

Discussion was held on the proposal to have all departments transfer all computer equipment to MIS who would in turn dispose of it. Martin Buscombe, MIS Director, was present for the discussion. Following discussion, Resolution No. 369 was adopted. Administration was directed to add to the 1999 legislative priorities, the seeking of legislation to allow transfer of items to non-profit organizations, currently they can only be transferred to a government entity.

The proposed contract with Anderson Appraisals to supply services to Public Works in relation to road projects was brought up for discussion. Chair Forsman questioned if there would be a conflict of interest for Mr. Anderson to contract for this service to the County to provide appraisals of property and to also sit on the County Special Board of Equalization. County Attorney Alan Mitchell advised that given his understanding of the responsibilities of these two tasks, he did not believe there would be a conflict. Thus, Resolution No. 370 was adopted.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-266 regarding repurchase of tax forfeited land.-57177

Julie Brunner, County Administrator, and Gordon D. McFaul, County Auditor,

submitting Board Letter No. 98-268 regarding Application of Cancellation of Forfeiture.--57178

Solid Waste Subcommittee submitting notices and minutes of their meetings for the year 1998.--57179

Documentation from public hearing held on May 5, 1998, to consider the granting of an Off-Sale Intoxicating Liquor License to Britt Country Store & Lounge, d/b/a Britt Country Store & Lounge, Inc., located in Unorganized Township 60-18.-57180

Documentation from public hearing held on May 5, 1998, to consider a land exchange of certain Class "B" lands owned by the State of Minnesota for certain other lands owned by the Minnesota Power and Light Company.--57181

Amendment for Agreement for Collection of Waste from Canister Sites between St. Louis County and Zenith/Kremer Can-Do Disposal.--98-399

Amendment for Agreement for Collection of Waste from Canister Sites between St. Louis County and Suburban Sanitation Service.--98-400

Tower Sublease Agreement between Duluth/Superior Cellular, Inc., d/b/a CellularOne of the Northland, and the County of St. Louis.--98-401

St. Louis County Community

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

197

Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Town of Fairbanks.--98-402

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Gilbert.--98-403

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Mt. Iron.--98-404

Grant Agreement between St. Louis County Board of Commissioners and Center for Alcohol & Drug Treatment.--98-405ss

Grant Agreement between St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency (AEOA), Lives in Transition.--98-406ss

Grant Agreement between St. Louis County Board of Commissioners and The Salvation Army.--98-407ss

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.--98-408

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.--98-409

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and Life House, Inc.--98-410

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and Range Transitional Housing, Inc.--98-411

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and The Salvation Army - Hibbing.--98-412

Emergency Shelter Grant Program FY 1998 Agreement between St. Louis County and The Salvation Army - Virginia.--98-413

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Hibbing.--98-414

Reinsurance Contract for Specified Coverages, Contract Schedule and Application Number AS154 and EP430 between the County of St. Louis and Blue Cross and Blue Shield of Minnesota.--98-415

Corporate License Agreement between the County of St. Louis and Novell, Inc.--98-416

Upon motion of Commissioner Raukar, supported by Commissioner Prebich, Resolutions No. 345 through 364, as

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

198

submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:
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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T23 Game and Fish	\$ 83,248.72
T27 Refunds	24,667.59
T49 Taconite Production Tax	74,709.00
T50 State of Minnesota	215,485.88
T66 Criminal Fines	121,766.69
T72 Home CHDO Program Income	4,640.50
T73 Home Single Family Program, Inc.	1,065.42
T74 Employer/Employee Deductions	1,229,354.62
T75 Savings Bonds	5,700.00
T77 Cancelled Checks	7,574.86
T84 Attorneys Forfeitures	1,586.70
T87 Assault Fees	2,133.04
T89 District Administrator	247.16
T98 Work Study Agency Fund	586.86
T99 Reserve Health & Welfare	747.48
01 General Fund	800,073.40
02 Public Works	433,533.18
04 Social Services	7,990,116.10
08 Capital Projects	87,900.00
08A State Aid Road	96,745.33
08Y Hibbing/Virginia Law Enforcement	

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

199

	Centers	308,784.58	64B	Nopeming Nursing Home	211,322.63
09	McKinney Homeless Grant	18,539.00	64F	Community Food Services	46,904.90
10B	Emer. Shelt. 95 Funds	3,989.79	64L	Laundry	32,948.46
11A	Home Grant - All Years	1,882.76	64S	Supervised Living Facilities	5,592.82
12B	CDBG Grant	19,467.81	72	No. Counties Land Use Coord. Board	2,207.77
127	Enhanced 9-1-1 Fund	967.50	73	Arrowhead Regional Corrections	357,027.82
128	Law Library	1,466.83	74	Community Health Services	4,307.06
129	City/Cty. Comm. Antenna Site	200.66	90	Range Maintenance Facility	<u>18,211.92</u>
13	St. Louis County HRA	1,619.35			\$13,085,527.68
131	Extension Service	7,488.17			
15	Forfeited Tax	132,534.30		Adopted May 5, 1998. <u>No. 345</u>	
26	Solid Waste Authorities	66,996.04		RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 5, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.	
49	Postage/Office Supplies	33,158.95		Adopted May 5, 1998. <u>No. 346</u>	
49A	Plat Book Revolving	9,194.47		RESOLVED, that the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue a license as follows:	
50	Printing	21,160.26			
51	County Garage	15,366.96			
52A	Property, Casualty, Liability	794.20			
52B	Workers Compensation	35,657.28			
52D	Medical/Dental Self Insurance	1,623.36			
53	Management Information Systems	63,498.02			
54	Regional Railroad Authority	12,769.18			
55	Telecommunications	36,190.91			
64A	Jensen Nursing Home	431,771.39		James Tomczak, d/b/a Bait-N-Bite,	

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

200

Unorganized Area 69-21, Tobacco Products License No. T98135. Adopted May 5, 1998. No. 347

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21. Adopted May 5, 1998. No. 348

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments. NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57177, are approved. Adopted May 5, 1998. No. 349

RESOLVED, that the St. Louis County Board hereby grants final approval to the plat of Giants Ridge Woodlands located in Government Lots 1, 2, and 3, Township 59 North, Range 15 West. Adopted May 5, 1998. No. 350

RESOLVED, that the St. Louis County Board of Commissioners hereby approves the Application of Cancellation of Forfeiture, as contained in Board File No. 57178. Adopted May 5, 1998. No. 351

RESOLVED, that the County of St. Louis enter into an agreement with the City of Floodwood for the reconstruction of C-SAH 30 (Seventh Avenue) located between U.S. Highway 2 and State Trunk Highway 73, all in the City of Floodwood; RESOLVED FURTHER, that the Chairperson of the County Board, the County Auditor, the Public Works Director, and the County Attorney are hereby authorized to execute such agreement and thereby assume for or on behalf of the County, all of the contractual obligations contained therein; payable from Fund 08A, Agency 525, Object 527. Adopted May 5, 1998. No. 352

RESOLVED, that the Purchasing Agent is hereby authorized to extend the existing Geotechnical Services Agreements with each of the following firms:

American Engineering Testing, Inc.
4131 West Michigan Street
P.O. Box 16008
Duluth, MN 55816

Braun Intertec Corporation
3105 East Beltline Highway, Suite 6
P.O. Box 762
Hibbing, MN 55746-0762

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

201

STS Consultants, Ltd.
3650 Annapolis Lane, Suite 120
Minneapolis, MN 55447

Twin Ports Testing, Inc.
1301 North Third Street
Superior, WI 54880

for Geotechnical Exploration and Engineering Review services to provide relative information for the maintenance, design and construction of road and bridge projects within St. Louis County. The firms were selected in reference to RFP File No. 3561 with the original agreements being authorized under Resolution No. 461, adopted on June 10, 1997. Work will be assigned based on the Consultants abilities and experience relative to the particular project. Associated fees for the services will be payable from Fund 02 (Public Works), Agency A11 (Administration and Engineering), Object 266 (Engineering), not to exceed \$100,000 for the period January 1, 1998, through December 31, 1998.

Adopted May 5, 1998. No. 353

RESOLVED, that the County of St. Louis enter into an agreement with the Department of Natural Resources for the reconstruction of the public access to Fish Lake on County Road 285 located in the NW 1/4 of the SW 1/4, Section 29, Township 52 North, Range 15 West. RESOLVED FURTHER, that the Chairperson of the County Board, the Public Works Director/Highway Engineer, the County Auditor, and the County

Attorney are hereby authorized to execute such agreement and hereby assume for or on behalf of the County, all of the contractual obligations contained therein. Adopted May 5, 1998. No. 354

RESOLVED, that the County of St. Louis enter into an agreement with the City of Buhl for the construction of C-SAH 125, Forest Street and Culver Avenue, S.A.P. 69-725-05, located between State Trunk Highway 169 and Wanless Street in Buhl. RESOLVED FURTHER, that the Chairperson of the County Board, the County Auditor, the County Engineer, and the County Attorney are hereby authorized to execute such agreement and hereby assume for or on behalf of the County, all of the contractual obligations contained therein. Adopted May 5, 1998. No. 355

RESOLVED, that the Purchasing Agent is hereby authorized to purchase a Multi-Protocol File Server and Hardware, and Software Maintenance and Support Agreement from Network Appliance Corporation of Eagan, Minnesota, in accordance with the specifications of Bid Number 3745, Multi-Protocol File Server at the bid price of \$57,955.00, plus Minnesota state sales tax of \$3,676.08, and a hardware installation charge of \$500.00 for a total of \$62,131.08, payable from MIS Capital Fund Balance, Fund 53, Agency 560, Object 653. Adopted May 5, 1998. No. 356

BE IT RESOLVED, that the Purchasing

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

202

Agent is hereby authorized to extend the existing contract with Telephone Associates of Superior, Wisconsin, to install data communications workstation wiring in Duluth, Virginia, and Hibbing Courthouses at an additional estimated cost of \$76,913.00, payable from MIS Telecommunications, Fund 55, Agency C50, Object 299.

Adopted May 5, 1998. No. 357

RESOLVED, that the Purchasing Agent is hereby authorized to amend the original agreement with U.S. West and GTE to add the additional sites not previously identified for frame relay data communications;

FURTHER RESOLVED, that the MIS Department is authorized to revise the agreement to add connections to new sites and make line speed changes without further County Board action, when identified as necessary, provided that such changes have been anticipated and budgeted for in the MIS Telecommunications budget. All additional costs associated with these changes are to be paid out of the MIS Telecommunications budget, Fund 55, Agency C11, Object 211.

Adopted May 5, 1998. No. 358

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves a Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Duluth Softball Players Assoc., Inc., to operate out of Munger Tavern & Grill, Solway Township.

Adopted May 5, 1998. No. 359

RESOLVED, that the location of the previously scheduled County Board Meeting and Committee of the Whole Meeting for May 26, 1998, will be changed from the Hibbing Courthouse to the HIBBING CITY COUNCIL CHAMBERS, City Hall, Hibbing, Minnesota. The meetings will convene at their scheduled time of 9:30 A.M.

Adopted May 5, 1998. No. 360

RESOLVED, the St. Louis County Board of Commissioners hereby rescinds Resolution No. 62, adopted on January 20, 1998.

RESOLVED FURTHER, the Board hereby appoints Dale St. Marie to the Zoning Board of Adjustment for a three-year term expiring December 31, 2000.

Adopted May 5, 1998. No. 361

WHEREAS, the Minnesota Legislature, in 1994, enacted the Closed Landfill Cleanup Act, Minnesota Statute Section 115B.392; 115B.46, pursuant to which the Minnesota Pollution Control Agency will be responsible for operation and long-term maintenance of qualified landfill facilities; and

WHEREAS, St. Louis County has 14 closed landfills within its boundaries that qualify under this legislation; and

WHEREAS, the Northwoods Landfill is a qualified facility, and is undergoing construction during the summer of 1998;

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

203

and

WHEREAS, the City of Tower would like to deposit some old dump material to help increase site drainage at the closed Northwoods Landfill; and

WHEREAS, special legislation was passed in 1998 to allow this material to be added to the closed Northwoods Landfill site; and WHEREAS, the Minnesota Pollution Control Agency is in agreement that adding this material to the closed Northwoods Landfill site would not be detrimental to that facility;

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the St. Louis County Board of Commissioners, the Auditor, and the Solid Waste Department Director authorize execution of an agreement between St. Louis County, the Minnesota Pollution Control Agency, and the City of Tower to allow closed dump materials from Tower to be deposited in the closed Northwoods Landfill.

Adopted May 5, 1998. No. 362

WHEREAS, St. Louis County is committed to providing comprehensive waste management services including Household Hazardous Waste services to its residents; and

WHEREAS, St. Louis County is developing its own Household Hazardous Waste Program to allow program flexibility and control; and

WHEREAS, the Office of Environmental Assistance has awarded St. Louis County a matching funds grant to construct a Household Hazardous Waste Collection and Storage Facility; and

WHEREAS, proposals were solicited from qualified parties to develop a design and to prepare construction documents for this HHW Facility; and

WHEREAS, a review and evaluation of the proposals was conducted by County staff and that review identified the proposal by Barr Engineering Company as best meeting the County's needs.

NOW, THEREFORE, BE IT RESOLVED, the Purchasing Agent is authorized to execute an agreement with Barr Engineering Company to design a Household Hazardous

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

204

Waste Collection and Storage Facility at a cost not to exceed \$25,400.

Adopted May 5, 1998. No. 363

WHEREAS, the Public Works Department is required to find office space because of potential health risk to employees located in the Duluth Courthouse ground floor offices; and

WHEREAS, in addition to having immediate office space needs, the department has long term space needs, and to address these needs, the 1998-2002 Capital Improvement Plan includes a Public Works administrative building; and WHEREAS, office space is available in the Missabe Building where a large number of Public Works staff are currently housed; WHEREAS, moving staff to the Missabe Building would resolve the short and long term space needs and would enable the Administrative, Engineering, and Surveying staff to be in the same building until a move to the new Administration building can be made.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works Department is hereby authorized to contract with First Properties of Duluth for the lease of approximately 5000 square feet of office space adequate to house the staff being vacated from the courthouse, payable from Fund 2, Agency A11, Org. 008, Object 342.

Adopted May 5, 1998. No. 364

BY COMMISSIONER KRUEGER:

WHEREAS, Minnesota Power and Light Company has filed with the County Auditor a proposal for the

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

205

exchange of lands; and

WHEREAS, St. Louis County has inspected the private lands and tax forfeited property classified as Class B lands that are the subject of said proposed exchange; and

WHEREAS, a public hearing was held on May 5, 1998, at the St. Louis County Courthouse in Duluth, Minnesota, pursuant to proper notice as required by Minnesota Statutes, Section 94.344, Subdivision 7.

NOW, THEREFORE, BE IT RESOLVED, that the following constitutes the findings of the St. Louis County Board:

1. The parcel of Class B tax forfeited property that is the subject of the proposed exchange is described as follows:

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

<u>Township-Range</u>	<u>Section</u>	
<u>Description</u>	<u>Acres</u>	
T53N-R15W. 1/4 40.0	25	SW 1/4-NW
T53N-R15W. 1/4 40.0	25	NE 1/4 -SW
T53N-R14W. 1/4 40.0	29	SE 1/4 - NW
T53N-R14W. 1/4 7.1	31	N 1/2 - NE
		(S.of Boulder Dam Rd.)
T52N-R15W. 1/4 40.0	10	NW 1/4-NE
T52N-R15W. 1/4 <u>80.0</u>	10	E 1/2 - SW

247.1 Acres

2. The parcel of private land is the subject of the proposed exchange is described as follows:

<u>Township-Range</u>	<u>Section</u>	
<u>Description</u>	<u>Acres</u>	
T53N-R14W. Lot 1 20.0	14	S 1/2 Gov't
T53N-R14W. 1/4 40.0	14	NW 1/4-NE
T53N-R14W 1/4 40.0	14	SE 1/4 - NE
T53N-R14W 1/4 40.0	14	SE 1/4 - SE
T52N-R16W	23	Gov't Lot 4
	<u>28.75</u>	

(EastofDWP
tracks) 168.75 Acres

3. The Class B land proposed for exchange is classified for sale and lies within a zone district which allows all suitable uses of land as required by Minnesota Statutes,

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

207

Section 94.344, Subdivision 2.

4. The private land offered to the State of Minnesota to be held in trust in favor of the taxing districts and under the control of St. Louis County is suitable for land management purposes.

5. The St. Louis County Land Department has appraised the properties proposed for exchange. Said appraisals indicated that the parcel to be transferred from the State of Minnesota is valued at \$217,483, and the parcel to be transferred from the Minnesota Power and Light Company to the State of Minnesota is valued at \$239,985, resulting in a difference of \$22,502. Said appraisals are hereby accepted and adopted by the Board of Commissioners.

6. The Minnesota Power and Light Company has agreed to and has filed a waiver of payment for the difference in value of the properties in the amount of \$22,502, pursuant to Minnesota Statutes, Section 94.344, Subdivision 5.

7. That the County Auditor has posted notice of hearing in the County Auditor's Office on April 15, 1998, said notice containing a description of the lands affected and has caused a copy of such notice to be published in the official newspaper of St. Louis County at least two weeks prior to May 5, 1998, the date of the hearing.

8. That the appraisal reports prepared by the St. Louis County Land Department have been reviewed and approved by the Regional Department of Natural Resources Forester.

9. The lands acquired by the St. Louis County Land Department would consolidate the County managed land base and would result in more efficient

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

208

management of the forest resources for the benefit of the taxpayers of St. Louis County.

10. The lands received by the Minnesota Power and Light Company in this exchange would further consolidate their ownership and improve their management options.

11. That the land offered to the State of Minnesota by the Minnesota Power and Light Company is more suitable for land management purposes than the lands presently held.

12. The St. Louis County Board of Commissioners hereby approves and recommends the proposed exchange.

RESOLVED FURTHER, that the County Auditor is directed to submit this proposal for exchange of the above-described parcels of land to the Commissioner of Revenue as required by Minnesota Statutes, Section 94.344, Subdivision 10.

Unanimously adopted. May 5, 1998. No. 365

BY COMMISSIONER PREBICH:

WHEREAS, Britt Country Store & Lounge, Inc., d/b/a Britt Country Store & Lounge, Inc., Unorganized Area 60-18, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on May 5, 1998, at or about 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating

liquor license; and

WHEREAS, with regard to the application for said license Britt Country Store & Lounge, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License

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

209

(License Number L9896) shall be issued to Britt Country Store & Lounge, Inc., d/b/a Britt Country Store & Lounge, Inc., Unorganized Area 60-18;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 1998;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. May 5, 1998. No. 366

BY COMMISSIONER KRUEGER:

WHEREAS, tax-forfeited land is held in trust by St. Louis County for the enjoyment of its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby acknowledge Dr. Will Sandstrom's ability to enter onto tax-forfeited land as a citizen.

Unanimously adopted. May 5, 1998. No. 367

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board will convene a public hearing on Tuesday, June 9, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota, to consider the adoption of amendment to St. Louis County Ordinance

No. 41 "Primary Structure Address Ordinance 9-1-1 Rural Addressing & Signage" which deals with the type of addressing signage used.

Unanimously adopted. May 5, 1998. No. 368

BY COMMISSIONER KRON:

WHEREAS, increasingly the County is facing the need to find proper disposition for used computer components which are considered obsolete, surplus, or unusable for County activities; and

WHEREAS, in many instances it costs the County more in staff resources and related costs to assemble those computer components for sale than will be generated by the proceeds of the sale; and WHEREAS, there are environmental considerations which promote the reuse and recycling of used computer components over the land disposal of those components; and

WHEREAS, there are public corporations in Minnesota which will accept used computer components for upgrading and use for public purposes; and

WHEREAS, it is the County Board's priority that the upgraded computer components to be used for public purpose be distributed within St. Louis County; and WHEREAS, Minnesota state law allows counties to transfer their personal property for a nominal fee or without consideration to another public corporation for public use when duly authorized by the county's governing body;

NOW, THEREFORE, BE IT RESOLVED,

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

210

that the St. Louis County Board of Commissioners authorizes all County departments to transfer their obsolete, surplus, and unusable computer components to the Management Information Systems Department and authorizes that department to donate those computer components to approved end users consistent with Minnesota Statutes 471.85.

Unanimously adopted. May 5, 1998. No. 369

BY COMMISSIONER PREBICH:

WHEREAS, the St. Louis County Public Works Department plans to reconstruct a segment of County State Aid Highway 4 (S.A.P. 69-604-53, C.P. 9195) from C-SAH 111 to a point two miles south of the City of Biwabik; and

WHEREAS, the improvement consists of reconstructing and widening as determined necessary to provide for the safety of the traveling public; and

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

WHEREAS, appraisals are required prior to obtaining right of way easements;

NOW, THEREFORE, BE IT RESOLVED, that the Public Works Department is hereby authorized to contract with Anderson Appraisals, Virginia, for appraisal reports on sixty parcels at a cost of \$15,000, in conjunction with the reconstruction of C-SAH No. 4 from C.R. 525 to a point two miles south of the City of Biwabik; payable from Fund 2, Agency

A11, Org. 0008, Object 299.

Unanimously adopted. May 5, 1998. No. 370

At 10:25 A.M. on Tuesday, May 5, 1998, upon motion of Commissioner Krueger, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE BOARD OF
COUNTY COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD ON MAY 12,
1998**

The Board of County Commissioners of

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

211

The County of St. Louis, Minnesota, met this 12th day of May, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address items not on the agenda for this meeting; there were none.

Chair Commissioner Forsman noted an award certificate recently given to the County Board from the Action Through Churches Together for their recent action in controlling youth access to tobacco by adopting Ordinance No. 51.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-288 regarding repurchase of tax forfeited land.-57182

St. Louis County Historical Society submitting quarterly financial reports, agendas, and minutes for various societies within St. Louis County during the year 1998.--57183

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Center for Independent Living of Northeastern Minnesota, Inc.--98-417

Agreement for Nursing Personnel between the County of St. Louis, through its Department of Public Health and Long Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home, and Interim Healthcare of Lake Superior.--98-418

Minnesota Healthy Communities Program Agreement Amendment No. 2 between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--98-419

Day Training and Habilitation Application for Need Determination of Services to Persons with Mental Retardation or Related Conditions for West End DT & H.--98-420ss

Addendum to Purchase Agreement (MA MR/RC Waiver) between St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Waiver DT&H Programs)--98-421ss

Miscellaneous Lease No. 144-015-0164 between the State of Minnesota, through its Commissioner of Natural Resources, and St. Louis County for use of existing tool shed and storage yard.--98-422

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

212

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Debra Baudeck.--98-423ss

Transportation Agreement between UCare Minnesota and St. Louis County Board of Commissioners, through the Social Service Department, for PMAP members.--98-424ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Range Shelter).--98-425ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee (Fond du Lac Youth Group Home).--98-426ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Spirit Lake Group Home).--98-427ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC).--98-428ss

Grant Agreement between the St. Louis County Board of Commissioners and Chicagami Children's Development.--98-429ss

Contract for Services between St. Louis County and The Northspan Group, Inc.--98-430

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 371 through 391, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 21, 1998, are hereby approved.
Adopted May 12, 1998. No. 371

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - Fred Ambli, \$482.48; Timothy Anderson, \$1,568.54; Pamela Barbour, \$1,291.22; Glen Barry, \$212.46; Jody Bellefeuille, \$581.28; Nicole Boder, \$780.78; Gregory Bohlman, \$606.70; Andy Borg, \$588.14; Kevin Brouse, \$452.82; Gerald Chilcott, \$911.42; Al Cismowski, \$527.46; City of Buhl, \$142.44; Elizabeth Clark, \$605.20; Linda

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

213

Cloyd, \$349.24; Michael Colclough, \$346.58; James Craven, \$104.36; John Davich, \$183.36; Thomas Day, \$1,425.66; Jason Dorgan, \$210.04; Duluth Ford LLC, \$7,367.44; Donald Durbin, \$1,151.18; Michele Elmore, \$508.10; Leon Elmquist, \$830.88; Charles Evancevich, \$525.54; Eveleth Expansion Co., \$103.78; Patrick Fanaselle, \$493.18; Thomas Ferrian, \$537.96; Robert Fisher, \$389.52; Richard Frey, \$454.30; Robert Ginn, \$59.52; James Good, \$1,144.40; Amy Gundy, \$267.32; David Hagberg, \$59.91; Roberta Hanson, \$783.86; Harold Heazlett, \$1,047.54; John Heid, \$509.58; Nadine Hoss, \$866.64; David Isaacson, \$933.46; Forrest Johnson, \$542.56; James Johnson, \$871.62; Gary Juola, \$652.32; Clayton Keller, \$810.00; Jeff Kerntz, \$642.56; James Keuten, \$307.40; Wanda Kezar, \$991.88; Jamie Kilgore, \$1,111.44; Peter Knezovich, \$302.64; Edward Kopic, \$1,652.68; Robin Korcha, \$1,224.92; Michael Koskela, \$1,032.46; Todd Kosta, \$298.84; Robin Lagerquist, \$387.06; Brady Landstrom, \$517.00; Christopher Langlee, \$874.18; Linda Lord, \$303.42; Jason Malmstrom, \$826.84; Robert Martire, \$31.84; Darren Mattila, \$393.78; Jonathan Mercier, \$439.38; Russel Montgomery, \$150.56; Jay Murphy, \$247.62; John Nachtsheim, \$425.94; Alfred Norcia, \$84.74; Northwoods Childrens, \$746.50; Candice Peterson, \$129.94; Dennin Peterson, \$395.96; Donald Peterson, \$148.68; T. Petrangelo-Hansen, \$736.74; Patricia Ralidah, \$130.28; Beberg Ramon, \$2,699.36; Range Mental Health, \$1,981.34; Forrest

Richardson, \$376.92; Ian Rosebush, \$479.78; Donald Sater, \$134.66; Elizabeth Scofield, \$822.40; Dennis Shermer, \$40.34; James R. Shuster, \$731.84; Eric Simonson, \$635.58; Arlene Smith, \$1,033.80; Gordon Stallcop, \$94.72; State of MN, \$658.50; Robert Swanson, \$833.84; Kimberly Tharaldson, \$1,162.26; Jill Tyacke, \$1,516.26; Timothy Vedder, \$942.90; Mark Weber, \$1,215.34; Sheila Wuori, \$463.98.

Personal Property - Thomas Mighell, \$18.60; Roger Toutloff, Jr., \$213.08.
Adopted May 12, 1998. No. 372

RESOLVED, that the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue a license as follows:

Susan Piontek-Kopic, d/b/a Piontek's Minnows-N-Munchies, Fine Lakes Township, Tobacco Products License No. T98136.
Adopted May 12, 1998. No. 373

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as

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

214

County Board File No. 57163;
FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 1999:

Rodney Gillson, d/b/a Life of Riley Resort, Unorganized Area 63-17, Off-Sale 3.2 Percent Malt Liquor License No. B9933. Adopted May 12, 1998. No. 374

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the application for intoxicating liquor licenses is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees

to the licenseholder;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, Combination On/Off-Sale Intoxicating Liquor License No. L9926 and Sunday On-Sale Intoxicating Liquor License No. LS9926.

Adopted May 12, 1998. No. 375

RESOLVED, that the St. Louis County Board of Commissioners authorizes a Purchase of Service Contract with Northern Healthcare Associates, d/b/a Pride Institute, 14400 Martin Drive, Eden Prairie, Minnesota 55344, for the provision of outpatient chemical dependency treatment services at 205 West Second Street, Duluth, Minnesota, at a rate of \$20.00 per hour effective from April 27, 1998, to December 31, 1998.

Budget Reference:

Fund 04 Social Services

Agency SSV Social Service

Organization 2700 CD Services - Duluth & 6700 Adult Services - North

Expenditure 3590 Consolidated Chemical Dependency Treatment Fund

Revenue 0020 Local Taxes

Adopted May 12, 1998. No. 376

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

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

215

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law on Tuesday, June 9, 1998, at 10:00 A.M. at the Duluth Entertainment and Convention Center (DECC) in Duluth, Minnesota. Adopted May 12, 1998. No. 377

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57182, is approved.

Adopted May 12, 1998. No. 378

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

Plat of McKinley, Lots 1 and 5, Block 13, and Lots 8, 9, 10 & 11, Block 16;

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as

non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted May 12, 1998. No. 379

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

City of McKinley, SE 1/4 of NE 1/4, except railroad right-of-way, 28 acres of surface Corsica Mine, Section 18, Township 58, Range 16;

WHEREAS, said parcel of land has been viewed by the County Board of

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

216

Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted May 12, 1998. No. 380

RESOLVED, that the Purchasing Agent is hereby authorized to purchase from Doyle, Inc., of Rogers, Minnesota, in accordance with the specifications of Bid No. 3751, one (1) Remax Model 4000 Asphalt Reclaimer at their specification bid price of \$85,521.00, plus the 6.5 percent Minnesota sales tax of \$5,558.87, for a total of \$91,079.87, pay-able from: Fund 02 (Public Works), Agency F14 (Equipment and Maintenance Shops), Object 559 (Other Equipment Purchases).
Adopted May 12, 1998. No. 381

RESOLVED, that the Purchasing Agent is

hereby authorized to execute a contract with Van Waters & Rogers, Inc., of St. Paul, MN, in accordance with the plans and specifications of Bid No. 3760, to furnish and apply 300,000 gallons of 38 percent Liquid Calcium Chloride, at their low specification bid of \$72,900, which includes approximately \$2,100 of state sales tax based on 45 percent of the total cost being taxable materials from Fund 02 (Public Works), Agency A12 (Road Maintenance), Object 517 (Road Chemicals).

Adopted May 12, 1998. No. 382

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the City of Babbitt for the exchange of maintenance on County Roads 698 and 593 and Township Roads 6301, 6302, 6303, 6304, and 6305 all in the City of Babbitt. This agreement may be reviewed by the City of Babbitt or by St. Louis County at any time and is subject to cancellation by either party.

RESOLVED FURTHER, that the Chairperson of the County Board, the County Auditor, County Highway Engineer, and the County Attorney are hereby authorized to execute said agreement and thereby assume for and on behalf of the County all of the contractual obligations contained therein.

Adopted May 12, 1998. No. 383

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves a Premises Permit

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

217

application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Gnesen Community Center to operate out of Sportsmens Inn, Gnesen Township, renewal.

Adopted May 12, 1998. No. 384

RESOLVED, that the St. Louis County Board hereby authorizes the execution of a contract by the Chair of the County Board and the County Auditor for the provision of fiscal services to the Carlton-Cook-Lake-St. Louis County Community Health Board for a total revenue of \$5,500 for the year 1998.

RESOLVED FURTHER, that said payment shall be credited to Fund 01 (General Fund), Agency 051 (Auditor), Revenue Source 2000.

Adopted May 12, 1998. No. 385

WHEREAS, the Northeast Minnesota Office of Job Training and the City of Duluth have requested the placement of youth at work sites in various departments of St. Louis County during the calendar year of 1998;

BE IT RESOLVED, that the St. Louis County Board hereby authorizes the placement of participants in the New Futures Employment Program sponsored by Northeast Minnesota Office of Job Training and the City of Duluth during 1998;

BE IT FURTHER RESOLVED, that the St. Louis County Civil Service/Personnel

Department is hereby authorized to review and maintain all New Futures Employment Program Agreements between the County and Northeast Minnesota Office of Job Training and/or the City of Duluth for 1998;

BE IT FURTHER RESOLVED, that the Department Heads are hereby authorized to sign work site agreements with Northeast Minnesota Office of Job Training and the City of Duluth for the placement of youth during 1998 in their respective departments;

BE IT FURTHER RESOLVED, that the County will only be responsible for providing work site supervision and safety equipment, and that the New Futures placements will not replace permanent County positions.

BE IT FURTHER RESOLVED, that in accordance with Minnesota Statutes, Section 144.057 (1995), placements at the County skilled nursing facilities will be required to have a criminal background check completed. Any minor participants having their background investigated will need to have their parent or guardian sign a release form authorizing the check.

Adopted May 12, 1998. No. 386

WHEREAS, the Arrowhead Economic Opportunity Agency (AEOA) and the City of Duluth have requested the placement of youth at work sites in various departments of St. Louis County during the summer months of 1998;

BE IT RESOLVED, that the St. Louis County Board hereby authorizes the placement of participants in the Summer

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

218

Youth Employment Program sponsored by AEOA and the City of Duluth during 1998; BE IT FURTHER RESOLVED, that the St. Louis County Civil Service/Personnel Department is hereby authorized to review and maintain all Summer Youth Employment Program Agreements between the County and AEOA and/or the City of Duluth for 1998;

BE IT FURTHER RESOLVED, that the Department Heads are hereby authorized to sign work site agreements with AEOA and the City of Duluth for the placement of youth during 1998 in their respective departments;

BE IT FURTHER RESOLVED, that the County will only be responsible for providing work site supervision and safety equipment, and that the summer youth placements will not replace permanent County positions.

Adopted May 12, 1998. No. 387

RESOLVED, that the County Sheriff and Chair of the St. Louis County Board are hereby authorized to execute an agreement on behalf of St. Louis County with A.F.S.C.M.E., Local 1934, to establish twelve (12) hour Correctional Officer shift schedules for the Iron Range lockup facilities.

Adopted May 12, 1998. No. 388

RESOLVED, the County Board authorizes the acceptance of the Boat and Water Safety Grant in the amount of \$81,177 and the Supplemental Boating Enforcement Grant in the amount of \$10,000 from the State of Minnesota, payable to the General Fund 01, Boat and

Water Safety Department 092.

RESOLVED FURTHER, the Chair of the Board, the Auditor, and the Sheriff are authorized to sign the grant agreements.

Adopted May 12, 1998. No. 389

WHEREAS, the County Board approved Resolution 1984-809 establishing conditions under which it would appropriate monies to the St. Louis County Historical Society for its use and redistribution to its recognized affiliates to promote historical society work with St. Louis County; and

WHEREAS, Section 4 of the resolution required the Historical Society to amend its bylaws to provide that in respect to affiliate membership that such affiliates in addition to other criteria shall as described in Section 4.A.1 of the resolution:

“Keep such financial records and statements as required by the Historical Society in order to keep uniform financial recordkeeping. All financial information shall be audited annually and shall be available for review to the Board of Governors or its director at any time upon request.”

WHEREAS, the annual audit requirement cited above can be quite costly relative to the amount of funding for many of the affiliates;

NOW, THEREFORE, BE IT RESOLVED, that Section 4.A.1 of Resolution 1984-809 is hereby amended as follows:

1. Keep such financial records and statements as necessary and as determined

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

219

by the Historical Society to provide for uniform financial records;

2. To annually prepare a financial statement following Historical Society and generally accepted accounting practice standards;

3. To provide for an Audit of such records and Statements by a Certified Public Accountant or Licensed Public Accountant no less often than every three (3) years;

4. Provide all financial records and statements shall at all times be available for review by the Board of Governors or its Directors.

RESOLVED FURTHER, the Historical Society may establish other changes to its bylaws or procedures that would require affiliates to submit to additional full or limited audits under special circumstances deemed necessary by the Board of Governors.

Adopted May 12, 1998. No. 390

RESOLVED, that the County Sheriff, County Auditor, and Chair of the St. Louis County Board are hereby authorized to execute an agreement on behalf of St. Louis County with Deluxe Cafe in Eveleth and Mary's Cafe in Hibbing to provide delivered food service to the Virginia and Hibbing Lockups. The contract fees shall be payable from Fund 01, Agency 101.

Adopted May 12, 1998. No. 391

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

BY COMMISSIONER PREBICH:

WHEREAS, pursuant to M.S.A. 270.31 to 270.39, the "Minnesota Tree Growth Tax Law", it is required that the County Board set equitable stumpage prices in each even year to the decade; and

WHEREAS, the below prices have been derived from transactional sales of state timber in the county and/or DNR Base Stumpage Prices as adjusted by the most recent county forest survey report; and

WHEREAS, the below prices have been certified by the Department of Natural Resources;

NOW, THEREFORE, BE IT RESOLVED, that the following rates be approved and be used to determine the annual per acre tax rate for lands taxed under the Minnesota Tree Growth Tax Law for 1999 and 2000; and

RESOLVED FURTHER, that these stumpage prices and tax rates be recorded with the County Recorder and be made available to interested parties.

MINNESOTA TREE GROWTH TAX RATE
for ST. LOUIS County M.S.A. 270.31 to 270.39

For tax payable in 1999 and 2000
Based on timber sales from 1996 through

1997

FOREST TYPE Growth Stumpage
Value Tax
 Rate in Rate per
Annual Per
 Cords * Cord **
Growth Acre

1.	Spruce Fir	0.28	\$13.14
	\$3.03	\$0.91	
2.	Swamp Spruce	0.16	\$21.46

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

221

	\$2.89	\$0.87	
3.	Other Swamp	0.17	\$13.37
	\$1.67	\$0.50	
	Conifers		
4.	Jack Pine	0.25	\$36.75
	\$6.28	\$1.88	
5.	Norway-White	0.66	\$51.74
	\$32.32	\$9.70	
	Pine		
6.	Aspen-Birch	0.37	\$13.73
	\$5.41	\$1.62	
7.	Upland Hdwds	0.31	\$5.33
	\$1.53	\$0.46	
8.	Lowland Hdwds	0.24	\$8.59
	\$4.24	\$1.27	
9.	Stagnant	10 Trees @ .10 cents	
	\$1.00	\$0.30	
	Spruce Swamp		
10.	Temp.		
		\$.05-.15	
	Non-Prod.		
11.	Perm		
		\$0.05	
	Non-Prod.		

 * Growth rate using 1990 USFS North Central Forest Experiment Station and MN DNR-Forestry Survey data.
 **Stumpage Rate is average price per cord as determined by either actual prices for species with sales exceeding 500 cords or by DNR Based Stumpage Prices.
 Unanimously adopted. May 12, 1998. No. 392

BY COMMISSIONER KRON:
 WHEREAS, the City of Ely has requested a variance from the State Fire Marshall for the installation of two 12,000 gallon above ground fuel tanks at the Ely Airport; and

WHEREAS, according the Minnesota Statutes 299F.011, Subd. 5b, "no appeal for a variance to the state fire marshall shall be accepted until the applicant has first made application to the local governing body and the local unit has

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

222

acted on the application"; and
WHEREAS, the Ely Airport is located outside the Ely city limits, making the County Board the appropriate local governing body; and
WHEREAS, the local governing body may endorse the variance, deny or modify the variance, or defer the matter to the State Fire Marshall.
NOW, BE IT RESOLVED, the St. Louis County Board of Commissioners defers the matter to the State Fire Marshall.
Unanimously adopted. May 12, 1998.
No. 393

At 9:45 A.M. on Tuesday, May 12, 1998, upon motion of Commissioner Krueger, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, 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**

223

**B O A R D O F C O U N T Y
COMMISSIONERS OF THE COUNTY
OF ST. LOUIS, MINNESOTA, HELD
ON**

MAY 19, 1998

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 19th day of May, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons in attendance who wished to address issues not on the agenda for this meeting; there were none.

On motion of Commissioner Sweeney, supported by Commissioner Raukar, the rules were suspended to consider awarding the bid for S.A.P. 69-630-02, being Seventh Avenue in the City of Floodwood; seven yeas - zero nays. Richard Hansen, Public Works Director, presented information on this proposal, noting that it is a joint project with the City of Floodwood and includes infrastructure work also. Part of the funding will be State Municipal Aid Funds which come to the County and part will be funded by the City of Floodwood. He also noted that they are removing some electrical systems and waterproof planters from the project to reduce cost. Commissioner Raukar,

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE**

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

224

supported by Commissioner Prebich, moved award of the project; discussion continued. Following discussion, which included how and why the County is providing funding for the project, Commissioner Krueger, supported by Commissioner Fink, moved to table this issue to 11:30 A.M. this date to allow for further information to be presented; failed on a vote of two yeas - five nays being Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman. Resolution No. 413 was then adopted awarding the bid.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-310 regarding repurchase of tax forfeited land.--57184

Scott C. Neff, The Trenti Law Firm, submitting Notice and Petition in the matter of Brian and Bonnie Dancer to vacate certain roads and alleys in the Plat of Sunsand Beach.--57185

Dianne R. Olson, Paralegal, Clure, Eaton & Butler, submitting Summons and Complaint in the matter of Oscar John Abrahamson versus the County of St. Louis.--57186

Agreement for Nursing Personnel between the County of St. Louis, through its Department of Public Health and Long

Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home, and Quality Medical Services, Inc.--98-431

Project Contract for Tree Planting between the County of St. Louis and Express Forestry, Inc.--98-432

Agreement for the Installation of Full Depth Concrete Crossing Surface Material/Relocate Active Warning Devices on the Burlington Northern and Santa Fe Railway Company on C-SAH 30.--98-433

Agreement between the City of Buhl and the County of St. Louis for the construction of C-SAH 125, Forest Street and Culver Avenue, S.A.P. 69-725-05.--98-434

Agreement for Engineering Services between the County of St. Louis and American Engineering Testing, Inc., Braun Intertec Corporation, STS Consultants, Ltd., and Twin Ports Testing, Inc.--98-435

Agreement between the City of Floodwood and the County of St. Louis for the reconstruction of C-SAH 30 (Seventh Avenue).--98-436

Agreement between the State of Minnesota, acting by and through the Commissioner of the Department of Natural Resources, and the County of St. Louis for the reconstruction of the public access to Fish Lake on County Road 285.--98-437

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

225

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Hoyt Lakes.--98-438

Grant Agreement between the St. Louis County Board of Commissioners and Parkside Homes, Incorporated.--98-439ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training.--98-440ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency.--98-441ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between St. Louis County Board of Commissioners and Arrowhead Center, Inc.--98-442ss

Grant Agreement between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency.--98-443ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Cerebral Palsy of Northeastern Minnesota.--98-444ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Northwoods Children's

Home.--98-445ss

Grant Agreement between St. Louis County Board of Commissioners and Kiddy Karousel Day Care Center.--98-446ss

Upon motion of Commissioner Kron, supported by Commissioner Krueger, Resolutions No. 394 through 411, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 28, 1998, are hereby approved. Adopted May 19, 1998. No. 394

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 19 (totaling \$599,647.25), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports. Adopted May 19, 1998. No. 395

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 19, 1998, on file in the office of the

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

226

County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted May 19, 1998. No. 396

RESOLVED, that the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Gruben's Marina, Inc., d/b/a Gruben's Marina, Greenwood Township, Tobacco Products License No. T98137;

Lori Sanborn, d/b/a Handberg's Marine, Unorganized Area 67-17, Tobacco Products License No. T98138;

Kendallberry's, Inc., d/b/a Kountry Krossroads, Pike Township, Tobacco Products License No. T98139;

Ronald Martin, d/b/a Moosebirds, Beatty Township, Tobacco Products License No. T98140;

Vermilion Fairways, Inc., d/b/a Vermilion Fairways, Inc., Beatty Township, Tobacco Products License No. T98141.

Adopted May 19, 1998. No. 397

RESOLVED, that the Board authorizes a Purchase of Service Contract with Ms. Mary Jo Gaskins, M.S.W., 4757 Colfax Avenue South, Minneapolis, Minnesota 55409, for the provision of Rule 36

Facility Assessment services at a service cost of \$6,492, effective May 19, 1998.

Budget Reference:

Fund 04 Social Services

Agency SSV Social Service

Organization 6730 MLRTC Flex Funds North

Object 4580 DHS Pilot Project

Revenue Source 9599 State Other

Adopted May 19, 1998. No. 398

RESOLVED, that the Board authorizes the Social Service Department to accept an additional \$12,400 in grant funding from the Federal Corporation for National Service for implementation of a senior volunteer tutorial program through the Duluth Area RSVP Program.

RESOLVED FURTHER, that budgeted funds in Fund 04, Agency SSV, Organization RSVP, be increased by \$12,400.

Adopted May 19, 1998. No. 399

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Social Service Department to apply for and accept a grant from the Arrowhead Regional Development Commission's Area Agency on Aging for \$2,754 to purchase two home delivered meal program data collection computer software programs and two data scanners. An appropriation of \$2,754 is to be made to: Fund 04 (Social Services), Agency SSV (Social Service), Organization 2300 (Title III Home Delivered Meals). A match of \$486 (15%) is required from local funds. Match will be allocated from expense budget Fund 04 (Social Services), Agency SSV (Social Service), Organization 2300

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

227

(Title III Home Delivered Meals), Object 429 (Other General Operating Supplies).

Budget Reference:

Fund 04 Social Services

Agency SSV Social Service

Organization 2300 Title III Home Delivered Meals

Object 429 Other General Operating Supplies

Revenue Source 9106 Federal/Title III & 9318 State Grant

Adopted May 19, 1998. No. 400

RESOLVED, that the St. Louis County Board authorizes the St. Louis County Social Service Department to accept the \$36,086.38 allocation from the Minnesota Department of Human Services to be used for payment of the non-federal share of Electronic Benefit Transfer-Related administrative expenses, and further, that this appropriation be attached to Fund 04, FIN 1110.

Adopted May 19, 1998. No. 401

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant an exclusive permanent easement for road right-of-way purposes to Robert Cresap, his heirs and assigns, 327 Freeman Road, Cloquet, MN 55720, on and across the following tax forfeited land:

A 66-foot permanent exclusive easement over and across that part of the SW 1/4 - NW 1/4 of Section 26, Township 50, Range 18, St. Louis County, MN, the

centerline described as follows:

Commencing at the west quarter corner of said Section 26; thence northerly, along the west line of said SW 1/4 - NW 1/4 a distance of 990.00 feet to the point of beginning of the centerline to be described; thence easterly, parallel with the south line of said SW 1/4 - NW 1/4, and there terminating;

for the consideration of \$460.00 land use fee, \$100.00 administration cost, \$6.00 publication fee, \$96.00 timber damage, and \$19.50 recording fee, for a total cost of \$681.50.

RESOLVED FURTHER, that said easement is permanent and subject to the terms and conditions of the easement agreement.

Adopted May 19, 1998. No. 402

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of

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

228

Minnesota Statute, Section 559.21.
Adopted May 19, 1998. No. 403

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57184, is approved.

Adopted May 19, 1998. No. 404

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves a Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

C.C. Riders Snowmobile Club to operate out of the Dawghouse Bar & Grill, Northland Township, new.

Adopted May 19, 1998. No. 405

WHEREAS, the Minnesota Scenic Byway Commission has established a state scenic byway program to designate routes within Minnesota as State Scenic Byways; and

WHEREAS, the Trunk Highway 23 Task Force submitted an application in August 1997 to designate Trunk Highway 23 or the Veterans' Evergreen Memorial Drive from I-35 to St. Louis River Bridge (St. Louis and Carlton County line) a state scenic byway; and

WHEREAS, the Minnesota Scenic Byway

Commission designated Veteran's Evergreen Memorial Drive as a state scenic byway in August 1997; and

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County supports extending the designation of Veterans' Evergreen Memorial Drive from the St. Louis River Bridge (currently the northern termini of the scenic byway) to the intersection of Trunk Highway 39 in Gary/New Duluth.

Adopted May 19, 1998. No. 406

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Property Management Director to continue to work with the South St. Louis County Fair Board in developing the plans and specifications for a dirt floored building at a cost not to exceed \$132,948.32. Once detailed plans have been bid, the final design and cost would be brought back to the County Board for final approval before contract award.

Adopted May 19, 1998. No. 407

RESOLVED, that the St. Louis County Board of Commissioners hereby approves the expenditure of \$2,500 as St. Louis County's share for the Joint Property Tax Study Group for the period of January 1, 1998, through June 30, 1998, payable from Fund 01, Agency 016, Object 299.

Adopted May 19, 1998. No. 408

RESOLVED, that pursuant to Minnesota Statutes 163.07, Richard H. Hansen is hereby appointed to a four-year term as St. Louis County Highway Engineer, said term commencing January 1, 1999.

Adopted May 19, 1998. No. 409

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

229

WHEREAS, the County requires the services of a consultant to assist with federal legislative and administrative matters; and

WHEREAS, Lockridge, Grindahl & Holstein has demonstrated professional expertise and knowledge of federal legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing legislative consultant services to St. Louis County during 1998. NOW, THEREFORE, BE IT RESOLVED, that the Chair of the Board and County Auditor are authorized to enter into an agreement with Lockridge, Grindahl & Holstein in 1998 for an amount not to exceed \$37,500.00.

RESOLVED FURTHER, that this agreement be funded through Intergovernmental Affairs Division (Fund 01, Agency 016, Object 299). Adopted May 19, 1998. No. 410

WHEREAS, the County requires the services of a consultant to assist with federal legislative and administrative matters concerning health and human services issues; and

WHEREAS, Craig & Associates has demonstrated professional expertise and knowledge of federal legislation and administrative activities in these issues; and

WHEREAS, the contractor desires and is capable of providing legislative consultant services on health and human services issues to St. Louis County during 1998. NOW, THEREFORE, BE IT RESOLVED,

that the Chair of the County Board and County Auditor are authorized to enter into an agreement with Craig Associates in 1998 for an amount not to exceed \$12,500.00.

RESOLVED FURTHER, that funding for this agreement will be funded through the Intergovernmental Affairs Division (Fund 01, Agency 016, Object 299).

Adopted May 19, 1998. No. 411

BY COMMISSIONER RAUKAR:

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

S.P. 69-596-01 (C.R. 955), MN Project STPF 6997 (134), located between C-SAH 101 East and C-SAH 101 West in Mountain Iron. Length: 0.480 km (0.3 mile). Construction to consist of Grading, Aggregate Base, Bituminous Surface, Pavement Markings and Turf Establishment;

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Kaye Tantarri, at a meeting at 10:00 A.M. on May 18, 1998, and the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

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

230

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby approves the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-596-01
Minn. Proj.
STPF 6997 (134)

CONTRACTOR

KGM Contractors, Inc.
P.O. Box 7
Angora, MN 55703

AMOUNT

\$114,254.22
Unanimously adopted. May 19, 1998.
No. 412

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 413 which was not on the agenda.

BY COMMISSIONER RAUKAR:

WHEREAS, bids have been received by the City of Floodwood for the following project:

S.A.P. 69-630-02 (C-SAH 30 or 7th Avenue in Floodwood). Located between U.S. 2 and S.T.H. 73 in Floodwood.

WHEREAS, said bids or proposals were duly opened in the Floodwood City Hall in the City of Floodwood at 2:00 P.M. on May 14, 1998, and this Board has, with

the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Casper Const., Inc.

ADDRESS

P.O. Box 480
Grand Rapids, MN 55744

AMOUNT

\$525,326.24

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the Bonds and Contracts with the Contractor for the above listed project. The above project to be funded from Fund 08A, Department 525, Object 527, State Aid Funds.

Yeas - Commissioners Fink, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 6

Nays - Commissioner Krueger - 1
Adopted May 19, 1998. **No. 413**

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

196

At 9:55 A.M. on Tuesday, May 19, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
MAY 26, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of May, 1998, at 9:35 A.M. in the City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

At 9:40 A.M. in the forenoon of Tuesday, May 26, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, moved to recess until 10:30 A.M. on May 26, 1998, in the City Council Chambers, City Hall, Hibbing, Minnesota. During this recess the Commissioners convened and met as the Committee of the Whole.

The Board reconvened at 10:33 A.M. on Tuesday, May 26, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Commissioner Sweeney, supported by Commissioner Kron, moved to adopt all those items from this day's Committee of the Whole meeting that were adopted unanimously, as a second Consent Agenda

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

197

for this meeting; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-332 regarding sale - nonconforming tax forfeited land.--57187

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-333 regarding Classification of December 1, 1997, Forfeitures (City of Duluth) - Non-Conservation.--57188

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-334 regarding Classification of December 1, 1997, Forfeitures (City of Duluth) - Conservation.--57189

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-335 regarding Classification of December 1, 1997, Forfeitures (outside City of Duluth).--57190

Julie Brunner, County Administrator, and Vernon D. Swanum, Assistant County Attorney, submitting Board Letter No. 98-340 regarding Cartway Petitions of John Zupetz, Dean R. Olson & Margaret B. Olson and Robert N. Kocks.--57191

Alborn Township Financial Report for 1997.--57192

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and NHS - Ivy.--98-447ss

Minnesota Trail Assistance Program Agreement between St. Louis County and Laurentian Trail, Iron Ore & Vermilion Access, Taconite & Stony Spur, Wolf Track/Bearskin, Pelican Lake/Voyageur Orr, Voyageur Crane Lake, Side Lake Spur, and Pequaywan-Hoyt Lakes (East Range).--98-448

Minnesota Trail Assistance Program Agreement between St. Louis County and Pequaywan-Hoyt Lakes, Reservoir Lakes, and Lake Williams Trail.--98-449

Minnesota Trail Assistance Program Agreement between St. Louis County and Kabetogama.--98-450

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Chisholm.--98-451

Labor Negotiation Services Agreement for 1998 between St. Louis County and Steven C. Fecker.--98-452

Upon motion of Commissioner Prebich, supported by Commissioner Raukar,

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

198

Resolutions No. 414 through 425, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 5, 1998, are hereby approved.

Adopted May 26, 1998. No. 414

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 12, 1998, are hereby approved.

Adopted May 26, 1998. No. 415

RESOLVED, that the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Curtis Mortenson, d/b/a Cherry Corner Store, Cherry Township, Tobacco Products License No. T98142;

F & D, Inc., d/b/a Lakeview Castle, Duluth Township, Tobacco Products License No. T98143;

Stoneybrook Saloon, Inc., d/b/a Stoneybrook Saloon, Inc., City of Brookston, Tobacco Products License No. T98144;

Twig Mercantile, Inc., d/b/a Twig Mercantile, Inc., Grand Lake Township,

Tobacco Products License No. T98145. Adopted May 26, 1998. No. 416

RESOLVED, that the County Board authorizes the St. Louis County Social Service Department to accept grant funding for a half-time Social Worker for the GAP Project, not to exceed \$9,000; and

RESOLVED FURTHER, that the County Board authorizes the Social Service Department to participate in the in-kind contribution for supervision of the Social Worker and for project management for GAP for the period of April 1, 1998, through June 30, 1998.

Budget Reference:

The revenue and expenditures for this grant are budgeted in Fund 04, Agency FIN, Org. 1301; Revenue Code 5999. A match of in-kind services valued at \$4,800 shall consist of already budgeted items. This match is included in the expense budget of Fund 04, Agency FIN, Org. 1301. The grantee agency will advise the County Auditor's Accounting Division in order to determine the way in which these expenditures can be identified as grant match.

Adopted May 26, 1998. No. 417

WHEREAS, St. Louis County provides demolition material disposal opportunities to its residents at its solid waste facilities; and

WHEREAS, the demolition material collected at the Cook and Hudson Transfer Stations, and at the Soudan, County 77, and Portage canister sites must be transported to the Hibbing Demolition

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

199

Landfill; and

WHEREAS, this demolition material haulage service is currently provided under the terms of an Agreement with Zenith/Kremer Waste Systems, Inc., through June 30, 1998; and

WHEREAS, this Agreement has a provision for a one-year extension through June 30, 1999, under the present terms; and

WHEREAS, Zenith/Kremer Waste Systems has performed this service effectively during the past year; and

WHEREAS, it is in the best interest of the County to extend this Agreement for one year;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Purchasing Agent is authorized to extend the existing Demolition Materials Haulage Service Agreement for one year at an estimated cost of \$23,160.00 payable from Fund 26, J-37 Demolition Fill.

Adopted May 26, 1998. No. 418

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Public Works Department be authorized to establish a "NO PARKING" zone as follows:

County State Aid Highway No. 43 (Emerson Road) be restricted to "NO PARKING ANYTIME" from approximately 300 feet west of the intersection with the Church Road to approximately 650 feet east of the intersection with the Church Road.

Adopted May 26, 1998. No. 419

RESOLVED, that a public hearing will be held at 9:35 A.M. on June 2, 1998, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, Grand Lake Township. Adopted May 26, 1998. No. 420

RESOLVED, that a public hearing will be held at 9:40 A.M. on June 2, 1998, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township.

Adopted May 26, 1998. No. 421

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves a Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Duluth Softball Players Association to conduct bingo on Wednesdays, Thursdays, and Sundays from 6:00 P.M. to 10:00 P.M. at the Dry Dock Bar, Midway Township.

Adopted May 26, 1998. No. 422

WHEREAS, since 1936, St. Louis County

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

200

and the City of Duluth have been maintaining highways and streets within the City of Duluth within each other's jurisdiction as road authorities; and

WHEREAS, St. Louis County's responsibility has become disproportionate and the County is desirous of equalizing this maintenance and formalizing the agreement between the City and County by entering into a written agreement for future maintenance.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Highway Engineer is directed to enter into discussions with the City of Duluth Public Works Department for purposes of equalizing responsibilities and reaching an agreement with the City of Duluth identifying the mileage, costs, and scope of maintenance to be provided by the respective parties; and

RESOLVED FURTHER, it is intended that the 1999 budget proposal of the St. Louis County Public Works Department shall reflect the terms, costs, and benefits of the joint maintenance agreement.

Adopted May 26, 1998. No. 423

WHEREAS, it is in the public interest that mediation skills training for key staff of service providing agencies be provided, which can reduce public costs in services to the homeless; and

WHEREAS, the Northland Foundation has offered to provide to the County \$2,120 to match State Family Homeless Prevention Assistant grant funds to cover the full cost of said mediation skills training.

NOW, THEREFORE, BE IT RESOLVED,

that the St. Louis County Board of Commissioners accepts the above-referenced Northland Foundation award and authorizes the Planning Director to execute documents necessary for receipt of such an award; and

RESOLVED FURTHER, that said award be appropriated to Fund 01-019-FPA2.

Adopted May 26, 1998. No. 424

WHEREAS, the 1998-2002 Capital Improvement Plan includes \$300,000 in 1998 for the St. Louis County Sheriff's Office Volunteer Rescue Squad building.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff's Office and the Property Management Department to pursue the concept of a Rescue Squad building at various discussed sites through phase one schematic design and the funds utilized to complete this initial effort shall be assigned to this project for potential reimbursement.

Adopted May 26, 1998. No. 425

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 426 which was not on the agenda.

BY COMMISSIONER RAUKAR:

WHEREAS, the I.R.R.R.B. has awarded the Hibbing V.F.W. Post No. 8510, \$95,000 as a partial funding request of a total requested \$220,000; and

WHEREAS, I.R.R.R.B. Commissioner Gustafson has asked that as part of the further documentation necessary to

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

201

receive the grant and begin construction, an affirmation by the various public bodies to the importance of this project; and WHEREAS, the Hibbing City Council is on record in support of the Hibbing V.F.W. Post No. 8510 Community Center expansion project; and

WHEREAS, the Hibbing V.F.W. Post No. 8510 is working with various community resources (i.e. the City of Hibbing, Hibbing Area Chamber of Commerce, as well as a number of hotel, motel, and tourism industry representatives) to plan and implement a long term marketing strategy.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board gives its strong support of the project, and asks that the Commissioner release funds as quickly as possible to allow the project to begin construction plans. The Board further requests any assistance that the I.R.R.R.B. might provide on the award of the balance of the funding contained in the original grant application.

Unanimously adopted. May 26, 1998.
No. 426

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 427 through 436, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted.

BY COMMISSIONER SWEENEY:

WHEREAS, land which cannot be improved because of non-compliance with

local ordinances regarding minimum area, shape, frontage, or access may be sold by the County Auditor, pursuant to Minnesota Statutes 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to sell tax forfeited land, as on file in County Board File No. 57187, at a non-public sale limited to the adjacent property owners.

Adopted May 26, 1998. No. 427

WHEREAS, all parcels described in County Board File No. 57188 forfeited to the State of Minnesota on December 1, 1997, 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 or reclassified as "Conservation" or "Non-Conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified all parcels described in County Board File No. 57188, after considering, among other things, 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; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, the parcels described in

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

202

County Board File No. 57188 are located inside the boundaries of the City of Duluth, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification or reclassification and sale of the parcels, described in County Board File No. 57188, will be deemed approved if the County Board does not receive notice of the City of Duluth's disapproval of the classification or reclassification and sale of any parcels within 90 days of the date on which this resolution is delivered to the Clerk of the City of Duluth.

NOW, THEREFORE, BE IT RESOLVED, that certain tax forfeited parcels be classified or reclassified as indicated in County Board File No. 57188 and that the request for approval of the classification or reclassification be transmitted by the Clerk of the County Board to the Clerk of the City of Duluth.

Adopted May 26, 1998. No. 428

WHEREAS, all parcels described in County Board File No. 57189 forfeited to the State of Minnesota on December 1, 1997, 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 or reclassified as "Conservation" or "Non-Conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified all parcels described in County Board File No. 57189, after considering, among other things, 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; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, the parcels described in County Board File No. 57189 are located inside the boundaries of the City of Duluth, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification or reclassification and sale of the parcels, described in County Board File No. 57189, will be deemed approved if the County Board does not receive notice of the City of Duluth's disapproval of the classification or reclassification and sale of any parcels within 90 days of the date on which this resolution is delivered to the Clerk of the City of Duluth.

NOW, THEREFORE, BE IT RESOLVED, that certain tax forfeited parcels be classified or reclassified as indicated in County Board File No. 57189 and that the request for approval of the classification or reclassification be transmitted by the Clerk of the County Board to the Clerk of the City of Duluth.

Adopted May 26, 1998. No. 429

WHEREAS, all parcels described in County

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

203

Board File No. 57190 forfeited to the State of Minnesota on December 1, 1997, 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 or reclassified as "Conservation" or "Non-Conservation" as required by Minnesota Statutes, Section 282.01, Subdivision 1; and

WHEREAS, the County Board has classified all parcels described in County Board File No. 57190, after considering, among other things, 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; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, the parcels described in County Board File No. 57190 are located outside the boundaries of the City of Duluth, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality must be approved by the governing body of the municipality; and

WHEREAS, classification or reclassification and sale of the parcels, described in County Board File No. 57190, will be deemed approved if the County Board does not receive notice of the municipalities' disapproval of the classification or reclassification and sale of any parcels within 90 days of the date on which this resolution is delivered to the

Clerk of the municipalities.

NOW, THEREFORE, BE IT RESOLVED, that certain tax forfeited parcels be classified or reclassified as indicated in County Board File No. 57190 and that the request for approval of the classification or reclassification be transmitted by the Clerk of the County Board to the Clerks of the municipalities.

Adopted May 26, 1998. No. 430

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3764, seven (7) new 1999 Sterling LT9511, 54,000 lb. GVW Tandem Axle Diesel Trucks with Dump Bodies and Hoists, from Boyer Ford Trucks, Inc., of Minneapolis, Minnesota, at their low total specification bid price with selected options of \$569,206.00, plus 6.5 percent state sales tax of \$36,998.39, for a total of \$606,204.39, payable from: Fund 02 Public Works, Agency A14 Equipment & Maintenance, Object 663 Trucks.

Adopted May 26, 1998. No. 431

WHEREAS, the State and Local Assistance (SLA) Program is provided for by the Federal Emergency Management Agency (FEMA) and administered by the State of Minnesota, through the Department of Public Safety, Division of Emergency Management; and

WHEREAS, St. Louis County has properly applied in good faith for Emergency Management Assistance and has entered into Contractual Agreement with the State of Minnesota, Department of Public

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

204

Safety (copy on file in the office of the County Auditor, identified as Contract File No. 97-1308) for such financial assistance; BE IT RESOLVED, that St. Louis County fully agrees to the terms of the State and Local Assistance contract with the passage of this resolution, officially requests the Division of Emergency Management to enforce the contract in accordance with the applicable rules and regulations.

BE IT FURTHER RESOLVED, that the Chair of the County Board and the County Sheriff are authorized to execute the agreement and thereby assume for and on behalf of St. Louis County all contractual obligations contained therein.

BE IT FURTHER RESOLVED, that the County Board authorizes the Emergency Management Division (Fund 01, Agency 094) to accept the 1998 FEMA SLA initial grant of \$36,293.

Adopted May 26, 1998. No. 432

WHEREAS, a petition was presented to the St. Louis County Board by the owners of tracts of land located in Section 22, Township 63 North, Range 17 West, containing at least five acres, who have no access thereto except over the lands of others to connect the petitioners' land with a public road.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 164.07, Subdivision 2, a public hearing shall be at 9:35 A.M. on Tuesday, June 23, 1998, Government Services Building, Ely, Minnesota, to hear the petition of John Zupetz, Dean and Margaret Olson and Robert Kocks, regarding the establishing of a cartway two

rods in width including all trees, shrubs, and herbage, over, under, and across (see Amended Cartway Petition on file in County Board File No. 57191 and incorporated herein for legal description of proposed cartway) to provide access to their property and described as follows:

Along the existing road known as Forest Service Road No. 353 also known as the Niles Bay Forest Road, from the present St. Louis County Road No. 422 to the southerly boundary of Section 15, Township 63 North, Range 17 West (the centerline description of which is identified in County Board File No. 57191 and incorporated herein);

RESOLVED FURTHER, that said petition is on file in the office of the County Auditor, identified as County Board File No. 57191.

Adopted May 26, 1998. No. 433

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Board Chair, the Auditor, and the Administrator to enter into a lease agreement with James Jauss for approximately 3,926 square feet of space in the Palladio Building, 401 West Superior Street, Duluth, MN, for the Employee Safety and Development Division, payable from General Fund (01), Employee Development (066), Object 241.

Adopted May 26, 1998. No. 434

RESOLVED, the St. Louis County Board of Commissioners does hereby authorize

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

205

the Chair of the County Board and the County Auditor to sign a letter of agreement between Steven C. Fecker and St. Louis County for 1998 labor negotiation services, as contained in Contract File No. 98-452, not to exceed \$39,000, payable from General Fund (01), Labor Relations Department (018), Professional Services Object (299). Adopted May 26, 1998. No. 435

WHEREAS, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides for capital funds to assist political subdivisions of the State of Minnesota for the development of sport facilities; and

WHEREAS, St. Louis County desires to construct and develop a Proctor Area Sports Arena Renovation for the sports of hockey and rollerhockey.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board:

1) Estimates that the total cost of developing said facility shall be \$100,000 and the County is requesting \$50,000 from the Mighty Ducks General Fund and will assume responsibility for a match requirement of \$50,000.

2) St. Louis County agrees to own, assume 100 percent operation costs for said sport facility, and will operate said facility for its intended purpose for the functional life of the facility which is estimated to be up to 25 years.

3) St. Louis County Board agrees to enter

into necessary and required agreements with the Minnesota Amateur Sports Commission for the specific purpose of constructing a sport facility and long-term program direction.

4) That an application be made to the State of Minnesota, Minnesota Amateur Sports Commission, to be included in the Minnesota Amateur Sports Commission's (Governor's) Capital Budget request for an amount presently estimated to be \$50,000.

5) That the County Director of Intergovernmental Relations and/or County Board Chair is authorized and directed to execute said application and serve as the official liaison with the Minnesota Amateur Sports Commission. Adopted May 26, 1998. No. 436

At 10:35 A.M. on Tuesday, May 26, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS

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

JUNE, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JUNE 2, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of June, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Dennis Fink - 1.

The Chair opened the meeting to citizens who wished to address the Board on items not on the agenda for this meeting, there were none.

The Chair presented a certificate to John

Valentine, Purchasing Agent, from the National Association of Purchasing Management being his Lifetime Certified Purchasing Manager Certificate.

At 9:38 A.M. a public hearing was convened, pursuant to Resolution No. 420, adopted May 26, 1998, to consider the application of Chuch O, Inc., d/b/a Minotte's Cloquet River Inn in Grand Lake Township, for a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License. Alexander Minotte was present on behalf of the establishment. All documents received at this hearing are on file in County Board File No. 57196. County Attorney Alan Mitchell

advised that the required application is on file, the required County departments have reviewed and recommend approval, Town Board is recommending approval, the required insurance is on file, notices have been given. All persons in attendance were invited to address the issue; no one wished to do so. The hearing was closed at

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

207

9:40 A.M. on motion of Commissioner Prebich, supported by Commissioner Raukar; six yeas - zero nays. Resolution No. 444 was then adopted.

At 9:41 A.M. a public hearing was convened, pursuant to Resolution No. 421, adopted May 26, 1998, to consider the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Bimbo's, Inc., d/b/a Bimbo's Octagon in French Township. Jack Pernet was present on behalf of the establishment. All documents received at this hearing are on file in County Board File No. 57197. County Attorney Alan Mitchell advised that this hearing is being held in that although the same person will be running the establishment, it is changing from single ownership to a corporation and thus the need for a new application and hearing; further advising that the required application is on file, the required County departments have reviewed and recommend approval, Town Board is recommending approval, the required insurance is on file, notices required have been given. All persons in attendance were invited to address the issue; no one wished to do so. The hearing was closed at 9:45 A.M. on motion of Commissioner Raukar, supported by Commissioner Prebich; six yeas - zero nays. Resolution No. 445 was then adopted.

Richard Hansen, Public Works Director, presented a recommendation for a change in the recommendation to the State for award of S.P. 69-596-01 located in Mt.

Iron. Resolution No. 412, adopted May 19, 1998, recommended the second lowest bidder due to some errors in the completion of the bid document by the low bidder. This matter has been reviewed by the State Attorney General and the State will be awarding the bid to the low bidder, their ruling being that the error did not constitute an improper bid. Mr. Hansen requested that a new resolution be adopted changing the recommendation made by the County to the State of Minnesota, to the low bidder. County Attorney Alan Mitchell advised that the resolution should also rescind the previous resolution; and Resolution No. 451 was adopted.

At the request of the County Attorney, due to client/attorney confidentiality, a closed session was moved for purposes of two litigation items; and on the request of the County Administrator, the session will also include items of labor negotiations; so moved by Commissioner Kron, supported by Commissioner Raukar, to be held this date; six yeas - zero nays.

At 9:55 A.M. in the forenoon of Tuesday, June 2, 1998, the Chair declared a recess until 11:00 A.M. on June 2, 1998, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 12:17 P.M. on Tuesday, June 2, 1998, the regular order of business resumed with all members present except Commissioner Dennis Fink. During this recess the Commissioners convened as the Committee of the Whole.

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

208

At this time, Commissioner Sweeney, supported by Commissioner Prebich, moved to adopt a second Consent Agenda which includes all of those unanimously adopted items from the Committee of the Whole meeting of this date; six yeas - zero nays.

At this time, Commissioner Sweeney, supported by Commissioner Prebich, moved to adopt a second Consent Agenda which includes all of those unanimously adopted items from the Committee of the Whole meeting of this date; six yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-348 regarding repurchase of tax forfeited land.--57193

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-349 regarding reclassification and sale - nonconforming tax forfeited land.--57194

Purchasing Rules and Regulations for St. Louis County, Minnesota.--57195-D

Documentation from public hearing held on June 2, 1998, to consider the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale

Intoxicating Liquor License to Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, Grand Lake Township.--57196

Documentation from public hearing held on June 2, 1998, to consider the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township.--57197

Supplemental Labor Agreement between the St. Louis County Board of Commissioners and A.F.S.C.M.E., Council No. 96/Local 1934, to establish twelve-hour work schedules for Correctional Officers for the Iron Range lockup facilities.--98-453

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and The Salvation Army.--98-454

State of Minnesota Contractual Services between St. Louis County and the State of Minnesota, acting through its Commissioner of Natural Resources, for the Boat and Water Safety Grant and the Supplemental Boating Enforcement Grant.--98-455

Annual County Boat and Water Safety Agreement between the State of Minnesota, acting through its Commissioner of Natural Resources, and St. Louis County.--98-456

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

209

Agreement for Phase One Architectural Services between the County of St. Louis and Thomas and Vecchi Associates for St. Louis Rescue Squad and Emergency Operations Center.--98-457

Contract for Professional Services between the County of St. Louis and Craig Associates to assist with federal legislative and administrative matters.--98-458

Contract for Professional Services between the County of St. Louis and Lockridge, Grindal, Nauen & Holstein to assist with federal legislative and administrative matters.--98-459

Agreement for Services between the County of St. Louis and The Deluxe Cafe for providing meals to inmates at the Virginia Jail.--98-460

Agreement for Services between the County of St. Louis and St. Mary's Cafe for providing meals to inmates at the Hibbing Jail.--98-461

Maintenance Agreement between the County of St. Louis and the City of Babbitt.--98-462

Amendment for Agreement for Collection of Waste from Canister Sites between St. Louis County and Udovich Garbage Service.--98-463

Agreement for Professional Services between St. Louis County and Mark Hurd Photogrammetric Engineers.--98-464

Addendum to Contract No. 11890 between the St. Louis County Board and Ely Bloomenson Hospital for the provision of adult day care services.--98-465ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Midwest Medical Equipment and Supply - Lifeline Program.--98-466ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Accessible Space, Inc.--98-467ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Ely Bloomenson Hospital.--98-468ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Home Health, Inc.--98-469ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Healthstar Home Health Agency -- Northern Diagnostic Services, Inc.--98-470ss

Amendment No. 10 to Lease No. I-8493 between the State of Minnesota, Department of Administration, and the County of St. Louis for rental of office space in Room 611 at the Government Services Center, Duluth.--98-471

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 437 through 443, as

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

210

submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:
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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 39,634.02
T21 Beer License	10.00
T22 Cities and Towns	5,000.00
T23 Game and Fish	111,416.28
T27 Refunds	7,205.24
T48 Taconite Relief/Other	2,722,980.00
T49 Taconite Production Tax	105,160.00
T50 State of Minnesota	237,563.94
T66 Criminal Fines	122,293.69
T72 Home CHDO Program Income	1,605.00
T74 Employer/Employee Deductions	2,336,526.94
T75 Savings Bonds	12,875.00
T77 Cancelled Checks	8,333.72
T85 Sheriff's Forfeitures	1,045.47
T86 Attorney Trust Accounts	151.55
T87 Assault Fees	1,777.61
T89 District Administrator	377.74
T98 Work Study	

Agency Fund	1,961.22
T99 Reserve Health & Welfare	2,577.30
01 General Fund	1,200,288.70
02 Public Works	929,591.93
04 Social Services	7,417,510.34
08A State Aid Road	127,021.12
08B Road & Bridge Building Const.	11,749.16
08Y Hibbing/Virginia Law Enforcement Centers	335,483.06
09 McKinney Homeless Grant	17,516.00
10B Emer. Shelt. 95 Funds	7,598.43
11A Home Grant - All Years	36,269.40
12B CDBG Grant	117,527.87
127 Enhanced 9-1-1 Fund	380.00
128 Law Library	58.00
13 St. Louis County HRA	3,276.61
131 Extension Service	14,634.30
15 Forfeited Tax	135,432.17
16 Forest Resources	87,474.25
26 Solid Waste Authorities	162,095.40
49 Postage/Office Supplies	38,912.46
50 Printing	14,944.38
51 County Garage	91,980.07
52A Property, Casualty, Liability	7,841.87
52B Workers Compensation	104,544.51
52D Medical/Dental Self Insurance	1,652.61

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

53	Management Information Systems	118,890.37
54	Regional Railroad Authority	25,700.33
55	Telecommunications	93,084.08
64A	Jensen Nursing Home	339,743.47
64B	Nopeming Nursing Home	368,132.04
64F	Community Food Services	53,102.64
64L	Laundry	34,953.38
64S	Supervised Living Facilities	10,477.84
73	Arrowhead Regional Corrections	362,187.62
73B	NERCC Remodeling Project	6,108.42
74	Community Health Services	16,866.28
85	Patients' Trust Fund	315.28
90	Range Maintenance Facility	<u>6,382.00</u>
		\$18,018,221.11

Adopted June 2, 1998. No. 437

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted June 2, 1998. No. 438

RESOLVED, that the workers' compensation report of claims by

employees for work-related injuries, as set forth by the County Attorney, dated June 2, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted June 2, 1998. No. 439

RESOLVED, that the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue a license as follows:

Katherine Ebel, d/b/a MN Voyageurs Houseboats, Unorganized Area 68-19, Tobacco Products License No. T98146.
Adopted June 2, 1998. No. 440

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 57163, is hereby approved and the County Auditor is authorized to issue License No. T982 to the applicant:

Lake 14 - Leander Club, Unorganized Area 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. T982, for July 4 & 5, 1998, only.

Adopted June 2, 1998. No. 441

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under

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

212

St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

George Stoyanoff, d/b/a Buffalo House, Midway Township, Combination On/Off-Sale Intoxicating Liquor License No. L9916 and Sunday On-Sale Intoxicating Liquor License No. LS9916;

Mooseline, Inc., d/b/a Mooseline Bar & Cafe, Unorganized Area 56-14, Combination On/Off-Sale Intoxicating Liquor License No. L9943 and Sunday On-Sale Intoxicating Liquor License No. LS9943;

Leon Polley, d/b/a Polley's Resort, Unorganized Area 63-17, Off-Sale Intoxicating Liquor License No. L9982;

Violet Hall, d/b/a Vi's Liquor Nook, Unorganized Area 63-21, Off-Sale

Intoxicating Liquor License No. L9984. Adopted June 2, 1998. No. 442

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for 3.2 percent malt liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said licenses are approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

Louis Birchem, d/b/a Birchem's Lakeview Resort, Unorganized Area 69-21, On/Off Sale 3.2 Percent Malt Liquor License No. B998;

William McKenzie, d/b/a Eveleth Pro Shop, Fayal Township, On-Sale 3.2 Percent Malt Liquor License No. B9917;

Dolores McDonnell, d/b/a Fall Inn Tavern, Rice Lake Township, On/Off Sale 3.2 Percent Malt Liquor License No. B9918;

Misty, Inc., d/b/a Fredenberg Minnoette,

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

213

Fredenberg Township, Off-Sale 3.2 Percent Malt Liquor License No. B9921;

Donna Mitchell, d/b/a Glenwood Lodge, Unorganized Area 63-15, On/Off Sale 3.2 Percent Malt Liquor License No. B9923;

Handberg's Marine, Inc., d/b/a Handberg's Marine, Unorganized Area 67-17, On/Off Sale 3.2 Percent Malt Liquor License No. B9925;

Michael Grubb, d/b/a Hitching Post, Gnesen Township, On/Off Sale 3.2 Percent Malt Liquor License No. B9929;

Alan Jenny, d/b/a Island Beach Campground, Fredenberg Township, On/Off 3.2 Percent Malt Liquor License No. B9931;

Joseph Ebel, d/b/a Minnesota Voyageurs Houseboats, Unorganized Area 68-19, Off-Sale 3.2 Percent Malt Liquor License No. B9935;

James Lager, d/b/a Norway Point Resort, Leiding Township, On/Off Sale 3.2 Percent Malt Liquor License No. B9937;

C & S Development Corp., d/b/a Shig-Wak Resort, Morse Township, On/Off Sale 3.2 Percent Malt Liquor License No. B9949;

Dana Gangsei, d/b/a Side Lake Store, French Township, Off-Sale 3.2 Percent Malt Liquor License No. B9950.
Adopted June 2, 1998. No. 443

BY COMMISSIONER SWEENEY:

WHEREAS, Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, Grand Lake Township, St. Louis County, Minnesota, has applied for a Combination On/Off-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on June 2, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the applications for said licenses Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the applications;

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off Sale Intoxicating Liquor License (License Number L9985) and Sunday On-Sale Intoxicating Liquor License (License Number LS9985) shall be issued to Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, Grand Lake Township;

FURTHER RESOLVED, that said liquor licenses shall be effective through June 30,

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

214

1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes;

FURTHER RESOLVED, that if named license holder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted. June 2, 1998. No. 444

BY COMMISSIONER RAUKAR:

WHEREAS, Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township, St. Louis County, Minnesota, has applied for a Combination On/Off-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on June 2, 1998, at or about 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the applications for said licenses Bimbo's, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the St. Louis County Board of Commissioners has considered the nature

of the business to be conducted and the propriety of the location.

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off Sale Intoxicating Liquor License (License Number L9910) and Sunday On-Sale Intoxicating Liquor License (License Number LS9910) shall be issued to Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township;

FURTHER RESOLVED, that said liquor licenses shall be effective through June 30, 1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named license holder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted. June 2, 1998. No. 445

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

M.P. 88-1381 (C-SAH 88) located between CR 489 and C-SAH 116; Length: 6800 mm (4.23 miles). Project to consist of Bituminous Surfacing, Aggregate S h o u l d e r s , S u b g r a d e Excavation/Corrections;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M. on June 1, 1998, and this

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

215

Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Louis Leustek & Sons.

ADDRESS

1715 E. Sheridan St.

Ely, MN 55731

AMOUNT

\$453,583.09

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 500, Object 528.

Unanimously adopted. June 2, 1998. No. 446

BY COMMISSIONER KRON:

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

S.A.P. 69-691-16 (C-SAH 91) located between TH 23 (Grand Avenue) & the DM & IR Railroad Tracks; Length: 650.963m (0.4 mile). Project to consist of Mill & Repair Concrete Pavement, Plant Mixed Bituminous Surface & Storm Sewer Repair;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 1, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Northland Constructors

ADDRESS

4843 Rice Lake Rd.
Duluth, MN 55803

AMOUNT

\$223,270.17

RESOLVED FURTHER, that the Chairman of the County Board, the

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

216

County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 2, 1998. No. 447

BY COMMISSIONER SWEENEY:

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

S.A.P. 69-600-19 (County Road 285, Fish Lake Dam Road) County Project 8233 located between a point approximately 87 feet East of Fish Lake Dam & a point approximately 1016 feet East of the Fish Lake Dam; Length: 01.76 miles. Project to consist of Alignment, Grading, Aggregate Base, Plant Mixed Bituminous Base & Surface, Aggregate Shoulders, Bituminous Parking Lot with Concrete Curb & Gutter;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 1, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED,

by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Glacier Paving, Inc.

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$127,148.63

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 2, 1998. No. 448

BY COMMISSIONER KRON:

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

S.A.P. 69-656-10 (C-SAH 56, Morris Thomas Rd.) located between C-SAH 54 (Piedmont Avenue) & C-SAH 91 (Haines Road); Length 1586 meters (0.99 mile). Project to consist of Mill Bituminous Surface & Plant Mixed Bituminous

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

217

Surface;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 1, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Glacier Paving, Inc.

ADDRESS

1000 Tall Pine Lane
Cloquet, MN 55720

AMOUNT

\$199,653.22

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 2, 1998. No. 449

BY COMMISSIONER KRUEGER:

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

S.P. 69-598-22 (CR 379) MN Project BROS 6997 (037), Bridge No. 69617 located over Pike River (Section 26, Township 60 North, Range 16 West). Construction to consist of Three Lines RCP (Reinforced Concrete Pipe Arch);

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Mike Tardy, at a meeting at 10:00 A.M. on June 1, 1998, and the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby approves the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-598-22
Minn. Proj.
BROS 6997(037)

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

218

CONTRACTOR

Landwehr Construction, Inc.
846 S. 33rd St.
St. Cloud, MN 56301

AMOUNT

\$175,649.65

Unanimously adopted. June 2, 1998. No. 450

Upon motion of Commissioner Raukar, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 451 which was not on the agenda.

BY COMMISSIONER PREBICH:

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

S.P. 69-596-01 (CR 955), MN Project STPF 6997 (134) located between C-SAH 101 East and C-SAH 101 West in Mountain Iron. Length: 0.480 km (0.3 mile). Construction to consist of Grading, Aggregate Base, Bituminous Surface, Pavement Markings and Turf Establishment.

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Kaye Tantarri, at a meeting at 10:00 A.M. on May 18, 1998, and the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis

County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby approves the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-596-01
Minn. Proj.
STPF 6997 (134)

CONTRACTOR

Charles L. Jacobsen Const.
9000 Highway 101
Iron, MN 55751

AMOUNT

\$106,143.27

RESOLVED FURTHER, that Resolution No. 415, adopted May 19, 1998, is hereby rescinded in its entirety.

Unanimously adopted. June 2, 1998. No. 451

Upon motion of Commissioner Sweeney, supported by Commissioner Prebich, Resolutions No. 452 through 463, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted.

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

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Social Service Department to amend Contract No. 11996 with Residential Services of Northeastern Minnesota, Inc., to:

1. Extend the effective date one month from May 31, 1998, to June 30, 1998, and
2. Upon completion of the application process, include adult foster care services under the traumatic brain injury waiver and personal care services at a third site, 2601 Morris Thomas Road, Duluth, Minnesota, retroactive to May 28, 1998.

BUDGET REFERENCE:

All traumatic brain injury waiver funded services authorization and payment are made through the Minnesota Medicaid Management Information System (MMIS-II).

Adopted June 2, 1998. No. 452

RESOLVED, that the St. Louis County Board of Commissioners authorizes a contract addendum to Contract No. 11997 with TBI Residential and Community Services to extend the effective date of the purchase of service contract from May 31, 1998, to June 30, 1998.

BUDGET REFERENCE:

This service is paid by the State MMIS II System.

Adopted June 2, 1998. No. 453

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the

previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase on file in County Board File No. 57193, is approved.

Adopted June 2, 1998. No. 454

WHEREAS, land which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access may be sold by the County Auditor, pursuant to Minnesota Statutes, Section 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to classify as non-conservation and sell tax forfeited land as on file in County Board File No. 57194 at a non-public sale limited to the adjacent property owners.

Adopted June 2, 1998. No. 455

RESOLVED, that under the provisions of Minnesota Statutes 282.01, that the County Auditor is hereby authorized to sell the following described tax forfeited land to the City of Duluth/D.E.D.A.:

City of Duluth, Duluth Proper, First Division, West 31 feet 2-5/10 inches of the East 45 feet of Lot 13, East Superior Street. Parcel Code No. 010-0910-00130

Land Value	\$17,500.00
3% Assurance Fee	525.00

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

220

Deed Fee	25.00
Deed Tax	
	57.75
Recording Fee	<u>19.50</u>
Total Consideration	
	\$18,127.25
Adopted June 2, 1998.	<u>No. 456</u>

RESOLVED, that the St. Louis County Board of Commissioners authorizes the deletion of one Highway Maintenance Worker and the addition of one Building Maintenance Worker and one Building Maintenance Helper classification in the Public Works Department budget, Hibbing Facility. This increases the FTE allocation by 1.0.

RESOLVED FURTHER, that funding for these two positions will be provided by St. Louis County, MnDOT and the City of Hibbing, as outlined in the joint tenancy agreement.

Adopted June 2, 1998. No. 457

RESOLVED, that the County Board authorizes the Chair of the County Board and the County Auditor to execute the Agreement between the County and the South St. Louis County Fair Association for the Proctor Fair for the period of January 1, 1998-December 31, 1998.

Adopted June 2, 1998. No. 458

WHEREAS, the County is a member of the Northeast Minnesota Housing Consortium comprised of Cook, Lake, Koochiching, Itasca, and St. Louis Counties, and has received HOME program funds under the HOME

Investment Partnership Act, Title II of the National Affordable Housing Act of 1990, for the purpose of carrying out eligible housing activities under the Act, and

WHEREAS, the Consortium desires to have Community Housing Development Organizations carry out permanent housing activities in order to meet the needs identified in the Consolidated Plan and the Continuum of Care Plan, including development of supportive housing for homeless persons to enable them to live as independently as possible, and

WHEREAS, the Range Mental Health Center, Inc. has mutually agreed to terminate a certain HOME Investment Partnership Program Loan Agreement between Range Mental Health Center, Inc. and St. Louis County dated December 1, 1996, and remaining funds of \$48,000 are available for reallocation for CHDO housing development activity;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize the County Planning Director and a representative of the County Attorney to execute an Agreement between St. Louis County and the Arrowhead Economic Opportunity Agency for reallocation of HOME Program funds in an amount not to exceed \$48,000 for the development of permanent supportive housing, payable from HOME Program Fund 11.

Adopted June 2, 1998. No. 459

WHEREAS, the City Council of the City of Chisholm (the "City") is considering

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

221

the modification of Tax Increment Financing District No. 2 ("District No. 2"); and

WHEREAS, Minnesota Statutes, Section 469.175, subd. 2 requires that the County Board be provided notice of the creation of District No. 2 and the estimate of fiscal and economic implications of the proposed District No. 2 at least thirty days before the public hearing required by Minnesota Statutes, Section 469.175, subd. 3; and

WHEREAS, the City Council has requested a waiver of the County's thirty-day comment period provided by Minnesota Statutes, Section 469.175, subd. 2; and
WHEREAS, the County Board for St. Louis County is in receipt of the Fiscal and Economic Implications for District No. 2 proposed to be established by the City of Chisholm; and

WHEREAS, the County Board desires to waive the thirty-day notification requirement in order to expedite the City's creation of the Tax Increment Financing District.

WHEREAS, the County Board has reviewed the fiscal impacts of the projects; and

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNTY BOARD WAIVES ITS THIRTY DAY REQUIREMENT.

Adopted June 2, 1998. No. 460

WHEREAS, the St. Louis County Purchasing Rules & Regulations were last updated on July 9, 1979, Resolution No. 514; and

WHEREAS, there have been changes in state statutes and additional County Board

resolutions affecting the purchasing procedures; and

WHEREAS, there is a need to incorporate all purchasing related resolutions, state statutes, and purchasing procedures into a single document; and

WHEREAS, the Purchasing Department has worked with the Administration, Attorney, and Auditors offices to revise the Purchasing Rules & Regulations; and
WHEREAS, the Purchasing Department has provided copies and solicited input from all department heads;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the revised Purchasing Rules & Regulations dated June 2, 1998, a copy of which is on file in County Board Document File No. 57195, and by this resolution rescinds all prior resolutions regarding same.

Adopted June 2, 1998. No. 461

RESOLVED, the St. Louis County Board of Commissioners authorizes the deletion of one Clerk Typist General (pay grade 3) and the addition of one Account Clerk Technician (pay grade 11) in the Property Management Department, Fund 01, Department 081.

Adopted June 2, 1998. No. 462

WHEREAS, St. Louis County is committed to providing an effective and efficient 9-1-1 Emergency Communications system to its residents and cooperating with adjoining counties to enable them to provide the same to their residents; and

WHEREAS, it is in the best interests of

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

222

Lake County to implement selective 9-1-1 call routing to enable calls from Lake County residents in the Ely and Brimson telephone exchanges to be answered in the Lake County PSAP; and

WHEREAS, it is in the best interests of Itasca County to implement selective 9-1-1 call routing to enable calls from Itasca County residents in the Bear River, Hibbing, Keewatin, and Warba telephone exchanges to be answered in the Itasca County PSAP; and

WHEREAS, it is in the best interests of St. Louis County residents in the Ash River telephone exchange to have Enhanced 9-1-1 and have their calls routed to the St. Louis County PSAP in Virginia,

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners, upon recommendation of the Communications Department and 9-1-1 User Boards, does hereby authorize changes to the St. Louis County 9-1-1 Plan, on file with the State of Minnesota Department of Administration, to enable selective routing implementation in the above-named telephone exchanges, and to convert the Ash River telephone exchange to Enhanced 9-1-1 and route 9-1-1 calls from that exchange to the St. Louis County PSAP in Virginia.

Adopted June 2, 1998. No. 463

At 12:19 P.M. on Tuesday, June 2, 1998, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

223

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JUNE 9, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of June, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Liz Prebich - 1.

At this time a public hearing was convened, pursuant to St. Louis County Resolution No. 368, adopted May 5, 1998, to consider amending St. Louis County Ordinance No. 41 "Primary Structure Address Ordinance 9-1-1 Rural Addressing & Signage". Paul Kent, 9-1-1 Director, made the staff presentation, the current recommendation being to request the Health Department to review all provisions of County Ordinance No. 41 with representatives from the Sheriff's; Emergency Communications; Planning and Administration Departments. The main issue is changing from one-sided to two-sided signage and placing it perpendicular to the road in lieu of the current parallel to the road. Discussion included using two types of signage; is

there a problem for locating property with the current signage; what would it cost; who would pay the cost; who would do installation of the signage, especially in the unorganized areas of the County; the cost of a sign is estimated at \$6.25; signs being supplied by a private contractor; there are approximately 30 signs given out each month by the Health Department; possibly switching to the new signage over a five-year period; the current Ordinance requires any replacement signs to be funded by the property owner; the original installation was approximately 54,000 signs; volunteers worked on installation; would posts need to be changed; the amendments were recommended by the 9-1-1 User Boards and the Planning Commission; there are 2,000 signs in stock, however, they are pre-numbered; etc. County Attorney Alan Mitchell advised that all and similar of these questions were discussed when the original Ordinance was adopted, that parallel keeps signs visible from the roads, that house signs in cities are parallel, that it would be a great cost to replace, there is an enforcement concern, the existing signage system is working. He opposes changing the Ordinance, addressing in particular the amendment which would allow the Administrator to approve of different background colors on signs. He further questioned the meaning of added language of "Existing parallel signs may remain as long as they are in good condition and visible to emergency vehicles using the road. The County Communications Director may issue interpretations as per

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

224

Section 5.01 of this Ordinance regarding sign replacement.” The Attorney’s Office has drafted a recommended amendment, if the Board would determine to move forward, which keeps the language consistent in format with the remainder of the Ordinance. The Chair opened the hearing to persons in attendance who wished to address the issue, there were none. Commissioner Raukar, supported by Commissioner Sweeney, moved to close the hearing at 10:35 A.M. six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Raukar, moved to table the issue to the meeting of July 14, 1998, at 9:35 A.M., County Board Room, Courthouse, Duluth, Minnesota; six yeas - zero nays. Chair Commissioner Forsman directed that any questions the Commissioners may have be directed to Administration and/or the Planning Department.

The Chair opened the meeting to persons who wished to address the Board on items not on the agenda for this meeting. Clyde Nelson, Lakewood Township, representing Citizens Research Council, addressed the issue of the County Budget and a listing of items he had presented at an earlier meeting. He has been awaiting a response to his listing, however, has received none.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Sid Inman, Financial Advisor, Ehlers and Associates, Inc., relative to the City of Chisholm and the Chisholm Economic

Development Authority’s proposed modification of Municipal Development District No. 1 and proposed adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 2, within Municipal Development District No. 1 and scheduling public hearing thereon for Tuesday, June 9, 1998.--57198

Grant Contract between St. Louis County, through the County Sheriff’s Emergency Management Division, and the State of Minnesota, Department of Public Safety, for a Hazardous Materials Emergency Preparedness Grant in order to conduct an Emergency Management exercise.--98-472

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Vermillion Home Care for the provision of home health care services.--98-473ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Senior Friends Associates, Inc., for the provision of home health care services.--98-474ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Lifeline - Range Mental Health Center pro-viding for adult day care services.--98-475ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Range Mental Health Center to

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

225

provide detoxification services.--98-476ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Homes, Inc.--Virginia providing for Medical Assistance MR/RC home and community-based waived services to persons with mental retardation.--98-477ss

Addendum to Contract No. 11955 between St. Louis County Board of Commissioners and the Range Mental Health Center, Inc., amending the contract for the provision of detoxification services.--98-478ss

Addendum to Contract No. 11916 between St. Louis County Board of Commissioners and Range Mental Health Center amending said contract for the provision of adult day care services.--98-479ss

Contribution Agreement between St. Louis County, through the Department of Public Health and Long Term Medical Care, and the North Shore Community Club providing for a contract with the engineering firm of Ayres & Associates to design a wastewater treatment system for the North Shore area.--98-480

Contribution Agreement between St. Louis County, through the Department of Public Health and Long Term Medical Care, and Lakewood Township providing for a contract with the engineering firm of Ayres & Associates to design a wastewater treatment system for the North Shore area.--98-481

Contribution Agreement between St. Louis County, through the Department of Public Health and Long Term Medical Care, and Arrowhead Regional Development Commission providing for a contract with Ayres & Associates to design a wastewater treatment system for the North Shore area.--98-482

State of Minnesota Grant Contract between the State of Minnesota, acting through its Commissioner of Natural Resources, and St. Louis County, through the Department of Public Health and Long Term Medical Care; said Health Department to act as contracting fiscal agent for the North Shore Wastewater Committee, and authorizing the Health Director to enter into a professional agreement with Ayres & Associates for the design of a Wastewater Facility Plan for the North Shore Study area.--98-483

Agreement between the County of St. Louis, and Gordon D. McFaul, the St. Louis County Auditor, and the Carlton-Cook-Lake-St. Louis Community Health Board; authorizing therein the Auditor to act as fiscal agent of the St. Louis County Board to request and receive for deposit all funds awarded to the Board.--98-484

Lease Agreement between James Jauss and County of St. Louis for approximately 3,926 square feet of space in the Palladio Building for the Employee Safety and Development Division.--98-485

Agreement between St. Louis County,

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

226

through its Solid Waste Department, and Floodwood Service & Training Inc., for collection, processing, and marketing of recyclables.--98-486

Service Agreement between County of St. Louis, through its Solid Waste Department, and Curtiss Whitegoods Processing, Inc., for collection and recycling of scrap metals.--98-487

Purchase of Service Agreement between St. Louis County Board of Commissioners and Velkommen Village, Inc., for Supported Living Services-Adult (SLS).--98-488ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and E.B.I., Inc., for Supported Living Services-Adult (SLS).--98-489ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and E.B.I., Inc.--Denfeld for Supported Living Services-Adult (SLS).--98-490ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and E.B.I., Inc.--Piedmont for Supported Living Services-Adult (SLS).--98-491ss

Addendum to Contract No. 11954 between St. Louis County Board of Commissioners and the Center for Alcohol & Drug Treatment amending the contract for the provision of detoxification services.--98-492ss

Purchase of Service Agreement between

St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment providing for detoxification services.--98-493ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Woodland Hills providing for nonresidential educational assistance and residential treatment services.--98-494ss

Grant Agreement between St. Louis County Board of Commissioners and Cook County Resource Developmental Council to create or expand child care programs.--98-495ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Healthstar Home Health Agency to provide homemaking and home health aide services.--98-496ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Healthline Home Care to provide homemaking and home health aide services.--98-497ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Carole Wick to provide Medical Assistance MR/RC Waiver Respite Care Services.--98-498ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Healthcare Associates, d/b/a Pride Institute, for chemical dependency

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

227

services.--98-499ss

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 464 through 466, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows:

Back 40, Inc., d/b/a Back 40, Inc., Ellsburg Township, Tobacco Products License No. T98147;

Randall Willeck, d/b/a Country Corner, Culver Township, Tobacco Products License No. T98148.

Adopted June 9, 1998. No. 464

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholders paying real estate or

personal property taxes when due; FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

Arrowhead Resort, Inc., d/b/a Arrowhead Lodge & Resort, Unorganized Area 69-21, Combination On/Off-Sale Intoxicating Liquor License No. L991 and Sunday On-Sale Intoxicating Liquor License No. LS991;

Julie Kepler, d/b/a Ash Trail Lodge, Unorganized Area 68-19, Combination On/Off-Sale Intoxicating Liquor License No. L993 and Sunday On-Sale Intoxicating Liquor License No. LS993;

Cold Spot Bottle Shop, Inc., d/b/a Cold Spot Bottle Shop, Inc., Embarrass Township, Off-Sale Intoxicating Liquor License No. L9978;

C & O Wardas, Inc., d/b/a The Dam Supper Club, Leiding Township, On-Sale Intoxicating Liquor License No. L9924 and Sunday On-Sale Intoxicating Liquor License No. LS9924;

Curran Enterprises, Inc., d/b/a Makinen Liquor Store, Unorganized Area 56-16, Off-Sale Intoxicating Liquor License No. L9981;

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

228

Tanski Liquor Corp., d/b/a Tanski's Ridgeview Lanes, Rice Lake Township, On-Sale Intoxicating Liquor License No. L9968 and Sunday On-Sale Intoxicating Liquor License No. LS9968;

Timber's Edge Hospitality, Inc., d/b/a Timber's Edge Grill & Bar, Unorganized Area 56-19, Combination On/Off-Sale Intoxicating Liquor License No. L9969 and Sunday On-Sale Intoxicating Liquor License No. LS9969.

Adopted June 9, 1998. No. 465

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for 3.2 percent malt liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said licenses are approved contingent upon the licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholders;

FURTHER RESOLVED, that said license shall be effective through June 30, 1999:

Anderson Outfitter's, Inc., d/b/a Anderson Outfitter's, Inc., Unorganized Area 67-17,

Off-Sale 3.2 Percent Malt Liquor License No. B992;

SAS Design Company, d/b/a Big Lake Wilderness Lodge, Unorganized Area 65-13, Off-Sale 3.2 Percent Malt Liquor License No. B995;

Elaine Goodrum, d/b/a Birch Grove Resort, Unorganized Area 69-21, Off-Sale 3.2 Percent Malt Liquor License No. B997;

5717, Inc., d/b/a Crossroads Store, Brevator Township, Off-Sale 3.2 Percent Malt Liquor License No. B9914;

C & O Wardas, Inc., d/b/a The Dam Supper Club, Leiding Township, Off-Sale 3.2 Percent Malt Liquor License No. B9915;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Inc., Fredenberg Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9928;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 184, White Township, Off-Sale 3.2 Percent Malt Liquor License No. B9930;

Lakehead Oil Company, Inc., d/b/a Pike Lake Holiday, Canosia Township, Off-Sale 3.2 Percent Malt Liquor License No. B9939;

Diefenthaler Enter., Inc., d/b/a Pine Acres Resort, Leiding Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9940;

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

229

J and G Enterprises of KAB, LLP, d/b/a Pine Aire Resort, Unorganized Area 69-21, On/Off-Sale 3.2 Percent Malt Liquor License No. B9941;

Dieter/Harriet Metzgi, d/b/a Pine Grove Store, Leiding Township, Off-Sale 3.2 Percent Malt Liquor License No. B9942;

Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9953;

Loran/Diane Tardy, d/b/a Tardy's Fuel & Food, Sturgeon Township, Off-Sale 3.2 Percent Malt Liquor License No. B9955. Adopted June 9, 1998. No. 466

BY COMMISSIONER RAUKAR:

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

S.A.P. 69-725-05 (C-SAH 125), County Project 9207, located on C-SAH 125 from a point 7.5 m Northwest of the Southbound Lane of U.S. Highway 169 to a point 13.065 m East of Wanless Street in Buhl. Length: 1.567 km (0.97 mile). Project to consist of Grading, Aggregate Base, Bituminous Surface, Shouldering, Concrete Walk, Curb & Gutter, Storm Sewer, Sanitary Sewer, and Watermain.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 8, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said

project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Wagner Construction Co.

ADDRESS

P.O. Box "B"
So. International Falls, MN 56679

AMOUNT

\$1,148,018.59

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 9, 1998. No. 467

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, the rules were suspended to adopt Resolution

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

230

No. 468 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that a public hearing will be held at 9:35 A.M. on June 16, 1998, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Inc., Solway Township. Unanimously adopted. June 9, 1998. No. 468

At 10:55 A.M. on Tuesday, June 9, 1998, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, 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**

231

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JUNE 16, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 16th day of June, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, and Chair Mike Forsman - 5. Absent: Commissioners Marilyn A. Krueger and Steve Raukar - 2.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda, but no one chose to do so.

At 9:42 A.M. a public hearing was convened, pursuant to Resolution No. 468, adopted June 9, 1998, to consider the granting of a Combination On/Off Sale Intoxicating Liquor License and Sunday On-Sale Liquor License to Saginaw Union Station, Inc., d/b/a Saginaw Union Station. A representative of the corporation was present at the hearing. Alan Mitchell, County Attorney, advised the Board that: All required county departments had reviewed the application and recommended approval; the Solway Town Board had recommended approval; the

necessary insurance certificate had been received; and, all notices had been given. All persons in attendance were invited to address the issue, but no one chose to do so. At 9:47 A.M. the hearing was closed on motion of Commissioner Sweeney, supported by Commissioner Prebich: five yeas - zero nays. Commissioner Sweeney, supported by Commissioner Prebich, moved approval of the licenses. Resolution No. 489.

On motion of Commissioner Sweeney, supported by Commissioner Prebich, Hardrives, Inc., Zim, MN, was awarded highway project S.A.P. 69-600-17 (County Road 405), County Project 9236, with a low bid of \$146,657; five yeas, zero nays. Resolution No. 490.

On motion of Commissioner Prebich, supported by Commissioner Sweeney, Louis Leustek & Sons, Inc., Ely, MN, was awarded highway project S.A.P. 69-658-03 (C-SAH 58), County Project 9230, with a low bid of \$506,253.46; five yeas - zero nays. Resolution No. 491.

On motion of Commissioner Sweeney, supported by Commissioner Prebich, Louis Leustek & Sons, Inc., Ely, MN, was awarded highway project S.A.P. 69-728-08 (C-SAH 128), County Project 9237, with a low bid of \$98,664.40; five yeas - zero nays. Resolution No. 492.

Commissioner Kron, supported by Commissioner Sweeney, moved to convene a closed session at the conclusion

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

of the Committee of the Whole meeting for purposes of labor negotiations; five yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

County Auditor submitting applications for license to sell wine for the year 1998.-
-57199

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-364 regarding repurchase of tax forfeited land.-
-57200

Documentation from public hearing held on June 16, 1998, to consider the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Inc., Solway Township.--57201

St. Louis County Supportive Housing Program Agreement between St. Louis County and Churches United in Ministry/CHUM.--98-500

St. Louis County Supportive Housing Program Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.--98-501

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 469 through 488, as submitted to this Board on the Consent Agenda were

unanimously adopted as follows:

BY COMMISSIONER SWEENEY:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 19, 1998, are hereby approved.
Adopted June 16, 1998. No. 469

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 26, 1998, are hereby approved.
Adopted June 16, 1998. No. 470

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T21 Beer License	\$ 10.00
T23 Game and Fish	5,041.00
T27 Refunds	4,496.72
T28 School Districts	25,230,784.00
T50 State of Minnesota	11,655.00
T74 Employer/Employee Deductions	795,043.64
T75 Savings Bonds	6,100.00
T86 Attorney Trust Accounts	100.00
T89 District Administrator	316.38

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

233

T98	Work Study Agency		Information Systems	131,032.93
	Fund	1,315.78	54 Regional Railroad	
01	General Fund	656,632.59	Authority	37,950.16
02	Public Works	665,546.06	55 Telecommunications	43,537.69
03	Septic Loan		64A Jensen Nursing	
	Revolving Fund	7,000.00	Home	265,314.58
04	Social Services	3,343,607.22	64B Nopeming Nursing	
08	Capital Projects	33,662.90	Home	235,698.14
08A	State Aid Road	149,648.76	64F Community Food	
08B	Road & Bridge		Services	18,104.62
	Building Const.	9,270.00	64L Laundry	12,191.75
08Y	Hibbing/Virginia		64S Supervised Living	
	Law Enforcement		Facilities	7,290.75
	Centers	14,936.53	72 No. Counties Land	
09	McKinney		Use Coord. Board	2,638.72
	Homeless Grant	21,238.00	73 Arrowhead Regional	
11A	Home Grant - All		Corrections	246,232.14
	Years	47,529.90	74 Community Health	
12B	CDBG Grant	14,077.17	Services	109,157.87
127	Enhanced 9-1-1		85 Patients' Trust Fund	<u>435.83</u>
	Fund	922.50		\$32,459,646.25
128	Law Library	573.50	Adopted June 16, 1998.	<u>No. 471</u>
129	City/County Comm.			
	Antenna Site	218.90	RESOLVED, that the appraisal report for	
13	St. Louis County HRA	24.25	the sale of timber, numbered Tract 1, as	
131	Extension Service	7,455.16	submitted by the Land Commissioner, on	
15	Forfeited Tax	70,645.95	file in the office of the County Auditor,	
16	Forest Resources	1,606.12	identified as County Board File No. 57108,	
26	Solid Waste		is approved and the County Auditor is	
	Authorities	118,637.97	authorized to carry out the	
49	Postage/Office		recommendations as listed in said appraisal	
	Supplies	432.62	report.	
50	Printing	13,666.52	Adopted June 16, 1998.	<u>No. 472</u>
51	County Garage	17,521.75		
52B	Workers		RESOLVED, that the workers'	
	Compensation	99,144.45	compensation report of claims by	
52D	Medical/Dental		employees for work-related injuries, as set	
	Self Insurance	1,199.73	forth by the County Attorney, dated June	
53	Management		16, 1998, on file in the office of the	

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

234

County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted June 16, 1998. No. 473

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for 3.2 percent malt liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said licenses are approved contingent upon the licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

Kathy Sarff, d/b/a Buddy's Tavern, Cherry Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9910;

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B9911;

Michele Richards, d/b/a Chainsaw Sisters

Enterprises, Unorganized Area 64-12, On/Off-Sale 3.2 Percent Malt Liquor License No. B9912;

Pauline Hill, d/b/a Pauline's Baits & Boats, Bassett Township, Off-Sale 3.2 Percent Malt Liquor License No. B9938;

Florence Kacer, d/b/a Sanitary Harry's, Kelsey Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9946;

Timbuktú Marina, LLC, d/b/a Timbuktú Marina, LLC, Greenwood Township, Off-Sale 3.2 Percent Malt Liquor License No. B9956.

Adopted June 16, 1998. No. 474

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for 3.2 percent malt liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said licenses are approved contingent upon the licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said licenses

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

235

shall be effective through June 30, 1999; FURTHER RESOLVED, that said licenses are approved upon the contingencies as stated:

AAA Minnesota, d/b/a AAA Minnesota, Canosia Township, On-Sale 3.2 Percent Malt Liquor License No. B991, town board approval;

Raymond/Vanessa Ingebretsen, d/b/a Aspen Resort & Campground, Leiding Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B993, approval by the Sheriff's Department and Attorney's Office;

Birch Forest Lodge, LTD, d/b/a Birch Forest Lodge, LTD, Leiding Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B996, approval by the Sheriff's Department and Attorney's Office;

J & M Ventures, Inc., d/b/a Breeze Inn, Lakewood Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B999, approval by the Sheriff's Department and Attorney's Office;

Curtis Convenience Stores, Inc., d/b/a Cotton Food-N-Fuel, Cotton Township, Off-Sale 3.2 Percent Malt Liquor License No. B9913, town board approval;

Ely Golf Club, Inc., d/b/a Ely Golf Club, Inc., Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9916, approval by the Sheriff's Department and

Attorney's Office;

Vicki Thronson, d/b/a Forbes Country Corner, McDavitt Township, Off-Sale 3.2 Percent Malt Liquor License No. B9920, approval by the Sheriff's Department, Attorney's Office and town board;

Gnesen General Store, Inc., d/b/a Gnesen General Store, Inc., Off-Sale 3.2 Percent Malt Liquor License No. B9924, approval by the Sheriff's Department, Attorney's Office and town board;

Raymond Hawk, d/b/a Hawk's Pour House, Sturgeon Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9926, approval by the Sheriff's Department, Attorney's Office and town board;

Hellman's Store, Inc., d/b/a Hellman's Store, Inc., Ault Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9927, approval by the Sheriff's Department and Attorney's Office;

Barbara Boisjolie, d/b/a Jerry's Place, Unorganized Area 63-19, On/Off-Sale 3.2 Percent Malt Liquor License No. B9932, approval by the Sheriff's Department and Attorney's Office;

Georgette Saugestad, d/b/a Melrude Pub, Ellsburg Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9934, approval by the Sheriff's Department and Attorney's Office;

Nelson's Resort, Inc., d/b/a Nelson's

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

236

Resort, Inc., Unorganized Area 67-17, Off-Sale 3.2 Percent Malt Liquor License No. B9936;

Susan Piontek-Kopic, d/b/a Piontek's Minnows-N-Munchies, Fine Lakes Township, Off-Sale 3.2 Percent Malt Liquor License No. B9943, approval by the Sheriff's Department and Attorney's Office;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, Off-Sale 3.2 Percent Malt Liquor License No. B9945, approval by the Sheriff's Department, Attorney's Office and town board;

The Scenic Cafe, Inc., d/b/a Scenic Cafe, Duluth Township, On-Sale 3.2 Percent Malt Liquor License No. B9947, approval by the Sheriff's Department and Attorney's Office;

James Bettcher, d/b/a Shagawa Inn, Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9948, approval by the Sheriff's Department and Attorney's Office;

Vernon Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9951, approval by the Sheriff's Department, Attorney's Office and town board;

Soudan Community Store, d/b/a Soudan Community Store, Breitung Township, Off-Sale 3.2 Percent Malt Liquor License No. B9952, approval by the Sheriff's Department and Attorney's Office;

Jeffrey Hammerlind, d/b/a Sturgeon River Landing, French Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B9954, approval by the Sheriff's Department, Attorney's Office, town board and payment of fees;

Twig Mercantile, Inc., d/b/a Twig Mercantile, Inc., Grand Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B9957, approval by the Sheriff's Department, Attorney's Office and town board;

Vermilion Fairways, Inc., d/b/a Vermilion Fairways, Inc., Beatty Township, On-Sale 3.2 Percent Malt Liquor License No. B9958, approval by the Sheriff's Department, Attorney's Office, town board and payment of fees;

Dean Esala, d/b/a Wayside Cafe, Greenwood Township, On-Sale 3.2 Percent Malt Liquor License No. B9959, approval by the Sheriff's Department, Attorney's Office and town board;

Weiberg's, Inc., d/b/a Weiberg's, Inc., Colvin Township, Off-Sale 3.2 Percent Malt Liquor License No. B9960, approval by the Sheriff's Department and Attorney's Office;

Jarth, Inc., d/b/a Y Store, Vermilion Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B9961, approval by the Sheriff's Department and Attorney's Office.

Adopted June 16, 1998. No. 475

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

237

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19, Combination On/Off-Sale Intoxicating Liquor License No. L9930 and Sunday On-Sale Intoxicating Liquor License No. LS9930;

Richard Huth, d/b/a Red Pine Lodge, Unorganized Area 69-21, Combination On/Off-Sale Intoxicating Liquor License No. L9955 and Sunday On-Sale Intoxicating Liquor License No. LS9955;

Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18, Off-Sale Intoxicating Liquor License

No. L9983;

C & E Enterprises, Inc., d/b/a Sunset Lounge, Rice Lake Township, Combination On/Off-Sale Intoxicating Liquor License No. L9966 and Sunday On-Sale Intoxicating Liquor License No. LS9966;

Sand Lake J. F. Enterprises, Inc., d/b/a Voyageurs SandLake Resort, Unorganized Area 60-18, Combination On/Off-Sale Intoxicating Liquor License No. L9973 and Sunday On-Sale Intoxicating Liquor License No. LS9973.

Adopted June 16, 1998. No. 476

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board

File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;

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

238

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999; FURTHER RESOLVED, that said licenses are approved upon the contingencies as stated:

Ash Ka Nam Resort, Inc., d/b/a Ash Ka Nam Resort, Inc., Unorganized Area 68-19, Combination On/Off-Sale Intoxicating Liquor License No. L992 and Sunday On-Sale Intoxicating Liquor License No. LS992, approval by the Sheriff's Department and Attorney's Office;

Cormar Enterprises, Inc., d/b/a The Aspen, Unorganized Area 60-18, On-Sale Intoxicating Liquor License No. L994 and Sunday On-Sale Intoxicating Liquor License No. LS994, approval by the Sheriff's Department and Attorney's Office and proof of liquor liability insurance;

Babbitt Foreign Legion, Inc., d/b/a Babbitt Foreign Legion, Unorganized Area 61-13, On-Sale Intoxicating Liquor License No. L995 and Sunday On-Sale Intoxicating Liquor License No. LS995, approval by the Sheriff's Department and Attorney's Office and proof of liquor liability insurance;

Back 40, Inc., d/b/a Back 40, Inc., Ellsburg Township, Combination On/Off-Sale Intoxicating Liquor License No. L996 and Sunday On-Sale Intoxicating Liquor License No. LS996, approval by the Sheriff's Department and Attorney's Office and proof of liquor liability insurance;

Airis Associates, Inc., d/b/a Bay View Lodge, Greenwood Township, On-Sale Intoxicating Liquor License No. L997 and Sunday On-Sale Intoxicating Liquor License No. LS997, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance and town board approval;

Sandberg, Inc., d/b/a Bear River Viking Bar, Morcom Township, Combination On/Off-Sale Intoxicating Liquor License No. L998 and Sunday On-Sale Intoxicating Liquor License No. LS998, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance and town board approval;

William Parris, d/b/a Bil-Mars Supper Club, Unorganized Area 55-21, Combination On/Off-Sale Intoxicating Liquor License No. L999 and Sunday On-Sale Intoxicating Liquor License No. LS999, approval by the Sheriff's Department and Attorney's Office and proof of liquor liability insurance;

Black Bear Cafe, Inc., d/b/a Black Bear Cafe, Vermilion Lake Township, Combination On/Off-Sale Intoxicating Liquor License No. L9911 and Sunday On-Sale Intoxicating Liquor License No. LS9911, approval by the Sheriff's Department and Attorney's Office;

Triple R Enterprises of Duluth, Inc., d/b/a Blue Max Resort, Fredenberg Township, Combination On/Off-Sale Intoxicating Liquor License No. L9912 and Sunday On-Sale Intoxicating Liquor License No.

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

239

LS9912, approval by the Sheriff's Department and Attorney's Office;

G.W. Resort, Inc., d/b/a Borderland Lodge, Unorganized Area 67-17, Combination On/Off-Sale Intoxicating Liquor License No. L9913 and Sunday On-Sale Intoxicating Liquor License No. LS9913, approval by the Sheriff's Department and Attorney's Office;

Carrie/Richard Vilbrandt, d/b/a Brantz Restaurant, Fayal Township, On-Sale Intoxicating Liquor License No. L9914 and Sunday On-Sale Intoxicating Liquor License No. LS9914, proof of liquor liability insurance;

Britt Country Store & Lounge, Inc., d/b/a Britt Country Store & Lounge, Inc., Unorganized Area 60-18, Combination On/Off-Sale Intoxicating Liquor License No. L9915 and Sunday On-Sale Intoxicating Liquor License No. LS9915, approval by the Sheriff's Department and Attorney's Office;

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, On-Sale Intoxicating Liquor License No. L9917 and Sunday On-Sale Intoxicating Liquor License No. LS9917, proof of liquor liability insurance;

Jill Malanowski, d/b/a Calm Bays White Eagle Resort, Unorganized Area 69-21, Combination On/Off-Sale Intoxicating Liquor License No. L9918 and Sunday On-Sale Intoxicating Liquor License No.

LS9918, approval by the Sheriff's Department and Attorney's Office;

Marlene Anding, d/b/a Char Mars, Alborn Township, Combination On/Off-Sale Intoxicating Liquor License No. L9919 and Sunday On-Sale Intoxicating Liquor License No. LS9919, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Acronym's Inc., d/b/a Classroom Lounge, Fine Lakes Township, Combination On/Off-Sale Intoxicating Liquor License No. L9920 and Sunday On-Sale Intoxicating Liquor License No. LS9920, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Clip Joint Tavern, Inc., d/b/a Clip Joint Tavern, Inc., Alborn Township, Combination On/Off-Sale Intoxicating Liquor License No. L9921 and Sunday On-Sale Intoxicating Liquor License No. LS9921, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Randall Willeck, d/b/a Country Corner, Culver Township, Combination On/Off-Sale Intoxicating Liquor License No. L9922 and Sunday On-Sale Intoxicating Liquor License No. LS9922, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Hospitality Concepts, Inc., d/b/a Country Supper Club, Beatty Township, On-Sale

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

240

Intoxicating Liquor License No. L9923 and Sunday On-Sale Intoxicating Liquor License No. LS9923, approval by the Sheriff's Department, Attorney's Office and Health Department;

Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, Off-Sale Intoxicating Liquor License No. L9979, approval by the Sheriff's Department and Attorney's Office;

Douglas Miller/James Dedina, d/b/a Dawghouse Bar & Grill, Northland Township, Combination On/Off-Sale Intoxicating Liquor License No. L9925 and Sunday On-Sale Intoxicating Liquor License No. LS9925, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Jauert, Inc., d/b/a Eagle's Nest Resort, Fredenberg Township, Combination On/Off-Sale Intoxicating Liquor License No. L9927 and Sunday On-Sale Intoxicating Liquor License No. LS9927, approval by the Sheriff's Department and Attorney's Office;

El Toro Lounge, Inc., d/b/a El Toro Lounge, Inc., Cotton Township, Combination On/Off-Sale Intoxicating Liquor License No. L9928 and Sunday On-Sale Intoxicating Liquor License No. LS9928, approval by the Sheriff's Department and Attorney's Office;

Eshquaguma Club, Inc., d/b/a Eshquaguma Club, Biwabik Township, Club On-Sale

Intoxicating Liquor License No. C991 and Club Sunday On-Sale Intoxicating Liquor License No. CS991, approval by the Attorney's Office and proof of liquor liability insurance;

LMI of Virginia, Inc., d/b/a 4 Seasons Restaurant & Liquor Store, Wuori Township, Combination On/Off-Sale Intoxicating Liquor License No. L9929 and Sunday On-Sale Intoxicating Liquor License No. LS9929, approval by the Sheriff's Department and Attorney's Office;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Unorganized Area 68-21, Off-Sale Intoxicating Liquor License No. L9980, proof of liquor liability insurance;

Evergreen Alliance Beverages, Inc., d/b/a Giants Ridge Recreation Area, White Township, On-Sale Intoxicating Liquor License No. L9931 and Sunday On-Sale Intoxicating Liquor License No. LS9931, approval by the Sheriff's Department, Attorney's Office, town board and proof of liquor liability insurance;

Hideaway Bar & Lounge, Inc., d/b/a Hideaway Bar & Lounge, Inc., Unorganized Area 61-13, Combination On/Off-Sale Intoxicating Liquor License No. L9932 and Sunday On-Sale Intoxicating Liquor License No. LS9932, proof of liquor liability insurance;

Marie Kreegier, d/b/a The Homestead Restaurant, Clinton Township, On-Sale Intoxicating Liquor License No. L9933

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

241

and Sunday On-Sale Intoxicating Liquor License No. LS9933, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

ILI, Inc., d/b/a Island Lake Inn, Gnesen Township, Combination On/Off-Sale Intoxicating Liquor License No. L9934 and Sunday On-Sale Intoxicating Liquor License No. LS9934, proof of liquor liability insurance;

Larry/Vivian Kec, d/b/a Kec's Kove, Unorganized Area 69-21, On-Sale Intoxicating Liquor License No. L9935 and Sunday On-Sale Intoxicating Liquor License No. LS9935, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Area 70-18, On-Sale Intoxicating Liquor License No. L9936 and Sunday On-Sale Intoxicating Liquor License No. LS9936, proof of liquor liability insurance;

Kendallberry's Inc., d/b/a Kountry Krossroads, Pike Township, Combination On/Off-Sale Intoxicating Liquor License No. L9937 and Sunday On-Sale Intoxicating Liquor License No. LS9937, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

F & D, Inc., d/b/a Lakeview Castle, Duluth Township, Combination On/Off-Sale Intoxicating Liquor License No. L9938

and Sunday On-Sale Intoxicating Liquor License No. LS9938, approval by the Sheriff's Department, Attorney's Office, town board and proof of liquor liability insurance;

Sunset Creek Corporation, d/b/a The Landing, On-Sale Intoxicating Liquor License No. L9939 and Sunday On-Sale Intoxicating Liquor License No. LS9939, approval by the Sheriff's Department and Attorney's Office;

Pappas Enterprises, Inc., d/b/a Legrand Supper Club, Grand Lake Township, Combination On/Off-Sale Intoxicating Liquor License No. L9940 and Sunday On-Sale Intoxicating Liquor License No. LS9940, proof of liquor liability insurance;

Linnea Wargowsky, d/b/a Linnea's Place Bar & Grill, Unorganized Area 59-21, Combination On/Off-Sale Intoxicating Liquor License No. L9941 and Sunday On-Sale Intoxicating Liquor License No. LS9941, proof of liquor liability insurance;

Martinson Log Cabin, Inc., d/b/a Log Cabin, Angora Township, Combination On/Off-Sale Intoxicating Liquor License No. L9942 and Sunday On-Sale Intoxicating Liquor License No. LS9942, approval by the Sheriff's Department and Attorney's Office;

Ted Melgeorge, d/b/a Melgeorge's Resort, Unorganized Area 66-19, Combination On/Off-Sale Intoxicating Liquor License No. L9943 and Sunday On-Sale

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

242

Intoxicating Liquor License No. LS9943, approval by the Sheriff's Department and Attorney's Office;

Moccasin Point, Inc., d/b/a Moccasin Point Resort, Greenwood Township, Combination On/Off-Sale Intoxicating Liquor License No. L9944 and Sunday On-Sale Intoxicating Liquor License No. LS9944, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Diane Armstrong, d/b/a Munger Tavern & Grill, Solway Township, Combination On/Off-Sale Intoxicating Liquor License No. L9946 and Sunday On-Sale Intoxicating Liquor License No. LS9946, approval by the Sheriff's Department, Attorney's Office and town board;

Myrtle Lake Resort, LLC, d/b/a Myrtle Lake Resort, Portage Township, Combination On/Off-Sale Intoxicating Liquor License No. L9947 and Sunday On-Sale Intoxicating Liquor License No. LS9947, approval by the Sheriff's Department, Attorney's Office, town board and proof of liquor liability insurance;

Simich Corporation, d/b/a The Oasis, Unorganized Area 60-18, Combination On/Off-Sale Intoxicating Liquor License No. L9948 and Sunday On-Sale Intoxicating Liquor License No. LS9948, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Pequaywan Inn Resort, Inc., d/b/a Pequaywan Inn Resort, Inc., Unorganized Area 54-13, Combination On/Off-Sale Intoxicating Liquor License No. L9950 and Sunday On-Sale Intoxicating Liquor License No. LS9950, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance and payment of fees;

Cary/Sherry Pokorny, d/b/a Pokorny's Resort & Campgrounds, Combination On/Off-Sale Intoxicating Liquor License No. L9951 and Sunday On-Sale Intoxicating Liquor License No. LS9951, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

William/Margaret Rutchasky, d/b/a Portage Inn, Portage Township, Combination On/Off-Sale Intoxicating Liquor License No. L9952 and Sunday On-Sale Intoxicating Liquor License No. LS9952, approval by the Attorney's Office and proof of liquor liability insurance;

Allied Properties, Inc., d/b/a Prime Time Steak House, Rice Lake Township, Combination On/Off-Sale Intoxicating Liquor License No. L9953 and Sunday On-Sale Intoxicating Liquor License No. LS9953, approval by the Attorney's Office and proof of liquor liability insurance;

Martha Vanduker, d/b/a Rail Hub, Elmer Township, Combination On/Off-Sale Intoxicating Liquor License No. L9954

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

243

and Sunday On-Sale Intoxicating Liquor License No. LS9954, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, Combination On/Off-Sale Intoxicating Liquor License No. L9956 and Sunday On-Sale Intoxicating Liquor License No. LS9956, proof of liquor liability insurance;

Dennis/Daniel Paulsen, d/b/a Rocky Ledge Resort, Unorganized Area 69-21, Combination On/Off-Sale Intoxicating Liquor License No. L9957 and Sunday On-Sale Intoxicating Liquor License No. LS9957, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Yelensky Resorts, Inc., d/b/a Rocky Point Resort, Unorganized Area 69-21, On-Sale Intoxicating Liquor License No. L9958 and Sunday On-Sale Intoxicating Liquor License No. LS9958, approval by the Sheriff's Department and Attorney's Office;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, On-Sale Intoxicating Liquor License No. L9959 and Sunday On-Sale Intoxicating Liquor License No. LS9959, approval by the Sheriff's Department, Attorney's Office and town board, proof of liquor liability insurance;

Sandy Point Lodge, Inc., d/b/a Sandy Point Lodge, Unorganized Area 69-21, On-Sale Intoxicating Liquor License No. L9960 and Sunday On-Sale Intoxicating Liquor License No. LS9960, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Scott's of Crane Lake, Inc., d/b/a Scott's Resort, Unorganized Area 67-17, Combination On/Off-Sale Intoxicating Liquor License No. L9961 and Sunday On-Sale Intoxicating Liquor License No. LS9961, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

William Beyer, d/b/a Shorecrest Supper Club, Duluth Township, Combination On/Off-Sale Intoxicating Liquor License No. L9962 and Sunday On-Sale Intoxicating Liquor License No. LS9962, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Wrobel's of Pike, Inc., d/b/a Silverado Saloon, Unorganized Area 59-16, Combination On/Off-Sale Intoxicating Liquor License No. L9963 and Sunday On-Sale Intoxicating Liquor License No. LS9963, approval by the Sheriff's Department and Attorneys' Office;

The South Switch, Inc., d/b/a The South Switch, Angora Township, Combination On/Off-Sale Intoxicating Liquor License No. L9964 and Sunday On-Sale Intoxicating Liquor License No. LS9964,

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

244

approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Elizabeth Kirsh, d/b/a Sportsmens Inn, Gnesen Township, Combination On/Off-Sale Intoxicating Liquor License No. L9965 and Sunday On-Sale Intoxicating Liquor License No. LS9965, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Sunset Resort, Inc., d/b/a Sunset Resort, Unorganized Area 68-19, Combination On/Off-Sale Intoxicating Liquor License No. L9966 and Sunday On-Sale Intoxicating Liquor License No. LS9966, approval by the Sheriff's Department and Attorney's Office;

Jerald/Kathryn Brown, d/b/a Trails End Resort & Campgrounds, Portage Township, Combination On/Off-Sale Intoxicating Liquor License No. L9970 and Sunday On-Sale Intoxicating Liquor License No. LS9970, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Northland V-C, Inc., d/b/a Vermilion Club, Greenwood Township, Combination On/Off-Sale Intoxicating Liquor License No. L9971 and Sunday On-Sale Intoxicating Liquor License No. LS9971, approval by the Sheriff's Department and Attorney's Office;

Vermilion River Tavern, Inc., d/b/a Vermilion River Tavern, Inc., Portage Township, Combination On/Off-Sale

Intoxicating Liquor License No. L9972 and Sunday On-Sale Intoxicating Liquor License No. LS9972, approval by the Sheriff's Department and Attorney's Office;

BJM, Inc., d/b/a Voyaguair Lodge, Unorganized Area 67-17, Combination On/Off-Sale Intoxicating Liquor License No. L9974 and Sunday On-Sale Intoxicating Liquor License No. LS9974, approval by Sheriff's Department and Attorney's Office;

Ironduck, Inc., d/b/a Wooden Table Inn, Unorganized Area 60-19, Combination On/Off-Sale Intoxicating Liquor License No. L9976 and Sunday On-Sale Intoxicating Liquor License No. LS9976, approval by the Sheriff's Department and Attorney's Office.

Adopted June 16, 1998. No. 477

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for on-sale wine licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57199;

RESOLVED FURTHER, that said licenses are approved contingent upon licenseholders paying real estate or personal property taxes when due;

RESOLVED FURTHER, that said license shall be effective through June 30, 1999;

FURTHER RESOLVED, that if named

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

245

licenseholders sell their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholders;

FURTHER RESOLVED, that said licenses are approved upon the contingencies as stated:

J & M Ventures, Inc., d/b/a Breeze Inn, Lakewood Township, On-Sale Wine License No. W991, approval by the Sheriff's Department and Attorney's Office;

The Scenic Cafe, Inc., d/b/a Scenic Cafe, Duluth Township, On-Sale Wine License No. W992, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Jeffrey Hammerlind, d/b/a Sturgeon River Landing, French Township, On-Sale Wine License No. W993, approval by the Sheriff's Department and Attorney's Office, proof of liquor liability insurance;

Dean Esala, d/b/a Wayside Cafe, Greenwood Township, On-Sale Wine License No. W994, approval by the Sheriff's Department, Attorney's Office, and Town Board.

Adopted June 16, 1998. No. 478

RESOLVED, that the County Board:

1) Accepts state children's MH homeless screening grant in the amount of

\$109,725 and increases Fund 04-SSV-9519 by this amount.

2) Approves contracts with the following agencies for the period 1/1/98 - 12/31/99:

	<u>Amount</u>
Human Development Center	\$66,800
Range Mental Health Center	\$37,700

3) Approves distribution of any unexpended dollars retained for administrative costs to the Human Development Center and the Range Mental Health Center.

Budget Reference: Fund 04, Agency SSV, Revenue Source 9519

Adopted June 16, 1998. No. 479

RESOLVED, that the St. Louis County Board of Commissioners authorizes a contract addendum to Contract No. 12014 with Miller Dwan Medical Center to extend the effective date of the Purchase of Service Contract from May 31, 1998, to June 30, 1998.

Budget Reference:

This service is paid by the Minnesota Medicaid Management Information (MMIS II) System.

Adopted June 16, 1998. No. 480

WHEREAS, approximately 1750 tons/year of solid waste from the Brookston Transfer Station is processed at the Western Lake Superior Sanitary District (WLSSD); and

WHEREAS, WLSSD has proposed a twelve-month amendment (6/30/98 to

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

246

6/30/99) of that contract at a tipping fee of \$51.17/ton for processing; and WHEREAS, as this results in a \$16.83/ton savings to the County over the 1995 tipping fee paid to the WLSSD; NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department be authorized to contract with WLSSD for a twelve-month contract amendment for 1750 tons at \$51.17/ton totaling \$89,548, payable from Fund 26, Agency J-36 Transfer Station.

Adopted June 16, 1998. No. 481

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57200, are approved.

Adopted June 16, 1998. No. 482

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on June 8, 1998, the Civil Service specifications for the following be revised effective June 16, 1998:

Asst. Admin. - Operations
Asst. Admin. - Security
Asst. Mine Inspector I
Asst. Mine Inspector II
Auto Mechanic
Comm. Technical Super.
Corrections Counselor
County Surveyor
Deputy County Surveyor

Deputy Sheriff
Deputy Sheriff Captain
Deputy Sheriff - Corrections Officer
Deputy Sheriff - Investigator
Deputy Sheriff Lieutenant
Deputy Sheriff Sergeant
Deputy Sheriff Sergeant - Correc.
Electrician
Electronic Systems Technician
Eligibility Investigator
Employee Develop. Coordinator
Environmental Health Director
Environmental Health Specialist
Environ. Health Spec. Super.
Environmental Health Tech.
Environ./Occu. Health & Safety Hygen.
Equip. Operator - Social Services
Forester Trainee
Forestry Technician Trainee
Graduate Engineer
Highway Maintenance Worker
Homemaker - Home Health Aide
Jail Program Operations Coord.
Land Department Surveyor
Land Staff Appraiser
Mechanical Trades Helper
Occ. Safety and Health Coord.
Outreach Worker - Health Dept.
Parts Courier
Personnel Officer
Personnel Technician I
Personnel Technician II
Photo Lab Technician
Principal Engineer
Program Facilitator
Public Health Educator I
Public Health Educator II
Public Health Education Super.
Public Health Lab. Coord.
Public Health Nurse I

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

247

Public Health Nurse II
Real Estate Appraiser I
Real Estate Appraiser II
Road Design/Construction Super.
Senior Engineer
Social Services Specialist I
Social Services Specialist II
Solid Waste Facility Manager
Survey Drafting Specialist
Survey Technician I
Survey Technician II
Survey Technician Trainee
Utility Worker I
Utility Worker II
Adopted June 16, 1998. No. 483

WHEREAS, St. Louis County operates a subtitle D landfill that on occasion requires additional professional engineering assistance for short-term projects; and
WHEREAS, the most efficient and effective means of securing that assistance is through developing a general engineering services contract that covers a variety of types of future projects; and
WHEREAS, Wenck Associates has served as the County's landfill engineering design consultant and is familiar with the County's landfill and related issues; and
WHEREAS, Wenck has submitted an acceptable schedule of rates and charges for services;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Solid Waste Department to enter into a general engineering services contract with Wenck Associates for a total amount not to exceed \$12,000, payable from Fund 26,

Agency J-48 Regional Landfill.
Adopted June 16, 1998. No. 484

WHEREAS, St. Louis County requires the services of a competent MPCA certified landfill contractor to operate the Hibbing Demolition Landfill in Hibbing, Minnesota; and

WHEREAS, Kangas Excavating, Inc., is a certified MPCA Type II Landfill Operator and has been satisfactorily operating the Regional Landfill since 1993; and

WHEREAS, it is in the County's best interest that the Hibbing Demolition Landfill continue to be operated in an environmentally-safe, cost-effective manner; and

WHEREAS, the County recently awarded an Agreement with Kangas Excavating, Inc., for Regional Landfill Operations that can be amended to include operation of the Hibbing Demolition Landfill; and

WHEREAS, Kangas has agreed to operate the Hibbing Demolition Landfill at the same hourly rates as quoted in the Regional Landfill Operating Agreement, and has agreed to a \$100 per round trip equipment mobilization fee; and

WHEREAS, the Solid Waste Subcommittee has unanimously approved amending the Regional Landfill Operating Agreement with Kangas Excavating, Inc., to incorporate operations at the Hibbing Demolition Landfill;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Purchasing Agent is authorized to amend the current Regional Landfill Operations Agreement with Kangas Excavating, Inc., to include

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

248

operation of the Hibbing Demolition Landfill at the hourly rates listed in the Agreement, and to include a \$100 round trip equipment mobilization fee for equipment needed at the Hibbing Demolition Landfill;

RESOLVED FURTHER, that the total cost of the Agreement will not exceed \$17,300 in 1998, and the total cost in subsequent years will not exceed \$15,500 per year, payable from Fund 26, J-37 Demolition Landfill.

Adopted June 16, 1998. No. 485

RESOLVED, that the Purchasing Agent and the Public Works Director are hereby authorized to enter into an agreement with LHB Engineers, Duluth, for engineering services related to evaluation of the existing condition of the Midway Park Sanitary Sewer System currently owned by St. Louis County for a fee not to exceed \$11,473.00, payable from Fund 02 (Public Works), Agency A11 (Administration and Engineering), Object 266 (Engineering), Org. 0008.

Adopted June 16, 1998. No. 486

WHEREAS, Minnesota Statutes 274.13 requires that a County Board of Equalization be formed each year to hear complaints of taxpayers and review assessments of real and personal property throughout the County; and

WHEREAS, said statute empowers the County Board of Equalization to appoint a Special Board of Equalization to which it may delegate all powers and duties of the County Board of Equalization; and

WHEREAS, the St. Louis County Board,

having reviewed the matter, deems it to be in the public interest to appoint said Special Board;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby appoints:

Cynthia Backman, Duluth
(Commissioner District #1)

Kathleen Busche, Duluth
(Commissioner District #2)

Kevin Doyle, Duluth
(Commissioner District #3)

Frank Salerno, Ely
(Commissioner District #4)

William Clements, Town of Rice Lake
(Commissioner District #5)

James Anderson, Town of Biwabik
(Commissioner District #6)

Marvin Kampsula, Hibbing
(Commissioner District #7)

to serve as the Special Board of Equalization for Assessment Year 1998.

RESOLVED FURTHER, that the Special Board is:

1. Delegated all powers and duties of the County Board of Equalization;
2. To report the results of their deliberations back to the County Board of Commissioners in the form of minutes kept by the Clerk of the County Board;

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

249

3. Directed to hold at least one meeting day in each of the Duluth and Virginia Courthouses;

4. To be compensated at the rate of \$125.00 per meeting day payable from the Assessor's Department (Fund 01, Agency 56, Object 353 - Non-employee fees) and reimbursed for mileage at the current County rate from Assessor's Department (Fund 01, Agency 56, Object 355 - Non-employee travel);

5. Directed to convene at 10:00 A.M., June 17, 1998, in the County Board Room, Courthouse, Duluth, MN.
Adopted June 16, 1998. No. 487

RESOLVED, that the County Board of Commissioners authorizes the Department of Public Health and Long Term Medical Care to apply to the Minnesota Department of Health for a HIV-Related Services in Rural Minnesota Grant for the period of July 15, 1998, through March 31, 1999, in the amount of \$25,000.

Adopted June 16, 1998. No. 488

BY COMMISSIONER SWEENEY:

WHEREAS, Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Inc., Solway Township, St. Louis County, Minnesota, has applied for a Combination On/Off-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the

issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on June 16, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the applications for said licenses Saginaw Union Station, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location.

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off Sale Intoxicating Liquor License (License Number L9986) and Sunday On-Sale Intoxicating Liquor License (License Number LS9986) shall be issued to Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Inc., Solway Township;

FURTHER RESOLVED, that said liquor licenses shall be effective through June 30, 1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

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

250

Unanimously adopted. June 16, 1998.
No. 489

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

S.A.P. 69-600-17 (C.R. 405), C.P. 9236, located between C-SAH 68 in Britt and N.F.R. 6838. Length: 3.400 km (2.11 miles). Project to consist of Bituminous Surfacing, Aggregate Base, and Aggregate Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 15, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardrives, Inc.

ADDRESS

14475 Quiram Drive
Rogers, MN 55374-9461

AMOUNT

\$146,657.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 16, 1998.
No. 490

BY COMMISSIONER PREBICH:

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

S.A.P. 69-658-03 (C-SAH 58), C.P. 9230, located on C-SAH 58 approximately 1.5 mile East of Ely between S.T.H. 169 and Lake County Road 16. Length: 1.134 km (0.7 mile). Project to consist of Grading, Aggregate Base, Bituminous Surface and Bituminous Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 15, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby

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

251

approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Louis Leustek & Sons, Inc.

ADDRESS

1715 E. Sheridan St.
Ely, MN 55731

AMOUNT

\$506,253.46

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 16, 1998.
No. 491

BY COMMISSIONER SWEENEY:

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

S.A.P. 69-728-08 (C-SAH 128), C.P. 9237 in Bear Head Lake State Park at Contact Station. Length: 618 feet. Project to consist of Grading, Aggregate Base, Bituminous Surfacing, Curb and Gutter and Sidewalk;

WHEREAS, said bids or proposals were duly opened in the County Board Room at

10:00 A.M., June 15, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Louis Leustek & Sons, Inc.

ADDRESS

1715 E. Sheridan St.
Ely, MN 55731

AMOUNT

\$98,664.40

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. June 16, 1998.
No. 492

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

252

At 9:55 A.M. on Tuesday, June 16, 1998, upon motion of Commissioner Prebich, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JUNE 23, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of June, 1998, at 9:40 A.M. in Room No. 24, Government Services Building, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to anyone who wanted to address the County Board concerning issues not on the agenda, but no one chose to do so.

At 9:41 A.M. a public hearing was convened, pursuant to Resolution No. 433, adopted May 26, 1998, to hear the petition of John Zupetz, Dean and Margaret Olson, and Robert Kocks regarding establishment of a cartway, two rods in width, to provide access to their property and described as follows: Along the existing road known as Forest Service Road No. 353, also known as Niles Bay Forest Road, from the present St. Louis County Road No. 422 to the southerly boundary of Section 15, Township 63 North, Range 17 West. The Chair opened the hearing to members of the public and

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

253

the following chose to address the issue:

Mike Zupetz, owner of the land subject to the cartway, outlined the history of the access road and emphasized that he is not interested in denying access. Mr. Zupetz wants the affected landowners to clear their titles and draw up an agreement that would establish yearly maintenance fees and set the costs for any new landowner that may use the cartway in the future. Mr. Zupetz preferred a legal agreement procedure that would keep the road private.

Robert Kocks and Tom Morrow, landowners using the access road, spoke in favor of the County establishing the cartway and making it a public road. Both believed that the landowners could agree on a maintenance schedule which would relieve Mike Zupetz of the burden of maintaining the road.

Mark Weir, Attorney representing John Zupetz, presented to the Clerk of the Board necessary paperwork - except the certificate of survey which contained a cartway footage error and would be corrected and resubmitted - for the Board to approve the cartway.

Mark Olson, Right of Way Agent, presented the St. Louis County Public Works position and submitted an independent appraisal that set the compensation at \$800 for Mike Zupetz. (Mr. Zupetz felt that \$3,500 would be a more equitable settlement.)

Alan Mitchell, County Attorney, advised the Board that the plan presented by Mike Zupetz would constitute a private road agreement. Approval of the cartway would establish a public roadway and would allow the Board to facilitate maintenance and determine the compensation due to Mike Zupetz.

At 10:55 A.M. in the forenoon of Tuesday, June 23, 1998, the Chair declared a recess until 11:00 A.M. on June 23, 1998, in Room No. 24, Government Services Building, Ely, Minnesota.

The Board reconvened at 11:07 A.M. on Tuesday, June 23, 1998, the regular order of business resumed with all members present except Commissioner Marilyn A. Krueger.

Discussion continued on the cartway. At 11:15 A.M. Commissioner Prebich, supported by Commissioner Sweeney, moved to close the hearing; six yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Fink, moved to table the matter for two weeks to allow Commissioners and staff time to study the issue; four yeas - two nays, Commissioners Prebich and Chair Forsman. Commissioners Fink and Raukar then decided to change their votes to nay to allow discussion on the issue to continue. The original motion to table failed; two yeas - four nays, Commissioners Fink, Prebich, Raukar, and Chair Forsman.

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

254

After some discussion concerning damages, maintenance and the need for some additional information, the County Attorney advised the Board that, once the public hearing was closed, only questions concerning the law or procedures would be appropriate.

Commissioner Prebich, supported by Commissioner Raukar, then moved to: establish the cartway as represented; direct staff to prepare a finding of facts; ensure that no public funds be expended; and, ensure that any maintenance agreement be equitable and that petitioners pay compensation of at least \$1,600 to Mike Zupetz. Commissioner Raukar, supported by Commissioner Kron, moved to amend the motion to set the damages at no less than \$1,600 and no more than \$3,500, as determined by staff. In addition, a clause should be added to the cartway resolution to not approve County sponsorship of an associated easement from the DNR. On advice of the County Attorney, Commissioner Raukar withdrew the amendment. Commissioner Fink, supported by Commissioner Prebich, moved to table the motion for two weeks; five yeas - one nay, Commissioner Raukar.

On motion of Commissioner Sweeney, supported by Commissioner Raukar, Hardrives, Inc., Zim, MN, was awarded highway project M.P. 31-1208 (C-SAH 31, Brookston Road) with a low bid of \$150,837.28; six yeas - zero nays. Resolution No. 507.

Commissioner Sweeney, supported by

Commissioner Prebich, moved approval of a resolution retracting the County commitment as a member of the Northeast Minnesota Managed Care Joint Powers Board. The resolution also discontinued any financial participation by the County and directed staff to inform the Minnesota Department of Human Services of the continued interest of St. Louis County in Enhanced PMAP as an alternative to a county-based purchasing alliance; five yeas - one nay, Commissioner Fink. Resolution No. 508.

Commissioner Prebich, supported by Commissioner Sweeney, moved to approve the acquisition of private lands by the DNR for inclusion in the Fermoy Wildlife Management Area. After some discussion concerning the rights of property owners, the continuing loss of land to government ownership and the need to seek legislative remedies, Commissioner Prebich, supported by Commissioner Kron, called the question; six yeas - zero nays. The acquisition was then approved; four yeas - two nays, Commissioner Fink and Chair Forsman. Resolution No. 509.

Commissioner Prebich, supported by Commissioner Raukar, moved to approve the purchase of the Duluth City and County Employees Credit Union property located at the corner of West Third Street and Fourth Avenue West for \$275,000. Commissioner Fink moved to table the motion which failed for lack of support. After discussion, Commissioner Sweeney, supported by Commissioner Raukar,

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

255

moved to call the question; six yeas - zero nays. The purchase was then approved; five yeas - one nay, Commissioner Fink. Resolution No. 510.

On motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to consider a resolution reaffirming the County's support of the Veterans' Memorial Hall to be established in the St. Louis County Heritage and Arts Center (The Depot); six yeas - zero nays. Durbin Keeney, Duluth, spoke about the suspicion among veterans and veteran groups that the Veterans' Hall would never be built. Mr. Keeney believed the reaffirmation was necessary to reassure the veterans and also aid in fund raising efforts to establish the exhibit. After some discussion, Commissioner Kron, supported by Commissioner Raukar, moved approval of a resolution reaffirming the County support of the establishment of the Veterans' Memorial Hall; six yeas - zero nays. Resolution No. 511.

Commissioner Kron, supported by Commissioner Sweeney, moved to suspend the rules to consider the authorization to execute a cooperative law enforcement agreement between the Fond du Lac Band of Lake Superior Chippewa and St. Louis County; six yeas - zero nays. Alan Mitchell, County Attorney, told the Board that the legislation authorizing the cooperative agreement required approval by July 1, 1998. After discussion, Commissioner Sweeney, supported by

Commissioner Kron, moved to authorize the agreement; six yeas - zero nays. Resolution No. 512.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Western Lake Superior Sanitary District submitting minutes of their meeting held on June 22, 1998 to elect a member.--57202

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-381 regarding repurchase of tax forfeited land.--57203

Documentation from public hearing held on June 23, 1998, to hear the petition of John Zupetz, Dean and Margaret Olson and Robert Kocks, regarding establishing a cartway two rods in width including all trees, shrubs, and herbage, over, under, and across to provide access to their property in Section 15, Township 63 North, Range 17 West.--57204-D

Thomas P. Truszinski, Vice President of Juran & Moody, inviting the St. Louis County Board to attend a public hearing on Monday, July 13, 1998, at 7:00 P.M. at the City Hall in Orr to consider the amendment to Tax Increment Financing District No. 1-1 within Municipal Development District No. 1.--57205

Cooperative Agreement between the Fond

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

256

du Lac Band of Lake Superior Chippewa and St. Louis County for law enforcement.--98-502

Purchase of Service Agreement between the St. Louis County Board of Commissioners and J.E. and Associates (formerly known as EBI, Inc. - Consulting Services).--98-503ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc.--98-504ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Range Mental Health Center.--98-505ss

Addendum to Contract No. 11915 between the St. Louis County Board of Commissioners and Range Mental Health Center - Hibbing Adult Day Care.--98-506ss

Consolidated Chemical Dependency Treatment Fund Purchase of Service Agreement between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center.--98-507ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Lee Foster Care Home.--98-508ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Health

Alternatives.--98-509ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Olsten Certified Healthcare Corp.--98-510ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and St. Mary's Home Care.--98-511ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and TLC Home Care.--98-512ss

Contribution Agreement between the County of St. Louis and Western Lake Superior Sanitary District.--98-513

Addendum to Contract No. 11937 between the St. Louis County Board of Commissioners and Benedictine - St. Anthony's for adult day care services.--98-514ss

Addendum to Contract No. 11936 between the St. Louis County Board of Commissioners and Benedictine Health Center of the Benedictine Sisters' Benevolent Association for adult day care services.--98-515ss

Addendum to Contract No. 11925 between the St. Louis County Board of Commissioners and Daybreak Adult Day Care.--98-516ss

Grant Agreement between the St. Louis County Board of Commissioners and

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

257

Duluth Housing and Redevelopment Authority.--98-517ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Daybreak Adult Day Care.--98-518ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Benedictine Health Center of the Benedictine Sisters' Benevolent Association.--98-519ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Benedictine - St. Anthony's Center.--98-520ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Psychological Clinic, P.A. - (SLS Adult).--98-521ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Psychological Clinic, P.A. - (SILS).--98-522ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Psychological Clinic, P.A. (SILS-SILVR).--98-523ss

Project Contract between St. Louis County and Van Waters & Rogers, Inc., for liquid

calcium chloride.--98-524

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 493 through 506, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 2, 1998, are hereby approved.
Adopted June 23, 1998. No. 493

RESOLVED, that the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue a license as follows:

Gnesen General Store, Inc., d/b/a Gnesen General Store, Inc., Gnesen Township, Tobacco Products License No. T98149.
Adopted June 23, 1998. No. 494

RESOLVED, that the appraisal reports for the sale of timber, numbered Tracts 1 through 3, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted June 23, 1998. No. 495

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

258

RESOLVED, that the County Board of Commissioners authorizes the Board Chair-person, Health Director, and County Auditor to sign an agreement with the Community Health Board for a fetal and infant mortality grant, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 259, in the amount of \$80,000 for the period January 1, 1998, through December 31, 1999.

Adopted June 23, 1998. No. 496

RESOLVED, that the County Board of Commissioners authorizes the Board Chairperson, Health Director, and County Auditor to sign an agreement with the Community Health Board for the Special Indian Health Grant, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 251, in the amount of \$64,000 for the period June 1, 1998, through December 31, 1999.

Adopted June 23, 1998. No. 497

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health Director to sign an agreement with Linda Lamb for registered dietician services at the rate of \$30.00 per hour for coverage during vacation absences at Nopeming Nursing Home for the period May 15, 1998, through June 30, 2000, payable from Fund 64B, Agency N72, Org. 6100, Object 299.

Adopted June 23, 1998. No. 498

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, County Auditor, and Health

Director to sign an agreement with Denise Letourneau for registered dietician services at the rate of \$25.00 per hour for coverage during vacation absences at Chris Jensen Health and Rehabilitation Center for the period May 15, 1998, through June 30, 2000, payable from Fund 64A, Agency N71, Org. 6100, Object 299.

Adopted June 23, 1998. No. 499

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with New Hope Nursing Services to provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants/Registered upon request of Nopeming Nursing Home, effective June 1, 1998, until May 5, 2000, payable from Fund 64B (Nopeming Nursing Home), Agency N72, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/Rs), Object 264.

Adopted June 23, 1998. No. 500

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57203, is approved.

Adopted June 23, 1998. No. 501

WHEREAS, St. Louis County is committed to providing waste disposal services to residents in the southern region of the County; and

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

259

WHEREAS, Crist Garbage Service, Inc., and Norland Disposal Service have been providing waste collection and disposal services to residents at designated "Sit" sites in these areas under the terms of the existing Agreement during the past year; and

WHEREAS, both Contractors have been performing this service in an effective manner during the past year; and

WHEREAS, it has been determined that it is in the best interest of the County to continue to provide this collection and disposal service to residents in the southern part of the County while longer term management solutions are explored and developed.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Purchasing Agent is authorized to extend the Agreement with Norland Sanitary Service until June 30, 1999, to provide household waste collection and disposal services at the Cotton "Sit" site at a cost of \$35 per hour and an estimated annual cost of \$8,540 per year payable from Fund 26, Agency J-35 Canister Site.

BE IT FURTHER RESOLVED, that the St. Louis County Purchasing Agent is authorized to extend the Agreement with Crist Garbage Service, Inc., until June 30, 1999, to provide household waste collection and disposal services at the Floodwood and Floodwood Lake "Sit" sites at a cost of \$35 per hour and at the Prairie Lake "Sit" site at a cost of \$50 per hour and a total estimated annual cost of \$13,725 payable from Fund 26, Agency J-35 Canister Site.

Adopted June 23, 1998. No. 502

WHEREAS, the St. Louis County Public Works Department plans to reconstruct, widen, and improve a segment of County State Aid Highway 48 (S.A.P. 69-648-13) located in the Cities of Proctor and Hermantown; and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements.

Adopted June 23, 1998. No. 503

RESOLVED, that a public hearing will be held at 9:35 A.M. on July 7, 1998, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License for Sunset Creek Corporation, d/b/a The Landing, Beatty Township.

Adopted June 23, 1998. No. 504

RESOLVED, that the Property Manager and Purchasing Agent are hereby authorized to execute amendments to various lease agreements with the State of Minnesota for office space in the

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

260

Government Services Center for the period July 1, 1998, through June 30, 1999, at a rate of \$9.78/square foot for Items 1 - 5 and the rate for Item 6 remaining unchanged at \$3.50/square foot, as follows:

1) MIS Department, Room 709, \$497.97/month

Payable from Fund 55 (Telecommunications), Agency C-11 (Administration), Object 342 (Building/Facility Rentals);

2) MIS Department, Room 611, \$3,216.81/month

Payable from Fund 53 (Management Information Systems), Agency 550 (Administration), Object 342 (Building/Facility Rentals);

3) MIS Department, Room 112, \$1,286.62/month

Payable from Fund 53 (Management Information Systems), Agency 550 (Administration), Object 342 (Building/Facility Rentals);

4) Land Department, Room 607, \$3,451.53/month

Payable from Fund 15 (Forfeited Tax), Agency E21 (Land-Administration), Object 342 (Building/Facility Rentals);

5) Social Services Department, Room 131, \$2,529.76/month

Payable from Fund 04 (Social Services), Agency ADM (Administration), Object 342 (Building/Facility Rentals);

6) Social Services Department, Storage

Room, \$175.00/month

Payable from Fund 04 (Social Services), Agency ADM (Administration), Object 342 (Building/Facility Rentals)

Adopted June 23, 1998. No. 505

WHEREAS, a study of Motor Pool charges revealed a need to adjust the motor pool rates and charges.

RESOLVED, that Motor Pool vehicle rates be adjusted as follows:

\$.325/mile Sedans, Mid-Size Trucks

\$.405/mile Suburbans/Vans/Full Size Pickups

RESOLVED FURTHER, that Sheriff's vehicle rates be adjusted as follows:

\$.255/mile Sedans

\$.255/mile 4WD Vehicles

RESOLVED FURTHER, that charges for heated garage parking stalls for County vehicles not charged out on a mileage basis by the Motor Pool be \$40/stall.

RESOLVED FURTHER, that shop labor rates are \$44.38 (70% of Duluth Auto Dealers average shop rate).

Adopted June 23, 1998. No. 506

BY COMMISSIONER SWEENEY:

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

M.P. 31-1208 (C-SAH 31, Brookston Road) located between Bridge No. 69580 over St. Louis River and C. R. 859. Length: 2916 meters (1.81 mile). Project

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

261

to consist of Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shoulders;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 22, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardrives, Inc.

ADDRESS

2372 N. Yoki Road
Zim, MN 55738

AMOUNT

\$150,837.28

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project;

payable from Fund 2, Agency A17, Object 528.

Adopted June 23, 1998. No. 507

RESOLVED, that the St. Louis County Board of Commissioners retracts its commitment, as a member of the Northeast Minnesota Managed Care Joint Powers Board, to continue forward on development of a county-based purchasing alliance; and

RESOLVED FURTHER, that this retraction of commitment includes retraction of the financial participation of St. Louis County, with respect to funding of a consultant and other costs related to development of a county-based purchasing alliance; and

RESOLVED FURTHER, that the St. Louis County Board withdraws as a member of the Northeast Minnesota Managed Care Joint Powers Board and directs staff to communicate with the Department of Human Services its interest in working with DHS on Enhanced PMAP for St. Louis County.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair
Forsman - 5

Nays - Commissioner Fink - 1

Absent - Commissioner Krueger - 1

Adopted June 23, 1998. No. 508

BY COMMISSIONER PREBICH:

WHEREAS, in accordance with Minnesota Statutes, Chapter 97.481, the Commissioner of the Department of Natural Resources on May 27, 1997, provided the County Board and the

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

262

appropriate town officers with a description of lands to be acquired by the State of Minnesota for water and wildlife conservation purposes; and

WHEREAS, lands to be acquired are described as follows:

**FERMOY WILDLIFE
MANAGEMENT AREA
LEGAL DESCRIPTION**

(435-20-5090) That part of SE 1/4 - NE 1/4, lying East of centerline of abandoned Great Northern Railroad right-of-way, Section 28, Township 55 North, Range 18 West (11.26 acres);

(435-20-5080) That part of SE 1/4 - NE 1/4, lying North of Kelly Lake Branch and West of the centerline of the abandoned Great Northern Railroad right-of-way, Section 28, Township 55 North, Range 18 West (16.97 acres);

(435-20-5010) A one acre parcel 104 feet East-West by 417 feet North-South in the SE 1/4 - SE 1/4, lying West of the D.M. & I.R. Railroad, Section 27, Township 55 North, Range 18 West (1 acre);

(435-20-4820) SW 1/4 - NE 1/4, Section 27, Township 55 North, Range 18 West (40 acres);

(435-20-4970) NW 1/4 - SE 1/4, Section 27, Township 55 North, Range 18 West (40 acres);

(435-20-5000) That part of the E 1/2 - SE 1/4, lying West of the D.M. & I.R.

Railroad, except one acre of the SE corner, Section 27, Township 55 North, Range 18 West (14.13 acres);

(435-20-4800) That part of the NE 1/4 - NE 1/4 of Section 34, lying West of the D.M. & I.R. Railroad, Township 55 North, Range 18 West (9.7 acres);

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County that the State's proposed acquisition of the above described property be approved.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar - 4

Nays - Commissioners Fink & Forsman - 2

Absent - Commissioner Krueger - 1
Adopted June 23, 1998. No. 509

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County currently leases space for contract parking from the Duluth City & County Employees Credit Union (DCCECU) on property located at the corner of West Third Street and Fourth Avenue West; and

WHEREAS, the DCCECU has indicated a willingness to sell this property to the County; and

WHEREAS, this acquisition can be accomplished through the use of fees collected for contract parking from employees and without the permanent use of tax dollars.

NOW, THEREFORE, BE IT RESOLVED, that the necessary County officials are authorized to execute any documents necessary to acquire the DCCECU

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

263

property located at the corner of West Third Street and Fourth Avenue West for the total amount of \$275,000.

BE IT FURTHER RESOLVED, that the County Board authorizes a transfer of \$240,000 from Fund 1, Account 2545, designated parking fund and \$35,000 from Fund 1, Account 2540, general fund unreserved undesignated fund balance to (Fund 01, Agency 081, Org. 083, Object 601) General Fund, Building Maintenance, Duluth, Site and Grounds Acquisition, for the purpose of funding the acquisition.

BE IT FURTHER RESOLVED, that \$35,000 from unreserved undesignated fund balance shall be repaid from the revenues of the parking fees with five percent interest as revenues are accumulated.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - Commissioner Fink - 1

Absent - Commissioner Krueger - 1

Adopted June 23, 1998. No. 510

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 511 which was not on the agenda.

BY COMMISSIONER RAUKAR:

WHEREAS, the St. Louis County Heritage and Arts Center is owned by St. Louis County; and

WHEREAS, the lessee is undergoing a strategic planning process that will result in a new governance structure and the new governance body will implement a new

operational structure that will lead to agreements between management and participating member organizations; and WHEREAS, the Veterans of St. Louis County are seeking to develop Veterans Memorial Hall as a permanent exhibit and educational program with the St. Louis County Heritage and Arts Center;

BE IT RESOLVED, that St. Louis County reaffirms support of the St. Louis County Heritage and Arts Center building as housing for the St. Louis County Historical Society and Veterans Memorial Hall; and RESOLVED FURTHER, that these facts be given due consideration in the establishment of a governance and organizational structure and in the establishment of agreements between the St. Louis County Historical Society and the Veterans Memorial Hall.

Unanimously adopted. June 23, 1998. No. 511

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 512 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the Chair of the Board, County Sheriff, and County Auditor are authorized to execute a Cooperative Agreement regarding law enforcement between the Fond du Lac Band of Lake Superior Chippewa and St. Louis County, Minnesota, copy on file in the office of the County Auditor, identified as Contract File No. 98-502;

RESOLVED FURTHER, that the Sheriff is

authorized to accept the compensation of \$50,000 and that it be allocated to Fund 01 (General Fund), Agency 091 (Sheriff). Unanimously adopted. June 23, 1998.
No. 512

At 1:13 P.M. on Tuesday, June 23, 1998, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL
PROCEEDINGS**

OF THE
BOARD OF COUNTY
COMMISSIONERS
OF ST. LOUIS COUNTY,

MINNESOTA

JULY, 1998

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

262

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JULY 7, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of July, 1998, at 9:42 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting by presenting a Wellness Program Award to Jean Mershon, Employee Development Coordinator for St. Louis County.

At 9:46 A.M. a public hearing was convened, pursuant to Resolution No. 504, adopted June 23, 1998, to consider granting an Off-Sale Intoxicating Liquor License to Sunset Creek Corporation, d/b/a The Landing, Beatty Township. Joanne Clazmer, President, was present at the hearing. Alan Mitchell, County Attorney, advised the Board that: all required County departments had reviewed the application and recommended approval; the Beatty Town Board had recommended approval; the necessary insurance certificate had been received; and, all notices had been

given. All persons in attendance were invited to address the issue, but no one chose to do so. At 9:53 A.M. the hearing was closed on motion of Commissioner Kron, supported by Commissioner Prebich; seven yeas - zero nays. Commissioner Prebich, supported by Commissioner Raukar, moved approval of the license. Resolution No. 524.

The Chair then opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Fink, supported by Commissioner Prebich, moved to approve the sale and release of lands from Memorial Forest status. Commissioner Raukar told the Board that his concerns about the lakeshore status of some of the lots had been satisfied. The release and sale of the lands was then approved; seven yeas - zero nays. Resolution No. 525.

Commissioner Prebich, supported by Commissioner Sweeney, moved to authorize the Public Works Department to apply to the DNR for an easement over state trust land in conjunction with the Olson-Zupetz-Kocks cartway petition. After some discussion concerning any County obligation to maintain the road, the resolution was approved; seven yeas - zero nays. Resolution No. 526.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the cartway petition submitted by

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

263

John Zupetz, Dean and Margaret Olson, and Robert Kocks. The motion was then withdrawn by Commissioner Raukar pending discussion of compensation due to Mike Zupetz, owner of the land subject to the cartway. Commissioner Prebich, supported by Commissioner Raukar, moved to approve the cartway and award \$1,600 in compensation to Mike Zupetz. After some discussion, Commissioner Prebich amended her motion to delete the term "with the interested parties" from item six on page 11 of the Findings of Fact. Commissioner Fink, supported by Commissioner Krueger, moved to amend the resolution/findings of fact to add language specifically exempting Mike Zupetz from any obligation to maintain the cartway. The amendment failed; one yeas - six nays, Commissioners Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman. Commissioner Prebich, supported by Commissioner Sweeney, moved to call the question; seven yeas - zero nays. The cartway was then approved; six yeas - one nay, Commissioner Fink. Resolution No. 527.

Commissioner Kron, supported by Commissioner Sweeney, moved to convene a closed session at 12:00 P.M. for the purposes of labor negotiations; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie M. Brunner, County Administrator, and Dick Hansen, Highway

Engineer/Public Works Director, submitting Board Letter No. 98-400 regarding centerline description for 33.00 foot wide permanent easement over, under and across the Forest Service Road No. 353 also known as Niles Bay Forest Road from its intersection with the east-west quarter section line in Section 15 northerly to the intersection with County Road 422.--57207

Documentation from public hearing held on July 7, 1998, to consider the granting of an Off Sale Intoxicating Liquor License to Sunset Creek Corporation, d/b/a The Landing, Beatty Township.--57208

John M. Foschi, City Administrator, City of Proctor, submitting Tax Increment Financing Authority Reports for the year ended December 31, 1997.--57209

Robert A. Gunkle, Assistant Program Manager, Licensing and Certification Program, Division of Facility and Provider Compliance, Minnesota Department of Health, regarding a survey conducted at Nopeming Nursing Home on June 15 - 19, 1998, that found that the facility was not in substantial compliance with participation requirements.--57210

Arnold Rosenthal, Director, Minnesota Office of Health Facility Complaints, regarding an investigation of Nopeming Nursing Home due to a complaint received about assessing compliance with Federal certification and State licensing regulations; and, as a result Nopeming was found to be in compliance.--57211

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

264

City of Mountain Iron submitting Tax Increment Financing District Municipality Report for the year ended December 31, 1997.--57212

Connie Lindberg, Clerk, Town Board of Eagles Nest, submitting Order for Hearing in the matter of the petition of Eugene S. Gazelka for the establishment of a cartway.--57213

Agreement for Engineering Services between the County of St. Louis and LHB Engineers and Architects for Midway Park Sanitary Sewer System Evaluation.--98-525

State of Minnesota Department of Public Safety, Division of Emergency Management, Grant Award Agreement for State of Local Assistance Program.--98-526

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Buhl for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-527

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Biwabik for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-528

Agreement between the County of St. Louis, through its Court Administrator's

Office, and the City of Kinney for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-529

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Proctor for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-530

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Hoyt Lakes for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-531

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Virginia for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-532

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Chisholm for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-533

Agreement between the County of St. Louis, through its Court Administrator's Office, and the Township of Duluth for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-534

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

265

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Babbitt for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-535

Home Investment Partnership Program Community Housing Development Organization Grant Agreement between St. Louis County and Kootasca Community Action, Inc. (CHDO Set Aside, Buy, Rehabilitation, Sell Program).--98-536

Home Investment Partnership Program Community Housing Development Organization Operating Expense Agreement between St. Louis County and Kootasca Community Action, Inc.--98-537

Agreement for Engineering Services between the County of St. Louis and LHB Engineers and Architects for the Proctor Ice Arena Floor.--98-538

Cooperative Agreement between the Fond du Lac Band of Lake Superior Chippewa and St. Louis County for law enforcement services.--98-539

Agreement between the County of St. Louis and the South St. Louis County Fair Association.--98-540

Agreement between the County of St. Louis, through its Court Administrator's Office, and Rice Lake Township for the operation of the St. Louis County Violations Bureau for enforcement of

parking violations.--98-541

Agreement between the County of St. Louis, through its Court Administrator's Office, and the City of Gilbert for the operation of the St. Louis County Violations Bureau for enforcement of parking violations.--98-542

Addendum No. 1 to Agreement between St. Louis County and City of Virginia.--98-543

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Vernon Street Adult Foster Care Home.--98-544ss

Agreement for Professional Services between the City of Duluth, through its Job Training Division, and the St. Louis County Board of Commissioners providing job training and placement assistance services to citizens of Duluth through the Growth and Achievement Program.--98-545

Addendum to Contract No. 11997 between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult day care services.--98-546ss

Home Investment Partnership Program Homeownership Assistance Program Grant Agreement between St. Louis County and Kootasca Community Action, Inc.(First Time Homebuyer Program).--98-547

Kim A. Elverum, Boat and Water Safety

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

266

Coordinator, Minnesota Department of Natural Resources, submitting the approved copy of the 1998 federal supplement grant for boating safety.--98-548

unanimously adopted as follows:

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Denise Letourneau for registered dietician services.--98-549

Agreement for Nursing Personnel between the County of St. Louis, through its Department of Public Health and Long Term Medical Care on behalf of Nopeming Nursing Home, and New Hope Nursing Services.--98-550

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Linda Lamb for registered dietician services.--98-551

Fetal Infant Mortality Review Grant Memorandum of Agreement between the Community Health Board for Carlton-Cook-Lake-St. Louis Counties and St. Louis County, Minnesota.--98-552

Special Indian Health Grant Memorandum of Agreement between the Community Health Board for Carlton-Cook-Lake-St. Louis Counties and St. Louis County, Minnesota.--98-553

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 514 through 523, as submitted to this Board on the Consent Agenda were

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

267

BY COMMISSIONER RAUKAR:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 9, 1998, are hereby approved.
Adopted July 7, 1998. No. 514

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 16, 1998, are hereby approved.
Adopted July 7, 1998. No. 515

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 375.09
T22 Cities and Towns	20,741,158.24
T23 Game and Fish	468,946.22
T27 Refunds	10,922.62
T28 School Districts	435,842.52
T50 State of Minnesota	265,939.05
T52 Taxes and Penalties	3,530.30
T66 Criminal Fines	101,183.55
T72 Home CHDO Program Income	242.54
T74 Employer/Employee Deductions	1,492,003.51
T75 Savings Bonds	8,800.00
T77 Cancelled Checks	4,285.73
T84 Attorney's Forfeitures	23.51
T85 Sheriff's Forfeitures	1,936.19

T87 Assault Fees	1,806.35
T89 District Administrator	847.97
T95 Proctor Area Sports Arena	25.61
T98 Work Study Agency Fund	2,704.34
01 General Fund	1,833,248.15
02 Public Works	1,173,241.93
04 Social Services	4,776,155.62
08 Capital Projects	1,245.00
08A State Aid Road	149,755.53
08Y Hibbing/Virginia Law Enforcement Centers	178,306.03
09 McKinney Homeless Grant	22,286.00
10B Emer. Shelt. 95 Funds	5,615.76
12B CDBG Grant	282,085.84
127 Enhanced 9-1-1 Fund	26,319.88
128 Law Library	38,230.61
129 City/County Comm. Antenna Site	173.85
13 St. Louis County HRA	375.25
131 Extension Service	69,629.36
15 Forfeited Tax	160,459.15
16 Forest Resources	77,524.59
26 Solid Waste Authorities	141,186.21
49 Postage/Office Supplies	35,067.54
50 Printing	51,559.08
51 County Garage	26,010.74
52A Property, Casualty, Liability	1,401.39
52B Workers Compensation	114,992.51
52D Medical/Dental Self Insurance	173.79
53 Management	

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

268

	Information Systems	303,622.78
54	Regional Railroad Authority	11,069.33
55	Telecommunications	43,463.20
64A	Jensen Nursing Home	329,883.63
64B	Nopeming Nursing Home	224,565.95
64F	Community Food Services	23,795.75
64L	Laundry	35,121.26
64S	Supervised Living Facilities	11,254.24
72	Northern Counties Land Use Coord. Board	3,520.03
73	Arrowhead Regional Corrections	418,329.58
74	Community Health Services	20,501.43
85	Patients' Trust Fund	<u>374.79</u>
		\$34,131,119.12

Adopted July 7, 1998. No. 516

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted July 7, 1998. No. 517

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set

forth by the County Attorney, dated July 7, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted July 7, 1998. No. 518

RESOLVED, that the County Board approves the following new appointments and reappointments to the Rainbow Senior Center Advisory Board effective August 1, 1998, through July 31, 2001:

- Appointments:
- Cecelia Bond
 - Alice (Irene) Christiansen
 - Audrey Ellstrom
 - Ralph Florestano
 - Carolyn Habert
 - John (Art) Josephson
 - Annamae Lundblad
 - Evelyn O'Connell
 - Louise Paskett
 - Ellen N. Sall

- Reappointments:
- Olive E. Cowell
 - Marge Soderstrom
 - Lyle R. Winters
 - Robert M. Wolters
 - Robert O. Bergan
 - Helen Horral
 - Grace Miller
- Adopted July 7, 1998. No. 519

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners

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

269

hereby approves the following application to conduct one-day off-site gambling, on file in the office of the County Auditor, identified as County Board File No. 57122:

Gnesen Vol. Fire Relief Association to conduct one-day off-site gambling on October 10, 1998, at the Gnesen Town Hall, Gnesen Township.

Adopted July 7, 1998. No. 520

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Social Service Department to accept State Adult Mental Health Grant Awards in the amounts of: \$11,178 for Community Support Program services; \$18,346 for Community Residential Treatment; and \$1,387 for PATH Homeless services for the period July 1, 1998, to December 31, 1998. The Mental Health budget will increase by a total of \$30,911.

RESOLVED FURTHER, that budgeted revenues and expenditures in Fund 04, Agency SSV, Revenue Source 9323, be increased by \$1,387; Fund 04, Agency SSV, Revenue Source 9322, be increased by \$11,178; and Fund 04, Agency SSV, Revenue Source 9321, by \$18,346, and that grant agreements with involved providers be adjusted to reflect these increases.

Budget Detail:
Fund 04 Social Service
Agency SSV Social Service

Organization 3110 Range Mental Health Center Homeless Grants
Object 4030 Client Outreach \$426

Organization 3120 Human Development Center Homeless Grants
Object 4340 Other Community Support \$961

Organization 6610 Range Mental Health Rule 14
Object 4340 Other Community Support \$5,949

Organization 6620 Human Development Center Rule 14
Object 4440 Housing Support (CSP) \$5,229

Organization 6510 Arrowhead House Rule 12
Object 4740 Rule 36 Adult Residential Treatment \$3,543

Organization 6520 Merritt House Rule 12
Object 4740 Rule 36 Adult Residential Treatment \$4,443

Organization 6530 Parkside Home Rule 12
Object 4740 Rule 36 Adult Residential Treatment \$5,761

Organization 6540 Riverview Homes Rule 12
Object 4740 Rule 36 Adult Residential Treatment \$4,599

Adopted July 7, 1998. No. 521

RESOLVED, that the St. Louis County Board hereby:

1. Accepts the additional award of \$7,000

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

270

from the Minnesota Department of Human Services to operate the Support for Emancipation and Living Functionally (SELF) Program.

2. Authorizes a \$7,000 increase in Grant Agreement No. 20391 with Lutheran Social Services to a maximum amount of \$24,000 to operate the "Oh NO! Eighteen" (ONE) Program through December 31, 1998.

Budget Reference:

Fund 04

Agency SSV Social Services

Organization 3600 Intervention and Prevention

Revenue Source 9108 Federal SELF Funds
Expenditure Object 1460 Adolescent Life Skills Training

Adopted July 7, 1998. No. 522

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law

on Tuesday, October 13, 1998, at 11:00 A.M. at the Miners Memorial Building, 9th Avenue and 6th Street, Virginia, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that all parcels of land on the list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies that the County Land Commissioner has reviewed and certified the land sale list and identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted July 7, 1998. No. 523

BY COMMISSIONER PREBICH:

WHEREAS, Sunset Creek Corporation, d/b/a The Landing, Beatty Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating Liquor License; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on July 7, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth,

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

271

Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Sunset Creek Corporation has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location;

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number L9987) shall be issued to Sunset Creek Corporation, d/b/a The Landing, Beatty Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. July 7, 1998. No. 524

BY COMMISSIONER FINK:

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

1. Township of Eagles Nest, Plat of McComber, Blocks 4, 5 & 6, Section 13, Township 62, Range 14.

2. Township of Kugler, SW 1/4 of SE 1/4, Section 7, Township 61, Range 15.

3. Township Kugler, NW 1/4 of SW 1/4, except Highway right-of-way and except S

1/2, Section 17, Township 61, Range 15.

4. Unorganized Township, Beginning at point 300 ft. N. of SW corner of SW 1/4 of SE 1/4 thence N. 208 ft. thence E. 208 ft. thence S. 208 ft. thence W. 208 ft. to place of beginning, Section 22, Township 57, Range 16.

5. Unorganized Township, W 1/2 of E 1/2 of W 1/2 of Lot 4, Section 30, Township 57, Range 16.

Unanimously adopted. July 7, 1998. No. 525

BY COMMISSIONER PREBICH:

WHEREAS, the St. Louis County Board has been petitioned by John Zupetz, Robert N. Kocks, Dean R. Olson and Margaret B. Olson, to grant a cartway from their property in Section 15, Township 63 North, Range 17 West, to County Road 422 along the existing road known as Niles Bay Forest Road; and

WHEREAS, an easement across State trust land will be required; and

WHEREAS, the State of Minnesota can only grant easements over trust land to governmental bodies; and

WHEREAS, the petitioners would be responsible for all land, timber, and application costs as well as all future road maintenance costs.

NOW, THEREFORE, BE IT RESOLVED, that the State of Minnesota, Department of Natural Resources, is hereby requested to provide St. Louis County with a 33.00 foot wide permanent easement for public roadway purposes over, under and across the existing road known as Forest Service Road No. 353, also known as Niles Bay Forest Road from its intersection with the east-west quarter section line in Section 15 northerly to the intersection with County Road 422 following the centerline description, copy on file in County Board File No. 57207.

Unanimously adopted. July 7, 1998. No. 526

RESOLVED, that the St. Louis County Board of Commissioners hereby approves

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

272

and ratifies the Findings of Fact, Conclusions and Order in the matter of John Zupetz, Dean and Margaret Olson and Robert Kocks, on file in the office of the County Auditor, identified as County Board Document File No. 57204.

Yeas - Commissioners Fink, Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 7

Nays - None

Adopted July 7, 1998. No. 527

At 10:30 A.M. on Tuesday, July 7, 1998, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, 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**

273

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JULY 14, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of July, 1998, at 9:42 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda and the following person chose to do so:

Art Rautio, Sauk Rapids, MN, owner of a mobile home park in Ely, MN, expressed his concerns about the direction society appears to be taking and how government agencies seem to be working at cross purposes. Mr. Rautio invited Commissioners to sit down individually with him to discuss his concerns.

Commissioner Kron, supported by Commissioner Sweeney, moved to decline adoption of the proposed amendments to County Ordinance No. 41. The motion also directed the Health Department to establish a work group consisting of representatives from the Sheriff's Department, Emergency Communications, Planning, and Administration to review the proposed amendments; six yeas - zero nays.

Commissioner Kron, supported by Commissioner Sweeney, moved to suspend the rules to consider approval of the bargaining agreement ratified by the Civil

Service Basic Bargaining Unit; six yeas - zero nays. Commissioner Kron, supported by Commissioner Prebich, then moved to approve the labor agreement and added an amendment extending the same benefit and compensation package to unclassified support staff. After some discussion, the agreement was approved; six yeas - zero nays. Resolution No. 551.

Commissioner Kron, supported by Commissioner Sweeney, moved to suspend the rules to consider the adoption of the revised clerical classification specifications and corresponding compensation plans; six yeas - zero nays. After some discussion, the clerical plan was adopted; six yeas - zero nays. Resolution No. 552.

At 10:05 A.M. in the forenoon of Tuesday, July 14, 1998, Commissioner Sweeney, supported by Commissioner Prebich, moved to recess until 12:00 P.M. on July 14, 1998, in the County Board Room, Courthouse, Duluth, Minnesota. During this recess the Commissioners convened and met as the Committee of the Whole.

The Board reconvened at 12:15 P.M. on Tuesday, July 14, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Commissioner Prebich, supported by Commissioner Sweeney, moved approval of all items unanimously approved at today's Committee of the Whole meeting, as a second Consent Agenda for this meeting; six yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-422 regarding reclassification and sale of non-conforming tax forfeited land.--57214

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

274

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-423 regarding sale of non-conforming tax forfeited land (15 Applicants).--57215

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-424 regarding sale of non-conforming tax forfeited land (Wudinich).--57216

Public Health & Long Term Medical Care Department submitting Food Program Recommendations for 1999.--57217

Recommendations of the Depot Strategic Planning Group.--57218

Liquor Licensing Committee submitting minutes for the year 1998.--57219

Petition of residents requesting that the body of water located in the SE 1/4 of the SW 1/4 of Section 13, Township 54, Range 13, approximately 25 acres in size known as Mud Lake be renamed Golden Pond.--57220

Tamara Herbes, Legal Assistant, Shapiro & Nordmeyer, Notice of Mortgage Foreclosure in the matter of Dennis C. And Tomi R. Johnson for property located at 4421 West 7th Street, Duluth.--57221

Civil Service Basic Bargaining Agreement for 1998/1999.--98-554

Grant Agreement between the St. Louis County Board of Commissioners and ARC Duluth.--98-555ss

Software License Agreement between St. Louis County and M.B. Foster Associates.--98-556

Amendment for Agreement for

Demolition Materials Haulage Services between St. Louis County and Zenith/Kremer Waste Systems, Inc.--98-557

Solid Waste Delivery Agreement Amendment between St. Louis County and the Sanitary Board of the Western Lake Superior Sanitary District.--98-558

Addendum to Contract No. 11997 between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.--98-559ss

Grant Agreement between the St. Louis County Board of Commissioners and Human Development Center.--98-560ss

Agreement for Services between the County of St. Louis and The Jamar Company to ascertain the condition of mechanical equipment in the Duluth Government Services Center. --98-561

Agreement between the County of St. Louis and the South St. Louis County Fair Association.--98-562

Kim A. Elverum, Boat and Water Safety Coordinator, Minnesota Department of Natural Resources, submitting Annual County Board and Water Safety Agreement.--98-563

Upon motion of Commissioner Prebich, supported by Commissioner Raukar, Resolutions No. 528 through 550, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 23, 1998, are hereby approved.

Adopted July 17, 1998. No. 528

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

275

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - James Abrahamson, \$486.04; David Ahonen, \$319.16; Kimberly Anderson, \$1,580.82; Harry Aro, \$1,755.74; Aurora HRA, \$92.88; Diane Avelsgard, \$883.16; Ralph Babcock, \$206.18; John Baga, \$1,586.56; William Bailey, \$270.08; Blaine Ballavance, \$293.12; Romaine Beck, \$894.14; Dean L. Boedeker, \$27.44; Robert Brenning, \$1,520.78; Gwili Brunner, \$349.10; Charles Bruns, \$299.16; Lillian Burnett, \$100.72; Ailie Carlson, \$151.64; Billie Jo Carlson, \$249.60; Junior Carlson, \$29.72; Stephen Carlson, \$130.98; City of Chisholm, \$251.42; City of Hibbing, \$292.84; Norman Condit, \$87.00; Richard Cora, \$57.92; Susan Daley, \$3,609.06; Robert Damsten, \$922.06; Gwendolyn Derr, \$1,331.04; Martin Dewitt, \$1,107.52; Karen Diers, \$266.50; Robert Dieryck, \$807.50; D.M. & I.R. Railroad, \$2,093.24; Mary Ellen Dorman, \$21.98; Michael Downs, \$76.88; Eastridge Com. Church, \$711.96; Darren Egan, \$128.56; Jeffrey Erikson, \$1,063.84; Priscilla Falkowski, \$718.36; Perry Fiorini, \$111.30; Lex Fischer, \$1,093.52; Robert Fischer, \$1,863.52; Patricia Fish, \$336.24; Flatwater Fleet UBC, \$3,909.86; Mark Frahm, \$591.66; Devin Frankfourth, \$376.92; Frankson Properties, \$1,379.26; Orry Frost, \$33.58; Gordon Gelo, \$1,020.76; Nancy Gilmore, \$1,139.78; Alfred Giru, \$335.68; Daniel Gregorich, \$181.72; John Grew, \$4,812.28; Charles Gronseth, \$508.52; James Hall, \$197.98; Burke Hancock,

\$509.06; Lawrence Hansen, \$1,077.22; David Hanson, \$1,869.12; Ronald Hanson, \$226.92; Ethan Harvey, \$682.04; Arvid Haurunen, \$54.32; Daniel Hendrickson, \$1,126.76; Kristin Hendrickson, \$362.76; Robert Hietala, \$518.60; Jeffrey Holmes, \$303.60; David Holte, \$528.02; Rodney Holweger, \$158.16; Roni Housey, \$2,343.92; Jill Jacoby, \$847.90; Trudy James, \$666.30; Darren Janzig, \$1,321.44; Karl Jaros, \$377.46; Melinda Jespersion, \$518.14; Clifford Johnson, \$2,132.50; Joanne M. Johnson, \$83.55; Ken Johnson, \$501.96; Gerald Kaldor, \$289.64; Michael Kaminski, \$573.70; Jared Kemp, \$760.22; Hollie Kitterman, \$772.52; Alice Kivi, \$652.20; Kenneth Kline, \$445.42; Richard Klueenberg, \$623.38; James Korkalo, \$494.14; Martha Cortes, \$67.68; Dewayne Koski, \$2,521.30; Lynn Koski, \$743.24; David Kruell, \$180.04; Janet Lacika, \$512.62; Keith LaPlante, \$89.24; Conrad Larson, \$1,233.92; Daniel Larson, \$667.64; Patricia Larson, \$226.92; Kenneth Lee, \$328.80; Joseph Leff, \$295.20; Barbara Lemasurier, \$1,024.54; Elizabeth Lindbeck, \$542.68; Sharon Lindfors, \$677.68; Cheyenne Lindquist, \$131.96; Glenn Lloyd, \$443.20; Rodney Loe, \$1,124.26; Robert Lundgren, \$319.01; Colin Mahai, \$1,200.74; Daniel Maryland, \$1,145.82; Gretchen Mayer, \$2,092.88; Robert McPherson, \$512.54; Donald Medojedec, \$1,006.38; Joseph Minter, \$380.26; M.P. & L., \$302.42; Jeremy Murphy, \$83.86; Paul Murray, \$673.36; Glenn Myers, \$1,531.68; Thomas Napoli, \$1,666.62; Virginia Nelson, \$482.96; Steve Nessler, \$1,693.90; Steven Nielsen, \$578.20; Oliver Iron Mng., \$786.60; Carl Olson, \$390.62; Roy Olson, \$356.68; Tina Orehek, \$1,073.42; Orr Legion Post 480, \$138.88; Antti Otava, \$142.12; Jeffrey Palmer, \$1,269.26; John Park, \$887.64; Darlene Pauna, \$983.96; Michael Peller, \$413.08; Roger Philbrick, \$1,592.44; Michelle L. Porter, \$1,384.90; John Powell, \$277.54; Amy Randall, \$623.08; Corey Reed, \$602.12; Byrdie Reirson,

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

276

\$621.76; Alden Rhodes, \$367.08; Francis Riley, \$34.50; Dennis Ristow, \$490.42; Dean Saffeels, \$399.04; Sven Schelde, \$158.82; Bernice Schmidt, \$1,245.24; Carol Schmitz, \$188.26; Kevin Scufsa, \$626.50; Matthew Senich, \$88.04; Joy Shupe, \$2,557.60; James Shuster, \$64.92; Joseph Shuster, \$484.25; Gerald Sjoberg, \$75.64; Edgar Skog, \$234.66; Mark Soder, \$341.68; Vlasie Solon, \$1,482.44; Soo Line RR Co., \$2,636.58; Lee Spencer, \$1,084.50; St. Luke's Hospital, \$5,425.46; Virginia Stahnke, \$1,268.08; Steve Stoks, \$330.84; James Sunnarborg, \$508.54; Steve Sweeney, \$326.40; Edward Takala, \$924.92; Donald Taylor, \$222.32; Susan Tester, \$595.28; Liman Thrasher, \$164.96; Florine Treno, \$231.77; Doug Tusa, \$142.32; Paul Vaineo, \$116.86; Christopher Waltz, \$2,345.60; Thomas Welch, \$248.42; Eric Welling, \$822.72; Jack Wilt, \$612.62; Daniel Yernatich, \$262.52; Bernard Zollar, \$80.33.

Personal Property - Great Lakes Gas, \$3,424.36; Virginia Nelson, \$482.96.
Adopted July 14, 1998. No. 529

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 14, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted July 14, 1998. No. 530

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to George Stoyanoff, d/b/a Buffalo House, Midway Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of July 17 & 18, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111.
Adopted July 14, 1998. No. 531

RESOLVED, that the County Board authorizes the Chair of the Board, County Auditor, and Health Director to enter into an agreement with Lutheran Social Service/Bethany Crisis Nursery for the Pre-Birth to One Program for the period April 1, 1998, through September 30, 2000, in the amount of \$13,858.50, payable to Fund 1, Agency 220 (Public Health Nursing), Org. 220.
Adopted July 14, 1998. No. 532

RESOLVED, that the County Board hereby authorizes the Director of Public Health and Long Term Medical Care to apply for the EPA Indoor Air Quality "Tools for Schools" grant in the amount of \$10,000, payable to Fund 01, Agency 230, Org. 230.
Adopted July 14, 1998. No. 533

RESOLVED, that the County Board, Health Director, and County Auditor be authorized to enter into an agreement with the Meadowlands Community Center for the lease of space for WIC clinics from August 12, 1998, through September 30, 1999, payable from Fund 1, Agency 220 (Public Health Nursing), Org. 222.
Adopted July 14, 1998. No. 534

RESOLVED, that the County Board accepts the SFY 1999 grant of \$180,800 for the FPI Program from the Department of Human Services.

RESOLVED FURTHER, that the Social Service Department Director is authorized to sign Amendment No. 1 to the Fraud Prevention Investigation (FPI) Plan.
Budget Reference:

Revenues and expenditures are included in the Department's approved budget in Fund 04, Agency FIN, Organization 1230.
Adopted July 14, 1998. No. 535

RESOLVED, that the County Board hereby authorizes the Social Service Department to submit a grant application to the Department of Human Services in the amount of \$10,000 to increase the capacity of the respite care system for

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

277

young children with disabilities within the Duluth-Hermantown area.

Budget Reference:

Fund 04, Agency SSV, Org. 2600

Adopted July 14, 1998. No. 536

RESOLVED, that the Chair of the Board and County Auditor are authorized to execute a deed conveying the property acquired by St. Louis County for the Trezona Trail Project to the City of Ely, subject to approval by the County Attorney.

Adopted July 14, 1998. No. 537

RESOLVED, that the St. Louis County Public Works Department is hereby authorized to sell earthen material to various road associations, townships, and government entities from County owned pits.

RESOLVED FURTHER, that a permit fee and application be required and the price per cubic yard decided at that time.

Adopted July 14, 1998. No. 538

RESOLVED, that the County of St. Louis enters into an agreement with the Duluth, Missabe, and Iron Range Railway Company (D.M. & I.R.) and the Commissioner of Transportation for the installation and maintenance of railroad crossing signals and gates at the intersection of Midway Road (C-SAH 13) with the tracks of the D.M. & I.R. Co., in Adolph, Minnesota, and appointing the Commissioner of Transportation, agent for the County, to supervise said project and administer available federal funds (80%) in accordance with Minnesota Statute, Section 161.36. State Aid funds will cover the remaining 20% of the total signal cost.

FURTHER RESOLVED, that the County Auditor, the County Attorney, the County Public Works Director, and the Chair of the County Board are hereby authorized to execute said agreement on behalf of the County.

Adopted July 14, 1998. No. 539

RESOLVED, that the County of St. Louis enters into an agreement with the Duluth, Missabe, and Iron Range Railway Company (D.M. & I.R.) and the Commissioner of Transportation for the installation and maintenance of railroad crossing signals and gates at the intersection of Main Street (C-SAH 100) with the tracks of the D.M. & I.R. Co., in Aurora, Minnesota, and appointing the Commissioner of Transportation, agent for the County, to supervise said project and administer available federal funds (80%) in accordance with Minnesota Statute, Section 161.36. State Aid funds will cover the remaining 20% of the total signal cost.

FURTHER RESOLVED, that the County Auditor, the County Attorney, the County Public Works Director, and the Chair of the County Board are hereby authorized to execute said agreement on behalf of the County.

Adopted July 14, 1998. No. 540

RESOLVED, the Board of Commissioners of St. Louis County adopts the following schedule for Truth in Taxation hearings for taxes payable in 1999 and 1999 County budget:

- 1) Initial Hearing - December 3, 1998, 5:00 P.M. - Virginia Courthouse
- 2) Additional Hearing - December 8, 1998, 5:00 P.M. - Duluth Courthouse
- 3) Continuation Hearing, if necessary - December 15, 1998, 5:00 P.M. - Duluth Courthouse
- 4) Subsequent Hearing, December 15, 1998, 9:35 A.M.

RESOLVED FURTHER, that if a Continuation Hearing is required, the Subsequent Hearing shall commence immediately after the conclusion of the Continuation Hearing.

Adopted July 14, 1998. No. 541

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

278

RESOLVED, the County Sheriff is hereby authorized to enter into a grant agreement with the Minnesota Department of Public Safety for the project entitled SOUTH ST. LOUIS COUNTY SAFE & SOBER COMMUNITIES during the period of October 1, 1998, through September 30, 1999, and accepts the grant funds payable to the General Fund (01), Agency (091); RESOLVED FURTHER, that the County Sheriff is authorized to execute agreements necessary to implement the project on behalf of the St. Louis County Sheriff's Department.

Adopted July 14, 1998. No. 542

RESOLVED, that the County Board:

HOME DELIVERED MEALS

1) Approves contract amendments with the following home delivered meal providers at the proposed maximum rates for Alternative Care and Waiver program funded meals for the period July 1, 1998, to December 31, 1998.

<u>Provider</u>	<u>Proposed</u> <u>AC/Waiver</u> <u>Rate</u>	<u>Current</u> <u>AC/Waiver/County</u> <u>Rate</u>
AEOA	\$4.38	\$4.25
Aurora/Hoyt Lakes	\$3.79	\$3.68
Cherry - General Diet	\$3.94	\$3.83
Special Diet	\$4.27	\$4.15
Duluth Senior Dining	\$3.84	\$3.73
Ely - General Diet	\$4.33	\$4.20
Special Diet	\$4.49	\$4.36
Have Meals Will Travel	\$4.01	\$3.89

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

Kelsey		\$4.20
	\$4.33	
Lakeshore		\$4.83
	\$4.97	
Meals Our Mission		\$3.83
	\$3.94	
Special Diet		\$4.15
	\$4.27	
MITH - East		\$4.20
	\$4.33	
MITH - West		\$4.20
	\$4.33	
Proctor		\$3.62
	\$3.73	

HOME CARE SERVICES

2) Approves 1998 contract rate maximum for AC/all Waiver funded homemaker services at \$3.34 per quarter hour for the period of July 1, 1998, to December 31, 1998.

3) Approves contract amendments with the following licensed home care service providers at the proposed rates for Alternative Care and Waiver program funded homemaker services for the period July 1, 1998, to December 31, 1998.

<u>Provider</u>	<u>Proposed</u> <u>Rate</u>	<u>Current</u> <u>Rate</u>
Arrowhead Health	\$3.34	\$3.24
Healthline	\$3.34	\$3.24
Healthstar	\$3.34	\$3.24
Home Health	\$3.34	\$3.24
Interim	\$3.34	\$3.24
Olsten Kimberly	\$3.34	\$3.24
St. Luke's	\$3.34	\$3.24
St. Mary's	\$3.34	\$3.15
Senior Friends	\$3.21	\$2.88
TLC Home Care		\$3.24

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

280

\$3.34	
Vermilion Home Care	\$2.80
\$3.08	
Allied Home Care	\$3.24
\$3.34	
Nurses That Care	\$3.24
\$3.34	
Villa Home Health	\$3.24
\$3.34	

4) Approves the following homemaker service rates for services provided to eligible Alternative Care (AC), Elderly Waiver (EW), Community Alternatives for Disabled Individuals (CADI), and Traumatic Brain Injury Waiver (TBIW) clients by St. Louis County Home Care effective July 1, 1998.

<u>Proposed</u>	<u>Current</u>
<u>Rate</u>	<u>Rate</u>
Alternative Care (AC)	\$3.24
\$3.34	
Elderly Waiver (EW)	\$3.29
\$3.39	
CADI/TBI	\$3.44
\$3.54	

5) Approves 1998 contract rate maximum for: AC/EW funded home health aide services at \$4.69 per quarter hour; CADI/TBI waiver funded home health aide services at \$3.98 per quarter hour for the period of July 1, 1998, to December 31, 1998.

6) Approves contract amendments with the following home care service providers at the proposed rates for Alternative Care (AC) and Elderly Waiver (EW) program funded home health aide services for the period July 1, 1998, to December 31, 1998.

<u>Provider</u>	<u>Proposed</u>	<u>Current</u>
	<u>Rate</u>	<u>Rate</u>
Arrowhead Health		\$4.55
\$4.69		
Healthline		\$4.12
\$4.24		
Healthstar		\$4.55

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

	\$4.69	
Home Health		\$4.31
\$4.44		
Interim		\$4.55
\$4.69		
Olsten Kimberly		\$4.55
\$4.69		
St. Luke's		\$4.55
\$4.69		
St. Mary's		\$4.20
\$4.33		
Senior Friends		\$3.78
\$4.11		
Vermilion Home Care		\$3.78
\$4.16		
Allied Health		\$4.55
\$4.69		
Nurses That Care		\$4.50
\$4.64		
Villa Home Health		\$4.55
\$4.69		
Unit is 1/4 hour		

CADI/TBI HOME HEALTH AIDE

SERVICES

<u>Provider</u>	<u>Proposed</u> <u>Rate</u>	<u>Current</u> <u>Rate</u>
Arrowhead Health		\$3.85
\$3.98		
Healthline		\$3.85
\$3.98		
Healthstar		\$3.85
\$3.98		
Home Health		\$3.85
\$3.98		
Interim		\$3.85
\$3.98		
Olsten Kimberly		\$3.85
\$3.98		
St. Luke's Home Care		\$3.85
\$3.98		
St. Mary's Home Care		\$3.85
\$3.98		
Senior Friends		\$3.78
\$3.98		
Vermilion Home Care		\$3.78
\$3.98		
Allied Health		\$3.85
\$3.98		

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

282

Nurses That Care	\$3.85
\$3.98	
Villa Home Health	\$3.85
\$3.98	
Unit is 1/4 hour	

7) Approves the following home health aide service rates for services provided to eligible Alternative Care (AC), Elderly Waiver (EW), Community Alternatives for Disabled Individuals (CADI), and Traumatic Brain Injury Waiver (TBIW) clients by St. Louis County Home Care effective July 1, 1998.

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

<u>Provider</u>	<u>Proposed</u> <u>Rate</u>	<u>Current</u> <u>Rate</u>
Alternative Care (AC)	\$5.76	\$5.59
Elderly Waiver (EW)	\$5.81	\$5.64
CADI/TBI	\$3.98	\$3.85
Unit is 1/4 hour		

8) Approves contract amendments with the following home care service providers at the proposed rate for Alternative Care (AC), Elderly Waiver (EW), Community Alternatives for Disabled Adults (CADI), and Traumatic Brain Injury Waiver (TBIW) program funded personal care attendant services for the period July 1, 1998, to December 31, 1998.

<u>Provider</u>	<u>Proposed</u> <u>Rate</u>	<u>Current</u> <u>Rate</u>
Interim Health Care	\$3.18	\$3.09
EW, CADI, TBIW		
Allied Health	\$3.18	\$3.09
AC, EW, CADI, TBIW		
Healthline	\$3.18	\$3.09
AC, EW, CADI, TBIW		
Healthstar	\$3.18	\$3.09
AC, EW, CADI, TBIW		
Homecare Specialists	\$3.18	N/A
AC, EW, CADI TBIW		
Unit is 1/4 hour		

9) Approves contract amendments with the following home care service providers at the state approved maximum rate of \$6.06 per 1/4 hour for Alternative Care program funded Home Health Nursing-RN services for the period July 1, 1998, to December 31, 1998.

Provider
Arrowhead Health Alternatives
Healthline, Inc.

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

284

Healthstar Home Health
Home Health Services
Interim Health Care
Olsten Kimberly Quality Care
St. Mary's Home Care
Senior Friends Associates
Vermilion Home Care
Allied Health Alternatives
Nurses That Care
Villa Home Health

10) Approves contract amendments with the following home care service providers for the provision of Home Health Nursing-LPN services at the state approved maximum rate of \$4.62 per 1/4 hour for Alternative Care program eligible clients for the period July 1, 1998, to December 31, 1998.

Provider

Arrowhead Health Alternatives
Healthline, Inc.
Healthstar Home Health
Home Health Services
Interim Health Care
Olsten Kimberly Quality Care
St. Mary's Home Care
Senior Friends Associates
Vermilion Home Care
Allied Health Alternatives
Nurses That Care
Villa Home Health

INDEPENDENT LIVING SKILLS

11) Approves contract amendments with H.O.M.E.S., Inc., and the Center for Independent Living of Northeastern Minnesota, Inc., at the proposed rates for CADI and TBI waiver program funded Independent Living Skills (ILS) - Counselor services and Independent Living Skills (ILS) - Maintenance Worker services for the period July 1, 1998, to December 31, 1998.

	<u>Current Rate</u>
	<u>Proposed Rate</u>
H.O.M.E.S., Inc.	
ILS-Counselor	\$14.14 per 30 min. \$14.56 per 30 min.
ILS-Maintenance Worker	\$10.32 per 30 min. \$10.63 per 30 min.

Center for Independent Living

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

of Northeastern Minnesota

ILS-Counselor	\$14.28 per 30 min. \$14.71 per 30 min.
ILS-Maintenance Worker	\$10.40 per 30 min. \$10.71 per 30 min.

ADULT DAY CARE

12) Approves contract amendments with the following providers at the below listed proposed rates for adult day care service, adult day care bath service and extended transportation service effective from July 1, 1998, to December 31, 1998.

	<u>Current Rate</u> <u>Proposed Rate</u>
Benedictine HCC-Duluth	
<u>Adult Day Care</u>	
EW	\$4.97 per 30 min. \$5.12 per 30 min.
AC	\$4.92 per 30 min. \$5.07 per 30 min.
CADI & TBIW	\$49.73 per day \$51.22 per day

Adult Day Care Bath

EW & AC	\$5.64 per 15 min. \$5.81 per 15 min.
---------	--

Benedictine HCC-St. Anthony-Duluth

<u>Adult Day Care</u>	
EW	\$4.97 per 30 min. \$5.12 per 30 min.
AC	\$4.92 per 30 min. \$5.07 per 30 min.
CADI & TBIW	\$49.73 per day \$51.22 per day

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

286

Adult Day Care Bath

EW & AC \$5.64 per 15 min.
 \$5.81 per 15 min.

Current Rate
Proposed Rate

**Range Mental Health
Center-Virginia**

Adult Day Care

EW	\$4.97 per 30 min. \$5.12 per 30 min.
AC	\$4.92 per 30 min. \$5.07 per 30 min.
CADI & TBI	\$49.73 per day \$51.22 per day
MR/RC	\$38.64 per day \$39.80 per day

Adult Day Care Bath

EW & AC \$5.64 per 15 min.
 \$5.81 per 30 min.

Extended Transportation

EW \$.29 per mile
 \$.30 per mile

University Medical Center/Mesabi-Hibbing

Adult Day Care

EW	\$4.97 per 30 min. \$5.12 per 30 min.
AC	\$4.92 per 30 min. \$5.07 per 30 min.
CADI & TBI	\$49.73 per day \$51.22 per day
MR/RC	\$38.64 per day \$39.80 per day

Adult Day Care Bath

EW & AC \$5.64 per 15 min.
 \$5.81 per 15 min.

Extended Transportation

EW \$.29 per mile
 \$.30 per mile

Ely-Bloomenson Hospital

Adult Day Care

EW \$4.97 per 30 min.

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

287

	\$5.12 per 30 min.
AC	\$4.92 per 30 min.
	\$5.07 per 30 min.
CADI & TBI	\$ 4 9 . 7 3 p e r d a y
	\$51.22 per day
MR/RC	\$38.64 per day
	\$39.80 per day

Adult Day Care Bath

EW & AC	\$5.64 per 15 min.
	\$5.81 per 15 min.

Extended Transportation

EW	\$.29 per mile
	\$.30 per mile

Daybreak ADC - Cook

Adult Day Care

EW	\$4.97 per 30 min.
	\$5.12 per 30 min.
AC	\$4.92 per 30 min.
	\$5.07 per 30 min.
CADI & TBI	\$ 4 9 . 7 3 p e r d a y
	\$51.22 per day

Adult Day Care Bath

EW & AC	\$5.64 per 15 min.
	\$5.81 per 15 min.

Extended Transportation

EW	\$.29 per mile
	\$.30 per mile

Budget Reference:

None, payments are made directly to the provider by the Minnesota Department of Human Services through the Medical Management Information System (MMIS II).

Adopted July 14, 1998. No. 543

RESOLVED: That the County Board approves Purchase of Service Agreements with the following providers at the following rates for the period July 1, 1998, through June 30, 1999:

MA MR/RC WAIVER CRISIS RESPITE

SERVICES *

Provider

Rates

Moose Lake Regional State

SET BY MINNESOTA

Operated Services, Crisis Respite

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

288

DEPARTMENT OF
Programs (Transition Home # 5
HUMAN SERVICES
and Transition Home # 6) and
Community Support Services

MA MR/RC WAIVER SUPPORTED LIVING

SERVICES*

Provider

Hourly Rate

ABC - Humes House

\$14.36

ABC - Longview House

\$14.36

Andler Homes, Inc., Home # 1

\$10.38

Andler Homes, Inc., Home # 2

\$15.48

Arrowhead Psychological Associates - SLS

\$14.16

Barbara Gross Adult Foster Home

\$10.38

Carey Special Needs Foster Home

\$10.38

Covenant Enabling Residence II of MN, Inc.-

Our Place A

\$17.86

Covenant Enabling Residence II of MN, Inc.-

Our Place B

\$17.96

Dallmann Adult Foster Home

\$10.38

DeRungs Adult Foster Home, Inc.

\$16.76

DRCC - Daniels Road

\$17.40

DRCC - East Fifth

\$13.28

DRCC - Exeter

\$13.28

DRCC - Galere

\$14.36

DRCC - Jefferson

\$16.46

DRCC - Jitney

\$13.28

DRCC - Merritt

\$15.46

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

289

DRCC - Northside
\$17.30

DRCC - Noumenon
\$13.28

DRCC - Piedmont
\$13.28

DRCC - Rockridge
\$13.28

DRCC - SLS Foster Support
\$14.26

DRCC - Triggs
\$17.36

DRCC - Valley
\$13.28

DRCC - Woodland
\$13.28

EBI, Inc.
\$14.36

EBI, Inc. - Denfeld
\$15.46

EBI, Inc. - Piedmont \$17.68

Empowerment Services (ESI) - Aurora
\$16.70

Empowerment Services (ESI) - Biwabik
\$16.70

Empowerment Services (ESI) - Embarrass
\$16.70

Hansen-Pirila Adult Foster Care
\$10.38

Hermantown Residential Care
\$10.38

HOMES, Inc. - Hibbing SLS
\$17.58

HOMES, Inc. - Virginia SLS
\$17.56

Innovative Living, Inc.
\$16.80

KAWS Corporation
\$14.16

KAWS Corporation - House II
\$13.46

Kiminki Homes, Inc. #1
\$10.38

Kiminki Homes, Inc. #2
\$10.38

Kiminki Homes, Inc. #3
\$10.38

Kiminki Homes, Inc. #4
\$10.38

Lakewinds, Inc.

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

290

\$13.28
Lee Foster Care Home
\$10.38
Macor Adult Foster Home
\$10.38
MLRTC SOCS SLS #1
\$19.02
MLRTC SOCS SLS #2
\$24.36
MLRTC SOCS SLS #3
\$25.54
MLRTC SOCS SLS #7
\$21.42
Morgan Park Place
\$10.38
Nekton - Chester Park
\$16.02
Nekton - K & D
\$17.00
Nekton - Kenwood
\$17.00
Nekton - Lakeview
\$17.00
Nekton - 901
\$16.96
Nekton - Nuvo
\$15.66
Nekton - Spirit Valley
\$15.66
Nekton - Springvale
\$16.46
North Pines Home I
\$10.38
North Pines Home II
\$10.38
NHS - Adult
\$17.26
NHS - Aldrich
\$15.02
NHS - Cedar
\$15.38
NHS - Central
\$16.48
NHS - Child
\$16.76
NHS - Douglas
\$13.28
NHS - Evans
\$15.36

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

291

NHS - Forest
\$15.78

NHS - Grandview
\$16.96

NHS - Horizons
\$17.30

NHS - Jones
\$13.28

NHS - Southside
\$15.42

Paragon Services, Inc. - Faribault
\$17.54

Paragon Services, Inc. - Fifth Street
\$17.30

Paragon Services, Inc. - Mitchell Circle I
\$17.54

Paragon Services, Inc. - Mitchell Circle II
\$17.56

Paragon Services, Inc. - Ramsey I
\$17.12

Paragon Services, Inc. - Ramsey II
\$17.10

Paragon Services, Inc. - Ramsey III
\$17.86

Paragon Services, Inc. - Selfridge
\$17.56

Paragon Services, Inc. - SLS Adult
\$17.56

Paragon Services, Inc. - Vermilion
\$16.80

Pirila Adult Foster Home
\$10.38

Reigstad Adult Foster Home
\$10.38

Reigstad Adult Foster Home II
\$10.38

Seeland Adult Foster Home
\$10.38

Taylor SLS
\$21.90

Taylor SLS II
\$19.76

TBI Residential & Community Services
\$16.22

Vallie Adult Foster Home
\$10.38

Velkommen Village, Inc.
\$10.38

Vernon Street Adult Foster Care Home
\$10.38

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

292

Winter Homes, Inc.
\$10.38
Winter Homes, Inc. - West
\$16.04
Woodsvie Home
\$10.38

SPECIALIST (CONSULTATION)

SERVICES *

Empowerment Services of Minnesota, Inc.
\$27.06
Family Support, Inc.
\$33.94
JE & Associates
\$39.60

SEMI-INDEPENDENT LIVING SERVICES

(SILS) *

Arrowhead Psychological Clinic SLS
\$21.34
Duluth Regional Care Center
\$21.34
HOMES, Inc. - Hibbing
\$21.34
HOMES, Inc. - Virginia
\$21.34
Paragon Services, Inc.
\$21.34

<u>EXPENSE:</u>	<u>Fund</u>	<u>Agency</u>	<u>Organi</u>
<u>zation</u>	<u>Object</u>		
	04	SSV	2 6 0 0
	5340		6300
	5340		

<u>REVENUE:</u>	<u>Fund</u>	<u>Agency</u>
	<u>Source</u>	
	04	SSV
	9324	

SILS/SILVR *

Arrowhead Psychological Clinic SLS
\$21.34
Duluth Regional Care Center
\$21.34
HOMES, Inc. - Hibbing
\$21.34
HOMES, Inc. - Virginia

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

293

	\$21.34
Paragon Services, Inc.	\$21.34

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

294

DD -- IN-HOME FAMILY SUPPORT*

Duluth Regional Care Center	\$13.28
Northern Habilitative Services	\$13.10
Paragon Services, Inc.	\$18.08

DD - RESPITE*

Diler, LeAnn	\$8.52/hour
DRCC Respite Care Services	\$9.60/hr. (General)
	\$13.88/hr. (Intensive)
Gellatly, Tracy	\$10.82/hour
Paragon Services, Inc.	\$14.24/hour
Peterson, Shannon	\$3.42/hour (awake hours)
	\$3.12/hour (sleep hours)
Wick, Carole	\$7.22/hour

DAY TRAINING & HABILITATION*

<u>Round</u>	<u>Full</u>	<u>Partial</u>	<u>Trip</u>	
<u>Full Day</u>	<u>Day</u>	<u>Day</u>	<u>Dail</u>	
<u>Program Name</u>	<u>Program</u>	<u>Program</u>	<u>Program &</u>	
	<u>Transport</u>	<u>Transport</u>		
East Range DAC	\$39.07	\$29.	3	0
	\$9.37	\$48.44		
Floodwood Services	\$48.23	\$36.	1	7
	\$5.49	\$53.72		
& Training, Inc.				
MLRTC Duluth	\$97.34	\$73.	0	1
	\$7.94	\$105.28		
SOCS-Airpark				
MLRTC Duluth	\$59.05	\$44.	2	9
	\$11.05	\$70.10		
SOCS-West End				
MLRTC Virginia	\$94.85	\$71.	1	4
	\$13.44	\$108.29		
SOCS-Virginia				

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

295

CHOICE, Unlimited-	\$57.21	\$42.	9	1
\$6.96	\$64.17			
CHOICE				
CHOICE, Unlimited-	\$82.94	\$62.	2	1
\$4.69	\$87.63			
OPTIONS				
Range Center, Inc.	\$37.03	\$27.	7	7
\$4.72	\$41.75			
UDAC, Inc.	\$44.56	\$33.	4	2
\$8.00	\$52.56			

	<u>Level</u>
	<u>Hourly Rate</u> **
Pinewood, Inc. - Duluth	A \$22.96
	B
\$11.21	C \$8.86
	D \$7.86

** Pinewood, Inc.-Duluth is a Rule 75 pilot program with hourly rates.

***COSTS INCURRED FOR MA MR/RC COMMUNITY-BASED SERVICES ARE REIMBURSED DIRECTLY TO THE PROVIDER WITH STATE AND FEDERAL FUNDING AND PAID THROUGH THE STATE MMIS II PAYMENT SYSTEM. NO COUNTY FUNDING IS INVOLVED.**

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

296

**County-Funded Individuals Receiving
DT & H Services**

EXPENSE:	<u>Fund</u>	<u>Agency</u>	<u>Organizati</u>
<u>on</u>	<u>Object</u>		
	04	SSV	2600
	5660		6300
	5660		

REVENUE:	<u>Fund</u>	<u>Agency</u>
	<u>Source</u>	
	04	SSV
	9301	
	0020	

Adopted July 14, 1998. No. 544

WHEREAS, the St. Louis County Board has established a policy regarding moratoriums relating to land use controls by resolution adopted February 11, 1985; and

WHEREAS, the Town of Grand Lake is in the process of developing an updated land use plan for the Town and the Town Board of Supervisors has requested that the County place a moratorium on the approval of new borrow pits within the Town; and

WHEREAS, the St. Louis County Planning Commission, at a June 18 public hearing, reviewed the request from the Town Board, and, upon close of the hearing, unanimously recommended the County Board implement such a moratorium; and WHEREAS, moratoriums are permitted by State Statute if adopted as an Ordinance.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners shall hold a public hearing on August 4, 1998, at 9:35 A.M. in the County Board Room, Duluth Courthouse, to consider a moratorium ordinance relating to the approval of borrow pits within the Town of Grand Lake.

Adopted July 14, 1998. No. 545

RESOLVED, that the Purchasing Agent and the Public Works Director are hereby

authorized to negotiate an agreement with LHB Engineers and Architects, Duluth, for engineering services related to the design of Bridge No. 181 and approach grading on C-SAH 27, for a fee not to exceed \$80,170.00, payable from Fund 02 (Public Works), Agency A11 (Administration and Engineer-ing), Object 266 (Engineering), Org. 0008.

Adopted July 14, 1998. No. 546

WHEREAS, the County Recorder's Office has experienced a dramatic increase in the transactions presented to the office for recording causing a two month backlog; and

WHEREAS, the increase in workload has resulted in a need for additional staff; and WHEREAS, the increase in transactions has also resulted in an increase in projected revenue for 1998.

NOW, THEREFORE, BE IT RESOLVED, that the County Recorder is hereby authorized to increase the department's FTE's by 3.0 Clerk Typist Technicians, to be funded by the increased revenues realized by the increased transaction requests.

Adopted July 14, 1998. No. 547

WHEREAS, Minnesota Statutes 379.02 allows a County Board to divide one town

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

297

and attach the parts to other towns if petitioned to do so by legal voters residing within the territory to be affected; and WHEREAS, St. Louis County Board of Commissioners has received such a petition from residents of Section 12 in Biwabik requesting they become annexed to the Town of White; and WHEREAS, said petition complies with the stipulations of Minnesota Statutes 379.02.

THEREFORE, BE IT RESOLVED, a public hearing is established for Tuesday, September 22, 1998, at 9:35 A.M. in Ely, Minnesota.

RESOLVED FURTHER, the Board shall cause 30 days' posted notice of the time of hearing to be given within the bounds of the territory to be partitioned, altered, or formed into a new town. Such notice shall include a copy of the petition and be served on the Clerk of each town whose territory may be affected.

Adopted July 14, 1998. No. 548

**RESOLUTION AUTHORIZING THE
ISSUANCE AND SALE OF \$200,000
GENERAL OBLIGATION REVENUE
NOTE, SERIES 1998B, AND
PROVIDING FOR ITS PAYMENT**

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

Section 1. Authorization and Sale of Note.

1.01. Findings.

A. Pursuant to Minnesota Statutes Sections 17.117, 115.57 and Laws of Minnesota for 1997, Chapter 246, the Minnesota Department of Agriculture (the "Department") has created a program to provide funds for loans to landowners and businesses to prevent or mitigate sources of nonpoint sources of water pollution, including loans for improvements to individual sewage treatment systems (the

"Program").

B. The Board has previously found and determined, and such determination is hereby ratified and approved, to be necessary and in the best interest of the County, the residents of the County and the environment, to provide low-interest loans to landowners for site valuation, design, installation, repair, and replacement of individual sewage treatment systems (the "Project").

C. The County has previously applied for and received funding from the Department for such loan program in the sum of \$50,000 for the initial funding of loans for the Project. The County desires to obtain additional funds for such loan program.

D. The County has applied for additional funding from the Department for such loan program in the sum of \$200,000 for loans for the Project.

1.02. Note for Low-interest Loans to Landowners. It is further hereby found and determined to be necessary and in the best interest of the County and the residents of the County to participate in the Program and to sell and issue a general obligation revenue note of the County payable to the Minnesota Department of Agriculture in the amount of \$200,000 to provide funds for the loan program for the Project, all pursuant to Minnesota Statutes, Chapter 475, and Section 115.57, and subject to execution by the Department and State of Minnesota of a loan agreement as further described below. The County Administrator, Julie Brunner, is hereby designated as the County's Authorized Representative for the Program.

1.03. Issuance and Sale of Note. The County hereby authorizes the issuance and sale of its \$200,000 General Obligation Revenue Note, Series 1998B (the "Note"), in substantially the form attached hereto,

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

298

for the purposes specified in Section 1.01 above, to the Minnesota Department of Agriculture (the "Lender") pursuant to a Loan Agreement between the Lender and the County, in substantially the form presented to the Board and on file with the County Auditor (the "Loan Agreement"), which is hereby authorized and approved.

Section 2. Execution and Delivery of Note and Loan Agreement.

2.01. The Note to be issued hereunder shall be dated as of the date of issuance, shall be issued in the principal amount of \$200,000, at an interest rate of 0% per annum, in fully registered form and lettered and numbered R-1. The principal payment is due and payable 15 years from the date of issuance of the Note, subject to the mandatory principal prepayments set forth in Section 2.02(a). As the Note is payable primarily from loan repayments and not ad valorem taxes, and as the Board hereby estimates that such loan repayments are sufficient to pay the Note when due, and as the loan repayments are irrevocably appropriated to payment of the Note, the Note is excepted from the requirements of Minnesota Statutes, Section 475.54, Subd. 1.

2.02. (a) Mandatory Prepayment. The County shall make the following prepayments of the Note to the Lender:

(i) The County shall pay an amount equal to all of the funds in the Principal Subaccount on the date ten years after the date of the issuance of the Note; and

(ii) The County shall pay an amount equal to all of the funds in the Principal Subaccount on the date ten years and six months after the date of the issuance of the Note and semiannually thereafter.

(b) Optional Prepayment. The County shall have the option to prepay the Note, in whole or in part, upon providing written notice to the Lender at least thirty days prior to repayment.

2.03. The Note and the Loan Agreement shall be prepared for execution in accordance with the approved forms. The Note and the Loan Agreement shall be signed by the 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 Note shall cease to be an officer before delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

2.04. The County will cause to be kept at its offices a register in which, subject to such reasonable regulations as the County may prescribe, the County shall provide for the registration of transfers of ownership of the Note. The Note shall be initially registered in the name of the Lender and shall be transferable upon the register by the Lender in person or by its agent duly authorized in writing, upon surrender of the Note, together with a written instrument of transfer satisfactory to the County Auditor, duly executed by the Lender or its duly authorized agent.

2.05. Delivery of the Note shall be made at a place mutually satisfactory to the County and the Lender. The Note shall be furnished by the County without cost to the Lender. The Note, when prepared in accordance with this resolution and executed, shall be delivered to the Lender by and under the direction of the County Auditor. Disbursement of the proceeds of the Note shall be made pursuant to the Loan Agreement.

Section 3. Accounts and Tax

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

299

Levies.

3.01. The County has created, and covenants to continue to operate throughout the term of the Note, the Revolving Septic Loan Fund No. 2 (Fund 03A) (the "Loan Fund") and the following accounts therein:

(a) the Agency State Account (the "State Account") and three subaccounts therein: (i) the Loan Subaccount; (ii) the Principal Subaccount, and (iii) the Interest Subaccount; and

(b) the 1998B State Note Debt Service Account (the "Debt Service Account").

3.02. The proceeds of the Note, which are received pursuant to the terms of the Loan Agreement, shall be credited to the Loan Subaccount within the State Account and loaned to borrowers pursuant to the Loan Agreement for the Project. Upon receipt of loan repayments from such loans, the principal component of the payments shall be deposited in the Principal Subaccount and the interest and fee component of the payment shall be deposited in the Interest Subaccount. The County covenants and agrees to make loans to borrowers pursuant to the Loan Agreement with repayment terms such that the Note will be repaid when due from loan repayments. The Auditor shall transfer first from the Principal Subaccount and then from the Interest Subaccount to the Debt Service Account on the principal payment dates for the Note, as set forth in Section 2 hereof, the amount needed for such payment.

3.03. The money in the Debt Service Account shall be used for no purpose other than the payment of principal on the Note; provided, however, that if any payment of the Note shall become due when there is not sufficient money in the Debt Service Account, the County Auditor

shall pay the same from any other funds of the County and said funds shall be reimbursed for such advance from the Debt Service Account when a sufficient balance is available therein. The County further irrevocably pledges and appropriates to the Debt Service Account for payment of the principal of and interest, if any, on the Note:

(a) All principal and interest loan repayments made by the borrowers from the State Account needed to pay the Note when due, including, but not limited to, the mandatory prepayments under Section 2.02(a);

(b) All sums collected from the taxes, if any, extended and assessed under the provisions of Section 3.04; and

(c) All income and gain from investment of the Debt Service Account.

3.04. The full faith and credit and taxing powers of the County are irrevocably pledged for the prompt and full payment of the principal on the Note, as such principal becomes due. However, the monies and payments appropriated to the Debt Service Account in Section 3.03(a) hereof are estimated to be not less than five percent in excess of the principal of and interest on the Note when due, and accordingly, no tax is levied at this time.

3.05. In the event the monies and payments appropriated to the Debt Service Account in Section 3.03 hereof are insufficient to pay principal of and interest on the Note as the same become due, the County is required by law and by contract with the holder of the Note and hereby obligates itself to levy and cause to be extended, assessed and collected any additional taxes found necessary for full payment of the principal of and interest,

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

300

if any, on the Note.

3.06. Monies on deposit in the Loan Fund may, at the discretion of the County Auditor, be invested in any securities permitted by Minnesota Statutes, Chapter 118A and in accordance with resolutions of the County; provided, however, such investments shall mature at such times and in such amounts as will permit payments by the County for authorized purposes, when due.

Section 4. Registration of Note.

A certified copy of this resolution shall be filed with the County Auditor, together with such other information as the County Auditor may desire concerning the Note issued hereunder and the Auditor shall certify that the issue has been entered on the Auditor's register.

Section 5. Authentication of Note Transcript.

5.01. The officers of the County are authorized and directed to furnish to the Lender certified copies of proceedings and information in their official records relevant to the authorization and issuance of the Note and the execution and delivery of the Loan Agreement, and such certificates and affidavits as to other matters appearing in their official records or otherwise known to them as may be reasonably required to evidence the validity and security of the Note, and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations and recitals of the County as to the correctness of all facts stated therein and the completion of all proceedings stated therein to have been taken.

5.02. In the event of the absence or disability of the Chair, the County Auditor or the Authorized Representative, such

officers or members of the Board as in the opinion of the County Attorney, may act in their behalf, shall without further act or authorization, execute and deliver the Note, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Adopted July 14, 1998. No. 549

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Chuch O, Inc., d/b/a Minotte's Cloquet River Inn, GrandLake Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of July 17 & 18, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111, contingent upon the following requirements:

Applicant must post "No Parking" signs printed in four-inch or larger black letters on white background, a minimum of four feet above the ground, every 10 feet for 500 feet, from the entrance of the establishment, on both sides of Bachelor Road;

There will be no "overflow" parking anywhere on Bachelor Road;

Entrance will be fenced off with two staff personnel at each entrance checking I.D.'s and issuing wrist bands;

Beer truck will be sectioned off;

Two uniformed security;

Eight to ten security staff, identified by t-shirts;

Twenty staff, identified by t-shirts;

Eight outdoor bathroom facilities;

Music will be from 7 P.M. to 11 P.M. on

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

301

Friday, July 17, 1998, and 1 P.M. to 11 P.M. on Saturday, July 18, 1998;

Town Board approval.
Adopted July 14, 1998. No. 550

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 551 which was not on the agenda.

BY COMMISSIONER KRON:
RESOLVED, that the 1998/1999 Civil Service Basic Bargaining Agreement, a copy of which is on file in Contract File No. 98-554, is hereby approved, and the appropriate County officials are authorized to execute said contract.
RESOLVED FURTHER, that Unclassified Support Staff shall receive the same benefit and compensation package for 1998 and 1999 as the Civil Service Basic Bargaining Unit.
Unanimously adopted. July 14, 1998. No. 551

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 552 which was not on the agenda.

BY COMMISSIONER KRON:
RESOLVED, that the revised clerical classification specifications for Office Assistant, Information Specialist I, Information Specialist II, Information Specialist III, Court Specialist I, Court Specialist II, Probate Registrar, Court Financial Coordinator, Legal Secretary I, Legal Secretary II, Drafting/Property Records Technician, and Law Librarian; and the corresponding compensation plans; copies of which are on file in County Board File No. 57133, are hereby approved.
Unanimously adopted. July 14, 1998. No. 552

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 553 through 562, which were approved at the Committee of the

Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted with Commissioner Krueger absent.

BY COMMISSIONER PREBICH:
WHEREAS, land which cannot be improved because of non-compliance with local ordinances regarding minimum area, shape, frontage, or access may be sold by the County Auditor, pursuant to Minnesota Statutes 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.
NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to classify as non-conservation and sell tax forfeited land, as on file in County Board File No. 57214, at a non-public sale limited to the adjacent property owners.
Adopted July 14, 1998. No. 553

WHEREAS, land which cannot be improved because of non-compliance with local ordinances regarding minimum area, shape, frontage, or access may be sold by the County Auditor, pursuant to Minnesota Statutes 282.01 (7a). The County Auditor may restrict the sale to owners of land adjoining the land to be sold. The land shall be sold for at least the minimum appraised value.
NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to sell tax forfeited land, as on file in County Board File No. 57215, at a non-public sale limited to the adjacent property owners.
Adopted July 14, 1998. No. 554

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner;
WHEREAS, said parcel of land has been viewed by the County Board of

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

302

Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcel, on file in the office of the County Auditor, identified as County Board File No. 57216, is approved and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted July 14, 1998. No. 555

RESOLVED, that the Chair of the St. Louis County Board and the County Auditor are hereby authorized to execute Roadway License Agreements with James and Connie Rabideaux and David Jaeger and Stuart Genung, owners of property in Sections 10 and 11, T62N, R14W, on behalf of the County.

Adopted July 14, 1998. No. 556

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

SE 1/4 - SW 1/4 and SW 1/4 - SE 1/4, Section 2, Township 50, Range 18, and NW 1/4 - NE 1/4 and NE 1/4 - NW 1/4, Section 11, Township 50, Range 18.

Minimum bid \$22,840.00 plus fees;

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57116, are approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted July 14, 1998. No. 557

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

NE 1/4 - SE 1/4, Section 11, Township 50, Range 18. Minimum bid \$5,870.00 plus fees;

WHEREAS, said parcel of land has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and
WHEREAS, said parcel, on file in the office of the County Auditor, identified as

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

303

County Board File No. 57116, is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted July 14, 1998. No. 558

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant an exclusive permanent easement for road right-of-way purposes to Robert Cresap, his heirs and assigns, 327 Freeman Road, Cloquet, MN 55720, on and across the following tax forfeited land:

A 66-foot permanent exclusive easement over and across that part of the SW 1/4 - NW 1/4 of Section 26, Township 50, Range 18, St. Louis County, MN, the centerline described as follows:

Commencing at the west quarter corner of said Section 26; thence northerly, along the west line of said SW 1/4 - NW 1/4 a distance of 990.00 feet to the point of beginning of the centerline to be described; thence easterly, parallel with the south line of said SW 1/4 - NW 1/4 to the east line of said SW 1/4 - NW 1/4, and there terminating.

for the consideration of \$460.00 land use

fee, \$100.00 administration cost, \$6.00 publication cost, \$96.00 timber damage, and \$19.50 recording fee, for a total cost of \$681.50.

RESOLVED FURTHER, that said easement is permanent and subject to the terms and conditions of the easement agreement.

RESOLVED FURTHER, that Resolution No. 402, passed on May 19, 1998, be rescinded.

Adopted July 14, 1998. No. 559

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organizations:

Cook Timberwolves Snowmobile Club to operate out of The Landing, Beatty Township, renewal;

Cook Timberwolves Snowmobile Club to operate out of the Viking Bar, Morcom Township, renewal;

National Multiple Sclerosis Society, Minnesota Chapter, to operate out of Calm Bays White Eagle Resort, Unorganized Area 69-21, new;

Vermilion Penguin Snowmobile Club to operate out of Bay View Lodge, Greenwood Township, new.

Adopted July 14, 1998. No. 560

RESOLVED, that the St. Louis County Board hereby supports the Recommendations of the Depot Strategic Planning Group, copy on file in County Board File No. 57218, for the new governance structure of the St. Louis County Heritage and Arts Center (Depot) with the following amendments:

1. For terms expiring August 1, 1999, the

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

304

St. Louis County Board will appoint the following members to the Depot Management Board in addition to the St. Louis County and Veterans representatives: one regional representative; two representatives of education, K-12 and post secondary; and, two representatives from the business/professional community.

2. That the St. Louis County Property Management Director be designated an ex-officio member of the new governance board.

Adopted July 14, 1998. No. 561

RESOLVED, the St. Louis County Board of Commissioners hereby appoints the following individuals to the Public Health Advisory Committee for a three-year term, expiring July 1, 2001:

Tina Welsh

Margaret Likar

Adopted July 14, 1998. No. 562

At 12:17 P.M. on Tuesday, July 14, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

291

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
JULY 28, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of July, 1998, at 9:34 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Peg Sweeney - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda. A large contingent from the Citizens Coalition for a Living Wage was present and the following representatives chose to speak to the Board:

Miikana Bimaadiziwin, Virginia, told the Board that she, like many others, would like to stay in the region but needs a job that pays a living wage.

Marian Gianlorenzi, Virginia, presented a proposed living wage resolution for Board consideration.

Steve Manninen, Virginia, is a steelworker who has witnessed the loss of good paying jobs through the use of overtime and

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

292

contracting out.

Eric Peterson, a representative of A.F.S.C.M.E., was on hand to answer any questions that the Board might have.

Commissioner Prebich, supported by Commissioner Raukar, moved to suspend the rules in order to consider a living wage policy. After some discussion, Commissioner Prebich, supported by Commissioner Raukar, moved to support the mission of the Citizens Coalition for a Living Wage and establish a committee of six members - three Commissioners and three members of the coalition - to meet over the next four months to identify problems and financial impacts and recommend an implementation process for enacting a living wage policy for St. Louis County. Commissioners Forsman, Prebich, and Raukar volunteered to serve on the committee. The County Administrator was directed to set the time and place for the first committee meeting; six yeas - zero nays. Resolution No. 567.

Commissioner Kron, supported by Commissioner Prebich, moved to suspend the rules to consider granting Unclassified Managers and Unclassified Bailiffs the same compensation package for 1998 and 1999 as the Civil Service Basic Bargaining Unit. This action was necessary to correct an oversight from the July 14, 1998, Board meeting where other unclassified staff were granted the same compensation package. Commissioner Kron, supported by Commissioner

Prebich, moved approval of the resolution; six yeas - zero nays. Resolution No. 568.

A closed session for purposes of litigation was requested upon motion of Commissioner Kron, supported by Commissioner Raukar. Time of the session would be at the call of the Chair; six yeas - zero nays.

Commissioner Prebich, supported by Commissioner Kron, moved to suspend the rules to consider a premise permit application for a one-day off-site gambling event at the Eshquagama Club by Camp Chicagami; six yeas - zero nays. Commissioner Prebich, supported by Commissioner Raukar, moved to approve the premise permit; six yeas - zero nays. Resolution No. 569.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

St. Louis County Promotional Bureau Independent Auditors Report, dated December 31, 1997, from James Q. Forsman, Certified Public Accountant, Eveleth.--57222

City of Duluth submitting Tax Increment Financing Pooled Indebtedness Report for the year ended December 31, 1997, for TIF No. 1, 2, and 3.--57223

City of Duluth submitting Tax Increment Financing Municipality Report for the

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

293

year ended December 31, 1997, relative to TIF No. 18, Cirrus-Phase II.--57224

City of Aurora submitting Tax Increment Financing Municipality Report for the year ended December 31, 1997.--57225

Davis Helberg, Executive Director, Seaway Port Authority of Duluth, submitting Rices Point and Airpark Tax Increment Financing Municipality Report for the year ended December 31, 1997.--57226

City of Hibbing submitting Tax Increment Financing District Municipality Report for year ended December 31, 1997, and stipulating that the 1997 Pooled Indebtedness Report is not included; stating in 1996 there was a refunding issue to pay off the pooled indebtedness between TIF No. 1 and TIF No. 2 as proceeds were held in escrow and not used to pay off the pooled portion until 1997.--57227

City of Eveleth submitting Tax Increment Financing Pooled Indebtedness Report, and Tax Increment Financing Municipality Report for the year ended December 31, 1997.--57228

College Work-Study Program Participation Agreement between St. Louis County and Duluth Business University for providing work to eligible students.--98-564

Addendum amending Contract No. 11996 between the St. Louis County Board of Commissioners and Residential Services of

Northeastern Minnesota for the provision of adult foster care services.--98-565

Dennis J. Peterson, Tribal Attorney, Fond du Lac Reservation Business Committee, Legal Affairs Office, submitting proposed Cooperative Agreement between the Fond du Lac Band of Lake Superior Chippewa and St. Louis County, Minnesota, regarding enforcement of the Fond du Lac Traffic Code and Curfew Ordinance.--98-566

Lease Agreement between County of St. Louis, through its Department of Public Health and Long Term Medical Care, and Meadowlands Community Center for leasing space of WIC clinics.--98-567

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Tourist Center Senior Citizens.--98-568

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and Mesabi Family YMCA, Inc.--98-569

Beaver Damage Control Agreement between the County of St. Louis, through its Land Department, and Charlie Cowden.--98-570

Supply Contract between the County of St. Louis and S & T Office Products, Inc., for Hewlett Packard toner and ink cartridges.--98-571

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

294

Agreement for Engineering Services between County of St. Louis and Northland Consulting Engineers, L.L.P., for Phase I - Investigation of Water Infiltration at the St. Louis County Courthouse Ground Floor and Plaza.--98-572

Grant Contract between the State of Minnesota, through its Commissioner of Natural Resources, and St. Louis County, through its Department of Public Health and Long Term Medical Care, for a professional services agreement with Ayres & Associates for the design of a Wastewater Facility Plan and system for the North Shore area.--98-573

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998, Agreement between St. Louis County and City of Tower.--98-574

Homeownership Assistance Program Grant Agreement, under the Home Investment Partnership Program, between St. Louis County, on behalf of the Northeast Minnesota Housing Consortium, and Arrowhead Economic Opportunity Agency.--98-575

Single Family Rehabilitation Program Grant Agreement, under the Home Investment Partnership Program, between St. Louis County, on behalf of the Northeast Minnesota Housing Consortium, and Arrowhead Economic Opportunity Agency.--98-576

Upon motion of Commissioner Kron, supported by Commissioner Prebich, Resolutions No. 563 through 566, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 14,325.53
T21 Beer License	10.00
T22 Cities and Towns	435.68
T23 Game and Fish	2,840.00
T27 Refunds	17,794.85
T28 School Districts	1,135.77
T49 Taconite Production Tax	3,176,147.00
T50 State of Minnesota	230,491.84
T66 Criminal Fines	108,140.28
T74 Employer/Employee Deductions	453,183.73
T75 Savings Bonds	12,050.00
T77 Cancelled Checks	411.79
T84 Attorney's Forfeitures	415.79
T85 Sheriff's Forfeitures	167.68
T87 Assault Fees	2,014.25
T89 District Administrator	741.34
T98 Work Study Agency Fund	1,160.12

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

295

T99	Reserve Health & Welfare	1,080.00		64A	Jensen Nursing Home	386,394.66
01	General Fund	844,444.23		64B	Nopeming Nursing Home	236,954.77
02	Public Works					
	830,986.07					
04	Social Services	5,048,092.05		64F	Community Food Services	75,218.03
08	Capital Projects	33,725.00		64L	Laundry	13,583.04
08A	State Aid Road	202,938.74		64S	Supervised Living Facilities	14,276.44
08Y	Hibbing/Virginia Law Enforcement Centers	2,180.99		72	No. Counties Land Use Coord. Board	
09	McKinney Homeless Grant	9,901.00			2,523.30	
10B	Emer. Shelt. 95 Funds	2,577.85		73	Arrowhead Regional Corrections	208,604.68
12B	CDBG Grant	13,466.01		74	Community Health Services	10,677.55
127	Enhanced 9-1-1 Fund	512.75		85	Patients' Trust Fund	<u>144.60</u>
128	Law Library	7,616.59			\$ 12,745,483.83	
13	St. Louis County HRA	584.84		Adopted July 28, 1998. <u>No. 563</u>		
131	Extension Service			RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.		
	10,516.73			Adopted July 28, 1998. <u>No. 564</u>		
15	Forfeited Tax			RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 17 (totaling \$632,633.20), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is		
	146,740.82					
16	Forest Resources	17,836.00				
26	Solid Waste Authorities	276,715.83				
49	Postage/Office Supplies	20,341.44				
50	Printing	17,296.75				
51	County Garage	22,074.10				
52B	Workers Compensation	62,320.24				
52D	Medical/Dental Self Insurance	49.66				
53	Management Information Systems	75,697.55				
54	Regional Railroad Authority	39,831.66				
55	Telecommunications	88,114.21				

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

296

authorized to carry out the recommendations as listed in said appraisal reports.

Adopted July 28, 1998. No. 565

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 28, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted July 28, 1998. No. 566

BY COMMISSIONER PREBICH:

RESOLVED, that the County Board shall establish a committee consisting of three Commissioners and three members of the Coalition for a Living Wage to identify problems and consider the financial impact of enacting a living wage policy for St. Louis County; and

RESOLVED FURTHER, that the committee shall make a recommendation concerning implementation of a living wage policy to the County Board by December 1, 1998.

Unanimously adopted. July 28, 1998. No. 567

Upon motion of Commissioner Kron, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 568 which was not on the agenda.

BY COMMISSIONER KRON:

RESOLVED, that Unclassified Managers

shall receive the same compensation package for 1998 and 1999 as the Civil Service Basic Bargaining Unit.

RESOLVED FURTHER, that Unclassified Bailiffs shall receive the same benefit and compensation package for 1998 and 1999 as the Civil Service Basic Bargaining Unit. Unanimously adopted. July 28, 1998. No. 568

Upon motion of Commissioner Prebich, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 569 which was not on the agenda.

BY COMMISSIONER PREBICH:

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Camp Chicagami, Biwabik Township, one-day off-site gambling at the Eshquaguma Club on August 14, 1998.

Unanimously adopted. July 28, 1998. No. 569

At 10:05 A.M. on Tuesday, July 28, 1998, upon motion of Commissioner Prebich, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the

Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS

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

**BOARD OF
EQUALIZATION, 1998**

**ST. LOUIS COUNTY BOARD OF
EQUALIZATION
FOR THE ASSESSMENT YEAR OF
1998 PAYABLE 1999**

The meeting of the St. Louis County

Board of Equalization was called to order at 10:01 a.m., Tuesday, June 17, 1998, by the Clerk of the County Board in the St. Louis County Boardroom, Courthouse, Duluth, Minnesota. By Resolution No. 487, adopted June 16, 1998, the St. Louis

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

248

County Board appointed the following persons to serve on the Special Board of Equalization: Cynthia Backman, Duluth - District 1, Kathleen Busche, Duluth - District 2, Kevin Doyle, Duluth - District 3, Frank Salerno, Ely - District 4, William Clements, Town of Rice Lake - District 5, James Anderson, Town of Biwabik - District 6, and Marvin Kampsula, Hibbing - District 7. The Clerk of the Board administered the Oath of Office to each of the members.

The Clerk called for nominations for Chair of the Board. Anderson/Kampsula nominated William Clements. There being no other nominations, Mr. Clements was elected by unanimous ballot.

The Clerk then called for nominations for Vice-Chair. Doyle/Kampsula nominated James Anderson. There being no other nominations, Mr. Anderson was elected by unanimous ballot.

Mary Durward, St. Louis County Assessor, was present for all meetings of the Special Board of Equalization.

The following communications were received and are on file in County Board Document File No. 57206.

1. Alan Crandall, HCR 1, Box 199B, Garrison, MN 56450, reference parcel code 731-10-4200 (Unorganized 68-19)
2. Robert and Betty Johns, 1921 Minneapolis Ave, Duluth, MN 55803, reference parcel code 320-33-80 (Town of

Ellsburg)

3. Gerald A. Piering, 2640 4th Avenue, Sacramento, CA, 95818, reference parcel code 210-10-250 (Town of Alden)
4. Paulette and Michael Finnegan, RR 3, Box 7540, Buyck, MN 55771, reference parcel code 698-10-460 (Unorganized 63-17)
5. Diane and Dick Dillon, 7809 W. Briar Lake Dr., Duluth, MN 55803, reference parcel code 488-30-100 (Town of North Star)
6. Adelyne Tibbetts, Box 1072, Cook, MN 55723, reference parcel code 698-10-1625 (Unorganized 63-17)
7. Laura Lisowski, Orr, MN 55771, reference parcel code 729-50-2260 (Unorganized 66-19)
8. Judith and Jon Bauman, 8272 S. Shore Drive, Box 11, Canyon, MN 55717 (Town of Northland)
9. Ward McDonald, 69 County Rd 2000 N, Mahomet, IL 61853, reference parcel code 702-10-1578 (Unorganized 67-17)
10. Rose Bujarski, 17 Fern Court, Babbitt, MN 55706, reference parcel code 105-20-830 (City of Babbitt)
11. Michael A. Jakska, Box 1072, International Falls, MN 56649, reference parcel code 735-10-1252 (Unorganized 66-20)
12. Thomas J. Morrow, 5850 Sky Pointe Dr. #2100, Las Vegas, NV, 89130, reference parcel code 698-10-3054 (Unorganized 63-17)
13. Marjorie Boelter, 6004 Halifax Ave S, Edina, MN 55424, reference parcel code 698-10-4030 (Unorganized 63-17)
14. Denise and Charles Linden, 2609

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

249

- Northwoods Lane, Duluth, MN 55803, reference parcel code 488-10-3610 (Town of North Star)
15. Virginia O. Beebe, 150-B Camino Barranca, Placitas, NM, 87043, reference parcel codes 703-17-170 (Unorganized 68-17) and 688-80-10 (Unorganized 68-16)
 16. Arden Niemi, Rt. 1, Box 16, Felton, MN 56536, reference parcel code 560-11-4340 (Town of Vermilion Lake)
 17. Edwin Hoff, 401 1/2 14th St. N, Virginia, MN 55792, reference parcel code 673-10-832 (Unorganized 53-16)
 18. W. Groth, 414 Kent Rd, Hoyt Lakes, MN 55750, reference parcel code 677-16-40 (Unorganized 57-16)
 19. Walter Anderson, 3319 1st Ave, Hibbing, MN 55746, reference parcel code 140-10-730 (City of Hibbing)
 20. William Tester, 3267 Zarthan Ave. South, St. Louis Park, MN 55416, reference parcel code 250-20-3090 (Town of Beatty)
 21. Harley Pattison, 620 Grant St, Santa Monica, CA, 90405, reference parcel code 465-40-3540 (Town of Morse)
 22. Joan Mattson, 8294 W. Rose Lake Rd, Canyon, MN 55717, reference parcel code 673-50-120 (Unorganized 53-16)
 23. Hugh T. Vidovic, DMR Electronics, 1111 7th Ave E, Hibbing, MN 55746, reference parcel code 140-270-337 (City of Hibbing)
 24. William J. Ford, 819 N LeGrange Rd, LeGrange Park, IL, 60526, reference parcel code 698-50-370 (Unorganized 63-17)
 25. Donald Taylor, 5029 Tuhkanen Dr, Saginaw, MN 55779, reference parcel code 380-10-5564
 26. Ronald and Barbara Kunelius, 6966 Maple Grove Rd, Cloquet, MN 55720, reference parcel codes 530-10-3435 and 3436 (Town of Solway)
 27. John D. Rask, 4835 Vermilion Trail, Gilbert, MN 55741, reference parcel code 260-30-80 (Town of Biwabik)
 28. Ernest R. Nelson, 2832 4th Ave W., Hibbing, MN 55746, reference parcel code 140-160-790 (City of Hibbing)
 29. Mark Jennings, 931 W. Skyline Parkway, Duluth, MN 55806, reference parcel code 10-1350-3430 (City of Duluth). This appeal was entered by the City of Duluth Assessor pending a ruling from the Department of Revenue.
 30. James Youngquist, 112 Innsbrook Lane, Burnsville, MN 55306, reference parcel code 387-205-210 (Town of Greenwood)
 31. Robert Holmbeck, 10847 Zim Rd, Hibbing, MN 55746, reference parcel code 141-10-4440 (City of Hibbing)
 32. Charles Allen, P.O. Box 1150, Stamford, CT, 06904, reference parcel code 465-20-4350 (Town of Morse)
 33. Debra Jensen, (d/b/a Hibbing Park Hotel), 1402 E. Howard St, Hibbing, MN 55746, reference parcel codes 140-270-476 and 668 (City of Hibbing)
 34. Michael Peterson, 3074 W. Lookout Rd, Duluth, MN 55804, reference parcel code 485-10-4690 (Town of Normanna)
 35. David C. Valentine, 7923 285th Ave NE, North Branch, MN 55056, reference parcel code 465-320-10 (Town of Morse)
 36. City of Duluth minutes from their Board of Review

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

250

At 10:20 a.m. the Board commenced hearing appeals. (Note: EMV = estimated market value, and imp = improvements).

Anna Mae and Paula Skibinski, 5941 Arrowhead Road, Proctor, MN 55810, parcel code 530-10-2273, Town of Solway. Current EMV \$16,300 - land; \$26,500 - imp; \$42,800 - total. Appellant requested a reduction to \$39,900. Anderson/Busche moved to accept the assessor recommendation of no change; seven yeas - zero nays.

Thomas Jones, 301 N. 101st Ave West, Duluth, MN 55808, parcel code 560-10-20, Town of Vermilion Lake. Current EMV \$54,900 - land; \$6,100 - imp; \$61,000 - total. Appellant requested a reduction to \$53,000 (\$48,000 - land; \$5,000 - imp). Kampsula/Backman moved to accept the assessor recommendation of no change; seven yeas - zero nays.

At 11:30 a.m. the Chair recessed the Board until 1:00 p.m.

The meeting reconvened at 1:05 p.m. with all members present, except Kathleen Busche. At 1:20 p.m., Kathleen Busche rejoined the meeting.

Gerald Torvund, 922 Northland Avenue, Duluth, MN 55804, parcel code 010-2840-920, City of Duluth. Current EMV \$76,500 - total. Appellant requested a reduction to \$57,700. Mark St. Marie,

City of Duluth Appraiser, recommended no change. Kampsula/Busche moved to accept the assessor recommendation of no change; six yeas - 1 nay, Salerno.

Michael Menton, 5262 Eagle Lake Road, Duluth, MN 55803, parcel code 520-16-1765, Town of Rice Lake. Current EMV \$10,200 - land; \$29,300 - imp; \$39,500 - total. The appellant requested a reduction to \$23,700 (\$8,700 - land; \$15,000 - imp.). Anderson/Salerno moved to accept the assessor recommendation of no change; seven yeas - zero nays.

Charles and Benita Liljegren, 3349 Lindahl Road, Proctor, MN 55810, parcel code 450-10-755, Town of Midway. Current EMV \$16,600 - land; \$77,500 - improvements; \$94,100 - total. The appellants requested a reduction of \$10,000 in market value due to the presence of nitrates in their water supply. The problem allegedly stems from a nearby farm where nitrates used for fertilizer have filtered into the ground water used by three neighboring homes, including the Liljegren residence. Kerry Welsh, Principal Appraiser, told the Board that an adjustment of \$15,000 had already been made to the Liljegren assessment, which should be sufficient to cover the loss of value to the property. After some discussion, Anderson/Kampsula moved to reduce the assessed value by an additional \$10,000 and directed the County Assessor to make a proportional adjustment to the other two homes similarly affected by the water contamination (The EMV changed

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

251

to \$84,100 and proportionate changes to parcel codes 450-10-763 and 450-10-246); seven yeas - zero nays.

Duane Kyrola, 6073 Helm Road, Duluth, MN 55811, parcel code 380-10-5090, Town of Grand Lake. Current EMV \$31,100 - land; \$96,800 - improvements; \$127,900 - total. Additionally, three other parcels owned by Mr. Kyrola were appealed: 380-20-4655, 4656 and 4657; \$28,800 - total (land only acreage). The appellant believed \$15,000 would be a fair assessment for the three lots and \$7,500 an equitable amount for the land portion of the first parcel (\$104,300 - total). After discussion, Busche/Anderson moved to accept the assessor recommendation of no change; seven yeas - zero nays.

The meeting was recessed at 3:30 p.m. and reconvened at 3:45 p.m. with all members present.

Richard Blegen, 4959 Westlund Road, Duluth, MN, 55811, parcel code 380-160-130, Town of Grand Lake. Current EMV \$71,100 - land; \$257,100 - improvements; \$328,200 - total. Appellant requested a reduction to \$252,224 (\$53,300 - land; \$198,924 - improvements). After some discussion, Anderson/Salerno moved to accept the assessor recommendation of no change pending submission of a bank appraisal by the appellant; seven yeas - zero nays.

At 4:15 p.m., Salerno/Backman moved to recess the meeting until Friday, June 19, 1998 at 10:00 a.m. in Virginia; seven yeas

- zero nays.

On June 19, 1998 at 10:02 a.m. in the US Bank Building, Virginia, Minnesota, the Board of Equalization was reconvened with all members present except Kathleen Busche and Kevin Doyle.

Edwin Hoff, 401 1/2 14th St.N., Virginia, MN, 55792, parcel codes 673-10-832 and 673-50-310, Unorganized 53-13. Current EMV \$9,900 - land; \$47,200 - improvements; \$57,100 - total (673-10-832); and \$10,100 - land only EMV(673-50-310). The appellant did not offer a specific reduction amount, but felt that the property was overvalued. After discussion, Backman/Kampsula moved to accept the assessor recommendation of no change; five yeas - zero nays.

At 10:20 a.m. Kathleen Busche joined the meeting.

Kampsula/Anderson moved to accept the assessor recommendations for the following seven parcels (appellants have also agreed with the recommendations); six yeas - zero nays.

1. Michael Finnegan, 7540 County Rd. 422, Buyck, MN, parcel 698-10-460, Unorganized 63-17. EMV \$12,000 - land; \$4,900 - improvements; \$16,900 - total. Reclassified as homestead with no change in value.

2. Adelyne M. Tibbetts, P.O Box 1072, Cook, MN 55723, parcel 698-10-1625, Unorganized 63-17. EMV \$89,300 - land;

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

252

\$53,500 - improvements; \$142,800 - total. Due to structural problems, the improvement value was lowered by \$6,900 for a total of \$135,900.

3. Gunther Behrens, 1816 Tatum, St. Paul, MN 55113, parcels 387-35-3517 and 3525, Town of Greenwood. EMV \$33,600 - land; \$27,500 - improvements; total - \$61,100. No change to this parcel.

4. Rose Bujarski, 17 Fern, Babbitt, MN 55706, parcel 105-20-830, City of Babbitt. EMV \$1,600 - land; \$34,400 - improvements; total \$36,000 - total. No change to this parcel.

5. Carol St. John, 144 5th Artillery Rd, Fort Leavenworth, KS, parcel 560-10-1355, Town of Vermilion Lake. EMV \$8,200 (land only). No change to this parcel.

6. Thomas Morrow, 5850 Sky Pointe Dr. #2100, Las Vegas, NV 89130, parcel codes 698-10-3054 and 698-33-110, Unorganized 63-17. EMV \$125,500 - land; \$117,900 - improvements; total - \$243,400 (698-10-3054); and, \$30,400 - land; \$37,100 - improvements; total - \$67,500 (698-33-110). Due to a clerical error, improvement values were placed on the wrong parcel. The error has been corrected. No change to overall valuations.

7. Marjorie Boelter, 6004 Halifax Ave. S., Edina, MN 55424, parcel code 698-10-4030, Unorganized 63-17. EMV \$93,300

- land; \$83,100 - improvements; total - \$176,400. A portion of lakeshore was overvalued and unsuitable for building. The land value was decreased by \$18,900 to \$74,400; total - \$157,500.

Arden Niemi, RR1, Box 16, Felton, MN 56536, parcel code 560-11-4340, Town of Vermilion Lake. EMV \$10,200 - land; \$6000 - improvements; total - \$16,200. The appellant did not appear but requested a reclassification to timber status and a lowering of value. Salerno/Anderson moved to accept the assessor recommendation of no change to this parcel; six yeas - zero nays.

Bradley Engh, 301 W. Railroad St., Floodwood, MN 55736, parcel 125-10-2310, City of Floodwood. EMV \$5,400 - land; \$46,100 - improvements; total - \$51,500. The appellant requested the total value be lowered to \$47,000. Anderson/Busche moved to accept the assessor recommendation of no change to this parcel; six yeas - zero nays. Appellant also requested a reduction of parcel 125-10-2280 from \$3,000 (land only) to \$1,900. After discussion concerning seasonal flooding of the parcel, Kampsula/Salerno moved to reduce the value to \$1,900; five yeas - 1 nay, Busche)

Richard and Jean Tourville, 2540 Verbick Rd., Ely, MN 55731, parcel codes 625-25-170 and 180, Unorganized 61-13. EMV \$69,100 - land; \$103,600 - improvements; total - \$172,700.

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

253

Appellants did not appear as scheduled. Anderson/Salerno moved to accept the assessor recommendation of no change to this parcel; five yeas - 1 nay, Backman.

At 11:10 a.m., Kevin Doyle joined the meeting.

Salerno/Kampsula moved to accept the assessor recommendation for the following two parcels (the appellants were also in agreement with the assessor recommendation); seven yeas - zero nays.

1. George Munig, 104 14th St. N., Virginia, MN 55792, parcel code 560-10-299, Town of Vermilion Lake. EMV \$26,200 - land; \$45,300 - improvements; total - \$71,500. Due to necessary repairs and damages, the improvements were reduced by \$2,500 to a total value of \$69,000.

2. W. Groth, 414 Kent, Hoyt Lakes, MN 55750, parcel code 677-16-40, Unorganized 57-16. EMV \$12,900 - land; \$7,000 - improvements; total - \$19,900. The value of this parcel was reduced due to no well and a substandard lot for building. New value \$6,500 - land; \$7,000 - improvements; total \$13,500, a reduction of \$6,400.

William Ford, 819 N. LaGrange, LaGrange, IL 60526, parcel code 698-50-370, Unorganized 63-17. EMV \$22,200 - land; \$4,500 - improvements; total - \$26,700. The assessor was unable to contact the appellant, but recommended a 20 percent reduction on the land to

\$18,200 (total - \$22,700) due to the high usage. Salerno/Kampsula moved approval of the assessor recommendation; seven yeas - zero nays.

Christy Siebert, 5276 Maple Drive, Gilbert, MN 55741, parcel code 260-14-60, Town of Biwabik. EMV \$9,200 - land; \$24,900 - improvements; total - \$34,100. The appellant cancelled a personal appearance and agreed with the assessor recommendation of a change of classification to homestead pending submission of the homestead affidavit. Salerno/Kampsula moved to accept the agreement with no change in value; seven yeas - zero nays.

Brian Pfeifer, 3015 Miller Trunk Road, Eveleth, MN 55734, parcel codes 340-160-30 and 20, Town of Fayal. EMV \$16,000 - land; \$149,300 - improvements; total \$165,300 (340-160-30). Current assessment \$16,000 - land; \$3,000 - improvements; total \$19,000 (340-160-20). Appellant agrees with the assessor recommendation of a reduction in value of \$5,900 to the improvements to parcel 340-160-30, due to a correction in measurements. Anderson/Doyle moved approval of the reduction to 340-160-30 and no change to 340-160-20; seven yeas - zero nays.

Jeffrey Szalapski, 8661 Royal Circle NW, Ramsey, MN 55303, parcel code 317-90-300, Town of Eagles Nest. EMV \$43,900 - land; \$53,700 - improvements; total - \$97,600. Prior to the commencement of any discussion, the assessor recommended

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

254

that no action be taken on this parcel because of pending litigation in Minnesota Tax Court for payable 1998 tax year. The assessor told the Board that any market value set by the court would also be entered for the tax year payable 1999. Anderson/Doyle moved to accept the assessor recommendation that no action be taken; seven yeas - zero nays.

Kampsula/Anderson moved to approve the assessor recommendations for the following nine appeals (appellants have agreed with the assessor recommendations):

1. Alan Crandall, HCR 1, Box 119B, Garrison, MN 56450, parcel code 731-10-4200, Unorganized 68-19. EMV \$5,200 - land; \$2,700 - improvements; total - \$7,900.

No change to this parcel.

2. Laura Lisowski, P.O. Box 156, Orr, MN 55771, parcel codes 729-50-2260, 2175 and 2180, Unorganized 66-19. EMV \$36,100 - land; \$60,900 - improvements; total - \$97,000 (parcel 729-50-2260). The assessor recommended a reduction to \$28,400 - land; \$54,500 - improvements; total - \$82,900 because of the condition/location of some of the buildings and well and septic problems. No change to the other two parcels (729-50-2175, \$3,100 - land; \$300 - improvements; total - \$3,400; and 729-50-2180, \$9,800 - land only).

3. Ward F. McDonald, 69 County Rd.

2000N, Mahomet, IL 61853, parcel code 702-10-1578, Unorganized 67-17. EMV \$48,500 - land only. The assessor recommended a reduction of \$11,500 because the property is contiguous to the appellant's main parcel.

4. Elmer Hanson, 212 NW 7th St., Chisholm, MN 55719, parcel code 757-10-2730, Unorganized 62-21. EMV \$9,600 - land; \$1,000 - improvements; total - \$10,600. The assessor recommended a reduction of \$3,100 to the land portion of the assessment because some of the acreage is of poor quality - low and wet.

5. Michael Jakska, Box 1072, International Falls, MN 56649, parcel code 735-10-1252, Unorganized 66-20. EMV \$14,600 - land; \$14,500 - improvements; total - \$29,100. The assessor recommended a reduction to \$8,000 - land; \$12,700 - improvements; total - \$20,700, because the parcel is contiguous to the appellant's main parcel and because there are no septic systems or wells on the property.

6. Virginia Beebe, 150-B Camino Barranca, Placitas, NM 87043, parcel 703-17-170, Unorganized 67-17 and parcel 688-80-10, Unorganized 68-16. EMV \$35,700 - land; \$6,900 - improvements; total - \$42,600. The assessor recommended no change to these parcels.

7. Tom and Debbie Jensen, P.O. Box 246, Side Lake, MN 55781, parcel codes 370-

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

255

10-4840 and 4870, Town of French. EMV \$13,000 - land only (370-10-4840); and \$16,500 - land only (370-10-4870). The assessor recommended reductions of \$5,900 to parcel 370-10-4840 and \$4,300 to parcel 370-10-4870 due to lesser quality of the acreage.

8. David Clement, 3140 Macon Road, Iron, MN 55751, parcel codes 435-10-1250,1260, 1300, Town of McDavitt. EMV \$10,400 - land; \$27,600 - improvements; total - \$38,000 (435-10-1250); and \$4,700 - land; \$8,600 - improvements; total - \$13,300 (435-10-1260); and \$5,000 - land only (435-10-1300). The assessor recommended a reduction of \$2,800 in the improvements to parcel 435-10-1260 for a new total of \$10,500. No change to the other two parcels.

9. John Swift, 9422 Hearthiside Dr., Tower, MN 55790, parcel codes 560-10-410 and 390, Unorganized 66-19. EMV \$141,000 - land; \$215,800 - improvements; total - \$356,800 (560-10-410); and \$49,600 - land; \$44,900 - improvements; total - \$94,500 (560-10-390). The assessor recommended a reduction of \$5,800 to improvements on parcel 560-10-390 due to added depreciation to a cabin for a new total of \$88,700. Parcel 560-10-410 was reduced to \$140,900 - land; \$214,900 - improvements; total - \$355,800 (\$1000 reduction).

Murle Olson, 9429 St. Odilia Beach Rd, Tower, MN 55790, parcel code 560-15-

90, Town of Vermilion Lake. EMV \$45,400 - land; \$52,500 - improvements; total - \$97,900. Appellant asked for a reduction in value - no specific amount. Anderson/Kampsula moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

At 12:20 p.m. the meeting was recessed until 1:20 p.m.

At 1:20 p.m. the meeting reconvened with all members present except Kathleen Busche.

Stanley Maleska, 3608 Koivula, Hibbing, MN 55747, parcel codes 365-10-6140, 6150, 6190 and 6200, Town of Fredenberg. EMV \$22,000 - land only (365-10-6140); \$22,000 - land only (365-10-6150); \$16,700 - land only (365-10-6190); \$10,500 - land only (365-10-6200). Appellant asked for a reduction in value - no specific amount. Anderson/Backman moved to accept the assessor recommendation of no changes for these parcels; six yeas - zero nays.

At 1:30 p.m. Kathleen Busche rejoined the meeting.

Richard Gregorich, 214 S. Central Ave., Chisholm, MN 55719, parcel code 20-30-380, City of Chisholm. EMV \$2,500 - land; \$24,000 - improvements; total - \$26,500. Appellant had requested a change in classification to homestead but did not appear as scheduled. Attempts by the assessor to contact appellant have been unsuccessful and the assessor

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

256

recommendation was for no change in classification until such time as proof of homestead is submitted. Kampsula/Anderson moved to accept the assessor recommendation; seven years - zero nays.

William (Tom) Coombe, 3061 Miller Trunk Road, Eveleth, MN 55734, parcel 340-135-100, Town of Fayal. EMV \$24,000 - land; \$85,100 - improvements; total - \$109,100. Appellant was contesting the land value assessment noting the discrepancies between adjacent parcels and the restrictions placed on the lots due to proximity to the airport. After discussion, Busche/Doyle moved to accept the assessor recommendation of no change to this parcel; four years - three nays, Salerno, Anderson, Kampsula.

At 2:10 p.m., Kathleen Busche left the meeting.

Charles Trieschmann, 7219 Laine Road, Two Harbors, MN 55616, parcel code 210-10-6520, Town of Alden. EMV \$24,800 - land; \$130,700 - improvements; total - \$155,500. Due to the condition of the home and outbuildings, the assessor recommended a reduction to \$22,200 - land; \$122,900 - improvements; total - \$145,100 (\$10,400 decrease). The appellant "semi-agrees" with the new value. Anderson/Salerno moved to accept the assessor recommendation; six years - zero nays.

Paul Shuster, Box 775, Gilbert, MN

55741, parcel code 60-30-1740 and 1840, City of Gilbert. EMV \$4500 - land; \$3400 - improvements; total - \$7900 (60-30-1740); and \$4500 - land; \$28,600 - improvements; total - \$33,100 (60-30-1840). Appellant requested a reduction to \$20,000 on parcel 60-30-1840, but offered no specific amount for the other parcel. Anderson/Salerno moved to accept the assessor recommendation of no change to these parcels; six years - zero nays.

At 2:30 p.m. Anderson/Clement moved to recess the meeting until Thursday, June 25, 1998 at 10:00 a.m.

At 10:02 a.m., the Board of Equalization was reconvened in the St. Louis County Board Conference Room, Courthouse, Duluth, with all members present.

Kampsula/Salerno moved approval of the assessor recommendations for the following two appeals (appellants agree with the assessor recommendations);

1. William Tester, 3267 Zanthan Ave. S., St. Louis Park, MN 55416, parcel code 250-20-3090, Town of Beatty. EMV \$36,600 - land; \$11,300 - imp.; total - \$47,900. After review the assessor recommended a reduction to \$34,200 - land; total - \$45,500 (\$2,400 reduction).

2. James Youngquist, 112 Innsbrook Lane, Burnsville, MN 55306, parcel code 387-205-210, Town of Greenwood. EMV \$20,200 - land; \$26,300 - imp.; total - \$46,500. The assessor recommended no

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

257

change to this parcel.

Robert Congdon, 7628 Gold Coast Road, Crane Lake, MN, parcel 702-17-406, Unorganized 67-17. EMV \$54,300 - land; \$43,600 - imp.; total - \$97,900. The appellant canceled his appointment. Anderson/Doyle moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

Mary Durward, County Assessor, read a list of 18 appellants who, after being contacted by individual appraisers, agreed that no EMV change was required. Below is a listing of the these individuals and parcel codes.

1. Larry Everett, 530-10-3590 and 3600
2. Clifford Newberg, 435-10-1040,1130 and 1160
3. William Larson, 610-20-90
4. Jane Pollock, 660-6000-57035
5. Edward Marciniak, 280-55-90
6. Willi Werner, 488-30-250
7. John Goritchan, 100-48-350
8. Thomas and Mary Leines, 280-20-155
9. Curtis Teberg, 380-10-4350,4320 and 4340
10. John Sorci, 280-53-75

11. Jack and Gloria Wilt, 280-10-420

12. Laverne Marolt, 60-33-490 and 430

13. James Youngquist, 387-205-210

14. Charles Allen, 465-20-4350

15. Dennis Dickson, 340-135-75

16. Ronald Parin, 505-15-1710,1680,1720,1730,1740,3460,3485, 3510,1910,1930,3490 and 3580

17. Arvid Nasi, 340-10-3644

18. Eileen Zemlin, 230-24-430,400,420,320,330,350 and 390

Kampsula/Anderson moved to accept the listing which also included the proportional reductions the Board had ordered as a result of the water contamination appeal from June 17, 1998. (David Sobczak, parcel code 450-10-246 - \$11,100 reduction; and Bruce Watkins, 450-10-763 - \$11,300 reduction); seven yeas - zero nays.

Harley Pattison, 620 Grant St., Santa Monica, CA 90405, parcel code 465-40-3540, Town of Morse. EMV \$2,500 - land only. Salerno/Anderson moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

James and Ramona Nelson, 7066 Hwy 8, Saginaw, MN 55779, parcel code 380 -10-

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

258

1412 and 1415, Town of Grand Lake. EMV \$24,200 - land; \$164,600 - imp.; total - \$188,800. Appellant submitted two appraisals that were significantly lower than the assessor (\$172,000 and \$175,000). The appellants asked that their EMV be closer to these two appraisals. After some discussion, Anderson/Doyle moved to reduce the total EMV by \$12,000; six yeas - one nay, Busche.

At 10:50 a.m., the meeting was recessed for 10 minutes.

At 11:00 a.m. the meeting reconvened with all members present.

Roger and Karen Mattson, 1501 Cliff Avenue, Duluth, MN 55811, parcel code 380-10-4800, Town of Grand Lake. EMV \$10,500 - land only. Appellant contended that the value was too high. After some dis-cussion, Kampsula/Busche moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

Roger Anderson, 6000 S. Pike Lake Road, Duluth, MN 55811, parcel code 380-10-7725, Town of Grand Lake. EMV \$140,200 - land; \$490,400 - imp.; total - \$630,600 (home not finished, total completed assessment of \$738,700). Appellant insisted that the Pike Lake real estate market would not support a market value over \$600,000. The appraiser said a conservative approach was taken and recommended no change in the market

value. After lengthy discussion, Kampsula moved to reduce the improvement portion by \$15,000 but the motion failed due to lack of support. Anderson then moved to support the assessor recommendation of no change but that motion also failed due to lack of a support. Salerno/Doyle then moved to reduce the EMV on the property to \$650,000 (\$513,500 at 79% completion); five yeas - two nays, Clement, Anderson.

Hugh Vidovic, DMR Electronics, 3158 S. Pintar Road, Hibbing, MN 55746, parcel code 140-270-337, City of Hibbing. EMV \$57,400 - land; \$597,600 - imp.; total - \$655,000. The appraiser recommended a reduction of \$137,600 to the improvements (\$460,000 - total) due to recalculation of the square footage and the amount of space designated as office space. The appellant requested a larger reduction due to comparable property values and sales. After some discussion, Busche/Kampsula moved to accept the assessor recommendation, but the motion failed; three yeas - four nays, Anderson, Salerno, Doyle and Backman. Backman/Salerno then moved to reduce the land portion to \$28,000 and accept the assessor recommendation of no change to the improvements; five yeas - 2 nays, Clement, Kampsula.

The meeting was recessed at 1:30 p.m. for 10 minutes.

At 1:40 p.m. the meeting reconvened with all members present.

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

259

Veronica Ullanowski, 5523 North Shore Drive, Duluth, MN 55803, parcel code 315-63-160, Town of Duluth. EMV \$35,300 - land; \$24,400 - imp.; total - \$59,700. The Appellant believed the value should be lowered to \$54,700 because of necessary structural repairs. Kampsula/Backman moved to lower the value by \$5,000; six yeas - one nay, Anderson.

Veronica Ullanowski, 5523 North Shore Drive, Duluth, MN 55803, parcel codes 315-10-150 and 190, Town of Duluth. EMV \$1,200 - land only (315-10-150); EMV \$21,500 - land only. Appellant objected to the classification change to non-homestead residential, but agrees with the value. The appraiser explained that land must be classified at the highest and best use. Salerno/Doyle moved to accept the assessors recommendation of no changes to these parcels; seven yeas - zero nays.

Larry and Mary Ann Gilbert, 4705 Dow Road, Saginaw, MN, parcel code 380-25-20, Town of Grand Lake. EMV \$47,400 - land; \$230,400 - imp.; total - \$277,800. Appellants did not appear but objected to the high market value. Anderson/Salerno moved to lower the market value by \$1000 to compensate for the need for new countertops; seven yeas - zero nays.

John Rask, 4835 Vermilion Trail, Gilbert, MN, parcel code 260-30-80, Town of Biwabik. EMV \$34,800 - land; \$57,300 - imp.; total - \$92,100. Appellant was concerned that the widening of Highway 4

would cause the loss of a garage and lessening of value. The County will compensate Mr. Rask when the garage is moved. Anderson recused himself from consideration in this appeal because of his involvement in right of way matters in this area. Kampsula/Salerno moved to accept the assessor recommendation of no change to this parcel; six yeas - zero nays.

David Valentine, 7923 285th Ave. NE, North Branch, MN 55056, parcel code 465-320-10, Town of Morse. EMV \$50,700 - land; \$32,400 - imp.; total - \$83,100. Appellant wants only a 5% increase per year. Anderson/Kampsula moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nay.

Robert Holmbeck, 3233 Anderson Rd, Hibbing, MN 55746, parcel code 141-10-4440, City of Hibbing. EMV \$16,100 - land; \$21,600 - imp.; total - \$37,700. Appellant believes \$30,000 to be a more realistic value. The appraiser recommended a \$1,000 reduction in value for a bad well. After discussion, Salerno/Kampsula moved to reduce the value to \$34,000; six yeas - one nay, Anderson.

The meeting recessed at 2:20 p.m. for 10 minutes.

At 2:30 p.m. the meeting reconvened with all members present.

Improvement Limited Partnership, 920 2nd Ave S, Suite 210, Minneapolis, MN

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

260

55402, (Hibbing Hotel), parcel code 140-270-476, City of Hibbing. EMV \$60,800 - land; \$1,406,200 - imp.; total - \$1,467,000; and parcel code 140-270-688 EMV \$159,300 - land; \$56,200 - imp; total - \$215,500. The appraiser recommended a reduction in the improvements of \$155,200 (total - \$1,311,800) for parcel 140-270-476 after comparison to a similar property. The assessor recommended no change to the second parcel and the appellant agreed. Kampsula/Salerno moved to accept the assessor recommendations; seven yeas - zero nays.

Salerno/Kampsula moved to approve the assessor recommendations for the following ten appeals (the appellants have also agreed with the assessor recommendations):

1. Gerald A. Piering, 2640 4th Ave., Sacramento, CA 95818, parcel code 210-10-250, Town of Alden. EMV \$12,500 - land only. Due to the location and condition of a nearby road, the assessor recommended a reduction to \$9,800.

2. Richard and Diane Dillon, 7809 Briar Lake Road, Duluth, MN 55803, parcel code 488-30-100, Town of North Star. EMV \$20,700 - land; \$108,400 - imp; total - \$129,100. Due to the quality of construction and condition of the home, the assessor recommended a reduction \$10,500 to the improvements (total - \$118,600).

3. Charles and Denise Linden, 2609 Northwoods Lane, Duluth, MN 55803, parcel 488-10-3610, Town of North Star. EMV \$48,100 - land; \$97,400 - imp; total - \$145,500. Due to the poor quality of some of the lakeshore, the assessor recommended a reduction of \$7,200 to the land portion (total - \$138,300).

4. John Lutz, 4963 Comstock Lake Road, Cotton, MN 55724, parcel codes 662-10-3990 and 4025, Unorganized 55-15. EMV \$29,300 - land; \$117,900 - imp; total - \$147,200 (662-10-3990); and \$7,500 - land only (662-10-4025). Due to deficiencies in electrical, layout, window and basement, the assessor recommended a reduction of \$7,100 to the improvements of parcel code 662-10-3990 (total - \$140,100). No change to parcel 662-10-4025.

5. John Thomas Ivey, 718 Old Howard Mill Rd, Duluth, MN 55804, parcel code 375 - 110-180 and 190, Town of Gnesen. EMV \$10,500 - land; \$15,700 - imp; total - \$26,200 (375-110-180); \$50,400 - land; \$184,600 - imp; total - \$235,000 (375-110-190). Due to a lowering of the quality of the structures on the two parcels, the assessor recommended a reduction of \$3,600 to the improvements for parcel code 375-110-180 (total - \$22,600) and a reduction of \$37,500 to the improvements to parcel 375-110-190 (total - \$197,500).

6. John Grandson, 6655 Schultz Lake Rd, Duluth, MN 55803, parcel code 375-80-

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

261

300, Town of Gnesen. EMV \$59,400 - land; \$186,400 - imp; total - \$245,800. Due to roof leakage, a non functioning septic system and a lowering of the quality of the garage, the assessor recommended a reduction of \$7,000 to the land portion (\$52,400) and \$19,400 to the improvements (\$167,000) for a new total EMV of \$219,400.

7. Joan Mattson, 8294 West Rose Lake Rd, Canyon, MN 55717, parcel code 673-50-120, Unorganized 53-16. EMV \$35,200 - land; \$172,300 - imp; total - \$207,500. Due to a reassessment, the assessor recommended a reduction of \$10,600 to the improvements to bring the market value in line with recent sales (total EMV - \$196,900).

8. Edward and Kinga Chruscielski, 6019 Cant Rd, Duluth, MN 55804, parcel codes 485-10-5850 and 5840, Town of Normanna. EMV \$19,100 - land; \$183,400 - imp; total - \$202,500 (485-10-5850); \$11,400 - land only (485-10-5840). Due to an incorrect percentage of completion figure used and a reappraisal of the quality of construction, the assessor recommended a reduction of \$19,300 to the improvements for parcel code 485-10-5850 (total - \$183,200). Because parcel code 485-10-5840 had limited access because of a designated trout stream, the assessor recommended a reduction of \$5,800 for this parcel (total - \$5,600).

9. Michael R. Peterson, 3074 West Lookout Road, Duluth, MN 55804, parcel code 485-10-4690, Town of Normanna.

EMV \$18,800 - land; \$158,600 - imp; total - \$177,400. Due to a reappraisal, the assessor recommended a reduction of \$9,700 to the improvements (total - \$167,700).

10. Linwood Skafte, 6570 W. Hunter Lake Rd, Duluth, MN 55803, parcel codes 365-10-3261 and 3230 and 365-27-110, Town of Fredenberg. EMV \$7,900 - land; \$29,300 - imp; total - \$37,200 (365-10-3261); \$11,600 - land; \$5,000 - imp; total - \$16,600 (365-10-3230); \$7,900 - land only (365-27-110). Because the lots could not be sold separately as buildable and because a septic system was found to be assessed to the wrong parcel, the assessor recommended the reductions/ad-justments to the parcels as follows: 365-10-3261 - raised land portion by \$1,100 and reduced improvements by \$3,600 for a new EMV of \$34,700 (\$2,500 decrease); 365-10-3230 - reduced the land portion by \$2,700 for a new EMV of \$13,900; 365-27-110 - reduced the land only by \$4,800 for a new EMV of \$3,100.

Robert Johns, 1921 Minneapolis Avenue, Duluth, MN 55803, parcel code 320-33-80, Town of Ellsburg. EMV \$20,400 - land; \$10,300 - imp; total - \$30,700. Appellant asked for a reduction - no specific amount offered. Anderson/Busche moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

Backman/Salerno moved approval of the assessor recommendations for the following 18 appeals (appellants have also

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

262

agreed with the assessor recommendations);

1. Jon and Judith Bauman, 8272 S. Shore Drive, Box 11, Canyon, MN 55717, parcel codes 490-10-950 and 980, Town of Northland. EMV \$44,400 -land; \$36,800 -imp; total - \$81,200 (490-10-950); \$1,400 - land only (490-10-980). Due to the condition of the cabin and sales comparisons, the assessor recommended that parcel 490-10-950 be reduced by \$22,700 (\$7,800 - land; \$14,900 - imp) for a new EMV of \$58,500. The assessor recommended no change to parcel 490-10-980.

2. Mark and Jennifer Strietzel, 10332 Bachelor Square Rd, Meadowlands, MN 55765, parcel codes 440-10-4220, 4240 and 4210, Town of Meadowlands. No EMV listed. The assessor recommended a change of classification to Agricultural Homestead.

3. Morain Theone, 1906 E 41st St., Hibbing, MN 55746, parcel code 139-20-3995, City of Hibbing. EMV \$6,800 - land; \$53,900 - imp; total - \$60,700. An interior inspection revealed less basement refinishing than previously assumed, so the assessor recommended a reduction of \$5,600 to the improvements (total - \$55,100)

4. Ronald Kunelius, 6966 W. Maple Grove Rd, Cloquet, MN 55720, parcel codes 530-10-3435 and 3436, Town of Solway. EMV \$3,200 - land only (530-

10-3435); \$18,100 - land; \$94,000 - imp; total - \$112,100. The assessor recommended a reduction on parcel code 530-10-3435 of \$700 (total - \$2,500) to equalize with a similar, neighboring parcel. The assessor recommended no change to parcel 530-10-3436.

5. Doug Scouton, 5210 Munger Shaw Road, Saginaw, MN 55779, parcel code 380-10-4765, Town of Grand Lake. EMV \$17,300 - land; \$55,100 - imp; total - \$72,400. Due to the overall condition of the improvements, the assessor recommended a reduction of \$1,900 to \$53,200 (total - \$70,500).

6. Peter Greenlee, 5332 Canosia Rd, Saginaw, MN 55779, parcels 380-150-20 and 30, Town of Grand Lake. EMV \$11,900 - land; \$28,400 - imp; total - \$40,300 (380-150-20). \$1,200 - land only (380-150-30). Appellant wanted parcel code 380-150-30 reduced and the value added to 380-150-20. The assessor recommended a reduction of \$1,000 to parcel code 380-150-30 (total - \$200) and an addition of \$1000 to the land portion of parcel code 380-150-20 (total - \$41,300).

7. Kenneth C. Harnell, 6794 Industrial Rd, Saginaw, MN 55779, parcel codes 380-10-3630 and 3645, Town of Grand Lake. EMV \$23,000 - land only (380-10-3630); \$32,400 - land; \$51,400 - imp; total - \$83,800. The assessor recommended a reduction of \$1,800 on parcel code 380-10-3630 because one of the building sites

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

263

was reappraised from average to poor (total - \$21,200). The assessor recommended a reduction of \$4,400 to the improvements of parcel code 380-10-3645 because of the depreciation suffered as a rental property (total - \$79,400).

8. Alex Hoffman, 6607 Arrowhead Rd, Cloquet, MN 55720, parcel code 530-10-1684, Town of Solway. EMV \$19,600 - land; \$112,900 - imp; total - \$132,500. Due to the condition of the property the assessor recommended a reduction of \$17,700 to the improvements (total - \$114,800).

9. Arnold Whiting, 4231 Gaus Rd, Cloquet, MN 55720, parcel code 530-10-3080, Town of Solway. EMV \$3,500 - land only. Due to the parcel being unbuildable, the assessor recommended a reduction of \$2,900 to this parcel (total - \$600).

10. Duayne Anderson, 6834 Industrial Rd, Saginaw, MN 55779, parcel code 380-10-4145, Town of Grand Lake. EMV \$17,300 - land; \$196,800 - imp; total - \$214,100. Due to unrepaired damage and deferred maintenance, the assessor recommended a reduction of \$21,100 to the improvements (total - \$194,000).

At this time, William Clements requested that the assessor provide comparable sales and property information for any future agreements that would involve elected officials. The assessor agreed to provide the requested substantiation.

11. Randy Klund, 4055 Lindahl Rd, Hermantown, MN 55811, parcel code 395-10-5335, City of Hermantown. EMV \$18,400 - land; \$89,100 - imp; total - \$107,500. Due to an overestimate of the percentage of completion, the assessor recommended a reduction of \$15,600 to the improvements (total - \$91,900).

12. Robert Westlund, 12685 Mattson Rd, Hibbing, MN 55746, parcel codes 752-10-690,700 and 840, Unorganized 55-21. EMV \$5,000 - land only (752-10-690); \$7,100 - land only (752-10-700); \$8,500 - land only (752-10-840). The assessor recommended reductions on each parcel as follows: 752-10-690 - \$1,800; total \$3,200; 752-10-700 - \$2,800; total - \$4,300; 752-10-840 - \$2,300; total - \$6,200.

13. Judith Perreira, 1765 Janet Lake Rd, Hibbing, MN 55746, parcel code 752-80-90, Unorganized 55-21. EMV \$15,200 - land; \$56,000 - imp; total - \$71,200. Due to an overestimate, the assessor recommended a \$3,800 reduction to the improvements (total - \$67,400).

14. Steve Romanek, 3571 Hwy 33, Cloquet, MN 55720, parcel code 750-10-1780, Unorganized 55-21. EMV \$8,000 - land only. The assessor recommended a reduction of \$2,200 (total - \$5,800).

15. Allyn Clark, 11928 Floodwood Rd, Floodwood, MN 55736, parcel code 390-10-1830, Town of Halden. EMV \$11,300 - land; \$75,100 - imp; total - \$86,400. Because the home is not complete, the

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

264

assessor recommended a reduction of \$6,100 to the improvements (total - \$80,300).

16. Jerry Morland, 5993 Taft Rd, Duluth, MN 55803, parcel code 380-60-410, Town of Fredenberg. EMV \$25,100 - land; \$49,200 - imp; total - \$74,300. Due to an overestimate, the assessor recommended a reduction of \$6,400 to the improvements (total - \$67,900).

17. Norman Nelson, 12699 Beauty Mt. Rd, Hibbing, MN 55746, parcel code 752-10-4770, Unorganized 55-21. EMV \$9,700 - land; \$8,100 - imp; total - \$17,800. Due to roof leaks and broken pipes to structure (mobile home), the assessor recommended a reduction of \$2,200 to the improvements (total - \$15,600).

18. Roy Marlow, 6571 Savanna Rd, Floodwood, MN 55736, parcel code 750-10-2240, Unorganized 52-21. EMV \$12,400 - land; \$38,600 - imp; total - \$51,000. Due to a lowering of the condition rating, the assessor recommended a reduction of \$3,500 in the improvements (total - \$47,500).

Donald Frisby, 6451 N. Triplett Rd, Floodwood, MN 55736, parcel code 750-10-3790, Unorganized 52-21. EMV \$14,000 - land; \$62,500 - imp; total - \$76,500. After an interior inspection, the assessor recommended a reduction of \$10,500 to the improvements (total - \$66,000). Doyle/Kampsula moved to

approve the recommendation; seven yeas - zero nays.

Walter Anderson, 3319 1st Avenue, Hibbing, MN 55746, parcel code 140-10-730, City of Hibbing. EMV \$7,500 - land; \$39,600 - imp; total - \$47,100. Anderson/Salerno moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

Ernest Nelson, 2832 4th Avenue W, Hibbing, MN 55746, parcel code 140-160-790, City of Hibbing. EMV \$5,500 - land; \$61,700 - imp; total - \$67,200. The appellant requested that the value be reduced to \$61,000 and submitted an appraisal for that amount. Salerno/Kampsula moved to accept the assessor recommendation of no change to this parcel; six yeas - one nay, Anderson.

Donald Taylor, 5029 Tuhkanen Rd, Saginaw, MN 55779, parcel code 380-10-5564, Town of Grand Lake. EMV \$17,000 - land; \$26,400 - imp; total - \$43,400. Salerno/Backman moved to accept the assessor recommendation of no change to this parcel; seven yeas - zero nays.

Mark Jennings, 931 W. Skyline Parkway, Duluth, MN 55806, parcel code 10-1350-3430, City of Duluth. Kampsula/Busche moved to accept the City of Duluth Assessor recommendation of no change until the Department of Revenue makes a ruling on the deferral request of the

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

265

appellant. The recommended action insures appellant the right to appeal to Small Claims Tax Court; seven yeas - zero nays.

The following resolution was adopted on motion of Salerno/Anderson:

RESOLUTION 513

RESOLVED, that the assessment rolls from the several assessment districts of the County of St. Louis, Minnesota, for the year 1998, to-wit: Cities of Aurora, Babbitt, Biwabik, Brookston, Buhl, Chisholm, Cook, Duluth, Ely, Eveleth, Floodwood, Gilbert, Hermantown, Hibbing, Hoyt Lakes, Iron Junction, Kinney, Leonidas, McKinley, Meadowlands, Mountain Iron, Orr, Proctor, Tower, Virginia, and Winton; and Towns of Alango, Alborn, Alden, Angora, Arrowhead, Ault, Balkan, Bassett, Beatty, Biwabik, Breitung, Brevator, Canosia, Cedar Valley, Cherry, Clinton, Colvin, Cotton, Culver, Duluth, Eagle's Nest, Ellsburg, Elmer, Embarrass, Fayal, Fairbanks, Field, Fine Lakes, Floodwood, Fredenberg, French, Gnesen, Grand Lake, Great Scott, Greenwood, Halden, Industrial, Kelsey, Kugler, Lakewood, Lavell, Leiding, Linden Grove, McDavitt, Meadowlands, Midway, Morcom, Morse, Ness, New Independence, Normanna, North Star, Northland, Owens, Pequaywan, Pike, Portage, Prairie Lake, Rice Lake, Sandy, Solway, Stoney Brook, Sturgeon, Toivola, Van Buren, Vermilion Lake, Waasa, White, Willow Valley, Wuori and all the Unorganized Towns, as returned by

the respective assessors and local Boards of Review, are hereby ordered placed upon the tax lists by the County for the year 1998, subject to changes as may be ordered by the Minnesota Tax Committee.

YEAS: Members Backman, Busche, Doyle, Salerno, Clements, Anderson and Kampsula - 7

NAYS: none

ABSENT: none

The Board adjourned at 3:50 p.m. on motion of Salerno/Doyle; seven yeas - zero nays.

Paul L. Tynjala, Deputy Auditor
Clerk of St. Louis County Board

(Seal of Auditor)

OFFICIAL PROCEEDINGS

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

AUGUST, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
AUGUST 4, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of August, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

At 9:41 A.M. a public hearing was convened, pursuant to Resolution No. 545, adopted July 14, 1998, to consider a moratorium ordinance relating to the approval of borrow pits within the Town of Grand Lake. The following persons addressed the issue:

Mark Johnson, Planner, outlined the need for the moratorium to allow the Town of Grand Lake time to enact a long term land use plan. The Planning Commission has recommended enactment of a moratorium until June 1, 1999.

Larry Stauber, Grand Lake resident and member of the Grand Lake Long Range Comprehensive Land Use Planning Committee, told the Board that the Land Use Committee did not ask for the moratorium and the impetus came from the Town Board. Mr. Stauber said gravel pits are necessary for construction and the moratorium will cause problems for contractors.

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

297

Ken Harnell, Chair, Town of Grand Lake, told the Board that the Township needs to get a handle on the creation, proper use and eventual reclamation of gravel pits.

Scott Haedtke, Grand Lake resident, supported the moratorium and asked for stricter enforcement of current regulations. Mr. Haedtke believed the deck was stacked in favor of the gravel pit operators.

Peg Campbell, Grand Lake resident and opponent of gravel pit development, decried the condition of many of the gravel pits, particularly the abandoned ones which are filled with refuse. Ms. Campbell also requested that the moratorium be for a full year and not just until June 1, 1999.

Nanette Blom, Grand Lake resident, agreed with Ms. Campbell and urged adoption of the moratorium.

Mark Huber, Grand Lake Supervisor, said that the Town Board put the moratorium request to the Board to allow time to develop a good land use plan.

At 10:25 A.M., Commissioner Krueger, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Kron, moved approval of the moratorium. Commissioner Prebich then requested that the moratorium be extended for a full year and Commissioner Sweeney, with the

support of Commissioner Kron, amended her motion to extend the moratorium until August 1, 1999. The vote to adopt the amended moratorium ordinance was seven yeas - zero nays. Ordinance No. 52.

ORDINANCE NUMBER 52 - Town of Grand Lake Borrow Pit Moratorium

Purpose: This Ordinance places a moratorium on the approval of new borrow pits by the St. Louis County Planning Commission. The Town of Grand Lake is preparing a land use plan for the Town in cooperation with St. Louis County and it is anticipated that there will be changes as to where borrow pits will be permitted, as well as, how they will be operated. Borrow pits, particularly long term pits, can significantly affect land development patterns and a moratorium on approval of such pits will allow for a discussion on the pertinent issues relating to their siting and operation. This moratorium is authorized by Minnesota Statute 394.34 "Interim Zoning".

Article 1. General Provisions and Definitions.

Section 1 Relationship with County Zoning Ordinance:

The St. Louis County Zoning Ordinance (County Ordinance #46) shall be used for all administrative procedures, standards and definitions not stated in this ordinance.

Section 2 Definitions:

Moratorium: A moratorium is a suspension

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

298

on activity relating to acceptance, review and action upon an activity covered under the Official Controls of St. Louis County.

Article II Moratorium Specifics:

Section 1 Geographic area covered: The Moratorium shall cover the Town of Grand Lake located in St. Louis County which consists of Townships 51 and 52, Range 16.

Section 2 Review covered by moratorium: This moratorium covers General Purpose Borrow Pits and two year public works pit permits where the applicant has not obtained the required adjacent property owner signatures. These permits are defined in Article VI, Section 25 of Ordinance #46 (County Zoning Ordinance).

Section 3 Review exempted from moratorium: 3.01 Permit types: Single Season (45 day) and two year public works borrow pits if required signatures are obtained are permitted if the requirements set forth in Article VI, Section 25 of the Zoning Ordinance are followed.

3.02 Other permits: Borrow Pit applications reviewed by the Planning Commission in 1998 prior to enactment of this Ordinance.

Section 4 Length of moratorium:

4.01 Length of Moratorium: This moratorium shall take effect immediately upon approval of the County Board and shall terminate on August 1, 1999, unless early termination as outlined in Section

4.02 occurs.

4.02 Early Moratorium termination:

- A. There shall be an automatic review of the progress made in the plan in January, 1999, and a report made to the Planning Commission. The Planning Commission, if it makes a finding that progress is not being made in plan development, shall notify the County Board whom may at that time terminate the moratorium by resolution.
- B. The moratorium shall also terminate prior to the date set in Section 4.01 if an amendment to the County Land Use Plan (Ordinance #27) and/or a revised zoning map is adopted by the County Board affecting the Town of Grand Lake.

Article III Repealer: This Ordinance is

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

299

repealed upon the termination of the Moratorium.

EFFECTUATION

The St. Louis County Borrow Pit Moratorium Ordinance for the Town of Grand Lake, St. Louis County Ordinance #52, shall take effect and be in full force on the 1st day of August, 1998, upon adoption by the St. Louis County Board of Commissioners, and shall be published in the official newspaper of St. Louis County as provided by Minnesota Statutes.

A public hearing was held by the St. Louis County Planning Commission on June 18, 1998, at the McDavitt Town Hall.

Recommended by the Planning Commission to the County Board for adoption on the 4th day of August, 1998.

Commissioner Sweeney moved the adoption of this Ordinance, and Commissioner Kron, duly seconded the motion, and it was adopted on the following vote:

Yeas: Commissioners Fink, Krueger, Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 7

Nays: None

Absent: None

Abstain: None

Mike Forsman
Chairman, County Board

Certified as a complete and accurate copy

of Ordinance No. 52

Gordon D. McFaul
County Auditor

ATTEST:
Paul L. Tynjala
Clerk of the County Board

Commissioner Prebich, supported by Commissioner Sweeney, moved to approve the execution of a \$50,000 matching grant agreement for the Mighty Ducks Program with the Minnesota Amateur Sports Commission for installation of an ice rink floor at the South St. Louis County Fair Grounds Arena Building, Proctor. There were concerns by Commissioners that none of the other contributing organizations had committed their portion of the matching funds in writing. John Ongaro, Inter-Governmental Relations Officer, presented copies of minutes from meetings of the Proctor City Council and Independent School District No. 704 where funds were approved. After some discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 608.

Conveyance of an abandoned gravel pit in Solway Township to the current property owners was then considered. Richard Hansen, Highway Engineer, said that the pit area has grown over and all parties are satisfied with the condition of the area. Commissioner Raukar, supported by Commissioner Prebich, moved to approve

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

300

the conveyance; seven yeas - zero nays. Resolution No. 609.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the award of bid for highway projects S.A.P. 69-715-03 and S.A.P. 69-677-03 (C-SAH 115 between C.R. 361 and C-SAH 77 and C-SAH 77 and C.R. 651 and a point 1.4 miles northwest) to KGM Contractors, Inc., Angora, MN, on their low bid of \$3,143,802.08; seven yeas - zero nays. Resolution No. 610.

Commissioner Fink, supported by Commissioner Prebich, moved to schedule a public hearing to be held at 9:35 A.M. on September 1, 1998, for the purpose of hearing an appeal of the Planning Commission preliminary plat approval of Murphy Point Woods located on the south shore of Murphy Lake (Central Lakes area of St. Louis County); seven yeas - zero nays. Resolution No. 611.

The rules were suspended upon motion of Commissioner Kron, supported by Commissioner Raukar, to consider the settlement of a lawsuit brought against the County by Michael and Rose Giddings and James Prest, Attorney, arising from the contamination of groundwater by salt runoff from the Public Works Toolhouse on Midway Road; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Sweeney, moved to approve payment of \$60,000 to settle the lawsuit; seven yeas - zero nays. Resolution No. 612.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-444 regarding repurchase of tax forfeited land.--57229

Julie Brunner - County Administrator, Tony Mancuso - Property Management Director, and John Valentine - Purchasing Agent sub-mitting Board Letter No. 98-469 regarding South St. Louis County Fair Grounds: New Floor - Arena Building.--57230

Agreement for Professional Services between St. Louis County and Steven P. Nystedt, d/b/a Nystedt Enterprises, Inc.--98-577

Contribution Agreement between the County of St. Louis and North Shore Management Board and the Townships of Duluth and Lakewood for services of an engineering firm to design a wastewater treatment system for the North Shore area.--98-578

Addendum No. 2 to Agreement between St. Louis County and the City of Virginia for a commercial rehabilitation program.--98-579

Purchase of Service Agreement between St. Louis County Board of Commissioners Fond du Lac Licensing and Placement Agency for providing specialized family

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

301

foster care.--98-580ss

Grant Agreement between St. Louis County Board of Commissioners and Range Mental Health Center.--98-581ss

Agreement for Professional Services between St. Louis County and Benchmark Engineering, Inc.--98-582

Amendment for Service Agreement for Collection of Waste from Specified "Sit" Sites between St. Louis County and Crist Garbage Service, Inc.--98-583

Amendment to the Agreement for Regional Landfill Daily Operations to include Operations at the Hibbing Demolition Landfill between St. Louis County and Kangas Excavating, Inc.--98-584

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 570 through 607, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as

County Board File No. 57163;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 1999:

Scott/Robin Bunney, d/b/a Echo Trail Outposts, Unorganized Area 64-12, Off-Sale 3.2 Percent Malt Liquor License No. B9962.

Adopted August 4, 1998. No. 570

RESOLVED, that the County Board authorizes a Purchase of Service Contract with St. Luke's Hospital Volunteer Services Guild at the described rates below effective August 1, 1998, to December 31, 1998.

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

SecurityLink Personal Emergency
Response System, standard unit - \$24.95
per month

SecurityLink Personal Emergency
Response System, voice-activated unit -
\$29.95 per month

Installation (one-time fee) - \$25.00

Budget Reference:

All services and payments are authorized
through the Minnesota Medicaid
Management Information System: MMIS-
II.

Adopted August 4, 1998. No. 571

RESOLVED, that the St. Louis County Board of
Commissioners approves a Purchase of Service
Agreement with Geriatric Community Caregivers, Inc.,
for adult foster care services provided at licensed
facilities listed below for eligible Alternative Care,
Elderly Waiver and Community Alternatives for
Disabled Individuals clients classified as Case Mix E
through K at the following rates, effective July 1, 1998,
to June 30, 1999:

<u>Case Mix</u> <u>Month</u>	<u>AC Rate</u>		<u>EW Rate</u>		
	<u>CADI Rate</u>		<u>Day</u>		
	<u>Day</u>	<u>Month</u>	<u>Day</u>	<u>Month</u>	<u>Day</u>
A	\$27.89	\$848	\$38.	7	8
\$1,180	\$41.67	\$1,268			
B	32.19	979	44.	4	9
1,353	47.38	1,441			
C	37.00	1,126	50.	9	7
1,550	53.85	1,638	D		
41.44	1,261	56.84	1,729		
59.76	1,818				
E	46.00	1,399	62.	9	2
1,914	65.81	2,002			
F	46.29	1,408	63.	2	9
1,925	66.19	2,013			

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

303

G	50.13	1,525	68.	4	5
2,082	71.34	2,170			
H	57.39	1,746	78.	1	1
2,376	81.05	2,465			
I	59.99	1,825	81.	5	5
2,480	84.47	2,569			
J	63.97	1,946	86.	8	9
2,643	89.77	2,731			
K	66.92	2,036	98.	0	8
2,983	100.97	3,071			

Licensed Adult Foster Homes:

1001 East Third Street, Apt. B, Duluth, MN 55805

225-B North 26th Avenue East, Duluth, MN 55812

#1001-A Missouri Avenue, Duluth, MN 55811

5111 Tuhkanen Drive, Saginaw, MN 55779

*131 North 21st Ave. East, Apt. A, Duluth, MN 55812

*131 North 21st Ave. East, Apt. B, Duluth, MN 55812

- foster home closed on July 15, 1998

* - foster home opened on July 15, 1998

FURTHER, approve rates listed above for Geriatric Community Caregivers, Inc., for eligible clients with Case Mix A through D if the Social Services Department determines that more cost effective alternatives are not available.

Budget Reference:

None, payments are made directly to provider by the State of Minnesota through MMIS-II. HCPC Code is X5450 for AC/EW and CADI.

Adopted August 4, 1998. No. 572

RESOLVED, that the County Board approves the Purchase of Service Agreement with University Medical Center-Mesabi for adult foster care services provided at licensed facilities listed below for eligible Alternative Care, Elderly Waiver and Community Alternatives for Disabled Individuals clients classified as Case Mix E

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

through K at the following rates, effective July 1, 1998,
to June 30, 1999:

<u>Case Mix</u>	<u>AC Rate</u>		<u>EW Rate</u>		
	<u>CADI Rate</u>				
<u>Month</u>	<u>Day</u>	<u>Month</u>	<u>Day</u>		
A	\$29.73	\$904	\$41.	3	3
\$1,257	\$44.40	\$1,351			
B	4.30	1,043	47.	4	0
1,442	50.50	1,536			
C	39.43	1,199	54.	3	0
1,652	57.39	1,746			
D	44.16	1,343	60.	5	6
1,842	63.68	1,937			
E	49.01	1,491	67.	0	5
2,039	70.13	2,133			
F	49.33	1,500	67.	4	5
2,052	70.53	2,145			
G	53.41	1,625	72.	9	5
2,219	76.02	2,312			
H	61.16	1,860	83.	2	3
2,532	86.37	2,627			
I	63.93	1,945	86.	8	9
2,643	90.02	2,738			
J	68.17	2,074	92.	5	8
2,816	95.67	2,910			
K	77.10	2,345	104.	5	2
3,179	107.61	3,273			

University Medical Center-Mesabi Licensed Adult
Foster Homes:
Greenview Residence: 3520 East 7th Avenue - North,
Hibbing, MN
Greenview Residence: 3520 East 7th Avenue - South,
Hibbing, MN
Greenview Residence: 3520 East 7th Avenue - East,
Hibbing, MN
Greenview Residence: 3520 East 7th Avenue - West,
Hibbing, MN

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

305

RESOLVED FURTHER, that the County Board approves the above rates for adult foster care services for University Medical Center-Mesabi for eligible clients with Case Mix A through D if the Social Services Department determines that more cost effective alternatives are not available.

Budget Reference:

None, payments are made directly to provider by the State of Minnesota through MMIS-II. HCPC Code is X5450 for AC/EW and CADI.

Adopted August 4, 1998. No. 573

RESOLVED, that the St. Louis County Board authorizes the Social Service Department to amend Purchase of Service Agreement No. 12042 with Residential Services of Northeastern Minnesota, Inc. (RSI), to:

1. Extend the effective contract date from September 30, 1998, to June 30, 1999, to permit the agreement period to coincide with the state fiscal year.

2. Allow for the provision of in-home adult foster care services under the Traumatic Brain Injury Waiver Program at a second site, 103 E. 12th Avenue, Duluth, MN 55806, for the period July 1, 1998, through June 30, 1999.

3. Provide adult foster care, TBI Waiver-funded services at the following hourly rates: Extended Personal Care Assistance, \$12.72; Behavior Programming by Aide, \$12.56; Behavior Programming by Specialist, \$18.28; Extended Cognitive Therapy by BA/BS Personnel, \$36.64; and Behavior Programming by Professional, \$69.52 for the period July 1, 1998, to June 30, 1999.

Budget Reference:

All services and payments are authorized through the Minnesota Medicaid Management Information System: MMIS-II.

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

Adopted August 4, 1998. No. 574

RESOLVED, that the Cooperative Agreement under Title IV-D with the Office of Administrative Hearings, the Department of Human Services, St. Louis County Court Administrator, St. Louis County Sheriff, and the St. Louis County IV-D Unit for the period from July 1, 1998, to June 30, 1999, is hereby approved.

Budget Reference:

Expenditure: Fund 04, Agency FIN, Org. 1410, Object 271 (ALJ Charges)

Revenue: Fund 04, Agency FIN, Codes 9081 (Federal IV-D Admin.) & 9308 (Administrative Process Reimbursement)

Adopted August 4, 1998. No. 575

RESOLVED, that the County Board approves an amendment to Contract No. 12123 with Touraine Hotel, Inc., for the provision of foster care services at the below listed rates for services provided to eligible Alternative Care (AC), Elderly Waiver (EW) and Community Alternatives for Disabled Individuals (CADI) waiver clients, effective July 1, 1998.

<u>Case Mix</u> <u>Month</u>	<u>AC Rate</u>		<u>EW Rate</u>		
	<u>CADI Rate</u>		<u>Day</u>		
	<u>Day</u>	<u>Month</u>	<u>Day</u>		
A	\$28.89	\$879	\$40.	1	6
\$1,222	\$43.15	\$1,312			
B	33.33	1,014	46.	0	6
1,401	49.07	1,493			
C	38.32	1,165	52.	7	7
1,605	55.76	1,696			
D	42.91	1,305	58.	8	4
1,790	61.88	1,882			
E	47.63	1,449	65.	1	5
1,982	68.14	2,073			
F	47.94	1,458	65.	5	4

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

307

1,993	68.54	2,085			
G	51.90	1,579	70.	8	8
2,156	73.87	2,247			
H	59.43	1,808	80.	8	8
2,460	83.92	2,553			
I	62.12	1,889	84.	4	3
2,568	87.47	2,660			
J	66.24	2,015	89.	9	6
2,736	92.96	2,827			
K	74.92	2,279	101.	5	6
3,089	104.57	3,181			

Budget Reference:

None, services are funded through the EW, AC, CADI, and TBIW Waiver Programs. No county funds, payments are made directly by DHS via MMIS II from State MA funds.

Adopted August 4, 1998. No. 576

RESOLVED, that the County Board approves the below listed rates for family adult foster care and family adult day care services provided to eligible Alternative Care (AC), Elderly Waiver (EW), Community Alternatives for Disabled Individuals (CADI), and Traumatic Brain Injury Waiver (TBIW) clients, effective July 1, 1998.

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

309

Board accepts the grant if awarded, with funds to be appropriated as indicated in the grant budget.

Fund 04, Agency SS, Org. 1400
Adopted August 4, 1998. No. 578

RESOLVED, that the St. Louis County Board of Commissioners authorizes a Purchase of Service Agreement with Lake Superior Region Adolescent CD Treatment Program for foster care licensing and placement services at service rates that comply with basic maintenance and difficulty-of-care rates set by the Minnesota Department of Human Services in addition to a per diem of \$20 for licensing and resource development services. This agreement would be in effect from January 1, 1998, through December 31, 1998.

Adopted August 4, 1998. No. 579

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with New Hope Nursing Services to provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants/Registered upon request of Chris Jensen Health and Rehabilitation Center effective July 15, 1998, until May 5, 2000, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/Rs), Object 264.

Adopted August 4, 1998. No. 580

RESOLVED, that the County Board of Commissioners authorizes the Chair of the

Board, County Auditor, and Health Director to sign an agreement with North Star Nursing and Allied Health Personnel to provide Registered Nurses, Licensed Practical Nurses, and Nursing Assistants/Registered upon request of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home effective July 1, 1998, until June 30, 2000, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/Rs), Object 264, and Fund 64B (Nopeming), Agency N72, Org. 1200 (RNs), 1300 (LPNs), and 1400 (NA/Rs), Object 264.

Adopted August 4, 1998. No. 581

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57229, are approved.

Adopted August 4, 1998. No. 582

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the

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

310

County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21. Adopted August 4, 1998. No. 583

RESOLVED, the Commissioner of Revenue is authorized to convey tax forfeited property to an organized or incorporated governmental subdivision, for an authorized public use, pursuant to Minnesota Statutes 282.01, Subd. 1a. WHEREAS, the Land Department has notified adjoining owners of pending conveyances so they can voice their concerns. NOW, THEREFORE, BE IT RESOLVED, that the County Board recommends that the Commissioner of Revenue convey tax forfeited land legally described as:

That part of the Northwest quarter of the Southeast quarter of Section 14, Township 52 North, Range 16 West, Saint Louis County, Minnesota, lying Northerly of the centerline of the existing Taft Road (C-SAH No. 48) and Easterly of the centerline of the existing Munger Show Road (C-SAH No. 15). Subject to the existing Taft and Munger Shaw Roads.

to Grand Lake Township for the public purpose of building a new Fire Hall for Grand Lake Township, and that the County Auditor make application to the Commissioner as required by Minnesota Statutes, Section 282.01, Subd. 1a.

RESOLVED FURTHER, that Grand Lake Township pay to St. Louis County the following fees: Appraisal Fee of \$100.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$19.50, for a total consideration of \$146.15. Adopted August 4, 1998. No. 584

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3786, One (1) Four Wheel Drive Tractor Loader with Backhoe with selected options, from Road Machinery & Supplies Company of Duluth, Minnesota, at their low total specification bid price of \$69,610.00, plus the 6.5 percent state sales tax of \$4,524.65, for a total of \$74,134.65, payable from: Fund 02 (Public Works), Agency A14 (Equipment & Maintenance), Object 664 (Heavy Equipment). Adopted August 4, 1998. No. 585

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3785, One (1) Near New 1997 Champion 740A Four Wheel Drive Motor Grader from St. Joseph Equipment, Inc., at their specification bid price less trade-in of \$116,847.00, plus the 6.5 percent state sales tax of \$7,595.06, for a total of \$124,442.06, payable from: Fund 02 (Public Works), Agency A14 (Equipment & Maintenance), Object 664 (Heavy Equipment). Adopted August 4, 1998. No. 586

RESOLVED, that the Purchasing Agent is

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

311

hereby authorized to purchase, in accordance with the specifications of Bid No. 3795, One (1) Caterpillar 315L Crawler Mounted Hydraulic Excavator from Ziegler, Inc., of Minneapolis, Minnesota, at their low specification bid price less trade-in of \$96,863.00, plus the 6.5 percent state sales tax of \$6,296.10, for a total of \$103,159.10, payable from: Fund 02 (Public Works), Agency A14 (Equipment & Maintenance), Object 664 (Heavy Equipment).

Adopted August 4, 1998. No. 587

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3805, six (6) Chassis and Dump Body Mounted Sand Spreaders from Crysteel Truck Equipment of Fridley, Minnesota, at their low total specification bid price with options of \$29,051.00, plus the 6.5 percent state sales tax of \$1,888.32, for a total of \$30,939.32, payable from: Fund 02 (Public Works), Agency A14 (Equipment & Maintenance), Object 651 (Attachments to Rolling Stock).

Adopted August 4, 1998. No. 588

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Public Works Department be authorized to establish a "No Parking" zone as follows:

County State Aid Highway No. 37 (Jean Duluth Road) be restricted to "No Parking Anytime" from approximately 600 feet north of the intersection with County State Aid Highway 10 (West Tischer

Road) to a point approximately 600 feet south of C-SAH 10 (West Tischer Road) on both sides.

County State Aid Highway 10 (West Tischer Road) be restricted to "No Parking Anytime" from County State Aid Highway 37 (Jean Duluth Road) to a point approximately 600 feet east on both sides. Adopted August 4, 1998. No. 589

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organizations:

Crane Lake Voyageur Trail Society, Inc., to operate out of Ash Trail Lodge, Unorganized Area 68-19, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Borderland Lodge, Unorganized Area 67-17, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Frontier Resort, Unorganized Area 69-19, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Kec's Kove, Unorganized Area 69-21, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Portage Inn, Portage Township, Renewal;

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

312

Crane Lake Voyageur Trail Society, Inc., to operate out of Rocky Ledge Resort, Unorganized Area 69-21, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Sunset Resort, Unorganized Area 68-19, Renewal;

Crane Lake Voyageur Trail Society, Inc., to operate out of Voyageur Lodge, Unorganized Area 67-17, Renewal;

Reservoir Riders Snowmobile Club to operate out of the Blue Max Resort, Fredenberg Township, Renewal;

Reservoir Riders Snowmobile Club to operate out of the Eagles Nest Resort, Fredenberg Township, Renewal;

Reservoir Riders Snowmobile Club to operate out of the Minotte's Cloquet River Inn, Grand Lake Township, Renewal;

Reservoir Riders Snowmobile Club to operate out of the Reservoir Riders Club House, Fredenberg Township, Renewal.
Adopted August 4, 1998. No. 590

RESOLVED, that the St. Louis County Board of Commissioners supports Stand Down North 1998 through a \$500.00 allocation from the Veterans Service budget, Fund 01, Agency 064.
Adopted August 4, 1998. No. 591

RESOLVED, that the public hearing will be held at 9:35 A.M. on August 11, 1998, at the 4-H Camp, Lake Eshquagama,

Biwabik, Minnesota, for the purpose of considering the granting of combination on/off-sale and Sunday on-sale intoxicating liquor licenses to Douglas Miller, Dennis Miller and Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township.
Adopted August 4, 1998. No. 592

RESOLVED, that the following Unorganized Townships are hereby designated by the St. Louis County Board as Election Precincts with polling places as listed. Additionally, the following persons, eligible voters of St. Louis County, are hereby appointed as Clerks and Judges of Elections for the 1998 Primary and General Elections:

PRECINCT 57-16 (UNORGANIZED PRECINCT #14)

Clerk - Charlene E. Johnson, 6473 Heritage Trail, Gilbert, MN 55741
Judge - Jan Dzwonkowski, 6317 Heritage Trail, Gilbert, MN 55741
Judge - Lillian Keil, 4460 Vermilion Trail, Gilbert, MN 55741
Judge - Gladyce Lampe, 4517 Bass Lake Rd., Gilbert, MN 55741
Polling Place - Lakeland Fire Hall, 4667 Vermilion Trail, Gilbert, MN 55741

PRECINCT 60-18 (UNORGANIZED PRECINCT #15)

Clerk - Barbara Harkonen, 9318 Goodell Rd., Angora, MN 55703
Judge - Carolyn Nordlinder, 7566 Hwy. #53, Britt, MN 55710

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

313

Judge - Elayne Arnberg, 9244 Osborn Rd.,
Britt, MN 55710
Judge - Nancy S. Shadle, 8535 Tall Pine
Rd., Britt, MN 55710
Judge - Ronald Henry Jarvinen, 8822 E.
Point Dr., Britt, MN 55710
Polling Place - Sand Lake Chapel, 9038
Biss Road, Britt, MN 55710

PRECINCT 60-19 (UNORGANIZED
PRECINCT #16)

Clerk - Byron Trimble, 7868 Lake 14
Road, Britt, MN 55710
Judge - Ruth Beystrom, 9777 Dickenson
Lane, Britt, MN 55710
Judge - Roberta Today, 9747 Folsom Rd.,
Britt, MN 55710
Polling Place - Evergreen Volunteer Fire
Department, 10233 Hwy. #65,
Britt, MN 55710

PRECINCT 56-16 (UNORGANIZED
PRECINCT #17)

Clerk - Carolyn Gouldin, 6778 Wilson
Rd., Makinen, MN 55763
Judge - Evelyn Hermanson, 6468 Long
Lake Rd., Makinen, MN 55763
Judge - Evonne Kangas, 6742 Wilson Rd.,
Makinen, MN 55763
Polling Place - Makinen Community
Center, Makinen, MN 55763

PRECINCT 69-21 (UNORGANIZED
PRECINCT #18)

Clerk - Gladys Cole, 10044 Gappa Rd.,
Ray, MN 56669
Judge - Mary Tomczak, 9929 Gamma Rd.,
Ray, MN 56669
Judge - Judy Wichner, 9786 Gamma Rd.,

Ray, MN 56669
Judge - Richard Brown, 10568 Gamma
Rd., Ray, MN 56669
Judge - Shirley Starzynski, 10540 Gamma
Rd., Ray, MN 56669
Polling Place - Kabetogama Fire Hall,
9843 Gappa Rd., Ray, MN 56669

PRECINCT 64-21, 65-21 & 66-21
(UNORGANIZED PRECINCT #19)

Clerk - Mildred Holmes, P.O. Box 149,
Nett Lake, MN 55772
Judge - Angela Geshick, P.O. Box 146,
Nett Lake, MN 55772
Judge - Sharon Wagner, Nett Lake, MN
55772
Polling Place - Nett Lake Community
Center, Nett Lake, MN 55772

RESOLVED FURTHER, that
compensation for these election services
shall be \$5.50 per hour and the current
mileage reimbursement rate of St. Louis
County (\$.325 per mile).

Adopted August 4, 1998. No. 593

RESOLVED, that the location of the
previously scheduled County Board
Meeting and Committee of the Whole
Meeting for August 11, 1998, will be
changed from the Hibbing Courthouse to
the 4-H Camp at Lake Eshquagama,
Biwabik, Minnesota. The meetings will
convene at their scheduled time of 9:30
A.M.

Adopted August 4, 1998. No. 594

WHEREAS, the St. Louis County
Communications Department has had an

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

314

on-going Maintenance Agreement with U.S. West for 9-1-1 telephone answering and display equipment; and

WHEREAS, the current Agreement has expired; and

WHEREAS, a two-year Maintenance Agreement for the period of May 1, 1998, through April 30, 2000, has been negotiated for said equipment;

NOW, THEREFORE, BE IT RESOLVED, a two-year Maintenance Agreement with U.S. West for 9-1-1 answer and display equipment, at a cost not to exceed \$37,123.16, payable from Fund 127, Agency 911, is hereby approved.

RESOLVED FURTHER, that the Communications Director and County Attorney are authorized to execute said agreement on behalf of St. Louis County. Adopted August 4, 1998. No. 595

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to sign a grant agreement with the Minnesota Department of Public Safety, State Patrol Division, for the program entitled Operation NightCAP.

RESOLVED FURTHER, the Board authorizes the acceptance of the grant in the amount \$560 payable to the General Fund (01), Sheriff's Department (091), Org. 103.

Adopted August 4, 1998. No. 596

RESOLVED, that the St. Louis County Board of Commissioners:

- (1) Authorizes a Purchase of Service Contract with the Northern St. Louis County Family Service

Collaborative to provide additional professional school social work services and related expenses for the period July 1 through December 31, 1998, at a maximum cost of \$45,000.

- (2) Increases the authorized staffing of the St. Louis County Social Service Department by one FTE Social Worker to provide professional social work services as specified in the Purchase of Service Agreement.

(Note: The additional one FTE social worker services and related expenses, according to the Purchase of Service Agreement, are funded by LCTS funds. If the LCTS funding is reduced or curtailed, the terms of the agreement are to be renegotiated. It is, further, understood that any new social worker position funded by the LCTS would then be subject to elimination.)

Budget Reference:

Fund 04 Social Service

Agency SSV Social Services

Revenue Source 5999 Other Revenue (from the Northern Family Services Collaborative)

Adopted August 4, 1998. No. 597

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the County Board, Health Director, and County Auditor to sign an agreement with the Governing Board of the Northern St. Louis County Family Service Col-laborative for the period

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

315

January 1, 1998, through December 31, 1998, in the amount of \$45,755, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 261; and
RESOLVED FURTHER, to amend the 1998 revenue/expenditure budget.
Adopted August 4, 1998. No. 598

RESOLVED, that the St. Louis County Board delegates contracting authority to the Director of the Social Service Department in the following situations:

1. No county dollars are expended
2. Child Care Resource and Referral grants to individuals and centers
3. The Fraud Prevention Investigation Grant
4. Non-financial agreements
5. Contracts for social services under \$25,000

Adopted August 4, 1998. No. 599

RESOLVED, that the St. Louis County Board of Commissioners hereby:

1. Approves contracts with City of Duluth Jobs and Training, AEOA, and the Northeast Office of Jobs and Training to provide MFIP employment services during the period 7/1/98 through 6/30/99 at the following rates of payment:
 - c \$200/active MFIP participant not placed in a job on 7/1/98

- c \$200/MFIP participant orientation
- c \$500/completed employment plan
- c \$600/job placement

to a maximum of \$1,300.00 per MFIP participant with total payments not to exceed \$2,134,266.

2. Approves contracts with City of Duluth Jobs and Training and AEOA to provide FSET employment services during the period 7/1/98 through 6/30/99 with payment based on actual cost of services to an average maximum of \$400 not to exceed the FSET allocation to St. Louis County for SFY 99.
Adopted August 4, 1998. No. 600

RESOLVED, that the St. Louis County Board of Commissioners hereby makes the following Committee appointments:

**Family and Children Program
Advisory Committee**

- Comm. Fink: Karen Thompson,
Beatrice Kehr
- Comm. Forsman: Gregory Hutar, Robert Bizal
- Comm. Kron: Carolyn Dineen, Maria Krynicki
- Comm. Krueger: D. D. Davidson,
Joanne Fay
- Comm. Prebich: Jeanne Prittinen,
Brenda Lee Zamlan
- Comm. Raukar: M a r g a r e t
Haggenmiller, Patricia Ives
- Comm. Sweeney: Prudy Cameron,
Debbie Ortman

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

316

**Disability Program Advisory
Committee**

Comm. Fink: Terry Mattson, Tom
Haney
Comm. Forsman:
Comm. Kron: Donna Abler
Comm. Krueger: Dianne DeChantal,
Kathy Heltzer
Comm. Prebich: Shelley Saukko, Daniel
Kotnik
Comm. Raukar: Gary Eustice, Shelly
Robinson
Comm. Sweeney: Bryan Norton

**Senior Adults Program Advisory
Committee**

Comm. Fink: Bonnie Roth, Joyce M.
Seppo
Comm. Forsman: Bill Wagner
Comm. Kron: Florence Baker

Comm. Krueger: Tina Welsh, Mary
Reedy

Comm. Prebich: Donyta Wright,
Audrey Wiita

Comm. Raukar: Ruth Kampsula,
Charles Lina

Comm. Sweeney:

Adopted August 4, 1998. No. 601

WHEREAS, current technology for developing a County Global Positioning System and significantly enhancing the County's GPS capabilities exists, as well as an opportunity for substantial cost savings and efficiency through involvement by the County and its various departments; and WHEREAS, the state of the art technology is well within reach for cost effectiveness; and

WHEREAS, an enhanced GPS system could be managed in an enterprise fund providing a valuable service to all participating users including public and private interests; and

WHEREAS, a Request for Proposal was advertised and responded to by Control Technologies, Inc., for engineering and the propagation of a signal, by the installation and testing of such on two tower sites located near Mirror and Markham, and that said services will not exceed \$22,500 for completion of both tower sites. Further, that dependent upon the outcome of the tests, other or additional tests may be agreed upon as per the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Land Commissioner, Purchasing Agent, and County Attorney are

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

317

authorized to sign, on behalf of St. Louis County, an agreement with Control Technologies, Inc., of Waseca, Minnesota, not to exceed \$22,500 for the completion of both tower sites.

RESOLVED FURTHER, that payment for these services shall be made from Fund 15-E21-299.

Adopted August 4, 1998. No. 602

RESOLVED, the St. Louis County Board authorizes the Chair of the Board, the Auditor, and the Administrator to extend the agreement for professional services with Steven P. Nystedt, d/b/a Nystedt Enterprises, Inc., until December 31, 1998, and increase the contract maximum by \$10,000, payable from General Fund 01, Dept. Administration 015, Object Other Professional 299, a copy of which is on file in Contract File No. 98-577.

Adopted August 4, 1998. No. 603

WHEREAS, St. Louis County has in past years retained the services of Normco Auctioneering for its annual auction of vehicles and equipment; and

WHEREAS, Normco Auctioneering has demonstrated the ability to provide an organized auction with good financial returns;

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is authorized to contract with Normco Auctioneering, Duluth, MN, for the purpose of conducting an auction at the County Motor Pool, Virginia, on September 26, 1998, to dispose of surplus, obsolete, unused and confiscated vehicles, equipment, and

miscellaneous items, for a fee of four (4%) percent of gross receipts.

Adopted August 4, 1998. No. 604

WHEREAS, the increasing demand for 9-1-1 geographic database maintenance is exceeding the Communications Department's capability to ensure timely and accurate maintenance with current staff availability; and

WHEREAS, it is necessary to keep the 9-1-1 database well-maintained in order to ensure timely and accurate processing of emergency calls; and

WHEREAS, an additional clerical staff position would enable the Communications Department to keep up with 9-1-1 database maintenance demands.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby authorizes the Communications Department to change one of its currently authorized FTE positions from Radio Communications Dispatcher, Pay Grade B14, to Clerk-Typist General, Pay Grade B03.

Adopted August 4, 1998. No. 605

WHEREAS, the St. Louis County Sheriff's Office is a member of the Midwest Automatic Fingerprint Identification Network, which allows computer generated fingerprints from individuals which are entered into the Jail Offender Management System to be transmitted to the Minnesota BCA computer system; and WHEREAS, the County received approximately \$250,000 in equipment from the State of Minnesota through the Bureau of Criminal Apprehensive and the

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

318

State Supreme Court at no cost to the County; and

WHEREAS, the County is responsible for on-going maintenance of the equipment and the system.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Board Chair, the Auditor, and Sheriff to execute agreements with the State of Minnesota, Pintrak International, Inc., and the City of Duluth, contingent upon approval of the County Attorney's Office.

Adopted August 4, 1998. No. 606

RESOLVED, that the St. Louis County Board authorizes the Arrowhead Regional Corrections Director to add an additional Sentence to Service crew on the Range, at a cost to St. Louis County of \$6,500, payable from General Fund 01, Administration Department 015.

Adopted August 4, 1998. No. 607

BY COMMISSIONER PREBICH:

RESOLVED, that the Chair of the County Board be authorized to execute a Grant Agreement for the Mighty Ducks Program with the Minnesota Amateur Sports Commission, in a form approved by the County Attorney.

RESOLVED FURTHER, that the St. Louis County Board authorizes the St. Louis County Purchasing Agent to enter into an agreement with Burley's Rink Supply of Salix, Pennsylvania, for the installation of an ice rink floor at the South St. Louis County Fair Grounds Arena Building, including all material, installation, and hookup to the present refrigeration plant,

in the amount of \$85,200, payable from Fund T95, Department T95, Org. DUCK. RESOLVED FURTHER, that the County Board authorizes the Director of Property Management to authorize and approve Change Orders to this contract, and to spend the remaining funds on other repairs to the ice refrigeration system and the arena, with the total amount of the expenditures not to exceed \$105,000.

RESOLVED FURTHER, the miscellaneous repairs to be completed shall be within the scope of the Mighty Ducks Grant Agreement.

Unanimously adopted. August 4, 1998. No. 608

BY COMMISSIONER RAUKAR:

WHEREAS, the County of St. Louis acquired 12.2 acres for gravel pit purposes located in NW 1/4 of SE 1/4, Section 13, Township 50 North, Range 16 West; and WHEREAS, the deeds conveying the property to the County contained reversionary clauses whereby the property would return to the owner when the County abandoned the use of said tract of land for gravel pit purposes; and

WHEREAS, said gravel pits have been abandoned and are of no further use to the County; and

WHEREAS, the present owners, Frank S. Weisheit and Judith S. Weisheit, have requested that the tracts of land be returned to them.

NOW, THEREFORE, BE IT RESOLVED, that the Chair of the County Board of Commissioners and the County Auditor are hereby authorized to execute a quit claim deed conveying to Frank S. Weisheit

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

319

and Judith S. Weisheit, husband and wife, as joint tenants, the following described property located in St. Louis County, Minnesota, to-wit:

Commencing at the east 1/4 corner of Section 13, Township 50, Range 16, and running thence in a westerly direction along the east and west 1/4 line of said Section 13 for a distance of 2280.0 feet; thence southerly at an angle of 90 degrees formed with the last described line for a distance of 1115.71 feet to the point of beginning; thence southeasterly at an angle of 101 degrees 44 minutes formed with the last described line for a distance of 786.78 feet; thence southerly at an angle of 101 degrees 44 minutes formed with the last described line for a distance of 44.27 feet, more or less, to a point on the south line of the NW 1/4 of SE 1/4 of said Section 13; thence westerly along the south line of said forty for a distance of 770.34 feet; thence northerly for a distance of 204.29 feet, more or less, to the point of beginning, wholly within the NW 1/4 of SE 1/4, Section 13, Township 50, Range 16; and

Commencing at the east 1/4 corner of Section 13, Township 50, Range 16, and running thence in a westerly direction along the east and west 1/4 line of said Section 13 for a distance of 2280.0 feet to a point; thence southerly at an angle of 90 degrees formed with the last described line for a distance of 430.0 feet to the point of beginning; thence continuing southerly along the last described line produced for a

distance of 685.71 feet to a point; thence southeasterly at an angle of 101 degrees 44 minutes formed with the last described line for a distance of 786.78 feet to a point; thence northerly at an angle of 78 degrees 16 minutes formed with the last described line for a distance of 445.71 feet to a point; thence northwesterly at an angle of 117 degrees 27 minutes formed with the last described line for a distance of 867.74 feet to the point of beginning, and containing 10.0 acres more or less, lying wholly within the NW 1/4 of SE 1/4, Section 13, Township 50, Range 16.

Also, the right of ingress to and egress from said tract of land hereby conveyed over a haul road 33 feet in width between the north line of said tract of land and the public road along the north line of said forty, the centerline of said haul road being 79.7 feet east of the west line of said 10.0 acre tract of land, or the west line of same produced.

Unanimously adopted. August 4, 1998.
No. 609

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

S.A.P. 69-715-03 (C.T.B.), C.P. 9195, and S.A.P. 69-677-03 (C.T.B.), C.P. 9157. C-SAH 115 being located between C.R. 361 and C-SAH 77 and C-SAH 77 being located between C.R. 651 and a point 1.4 mile Northwest. Project to consist of Grading, Aggregate Base, Plant Mixed Bituminous Base, Surface and Aggregate Shoulders;

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

320

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 3, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and
WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER
KGM Contractors, Inc.

ADDRESS
P.O. Box 7
Angora, MN 55703

AMOUNT
\$3,143,802.08

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Agency A17, Object 527.
Unanimously adopted. August 4, 1998.

No. 610

BY COMMISSIONER FINK:
RESOLVED, that the Board establishes a public hearing at 9:35 A.M. on Tuesday, September 1, 1998, in the County Board Room, at the Duluth Courthouse for the purpose of hearing an appeal of the Planning Commission's preliminary plat approval of Murphy Point Woods located on the south shore of Murphy Lake in the Central Lakes area of the County.
Unanimously adopted. August 4, 1998.

No. 611

BY COMMISSIONER KRON:
WHEREAS, Michael and Rose Giddings have brought a lawsuit against St. Louis County arising from the contamination of their groundwater supply by salt runoff from the St. Louis County Public Works Toolhouse No. 5 on the Midway Road; and
WHEREAS, engineering studies commissioned by the Public Works Department confirm a salt plume traveling from County property to plaintiffs' property; and
WHEREAS, plaintiffs have suffered damage in connection with this contamination.
NOW, THEREFORE, BE IT RESOLVED, that St. Louis County enter into a settlement of the above lawsuit for the sum of \$60,000 and that the St. Louis County Auditor be directed to issue a check in the amount of \$60,000 made payable to Michael and Rose Giddings and James Prest, their attorney, from the Tort Liability Fund 52A, upon receipt of the appropriate releases and documents to be

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

313

recorded on the property by the County Attorney's Office.
Unanimously adopted. August 4, 1998.
No. 612

At 10:45 A.M. on Tuesday, August 4, 1998, upon motion of Commissioner Prebich, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
AUGUST 11, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of August, 1998, at 9:35 A.M. at the 4-H Camp at Lake Eshquagama, Biwabik, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

At 9:36 A.M. a public hearing was convened, pursuant to Resolution No. 592, adopted August 4, 1998, to consider the granting of Combination On/Off Sale and Sunday On-Sale Intoxicating Liquor Licenses to Douglas Miller, Dennis Miller, and Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township. Douglas Miller was present for the hearing. Michael Dean, Assistant County Attorney, advised the Board that: all required County departments had reviewed the application and recommended approval; the Northland Town Board had recommended approval; the necessary insurance certificate had

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

314

been received; and, all notices had been given. Persons in attendance were invited to address the issue, but no one chose to do so. At 9:45 A.M. the hearing was closed on motion of Commissioner Raukar, supported by Commissioner Sweeney; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Fink, moved approval of the licenses; seven yeas - zero nays. Resolution No. 641.

Commissioner Kron, supported by Commissioner Prebich, moved to appoint Bill Kron as County representative and Durbin Keeney as veterans' representative on the 1998 Depot Governing Board; six yeas - one nay, Commissioner Krueger. Resolution No. 642.

Commissioner Krueger, supported by Commissioner Prebich, moved to approve the purchase of property at the old Gopher Oil Company site on Highway 53 for the St. Louis County Rescue Squad facility. The resolution also authorized an agreement with Thomas & Vecchi Architects for architectural and engineering services and further authorized the Property Manager to approve expenditures up to \$40,000 for improvements to the existing on-site building. Rick Wahlberg, St. Louis County Undersheriff, in response to concerns by Commissioner Fink that prime development land would be removed from the tax rolls, emphasized that this site fit all current and future plans and would actually enhance the area and increase

market values. Airport runway restrictions and the property's history as a Superfund site make it a risky investment for any private investor/developer. After some additional discussion, the site selection was approved; seven yeas - zero nays. Resolution No. 643.

Will Sandstrom, Madison, Wisconsin, then asked permission to address the Board. Mr. Sandstrom distributed his most recent hypothesis concerning the history and impact of the Finnish people and asked the Board to help rectify some alleged discrimination he experienced at Iron World in Chisholm, Minnesota.

At 10:30 A.M. in the forenoon of Tuesday, August 11, 1998, Commissioner Prebich, supported by Commissioner Raukar, moved to recess until 11:15 A.M. on August 11, 1998, at the conclusion of the Committee of the Whole meeting at the 4-H Camp at Lake Eshquagama, Biwabik, Minnesota.

The Board reconvened at 11:15 A.M. on Tuesday, August 11, 1998, the regular order of business resumed with all members present.

Commissioner Prebich, supported by Commissioner Kron, moved to approve all items passed at the Committee of the Whole with the exception of the final plat approval of Crosswater at Lake Vermilion, which was passed without recommendation and placed on the September 1, 1998,

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

315

Board agenda; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Small grant requests from various governmental entities to be funded under the one year pilot Recreation Grant Program.--57231

Documentation from public hearing held on August 11, 1998, to consider the granting a Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses to Douglas Miller, Dennis Miller, and Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township.--57232

Julie M. Brunner - County Administrator, Gary Waller - Sheriff, and Tony Mancuso - Property Manager, submitting Board Letter No. 98-495 regarding Rescue Squad Facility - St. Louis County Sheriff's Office.--57233

Will Sandstrom, Madison, Wisconsin, submitting his most recent hypothesis concerning the history and impact of the Finnish people.--57234

Judith H. Dutcher, State Auditor, reporting that the Office of the State Auditor has completed its audit of St. Louis County for the year ended December 31, 1997, and that a copy of their Management and Compliance Report is enclosed.--57235

Town Board of Eagle's Nest Township submitting Order for Hearing in the matter

of the petition of: Eugene S. Gazelka for establishment of a cartway. Hearing to be held on August 18, 1998, at 7:00 P.M. at the Eagles Nest Township Hall.--57236

Arrowhead Township submitting their resolution vacating the Humon Road located in Section 31 of Township 51, Range 19, and Section 36 in Township 51, Range 20 lying North of U.S. Highway No. 2.--57237

Sales of County fee land for the year 1998.--57238

Sublease between St. Louis County and the City of Hibbing for the Hibbing Police Department to occupy space at the joint law enforcement center located at the Hibbing Courthouse.--98-585

Upon motion of Commissioner Krueger, supported by Commissioner Kron, Resolutions No. 613 through 640, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRUEGER:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of the St. Louis County Board of Equalization for 1998 are hereby approved.
Adopted August 11, 1998. No. 613

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 7, 1998, are hereby approved.
Adopted August 11, 1998. No. 614

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

316

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 14, 1998, are hereby approved.
Adopted August 11, 1998. No. 615

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 28, 1998, are hereby approved.
Adopted August 11, 1998. No. 616

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 16,465.89
T23 Game and Fish	281,815.38
T27 Refunds	27,482.28
T50 State of Minnesota	10,569.00
T74 Employer/Employee Deductions	883,465.78
T75 Savings Bonds	5,550.00
T77 Cancelled Checks	1,302.32
T78 Volunteer Fire Departments	133,034.91
T89 District Administrator	803.31
T95 Proctor Area Sports Arena	5,028.08
T98 Work Study Agency Fund	1,052.92
T99 Reserve Health &	

Welfare	1,284.43
01 General Fund	557,620.97
02 Public Works	663,661.83
04 Social Services	1,885,404.19
08 Capital Projects	54,600.00
08A State Aid Road	877,482.72
08Y Hibbing/Virginia Law Enforcement Centers	167,526.00
09 McKinney Homeless Grant	14,248.00
10B Emer. Shelt. 95 Funds	4,264.11
12B CDBG Grant	136,571.93
127 Enhanced 9-1-1 Fund	418.00
128 Law Library	3,292.40
129 City/County Comm. Antenna Site	171.50
13 St. Louis County HRA	24.25
131 Extension Service	93,820.01
15 Forfeited Tax	254,418.30
16 Forest Resources	4,084.25
26 Solid Waste Authorities	25,373.84
37L Hibbing Public Works Facility Debt	24,246.75
49 Postage/Office Supplies	15,000.00
50 Printing	12,025.99
51 County Garage	19,048.62
52A Property, Casualty, Liability	596.00
52B Workers Compensation	32,652.48
52D Medical/Dental Self Insurance	902.61
53 Management Information Systems	79,702.85

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

317

54	Regional Railroad Authority	28,922.19	\$1,180.24; City of Hibbing, \$24.84; Jennifer Clement, \$866.36; William Dibbell, \$189.18; Marian Dille, \$66.92;
55	Telecommunications	62,942.05	William Drake, \$521.34; Anna Dunlap, \$103.44; Etor Properties, \$4,482.82;
64A	Jensen Nursing Home	147,483.87	Gerald Fena, \$227.80; Richard Fisher, \$1,673.26; G. W. Resorts, Inc., \$3,366.70; Mark Gaul, \$278.58; Frank Holappa, \$2,676.58; Jason Houle, \$466.26; Debbie Impila, \$836.26; Steven Lemans, \$860.22; Katharine Littler, \$508.50; Kevin Lund, \$13.50; Dorothy McGregor, \$482.68; Tina Myers, \$2,249.38; Richard Noble, \$491.66; James Orton, \$102.38; David Perrault, \$2,701.72; Gladys M. Persson, \$157.46; Tom Richards, \$354.14; Liisa Sanders, \$1,408.00; Anne Sather, \$121.70; Hans Trieselmann, \$54.02; Roef Ulleberg, \$389.12; Julie Vick, \$52.82; Holly Vontin, \$1,828.24; Joseph Walder, Jr., \$643.18.
64B	Nopeming Nursing Home	102,973.41	
64F	Community Food Services	7,453.70	
64L	Laundry	28,724.81	
64S	Supervised Living Facilities	5,064.34	
72	No. Counties Land Use Coord. Board	434.76	
73	Arrowhead Regional Corrections	222,582.33	
74	Community Health Services	3,664.42	
90	Range Maintenance Facility	<u>32,854.00</u> \$ 6,938,111.78	

Adopted August 11, 1998. No. 617

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - Mary A. Arko, \$872.10; Gregory Ban, \$339.48; Mary Basil, \$719.94; Robert Berger, \$325.28; Wesley Bloom, \$561.88; Kevin Burton,

Personal Property - Reginald Burchell, \$43.70; Scott Christopherson, \$65.84.
Adopted August 11, 1998. No. 618

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 11, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted August 11, 1998. No. 619

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the

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

318

County Auditor, identified as County Board File No. 57163, is hereby approved and the County Auditor is authorized to issue License No. T983 to the applicant:

Embarrass Vol. Fire Dept., Embarrass Township, Temporary On-Sale 3.2 Percent Malt Liquor License No. T983, for August 29 & 30, 1998, only.
Adopted August 11, 1998. No. 620

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ron Occhino, Officer, Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Solway Township, to sell/serve outside the designated serving area of the County Intoxicating Liquor License for the date of August 22, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111; RESOLVED FURTHER, that said authorization is contingent upon the licenseholder posting "No Parking" signs printed in four-inch or larger black letters on a white background, a minimum of four feet above the ground, every 50 feet for 500 feet on both sides of South T.H. 2; every 50 feet for 100 feet on both sides of Saginaw Rd.; every 50 feet for 300 feet on both sides of West T.H. 2; every 50 feet for 500 feet on both sides of East T.H. 194, at the licenseholder's expense and that the signs shall be removed after the event;
RESOLVED FURTHER, that the music at this event shall cease at 11:00 P.M.
Adopted August 11, 1998. No. 621

WHEREAS, the matter regarding the Myrtle Lake Resort, LLC, Portage Township, came on before the full Board of the St. Louis County Board of Commissioners on September 2, 1997; and

WHEREAS, upon the evidence presented to the St. Louis County Board by the St. Louis County Attorney's Office and the admission by the Myrtle Lake Resort, LLC, the St. Louis County Board unanimously found that on December 13, 1996, a person or persons under twenty-one (21) years of age were served alcoholic beverages on the premises of the Myrtle Lake Resort, LLC, in violation of Minnesota Statutes 340A.503, Subd. 1 and 2; and

WHEREAS, upon the evidence presented to the St. Louis County Board by the St. Louis County Attorney's Office, the St. Louis County Board unanimously found that on April 26, 1997, patrons on the premises of the Myrtle Lake Resort, LLC, were allowed to remain in the licensed premises in excess of twenty (20) minutes after 1 A.M. in violation of St. Louis County Ordinance No. 28, Section 11.05;

WHEREAS, the liquor licenses issued to Myrtle Lake Resort, LLC, d/b/a Myrtle Lake Resort, LLC, Portage Township, were suspended for the days of November 24, 25, 26, 27, 28, 29, 30, December 1, 2, and 3, 1997;

WHEREAS, on or about June 4, 1998, Ramon Beberg, Officer, Myrtle Lake Resort, LLC, requested a partial refund of his intoxicating liquor license fees because

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

319

the establishment was damaged by fire on November 23, 1997, and was closed from November 23, 1997, to March 2, 1998; WHEREAS, the closing of the Myrtle Lake Resort, LLC, directly coincides with the suspension of the intoxicating liquor licenses issued to Myrtle Lake Resort, LLC, and that the initial suspension of the liquor licenses was never served; BE IT HEREBY RESOLVED, that the liquor licenses issued pursuant to St. Louis County Ordinance No. 28, to the Myrtle Lake Resort, LLC, Portage Township, shall be suspended for the days of September 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, 1998. A copy of the Findings of Fact,

Conclusions of Law and Order are on file in County Board File No. 57056; FURTHER RESOLVED, that all alcoholic beverages shall be removed from the service area during the suspension. Adopted August 11, 1998. No. 622

WHEREAS, St. Louis County and the City of Hibbing, entered into a mutual agreement on February 27, 1996, to move forward with construction and bid documents for a joint law enforcement center and lockup at the St. Louis County Courthouse in Hibbing; and WHEREAS, the City of Hibbing agreed to participate in the construction and equipment costs of the joint law enforcement center for their Police Department occupancy; and WHEREAS, St. Louis County agreed to pursue a joint law enforcement concept to house the St. Louis County Sheriff with the Hibbing Police Department. NOW, THEREFORE, BE IT RESOLVED, that the necessary County Officials are authorized to execute a sublease between St. Louis County and the City of Hibbing for the Hibbing Police Department to occupy space at the joint law enforcement center located at the Hibbing Courthouse in Hibbing, Minnesota, said agreement contained in Contract File No. 98-585. Adopted August 11, 1998. No. 623

RESOLVED, that the St. Louis County Board of Commissioners:

- 1) Approves two tier schedule of rates for residential care service based on level of service and client case

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

320

mix with supportive services ranging from \$399 per month to \$575 per month and combined supportive services and health related services ranging from \$799 per month to \$1,151 per month, effective July 1, 1998, through June 30, 1999.

RESIDENTIAL CARE SERVICE

RATE STRUCTURE

<u>Level of Service</u> <u>by Case Mix</u>		<u>Monthly Rate</u>
	A	B
C	D	
Supportive Services	\$399	\$ 4 4 3
\$536 \$575		
Supportive Services & Health-Related Services	\$799	\$ 8 8 7
\$1,073 \$1,151		

2) Authorizes the Social Service Department to authorize rates for clients receiving residential care services who have case mix classifications of case mix E.

3) Approves Purchase of Service Contracts with the below referenced Board and Lodging providers, at the above listed rates, for supportive and health-related services, upon completion of contract application, effective from July 1, 1998, to June 30, 1999.

These Board and Lodging providers are seeking contracts at the following sites:

Anderson's Pine Grove
Brookston, MN

Lakeview Residence

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

321

Virginia, MN

Browning Residence
Duluth, MN

Colonial Homes I & II
Brookston, MN

St. Ann's Residence
Duluth, MN

Carey Senior Health Care
3700 London Road
Duluth, MN

Carey Senior Health Care
4920 London Road
Duluth, MN

Salmi Homes, Inc.
Salmi Board and Lodging
Aurora, MN

Range Development Co. of Chisholm, Inc.
Hillcrest Terrace of Chisholm
Chisholm, MN

Range Development Co. of Chisholm, Inc.
Hillcrest Terrace of Hibbing
Hibbing, MN

Lakeside Manor Boarding and Lodging Home, Inc.
Lakeside Manor
4831 London Road
Duluth, MN

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

322

Lakeside Manor Boarding and Lodging Home, Inc.
Lakeside Manor Extended Care
4729 McCulloch
Duluth, MN

Arrowhead Health Alternatives, Home Care
Assisted Living & Lodging - Eveleth
Coates Residence
Virginia, MN

Lee Boarding Home
Duluth, MN

McCarthy Manor
Duluth, MN

McIntyre Board & Lodging
Hibbing, MN

Wesley Residence
Duluth, MN

Reed Pine Board & Lodging
Duluth, MN

Lakeshore Manor Homes
2701 East Sixth Street
Duluth, MN

Lakeshore Manor Homes
4512 London Road
Duluth, MN

Salmi Homes, Inc.
Touraine Home
Virginia, MN

Arrowhead Health Care Center
Eveleth, MN

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

Budget Reference:

None, payments are made directly to provider by the Minnesota Department of Human Services through the MMIS-II System.

Adopted August 11, 1998. No. 624

RESOLVED, that the St. Louis County Board of Commissioners approves a Purchase of Service Agreement with Chestnut Grove, Inc., for adult foster care services provided at licensed facilities listed below for eligible Alternative Care (AC), Elderly Waiver (EW), and Community Alternatives for Disabled Individuals (CADI) clients classified as Case Mix E through K at the following rates, effective July 1, 1998, to June 30, 1999:

<u>Case Mix</u> <u>Month</u>	<u>AC Rate</u>		<u>EW Rate</u>		
	<u>CADI Rate</u>		<u>Day</u>		
	<u>Day</u>	<u>Month</u>			
A	\$28.05	\$853	\$37.	2	9
\$1,134	\$41.89	\$1,274			
B	32.36	984	42.	7	8
1,301	47.64	1,449			
C	37.20	1,132	49.	0	0
1,491	54.14	1,647			
41.66	1,267	54.64	D		
60.08	1,827				
E	46.24	1,406	63.	2	5
1,924	66.16	2,013			
F	46.54	1,416	63.	6	3
1,935	66.54	2,024			
G	50.40	1,533	68.	8	1
2,093	71.72	2,182			
H	57.70	1,755	76.	2	3
2,319	81.48	2,478			
I	60.30	1,834	81.	9	7
2,493	84.92	2,583			
J	64.31	1,956	87.	3	4
2,657	90.25	2,745			

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

324

K	72.74	2,213	98.	6	0
2,999	101.52	3,088			

Chestnut Grove, Inc., Licensed Adult Foster Homes:
Chestnut Grove - North, 1204 West Chestnut Street,
Virginia, MN
Chestnut Grove - South, 1204 West Chestnut Street,
Virginia, MN

FURTHER RESOLVED, that the County Board approves the above rates for adult foster care services for Chestnut Grove, Inc. (Chestnut Grove - North & South) for eligible clients with Case Mix A through D if the Social Services Department determines that more cost effective alternatives are not available.

Funding Source: EW, AC & CADI Waiver Programs - No County funds, payment are made directly by DHS via MMIS II from State MA funds.
Adopted August 11, 1998. No. 625

RESOLVED, that the St. Louis County Board of Commissioners approves amendments to Contract No. 12188 with the Hassett Adult Foster Care Home and Contract No. 12199 with the DeRungs Adult Foster Care Home for the provision of adult foster care services at the below listed rates for services provided to eligible Traumatic Brain Injury Waiver (TBI-W) clients effective July 1, 1998.

Hassett Adult Foster Home
\$72.10 per day

DeRungs Adult Foster Home
\$135.19 per day

Budget Reference:
None, services are funded through the TBI

Waiver Program. Payments are made directly by DHS via MMIS-II from State MA funds.
Adopted August 11, 1998. No. 626

RESOLVED, that the County Board authorizes the Board Chair, Health Director, and the County Auditor to sign an agreement with the Fond du Lac Reservation for outreach services to the urban American Indian population payable from Public Health Nursing (Fund 01, Agency 220, Org. 251) in the amount of \$58,500 for the period of June 1, 1998, through December 31, 1999.

RESOLVED FURTHER, to amend the 1998 revenue/expenditure to reflect this revenue and expense.
Adopted August 11, 1998. No. 627

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

325

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the County Board, Health Director, and County Auditor to enter into an agreement with the State of Minnesota for the period of July 1, 1998, through June 30, 1999, for Public Health Nurse and Registered Dietician consultation, not to exceed the amount of \$1,865, payable to Public Health Nursing (Fund 01, Agency 220, Org. 2652); and

RESOLVED FURTHER, that the 1998 revenue/expenditure budget be amended to reflect this revenue and expense.

Adopted August 11, 1998. No. 628

RESOLVED, that pursuant to Minnesota Statutes, Section 373.01, the County Auditor is hereby authorized and directed to call for bids to be received by this Board at 9:40 A.M. on September 15, 1998, in the Courthouse, Duluth, Minnesota, for the sale of County fee land described as follows:

The Westerly Four Hundred Sixty-Eight and 6/10 (468.60) feet of the Northwest quarter of the Northwest quarter (NW 1/4 of NW 1/4) of Section Twenty-Six (26), Township Fifty-Two (52) North, of Range Twenty (20) West, excepting the Westerly Thirty-Three (33) feet thereof, containing 13.20 acres, more or less.

RESOLVED FURTHER, that said tract shall be sold for not less than the appraised value of \$1,300.00 payable in full at the time of sale.

RESOLVED FURTHER, that the County will issue a Quit Claim Deed to the

successful bidder upon payment in full.

RESOLVED FURTHER, that the successful bidder will be required to pay the deed tax and recording fee.

Adopted August 11, 1998. No. 629

RESOLVED, that the Purchasing Agent is hereby authorized to purchase, in accordance with the specifications of Bid No. 3802, One (1) Hydraulic Shouldering Machine from Crysteel Truck Equipment of Fridley, Minnesota, at their low specification bid price of \$27,893.00, plus the 6.5 percent state sales tax of \$1,813.05, for a total of \$29,706.05, payable from Fund 02 Public Works, Agency A14 Equipment & Maintenance, Object 651 Attachments to Rolling Stock. Adopted August 11, 1998. No. 630

RESOLVED, that the County of St. Louis enter into an agreement with the City of Duluth for the reconstruction of C-SAH 90, Arlington Avenue, located between C-SAH 32 and a point 0.15 miles South and to reconstruct C-SAH 32, Arrowhead Road, located between C-SAH 91, Haines Road, and C-SAH 90, Arlington Avenue, a length of 2.0 miles, all in the City of Duluth.

WHEREAS, Minnesota Statute 162.02, Sub-division 8 (1982), requires approval of the plans by the governing body of the City; and

WHEREAS, Minnesota Statute 162.17, Sub-division 1 (1982), provides for an agreement for the division of cost and responsibility to be borne by the City and the County.

RESOLVED FURTHER, that the

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

326

Chairperson of the County Board, the County Auditor, the Public Works Director, and the County Attorney are hereby authorized to execute such agreement and thereby assume for or on behalf of the County, all of the contractual obligations contained therein; payable from Fund 02, Department A17, Object 527.

Adopted August 11, 1998. No. 631

WHEREAS, the South St. Louis County Fair Board has requested permission to construct a building on the Proctor Fairgrounds and has advised the County there will be no cost incurred by the County for this project;

RESOLVED, that the St. Louis County Board hereby grants approval for the construction by the South St. Louis County Fair Board at the Proctor Fairgrounds, of a new log pavilion building to be used as an inclement weather shelter; RESOLVED FURTHER, that said approval is contingent on final review of the project by the St. Louis County Property Manager;

RESOLVED FURTHER, that said approval is contingent on approval of the County Attorney;

RESOLVED FURTHER, that no County dollars will be expended on this project.

Adopted August 11, 1998. No. 632

WHEREAS, the Land Department has identified a Ford F-150, 4 x 4 pickup truck, Unit No. 415, as a vehicle to be disposed at the County's annual auction of vehicles and equipment; and

WHEREAS, the Soil and Water Conservation District has need for such a vehicle.

NOW, THEREFORE, BE IT RESOLVED, that the County Board directs the Purchasing Agent to remove this vehicle from the list of items to be auctioned and authorizes the Soil and Water Conservation District to negotiate for the purchase of this vehicle.

Adopted August 11, 1998. No. 633

WHEREAS, the Medical Examiner System in South St. Louis County, currently at St. Luke's Hospital, will move to the University of Minnesota-Duluth School of Medicine on September 1, 1998.

THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby designates Dr. Thomas Uncini of Lakeland Pathology, P.A., Hibbing, as the St. Louis County Medical Examiner, effective September 1, 1998.

RESOLVED FURTHER, the Board authorizes the Chair, the Auditor, and the Sheriff to execute an agreement with the University of Minnesota-Duluth School of Medicine for facility use, maintenance and supplies at a cost of \$2,000.00 per month payable from General Fund 01, Sheriff's Department, Medical Examiner 093.

RESOLVED FURTHER, the Board authorizes the Chair, the Auditor, and the Sheriff to execute an agreement with Lakeland Pathology, P.A., Hibbing, for the services of Dr. Thomas Uncini as Medical Examiner, payable from General Fund 01, Sheriff's Department, Medical

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

327

Examiner 093.

Adopted August 11, 1998. No. 634

WHEREAS, the County Auditor has verified that petition signed by fifteen registered voters requesting that Mud Lake located in the Town of Cotton be changed to Golden Pond; and

WHEREAS, Minnesota Statute, Chapter 83A.06, requires the County to consider such a request and upon close of the hearing make a recommendation to the Commissioner of Natural Resources regarding the proposed name.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby sets a hearing for September 15, 1998, at 9:35 A.M. in the County Board Room, St. Louis County Courthouse, Duluth, Minnesota, to consider the petitioned name change request for Mud Lake (Lake Number 69-630) located in Section 13, Township 54N., Range 17W., to the proposed name "Golden Pond".

Adopted August 11, 1998. No. 635

WHEREAS, St. Louis County is a member of the Northern Counties Land Use Coordinating Board; and

WHEREAS, the State of Minnesota, through Minnesota Planning and its Community-Based Planning Act, has made state grant funds available to counties for the development of land use plans and informational technology associated with the development of these plans.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County authorizes the Northern Counties Land Use Coordinating

Board to apply for grant funds available through Minnesota Planning. In addition, the Chair of the Northern Counties Land Use Board is authorized to sign the Grant Agreement and all other related documents on behalf of St. Louis County.

Adopted August 11, 1998. No. 636

WHEREAS, the St. Louis County Board has adopted a one-year pilot Recreation Grant Program by County Board Resolution No. 320, dated April 21, 1998; and

WHEREAS, the Land Department has received and reviewed fourteen (14) applications from various governmental entities for up to \$7,500 small grant category; and

WHEREAS, those fourteen (14) applications have been deemed as requests in accordance with the goals and objectives found in the Recreation Grant Program Policy and Procedures, on file in the office of the County Auditor, identified as County Board File No. 57175;

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to fund those small grant requests, as identified in County Board File No. 57231, for \$76,603 from Fund 16-F21; and

BE IT RESOLVED FURTHER, that grant expenditures by recipient organizations be exclusively for programs and equipment, as opposed to staffing, and that each recipient organization present a final cost accounting to the Board; and

BE IT FURTHER RESOLVED, that all funds remaining as available for the Recreation Grant Program in Fund 16-F21

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

328

be authorized to be used for distribution under the large grant category; and
BE IT FURTHER RESOLVED, that the Land Department is directed to continue to review the large grant applications received under the one year pilot Recreation Grant Program and return with a recommendation to the Board.

Adopted August 11, 1998. No. 637

RESOLVED, that the County Board of Commissioners hereby authorizes the Chair of the Board, Health Director, and County Auditor to enter into an agreement with Bridge Rehabilitation for physical, occupational, and speech therapy services at Nopeming Nursing Home, to be effective for the period September 1, 1998, through August 30, 2000, payable from Nopeming Nursing Home (Fund 64B, Org. 4200, Org. 4500, Org. 4600, Object 264).

Adopted August 11, 1998. No. 638

RESOLVED, that the County Board of Commissioners hereby authorizes the Chair of the Board, Health Director, and County Auditor to enter into an agreement with Bridge Rehabilitation for physical, occupational, and speech therapy services at Chris Jensen Health & Rehabilitation Center, to be effective for the period September 1, 1998, through August 30, 2000, payable from Chris Jensen (Fund 64A, Org. 4200, Org. 4500, Org. 4600, Object 264).

Adopted August 11, 1998. No. 639

RESOLVED, that the St. Louis County

Board of Commissioners:

(1) That the County Board accepts the additional Family Preservation allocation of \$441,658 to implement concurrent permanency planning.

(2) Increases the authorized staffing of the St. Louis County Social Service Department by six FTE Social Workers to provide child welfare/concurrent permanency planning services to families with children in out-of-home placement, in accordance with Minnesota State Statute 257.0711.

(3) Authorizes the Social Services Department to increase budgeted revenues and expenditures in the 1998 revised and 1999 proposed budgets and required to implement this resolution.

(Note: The additional positions and related expenses are funded completely by the additional Family Preservation allocation. It is understood that if the funding is not continued, the additional positions would be eliminated.)

Budget Reference:

Fund 04 Social Service
Agency SSV Social Services
Revenue Source 9236 State Family Preservation Block Grant
Adopted August 11, 1998. No. 640

BY COMMISSIONER SWEENEY:

WHEREAS, Douglas Miller, Dennis Miller, and Brady Miller, d/b/a Dawghouse Bar &

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

329

Grill, Northland Township, St. Louis County, Minnesota, have applied for a Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on August 11, 1998, at or about 9:35 A.M. in the St. Louis County Courthouse, Hibbing, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the applications for said licenses Douglas Miller, Dennis Miller, and Brady Miller have complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application; NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off-Sale (License Number L9988) and Sunday On-Sale (License Number LS9988) Intoxicating Liquor Licenses shall be issued to Douglas Miller, Dennis Miller, and Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township;

FURTHER RESOLVED, that said liquor licenses shall be effective through June 30, 1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of

real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. August 11, 1998.
No. 641

BY COMMISSIONER KRON:

RESOLVED, that the following two appointments are made to the Depot Governing Board for 1998:

Bill Kron, County Board Representative
Durbin Keeney, Veterans' Representative
Yeas - Commissioners Fink, Kron,
Sweeney, Prebich, Raukar, and
Chair Forsman - 6

Nays - Commissioner Krueger - 1
Adopted August 11, 1998. No. 642

BY COMMISSIONER KRUEGER:

RESOLVED, that the St. Louis County Board hereby authorizes the County Attorney, County Auditor, County Sheriff, and Director of Property Management to negotiate the purchase of two parcels of land and the metal building at the Gopher Oil site in an amount not to exceed \$207,000, payable from General Fund Balance, with the intent this Fund be repaid from any future Bond proceeds;

FURTHER RESOLVED, that the County Board authorizes the County Attorney, County Sheriff, and Director of Property Management to negotiate a contract with Thomas and Vecchi Architects in an

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

330

amount not to exceed \$50,000, payable from General Fund Balance, with the intent this Fund be repaid from any future Bond proceeds, to provide complete architectural and engineering services for the following:

- (a) Construction drawings for the addition of an overhead door and a service door to the building, as well as installation of an electrical service, lighting, a security alarm system and other interim improvements to the facility for its use for vehicle storage, maintenance and training; and to
- (b) A Phase 1 site grading plan to use gravel pit material to adjust the grades to allow for use of the building on an interim basis; and
- (c) Preparation of construction bidding documents for renovation and addition to the existing building to house the Rescue Squad functions and Emergency Management.

FURTHER RESOLVED, that the County Board authorizes the County Property Management Director to approve expenditures up to \$40,000 for improvements to the building, payable from General Fund Balance, with the intent this Fund be repaid from any future Bond proceeds, for the above noted improvements.

Unanimously adopted. August 11, 1998.
No. 643

Upon motion of Commissioner Prebich,

supported by Commissioner Sweeney, Resolutions No. 644 through 654, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted.

BY COMMISSIONER PREBICH:
RESOLVED, that, pending permanent licensing, the St. Louis County Board of Commissioners authorizes an addendum to Purchase of Service Agreement No. 12144 with Woodland Hills to add a Community Transition Program for older adolescent males from August 1, 1998, through December 31, 1998, at the per diem rate of \$94.54.

Adopted August 11, 1998. No. 644

RESOLVED, that the County Board of Commissioners authorizes the Board Chair, Health Director, and County Auditor to sign an agreement with First Plan of Minnesota for Public Health Nursing services for the Plan's enrollees payable to Fund 01, Agency 220 (Public Health Nursing), Org. 220, for the period August 1, 1998, to termination or renegotiation by either party.

RESOLVED FURTHER, that authorization is hereby given to amend the 1998 revenue/expenditure Public Health Department budget.

Adopted August 11, 1998. No. 645

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, Health Director, and County Auditor to sign an agreement with

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

331

Doucette's Party Rental for a period of two years from date of signature for laundry services at the rate of \$.61 per pound clean dry weight for rental linens and at the rate of \$.50 per pound clean dry weight for Doucette's owned linens, payable to Fund 64L, Org. N70 (St. Louis County Laundry), Object 1504.
Adopted August 11, 1998. No. 646

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.
Adopted August 11, 1998. No. 647

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Fayal for winter maintenance of certain roadways within Fayal Township. This agreement begins July 1, 1998, and continues until such time as either party wishes to terminate said agreement. The Town of Fayal agrees to maintain certain county roads in exchange for the county maintaining certain townships roads as

stated in said agreement.
Adopted August 11, 1998. No. 648

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Vermilion Penguin Snowmobile Club, Greenwood Township, to conduct one-day off-site gambling at the Greenwood Town Hall on September 26, 1998.
Adopted August 11, 1998. No. 649

WHEREAS, the Minnesota Housing Finance Agency previously awarded \$450,000 in grant funds for the state biennium period FY98 through FY99 through the Family Homeless Prevention and Assistance Program, to provide housing and support services for the homeless and imminently homeless population in St. Louis County; and WHEREAS, the County has received an additional award of \$23,478 for the same biennium period through the 1998 Minnesota Legislature appropriation to the Family Homeless Prevention and Assistance Program, administered by the Minnesota Housing Finance Agency; and NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the additional funding of \$23,478 to the Family Homeless Prevention and Assistance Program award approved by the Board

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

332

through Resolution No. 502 on June 24, 1997, and authorizes the County Planning Director and a representative of the County Attorney to execute the amendment to the 1997 grant agreement, on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, and certifications to complete the amendment between the County and the Minnesota Housing Finance Agency; and

RESOLVED FURTHER, that said grant funds be appropriated to Fund 01, Agency 019, Org. FPA2.

Adopted August 11, 1998. No. 650

WHEREAS, the St. Louis County Board of Commissioners has approved the 1998 Community Development Block Grant (CDBG) Program awards to forty-five communities and agencies totaling approximately \$2.7 million; and

WHEREAS, individual Agreements have been prepared for the proper utilization of these federal funds in accordance with various federal rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby authorize the Planning Director and a representative of the County Attorney to execute the CDBG Agreement on behalf of the County between the Arrowhead Economic Opportunity Agency and St. Louis County in an amount not to exceed \$100,000 to carry out the County's rental rehabilitation program.

RESOLVED FURTHER, disbursements relative to the above CDBG Agreement shall be made from Fund 12.

Adopted August 11, 1998. No. 651

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on August 10, 1998, the revised specification for Planning Technician is adopted and placed in the Civil Service Basic Unit at Grade 17; and the revised specification for Planner I is adopted effective August 12, 1998.

Adopted August 11, 1998. No. 652

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on August 10, 1998, the proposed specifications for Personal Computer Support Technician I and Personal Computer Support Technician II are adopted and placed in the Civil Service Basic Unit at Grades 14 and 18, respectively, effective August 18, 1998.

Adopted August 11, 1998. No. 653

RESOLVED, that the Chair of the St. Louis County Board and the Public Works Director are authorized to execute an agreement with the St. Louis County Employees Association that establishes a flexible work schedule for Supervisory employees in the Engineering Division of the Public Works Department.

Adopted August 11, 1998. No. 654

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Department of Public Health and Long Term Medical Care to receive \$5,000 additional funds for use to pay expenses

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

333

related to the Pike Lake Wastewater Committee from the following entities:

Grand Lake Township	\$1,000.00
Canosia Township	\$1,000.00
Pike Lake Association	\$1,000.00
CDBG Matching Fund	<u>\$2,000.00</u>
	\$5,000.00

RESOLVED FURTHER, that the Department of Public Health and Long Term Medical Care 1998 budget is hereby amended to include the 1997 balance of funds in the amount of \$8,657.91 and the additional \$5,000.00 into Fund 1, Agency 230 (Environmental Health), Org. 242. These funds will be added to the \$52,000 contributed in 1997 as per the June 17, 1997, Board Resolution No. 478.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the Health Director to compensate Horizons, Inc., for Professional Services provided to the Pike Lake Wastewater Committee for Aerial Mapping of the Pike Lake area and payment of other incidental expenses payable from Fund 1, Agency 230 (Environmental Health), Org. 242. The total shall not exceed the funds contributed (\$13,657.91).

Unanimously adopted. August 11, 1998.
No. 655

BY COMMISSIONER PREBICH:

WHEREAS, the Trunk Highway 53 Long Range Improvement Task Force was formed by citizens and local governments acting in response to the important and long-standing need for an adequate

transportation link to support economic growth in Northeastern Minnesota; and WHEREAS, the mission of the Trunk Highway 53 Long Range Improvement Task Force is to insure a safe and modern four lane roadway for all users on Highway 53 between Virginia and International Falls; and

WHEREAS, the Trunk Highway 53 Long Range Improvement Task Force is in the process of developing a comprehensive study of the long range transportation needs along the corridor that will include recommendations for improvements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby endorses the Trunk Highway 53 Long Range Improvement Task Force and their efforts to improve the Trunk Highway 53 corridor from Virginia to International Falls.

Unanimously adopted. August 11, 1998.
No. 656

WHEREAS, the St. Louis County Board has supported efforts by the St. Louis County Heritage and Arts Center Board to repair and replace windows at the Depot; and

WHEREAS, the restoration of the windows will prolong the life of this historic building.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Heritage and Arts Center act as a sponsoring agency for the state capital County and Local Preservation project (ML 1998, Ch. 463, Sect. 25, Subd. 3) and acknowledges herewith that it is willing to be the project sponsor; knowing full well that such

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

334

sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to completion, with compliance of all applicable laws, rules, and regulations.

RESOLVED FURTHER, that the St. Louis County Heritage and Arts Center has a demonstrated ability and a plan to fund the program(s) intended for the future use of the facility.

RESOLVED FURTHER, that James R. Stone III, Business Manager, is hereby authorized to act on behalf of this applicant.

Unanimously adopted. August 11, 1998.
No. 657

BY COMMISSIONER KRON:

RESOLVED, that the County of St. Louis enter into an agreement with the City of Duluth for the construction of C-SAH 56, Morris Thomas Road, S.A.P. 69-656-10, located between C-SAH 91, Haines Road, and C-SAH 54, Piedmont Avenue, in Duluth.

RESOLVED FURTHER, that the Chairperson of the County Board, the County Auditor, the Public Works Director, and the County Attorney are hereby authorized to execute such agreement and thereby assume for or on behalf of the County, all of the contractual obligations contained therein. Unanimously adopted. August 11, 1998.
No. 658

BY COMMISSIONER FORSMAN:

WHEREAS, the House of Representatives approved an amendment to add an additional \$20 million to the PILT Program for fiscal year 1999, raising the House figure to \$140 million; and

WHEREAS, the Senate Appropriations Committee has included \$125 million in its version of the bill; and

WHEREAS, an amendment may be offered that would raise that figure to \$130 million if accepted;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners urges the Senate to accept the House figure for the PILT Program at \$140 million for fiscal year 1999.

Unanimously adopted. August 11, 1998.
No. 659

BY COMMISSIONER KRUEGER:

WHEREAS, the State of Minnesota will reimburse a portion of the cost of purchasing soft body armor for law enforcement officers; and

WHEREAS, the State has determined the County is eligible for \$15,050 in reimbursements for costs expended in procuring soft body armor for members of the Sheriff's Law Enforcement Division; and

WHEREAS, the Sheriff has a need to purchase tactical body armor for members of the Emergency Response Team;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to accept the \$15,050 in reimbursement from the State and to increase the 1998 revenues budgeted in the

Sheriff's Department by this amount.
RESOLVED FURTHER, the Board
authorizes the purchase of tactical body
armor in the amount of \$15,050, payable
from Fund 01, Department 091, Object
659, and increases the 1998 expenditures
budgeted by this amount.
Unanimously adopted. August 11, 1998.
No. 660

At 11:16 A.M. on Tuesday, August 11,
1998, upon motion of Commissioner
Kron, supported by Commissioner Raukar,
the Board of County Commissioners
adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL
PROCEEDINGS**

**OF THE
BOARD OF COUNTY**

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

SEPTEMBER, 1998

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

336

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
SEPTEMBER 1, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of September, 1998, at 9:34 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

At 9:35 A.M., a public hearing was convened pursuant to Resolution No. 611, adopted August 4, 1998, to consider an appeal by Kenneth and Ann Anderson, Murphy Lake property owners, of the Planning Commission's preliminary approval of the Murphy Point Woods plat located on the south shore of Murphy Lake in the Central Lakes area of St. Louis County. The following persons addressed

the issue:

Mark Johnson, Planner, gave a brief overview of the plat approval process and told the Board that they could choose to approve, alter, or send the matter back to the Planning Commission. The Planning Commission and Planning Department were recommending that the preliminary plat approval be affirmed.

Kenneth and Ann Anderson, appellants, were appealing the approval to insure that the developers did everything they were required to do. Erosion and runoff into Murphy Lake were their major concerns and they believed that past and present enforcement has been insufficient.

Michael Blatnik, Murphy Lake property owner, expressed his concern over access to the area and wants all conditions of the preliminary approval adhered to by the developers.

Len Kramer, a representative of Central Lakes Partners, the plat developer, said all erosion measures will be in place prior to final plat approval and that access will be provided.

Commissioner Prebich, supported by Commissioner Raukar, moved to close the hearing at 10:35 A.M.; six yeas - zero nays. Commissioner Sweeney, supported by Com-missioner Prebich, moved to affirm the preliminary approval of the

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

337

Murphy Point Woods plat by the Planning Commission. After some discussion, the resolution was amended to insure that all erosion controls be properly completed and that final plat approval will be brought back to the Board as a regular agenda item with all adjacent landowners notified; six yeas - zero nays. Resolution No. 667.

Final plat approval for Crosswater at Lake Vermilion was then considered. Mark Johnson, Planner, said that the developer has complied with the intent of the Planning Commission and filing of documents will be withheld until County departments have submitted final approvals. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the final plat contingent on the Planning Department receiving all necessary documents; six yeas - zero nays. Resolution No. 668.

Commissioner Raukar, supported by Commissioner Kron, moved to approve the award of highway bid for S.A.P. 69-666-05 (C-SAH 66) to Hardrives, Inc., Rogers, MN, on their low bid of \$665,575.73; six yeas - zero nays. Resolution No. 669.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the award of highway bid for S.A.P. 69-604-55 (C-SAH 4) to Ulland Brothers, Inc., Cloquet, MN, on their low bid of \$429,994.06; six yeas - zero nays. Resolution No. 670.

Commissioner Raukar, supported by

Commissioner Sweeney, moved to approve the award of highway bid for M.P. 63-1880 (C-SAH 63) to Mesabi Bituminous, Inc., Gilbert, MN, on their low bid of \$25,546.00; six yeas - zero nays. Resolution No. 671.

Commissioner Prebich, supported by Commissioner Raukar, moved to approve the award of highway bid for S.A.P. 69-649-01 (C-SAH 49, Three Lakes Road) to Ulland Brothers, Inc., Cloquet, MN, on their low bid of \$729,081.74; six yeas - zero nays. Resolution No. 672.

Commissioner Kron, supported by Commissioner Raukar, moved to convene a closed session for litigation purposes at the end of the Committee of the Whole meeting; six yeas - zero nays.

At 10:50 A.M. in the forenoon of Tuesday, September 1, 1998, Commissioner Kron, supported by Commissioner Sweeney, moved to recess until 11:30 A.M. on September 1, 1998, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 12:30 P.M. on Tuesday, September 1, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Alan Mitchell, County Attorney, requested Board approval to assign the lease for the Babbitt Tire Facility to Imperial Rubber contingent upon back rent, current rent, and 1998 first half taxes being paid. If the contingencies are not met, the County will

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

338

pursue default action against the current lessee, Rollins Industries. Commissioner Kron, supported by Commissioner Prebich, moved to approve the lease assignment; six years - zero days. Resolution No. 673.

Recent fines levied against Nopeming Nursing Home by state inspectors was then discussed. Alan Mitchell, County Attorney, advised the Board that there were two options available to them: waive any appeal and pay the fines; or, appeal the fines and pursue a settlement or a hearing before an Administrative Law Judge. After some discussion, Commissioner Sweeney, supported by Commissioner Kron, directed the County Attorney to proceed with the appeal; six years - zero days.

Commissioner Prebich, supported by Commissioner Fink, then moved to approve all items unanimously approved at the Committee of the Whole meeting; six years - zero days. Resolutions No. 674 through 704.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-539 regarding repurchase of tax forfeited land.-57239

Julie Brunner, County Administrator, and

Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-550 regarding rezoning the S 1/2 of SE 1/4, Section 29, Township 50 N., Range 18 W.(Town of Stoney Brook), from FAM-1 to RES-4.--57240

Julie Brunner - County Administrator, Anthony J. Bruno, Jr. - Civil Service/Personnel Director, and Steve Fecker - County Negotiator regarding Clerical Study Agreements - Health Care Facilities Basic Unit and Civil Service Supervisory Bargaining Unit.--57241

Documentation from public hearing held on September 1, 1998, regarding Appeal of Planning Commission Preliminary Plat Approval of Murphy Point Woods Plat.--57242

Vernon D. Swanum, Assistant County Attorney, regarding Petition of Steve and Jill Opack to Register Title to Certain Land in St. Louis County.--57243

Civil Service Confidential Bargaining Agreement for 1998/1999.--98-586

Purchase of Service Agreement between the Governing Board of the Northern St. Louis County Family Service Collaborative and St. Louis County for the Local Collaborative Time Study.--98-587

Grant Contract between the State of Minnesota, through its Department of Public Safety, State Patrol Division, and St. Louis County Sheriff's Department for

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

339

Operation NightCAP.--98-588

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Geriatric Community Caregivers, Inc. (Apt. A).--98-589ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Geriatric Community Caregivers, Inc. (Apt. B).--98-590ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Carlson Hall.--98-591ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Ariel View.--98-592ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Lakeview Residence.--98-593ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Arrowhead House, Inc. (West).--98-594ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Peterson Colonial Homes, Inc.--98-595ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Reed's Pine Board & Lodging.--98-596ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Summit Manor, Inc.--98-597ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Paragon Services, Inc.--98-598ss

Grant Agreement between the St. Louis County Board of Commissioners and the St. Louis County Public Health and Long Term Medical Care Department for Flex Fund Grant.--98-599ss

Agreement for Nursing Personnel between the County of St. Louis, through its Department of Public Health and Long Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center, and New Hope Nursing Services.--98-600

Agreement for Nursing Personnel between the County of St. Louis, through its Department of Public Health and Long

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

340

Term Medical Care on behalf of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home, and North Star Nursing and Allied Health Personnel.--98-601

Agreement for Engineering Services between the County of St. Louis, through its Solid Waste Department, and Barr Engineering Company for the design for construction of a Household Hazardous Waste Collection and Storage Facility.--98-602

Grant Agreement between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Lutheran Social Service/Bethany Crisis Nursery.--98-603

Agreement No. 74594 between the County of St. Louis, the Duluth, Missabe, and Iron Range Railway, and the State of Minnesota Commissioner of Transportation for the installation and maintenance of railroad crossing signals and gates on Midway Road (C-SAH 13).--98-604

Public Safety Product Full Remedial Maintenance Agreement between U.S. West Communications Services, Inc., and St. Louis County for 9-1-1 telephone answering and display equipment.--98-605

Project Contract between the County of St. Louis and Sundance Silviculture, Inc., for Mechanical Site Preparation - Anchor Chain Scarification.--98-606

Specialist Provider Agreement between First Plan of Minnesota and St. Louis County.--98-607

Purchase of Service Agreement between the St. Louis County Board of Commissioners and the City of Duluth for Food Stamp Employment and Training Services (FSET) and Minnesota Family Investment Program.--98-608

Supply Contract between the County of St. Louis and Edwards Oil, Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-609

Supply Contract between the County of St. Louis and Curtis Oil Company for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-610

Supply Contract between the County of St. Louis and C & B Warehouse Distributing, Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-611

Supply Contract between the County of St. Louis and Trico Oil & Propane, Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-612

Supply Contract between the County of St. Louis and K & K Cleaning, Inc., for Janitorial/Custodial Services.--98-613

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

341

Purchase of Service Agreement between St. Louis County Board of Commissioners and Benedictine Health Center of the Benedictine Sisters Benevolent Association.--98-614ss

Group Residential Housing Rate Agreement between St. Louis County Board of Commissioners, through its Social Service Department, and Residential Services of Northeastern MN, Inc.--98-615ss

Agreement for Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care, and the Fond du Lac Band of Lake Superior Chippewa.--98-616

Agreement between the City of Duluth and the County of St. Louis for the construction of C-SAH 56, Morris Thomas Road, S.A.P. 69-656-10, located between C-SAH 91, Haines Road, and C-SAH 54, Piedmont Avenue.--98-617

Provider Agreement between the State of Minnesota, through Minnesota Children with Special Health Needs, Minnesota Department of Health, and St. Louis County Health Department.--98-618

Therapy Services Agreement between St. Louis County, on behalf of Nopeming Nur-sing Home, and Ebenezer Program Services, Inc., d/b/a Bridge Rehabilitation.--98-619

Therapy Services Agreement between the St. Louis County, on behalf of Chris

Jensen Health and Rehabilitation Center, and Ebenezer Program Services, Inc., d/b/a Bridge Rehabilitation.--98-620

Road Maintenance Exchange Agreement between the County of St. Louis and Fayal Township.--98-621

Agreement between the City of Duluth and the County of St. Louis for the reconstruction of C-SAH 90, Arlington Avenue, and C-SAH 32, Arrowhead Road.--98-622

Operating Agreement between the County of St. Louis, the Regents of the University of Minnesota, through the University of Minnesota-Duluth School of Medicine, and the University of Minnesota-Duluth.--98-623

Agreement for Medical Examiner Services between the County of St. Louis and Lakeland Pathology, P.A.--98-624

Agreement for Laundry and Linen Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care - Laundry Division, and Doucette's Party Rental.--98-625

Agreement between the County of St. Louis and the City of Duluth to jointly own and maintain a Printrak Latent Fingerprint Station (LS 2000).--98-626

Terms and Conditions Agreement between Printrak International, Inc., and St. Louis County.--98-627

Joint Powers Agreement between the State

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

342

of Minnesota Department of Public Safety, Bureau of Criminal Apprehension, and the County of St. Louis, through the Sheriff's Department.--98-628

Software Services Agreement between the County of St. Louis, through its Management Information Services Department, and Tiburon, Inc.--98-629

Beaver Damage Control Agreement between the County of St. Louis, through its Land Department, and Richard Knaffla.--98-630

Project Contract between the County of St. Louis and Keller Fence Company to Furnish and Install Chain Link Fencing.--98-631

Agreement No. 74595 between the County of St. Louis, the Duluth, Missabe, and Iron Range Railway Company, and the State of Minnesota Commissioner of Transportation for railroad crossing signals and gates on Main Street (C-SAH 100).--98-632

Project Contract between the County of St. Louis and Sundance Silviculture, Inc., for Conifer Plantation Release - Broadcast Chemical Application.--98-633

Supplemental Labor Agreement between the St. Louis County Board of Commissioners and St. Louis County Employees Association, representing the St. Louis County Civil Service Supervisory Unit Employees, for a flexible work

schedule for the Public Works Department Engineering Division.--98-634

Supply Contract between the County of St. Louis and Edwards Oil, Inc., d/b/a Trimark Industrial for Lubricating Oils & Greases.--98-635

Project Contract between the County of St. Louis and Lipe Brothers Construction, Inc., for Office Remodeling/Upper Shop Building Pike Lake Facilities (Midway Road & Highway 53).--98-636

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 661 through 666, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 4, 1998, are hereby approved.

Adopted September 1, 1998. No. 661

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 11, 1998, are hereby approved.

Adopted September 1, 1998. No. 662

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. 57107, are hereby approved and the

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

343

County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 11,522.82
T22 Cities and Towns	76,759.43
T23 Game and Fish	296,445.38
T27 Refunds	27,526.12
T50 State of Minnesota	228,605.79
T66 Criminal Fines	96,186.63
T72 Home CHDO Program Income	1,887.46
T73 Home Single Family Program, Inc.	946.58
T74 Employer/Employee Deductions	2,341,792.94
T75 Savings Bonds	6,400.00
T77 Cancelled Checks	2,109.50
T87 Assault Fees	1,419.28
T89 District Administrator	1,574.65
T98 Work Study Agency Fund	1,987.22
01 General Fund	1,167,730.44
02 Public Works	1,678,415.59
04 Social Services	7,331,002.96
08 Capital Projects	8,190.00
08A State Aid Road	752,715.55
08B Road and Bridge Building Const.	24,000.00
08Y Hibbing/Virginia Law Enforcement Centers	305,027.46
09 McKinney Homeless Grant	17,651.00
10B Emer. Shelt. 95 Funds	10,524.23
11A Home Grant - All Years	68,866.63

12B CDBG Grant	127,519.80
128 Law Library	12,971.96
129 City/County Comm. Antenna Site	3,128.00
13 St. Louis County HRA	550.00
131 Extension Service	4,134.89
15 Forfeited Tax	96,631.55
16 Forest Resources	41,534.48
26 Solid Waste Authorities	214,574.26
49 Postage/Office Supplies	14,390.64
50 Printing	23,880.26
51 County Garage	33,210.97
52A Property, Casualty, Liability	156,739.54
52B Workers Compensation	285,376.55
52D Medical/Dental Self Insurance	1,843.85
53 Management Information Systems	68,414.24
54 Regional Railroad Authority	43,093.66
55 Telecommunications	42,020.46
64A Jensen Nursing Home	550,181.31

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

344

64B	Nopeming Nursing Home	383,251.82
64F	Community Food Services	61,137.64
64L	Laundry	21,643.12
64S	Supervised Living Facilities	9,661.97
72	No. Counties Land Use Coord. Board	2,511.16
73	Arrowhead Regional Corrections	459,943.25
73B	NERCC Remodeling Project	13,224.50
74	Community Health Services	<u>9,496.04</u>
		\$ 17,140,353.58

Adopted September 1, 1998. No. 663

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted September 1, 1998. No. 664

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 1, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted September 1, 1998. No. 665

RESOLVED, that the application for a license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue the license as follows:

LDJ, Inc., d/b/a Iron Horse, City of Proctor, Tobacco Products License No. T98150.

Adopted September 1, 1998. No. 666

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

345

BY COMMISSIONER SWEENEY:

WHEREAS, Central Lakes Partners of Gilbert made application for preliminary plat approval of property located on Murphy Lake and on June 18, 1998, the Planning Commission, after a public hearing, granted preliminary approval to the plat of Murphy Point Woods; and WHEREAS, a property owner from Murphy Lake appealed the Planning Commission's decision in accordance with the appeal process authorized by the County Subdivision Regulations; and WHEREAS, no additional evidence has been submitted that would justify the reversal of the Planning Commission preliminary approval.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners affirms the June 18, 1998, decision of the Planning Commission in granting preliminary plat approval for Murphy Point Woods plat located in Sections 27, 28, and 34, Township 56 N., Range 17 W. (Unorganized); and

RESOLVED FURTHER, the developer shall provide continued access to property owners presently using the Augusta Lake Road.

RESOLVED FURTHER, that road construction, scheduled for a September 15, 1998, completion, include all necessary erosion controls; and

RESOLVED FURTHER, that final Murphy Point Woods plat approval be brought before the County Board as a regular agenda item and that all adjacent landowners be notified.

Unanimously adopted. September 1, 1998. No. 667

BY COMMISSIONER FINK:

WHEREAS, the St. Louis County Planning Commission on March 12, 1998, granted preliminary plat approval to Crosswater at Lake Vermilion; and

WHEREAS, the final prints have been submitted and they comply with the intent of the Planning Commission approval; and WHEREAS, all appropriate County Departments have reviewed the plat and granted their conditional approval.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final plat approval to Crosswater at Lake Vermilion located in Government Lots 2 and 3, Section 7, Township 63 N., Range 17 W., contingent on submission of all necessary documents and approvals to the Planning Department.

Unanimously adopted. September 1, 1998. No. 668

BY COMMISSIONER RAUKAR:

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

S.A.P. 69-666-05 (C-SAH 66), C.P. 9231, located between T.H. 73 and a point 8.9 km Northeast. Length: 8.9 km (5.53 miles). Project to consist of Surface Reclamation, Aggregate Base, and Bituminous Surfacing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 24, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

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

346

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Hardrives, Inc.

ADDRESS

14475 Quiram Drive
Rogers, MN 55374-9461

AMOUNT

\$665,575.73

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. September 1, 1998. No. 669

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-604-55 (C-SAH 4), C.P. 9210, located between 3.94 km South of C-SAH 108 and C-SAH 108. Length: 3.94 km

(2.45 miles). Project to consist of Surface Reclamation, Subgrade Corrections, Aggregate Base, and Bituminous Surfacing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 24, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Ulland Brothers, Inc.

ADDRESS

P.O. Box 340
Cloquet, MN 55720

AMOUNT

\$429,994.06

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project;

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

347

payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. September 1, 1998. No. 670

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

M.P. 63-1880 (C-SAH 63) located between C-SAH 60 and S.T.H. 169 (Leetonia). Length: 82.689 m (271 ft.). Project to consist of Erosion Control Project in Leetonia Area of Hibbing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 24, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Mesabi Bituminous, Inc.

ADDRESS

P.O. Box 728
Gilbert, MN 55741

AMOUNT

\$25,546.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 02, Dept. A17, Object 528.

Unanimously adopted. September 1, 1998. No. 671

BY COMMISSIONER PREBICH:

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

S.A.P. 69-649-01 (C-SAH 49), C.P. 8120 and M.P. 49-1153 being located between Trunk Highway 53 and a point 78.7 m East of Winkel Lane (Township Road No. 5666). Length: 5.778 km. Project to consist of Grading, Aggregate Base, Plant Mixed Bituminous Surfacing and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 31, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED,

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

348

by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Ulland Brothers, Inc.

ADDRESS

P.O. Box 340
Cloquet, MN 55720

AMOUNT

\$729,081.74

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527, and Fund 02, Department A17, Object 528.

Unanimously adopted. September 1, 1998. No. 672

BY COMMISSIONER KRON:

WHEREAS, Imperial Rubber Industries, Inc., has acquired the rights of Whirl Air Rubber Products, Inc., under the June 1994 lease between St. Louis County and Whirl Air Rubber Products, Inc.; and

WHEREAS, Imperial Rubber Industries, Inc., has requested assignment of the lessee's rights; and

WHEREAS, Imperial Rubber Industries, Inc., has provided documentation to St. Louis County from Whirl Air Rubber Products, Inc., Babbitt Industries, Inc., and Rollins Industries, Inc., assigning their rights in the lease to Imperial Rubber Industries, Inc.; and

WHEREAS, Imperial Rubber Industries, Inc., has tendered to St. Louis County the sum of \$43,000 to cure the noticed defaults in rent at the facility; and

WHEREAS, Imperial Rubber Industries, Inc., has indicated its intent to operate the facility and maintain jobs in the Babbitt area.

NOW, THEREFORE, BE IT RESOLVED, that the lease agreement between St. Louis County as lessor and Whirl Air Rubber Products, Inc., as lessee dated as of June 1, 1994, be assigned to Imperial Rubber Industries, Inc., contingent on the following:

1. Successful negotiation of tendered default payments.

2. Bringing current rent and tax payments on the facility from the noticed default period through the present.

Unanimously adopted. September 1, 1998. No. 673

Upon motion of Commissioner Prebich, supported by Commissioner Fink, Resolutions No. 674 through 704, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted.

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

349

BY COMMISSIONER PREBICH:

RESOLVED, that the County Board of Commissioners hereby establishes a public hearing on September 22, 1998, at 9:40 A.M. in the Government Services Center, Ely, Minnesota, to consider changing the fee for an influenza immunization from \$5.00 to \$7.00.

Adopted September 1, 1998. No. 674

RESOLVED, that the County Board of Commissioners authorizes the Board Chairperson, Health Director, and the County Auditor to apply for the Minnesota Healthy Beginnings Grant for \$105,000 each year for 1999 and 2000, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 220, for the period January 1, 1999, to December 31, 2000. Adopted September 1, 1998. No. 675

RESOLVED, that the County Board of Commissioners authorizes the Board Chairperson, Health Director, and the County Auditor to apply for the Services for Chemically Dependent Pregnant Women Grant with the Minnesota Department of Human Services beginning October 1, 1998, until June 30, 1999. Adopted September 1, 1998. No. 676

RESOLVED, that the County Board authorizes the Chairperson of the County Board, County Auditor, and the Health Director to enter into an amended contract with the Duluth Community Health Center to provide HIV counseling and testing which will extend the contract period through December 31, 1998.

RESOLVED FURTHER, that the 1998 revenue/expenditure budget (Fund 01, Agency 220, Org. 224) is hereby amended by \$1,350.

Adopted September 1, 1998. No. 677

RESOLVED, that the Board authorizes the Social Services Department to:

(1) Accept \$57,000 in Federal grant funding for the WINGS Project from the Housing and Redevelopment Authority of Virginia, Minnesota, for continuing intensive family-based services provided by a social worker in northern St. Louis County for chemically dependent women with children for the period of May 1, 1998, through April 30, 2001, such funds to be deposited into Fund 04, Agency SSV, Revenue Source 9199;

(2) Furnish an in-kind match costing \$33,879 consisting of continuing intensive family-based services provided by a social services specialist, supervisory time, and other administrative time as required by the grant;

(3) Increase budgeted expenditures in Fund 04, Agency SSV, Organization 6600, Object Code 408 (Books), by \$900 per year and Object Code 243 (Registration Fees) by \$650 per year in the 1998 budget. Adopted September 1, 1998. No. 678

RESOLVED, that the St. Louis County Board authorizes the Social Services Department to complete the DHS Acceptance of Award form to receive a grant from the Department of Human

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

350

Services in the amount of \$10,000 to increase the capacity of the respite care system for eligible children with disabilities within the Duluth-Hermantown IEIC area, and to document project information and develop training materials can be made available to IEICs county-wide.

RESOLVED FURTHER, that the budgeted revenue and expenditures in Fund 04, Agency SSV, Organization 2600, be increased by \$10,000.

Budget Reference:

Fund 04

Agency SSV

Org. 2600

Brass 1980

Adopted September 1, 1998. No. 679

RESOLVED, that the St. Louis County Board of Commissioners approves an amendment to Purchase of Service Contract No. 12262 with the Fond du Lac Foster Care Licensing and Placement Agency to add respite foster care service, at the rates listed below, effective from May 22, 1998, to December 31, 1998:

Respite Foster Care Service

\$27.00 per day

Licensing and Resource Development

\$15.67 per day

Budget Reference:

Fund 04 Social Service

Agency SSV Social Services

Organization 3100 SFC Supervisory

Revenue Sources 9102 Title IV-E Cost of

Care, 9301 CSSA Block Grant & 0020 Local Taxes

Expense Objects 1810 Child Foster Care & 1980 Licensing/Resource Development Adopted September 1, 1998. No. 680

WHEREAS, the citizens of St. Louis County take great pride in the County's natural beauty and support a clean and safe environment; and

WHEREAS, pollution prevention, also known as source reduction, is a progressive approach that eliminates or reduces pollution at its source; and

WHEREAS, pollution prevention is the most environmentally sound method of protecting our natural resources; and

WHEREAS, pollution prevention can increase industrial and resource efficiency, save participating organizations time and money, and also create a more sustainable economy; and

WHEREAS, pollution prevention measures can improve environmental conditions and the health and safety of workers in the workplace while increasing commercial competitiveness; and

WHEREAS, through increased use of pollution prevention, St. Louis County can meet the challenges of having ecologically healthy communities and a vigorous business environment for its citizens; and WHEREAS, Pollution Prevention Week will be observed the week of September 21 through 27, 1998, by governments and other organizations throughout the nation and this recognition is an opportunity for government to work together with business, industry, environmental groups,

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

351

community organizations, and citizens for a prosperous and sustainable future; and WHEREAS, Governor Arne Carlson has proclaimed September 21 through 27, 1998, to be Minnesota Pollution Prevention Week; and

WHEREAS, the St. Louis County employees' waste reduction team is developing waste reduction awareness events to correspond with Pollution Prevention Week;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board affirms, supports, and encourages the practice of pollution prevention by declaring the week of September 21 through 27, 1998, "Pollution Prevention Week in St. Louis County".

Adopted September 1, 1998. No. 681

WHEREAS, Minnesota Statutes 282.341 allows for the reinstatement of a repurchase contract after a default; and WHEREAS, this property was declared in default and the repurchase contract was canceled by County Board Resolution No. 30, dated April 23, 1996.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to reinstate repurchase contract number C22890378 upon receipt of payment for all charges that should have been paid at the date of reinstatement or payment in full.

Adopted September 1, 1998. No. 682

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, has viewed and desires to offer for sale, as recommended by the

Land Commissioner, the following tax forfeit parcel:

Town of Pequaywan, That part of the SE 1/4 of the SE 1/4 lying West of the centerline of new Highway No. 44, except, Section 18, Township 54, Range 12;

BE IT RESOLVED, that said parcel, identified in County Board File No. 57116, is hereby classified as non-conservation land under Minnesota Statute, Section 282.01, and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted September 1, 1998. No. 683

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota

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

352

for non-payment of taxes; and WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and THEREFORE, BE IT RESOLVED, that said parcels, identified in County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law on Tuesday, October 13, 1998, at 11:00 A.M. at the Miners Memorial Building, Virginia, Minnesota. Adopted September 1, 1998. No. 684

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent right-of-way easement to the City of Duluth for utility purposes on the following tax forfeited land:

London Addition to Duluth: Southerly Twenty-Five (25) feet of Lot Eleven (11), Block One Hundred Eleven (111);

for the consideration of \$1,475.00 land use fee, \$50 administration cost, \$6 publication cost, and \$19.50 recording fee, for a total cost of \$1,550.00. Adopted September 1, 1998. No. 685

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a temporary right-of-way easement to the City of

Duluth for utility construction purposes on the following tax forfeited land:

Addition to Duluth: Northerly Sixteen (16) feet of the Southerly Forty-One (41) feet, Lot Eleven (11), Block One Hundred Eleven (111).

Adopted September 1, 1998. No. 686

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

City of Ely, W 1/2 - SE 1/4, Section 2, Township 62, Range 12, Parcel No. 465-0010-00270. Minimum bid \$29,540.00 plus fees.

City of Ely, NE 1/4 - SW 1/4, Section 26, Township 63, Range 12, Parcel No. 030-0500-00071. Minimum bid \$15,972.00 plus fees.

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57164, are approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the

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

353

parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted September 1, 1998. No. 687

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57239, are approved.

Adopted September 1, 1998. No. 688

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116 which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby

authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted September 1, 1998. No. 689

WHEREAS, the St. Louis County Public Works Department plans to reconstruct, widen, and improve a segment of County Road No. 284 (S.A.P. 69-600-18); and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Public Works

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

354

Department (Fund 2, Agency A17, Object 375).

Adopted September 1, 1998. No. 690

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract with Bulk Storage, Inc., of Beecher, IL, in accordance with the plans and specifications of Bid No. 3822, for Construction of Two (2) Dome Type, Self Supporting, Salt Storage Buildings at their low bid price of \$87,500 each for a total of \$175,000, payable from: Fund 08B Road and Bridge Bldg. Const., Agency 600 Road & Bridge Bldg. Const., Object 611 Building Const.

Adopted September 1, 1998. No. 691

RESOLVED, that the Purchasing Agent is hereby authorized to purchase in accordance with the specifications of Bid No. 3807, Two (2) New 1999 Chevrolet CC10753, Heavy 1/2 Ton Extended Cab Two Wheel Drive Pickup Trucks from Eggebrecht Chevrolet at their low specification bid price of \$37,724.00, plus the 6.5 percent state sales tax of \$2,452.06, for a total of \$40,176.06, payable from: Fund 02 Public Works, Agency A14 Equipment & Maintenance, Object 662 Pickups - Vans.

Adopted September 1, 1998. No. 692

RESOLVED, that the Purchasing Agent is hereby authorized to purchase in accordance with the specifications of Bid No. 3806, One (1) New 1999 Chevrolet CC31403, 15,000 GVW Cab & Chassis with Dump Body and Backpack, and One

(1) New 1999 Chevrolet CK31403, 11,000 GVW Cab & Chassis with Dump Body and Backpack from Eggebrecht Chevrolet at their low specification bid price of \$59,507.00, plus the 6.5 percent state sales tax of \$3,867.96, for a total of \$63,374.96, payable from: Fund 02 Public Works, Agency A14 Equipment & Maintenance, Object 662 Pickups - Vans. Adopted September 1, 1998. No. 693

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Cook Timberwolves Snowmobile Club to operate out of the Country Supper Club, Beatty Township, New.

Adopted September 1, 1998. No. 694

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - Ronald Garson, \$410.98;

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

355

Gary Koski, \$482.82; James Kuklis, \$1,437.14; Paul Neari, \$245.08; James Parsons, \$50.98; Bill Pollard, \$78.52; Louis Stockman, \$1,066.42; Sunset Creek, Inc., \$1,098.84; Glenn Tverberg, \$899.28; Peter Zierman, \$60.10.

Personal Property - Jeffrey Achman, \$369.48; Biwabik Lodge No. 293, \$92.10; Cory Carlson, \$98.60; Frances Caster, \$235.26; Lori Erjavec, \$29.90; Jason Fast, \$236.12; Kevin Graves, \$153.22; Sharon Hammerlund, \$100.44; Larry Reisinger, \$58.10.

Adopted September 1, 1998. No. 695

RESOLVED, that St. Louis County Board Resolution No. 593, adopted August 4, 1998, is hereby amended to reflect the following change in election judge appointments:

UNORGANIZED60-18(UNORGANIZED PRECINCT #15)

Delete: Ronald Henry Jarvinen as judge.

Insert: Jean Roivanen, 7564 Hwy. #53, Britt, MN 55710

Adopted September 1, 1998. No. 696

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on August 10, 1998, the proposed specification for Manager of Telecommunications and Networks is adopted and placed in the Civil Service Supervisory Unit at Grade 27, effective September 8, 1998.

Adopted September 1, 1998. No. 697

RESOLVED, that Purchase of Service

Contracts with the Glen Mills Schools are approved retroactively, as follows:

(1) For the period March 2, 1998, through June 30, 1998, at a per diem rate of \$106.51; and

(2) For the period July 1, 1998, through June 30, 1999, at a per diem rate of \$110.

Budget Reference:

Fund 04 Social Service

Agency SSV Social Services

Expense Objects 1390 Educational Assistance & 1850 Correctional Facilities Child

Revenue Sources 9102 Title IV-E Cost of Care & 0020 Local Taxes - Current

Adopted September 1, 1998. No. 698

WHEREAS, John Abramowski made application to rezone his 80 acres of land located in the Town of Stoney Brook; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the rezoning on August 13, 1998; and

WHEREAS, the Planning Commission determined that the criteria set forth in the County Zoning Ordinance for rezoning have been met by the applicant.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby rezones the S 1/2 of SE 1/4, Section 29, Township 50 N., Range 18 W., (Stoney Brook) from FAM-1 to RES-4; and

RESOLVED FURTHER, the Staff Report to the Planning Commission shall be placed in Board File No. 57240 and said report shall serve as the findings for this

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

356

rezoning.

Adopted September 1, 1998. No. 699

WHEREAS, the Boulder Lake Management Area provides a significant educational and recreational opportunity in a natural resource scenario; and

WHEREAS, St. Louis County tax forfeited lands constitute a significant proportion of the land base in the Boulder Lake area; and
WHEREAS, the County Board of Commissioners of the County of St. Louis, has determined that such public education and recreational opportunity is worthy of support;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners enters into partnership in the Boulder Lake Management Area on behalf of St. Louis County; and further, that the Board authorizes the expenditure of \$8,704.00 from Fund 16, F21, as payment of St. Louis County's share of Boulder Lake Management Area operating expenses.

Adopted September 1, 1998. No. 700

WHEREAS, Minnesota's Lake Superior Coastal Program / Draft Environmental Impact Statement has been prepared to assess the environmental impact of policies and actions taken affecting natural resources in St. Louis County and the rest of the Lake Superior Basin; and

WHEREAS, the Minnesota's Lake Superior Coastal Program / Draft Environmental Impact Statement was received by members of the St. Louis County Board after August 25, 1998; and

WHEREAS, the St. Louis County Board has not had adequate time for review and analysis of the statement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners goes on record objecting to the short time period available for review of the plan.

Adopted September 1, 1998. No. 701

WHEREAS, a grant application will be submitted to the Minnesota Department of Veterans Affairs in the amount of \$8,000 for the Veterans Service Office Operational Improvement Project;

BE IT RESOLVED, that the St. Louis County Veterans Service Officer, is herewith authorized to act as a legal sponsor for the project contained in the grant application submitted by the Veterans Service Officer, and that the Veterans Service Officer is hereby authorized to receive grant funds from the Minnesota Department of Veterans Affairs for funding of this project on behalf of St. Louis County.

BE IT FURTHER RESOLVED, that the Veterans Service Officer has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project.

BE IT FURTHER RESOLVED, that St. Louis County has not violated any Federal, State or Local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practices.

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

357

Adopted September 1, 1998. No. 702

(Seal of the County Auditor)

RESOLVED, that the 1998/1999 Civil Service Confidential Bargaining Agreement, a copy of which is on file in Contract File No. 98-586, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Adopted September 1, 1998. No. 703

RESOLVED, that the classification and compensation plans for clerical positions in the Health Care Facilities Bargaining Unit (Office Assistant; Information Specialist I, II, III, and Health Information Coordinator), and Civil Service Supervisory Bargaining Unit (Information Specialist Supervisor and Legal Secretary Supervisor), copies of which are on file in County Board File No. 57241, are hereby approved.

Adopted September 1, 1998. No. 704

At 12:40 P.M. on Tuesday, September 1, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

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

345

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
SEPTEMBER 8, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of September, 1998, at 9:38 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 5. Absent: Commissioners Dennis Fink and Marilyn A. Krueger - 2.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

Commissioner Sweeney, supported by Commissioner Prebich, moved to suspend the rules to consider amending Resolution No. 701, passed on September 1, 1998, to request a ninety-day extension to submit written comments concerning the Lake Superior Coastal Program/Draft Environmental Impact Statement; five yeas - zero nays. After some discussion, Commissioner Kron, supported by Commissioner Sweeney, moved to amend Resolution No. 701 to request a thirty-day extension; five yeas - zero nays. Resolution No. 710.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Shelly Eldridge, Financial Advisor, Ehlers and Associates, Inc., regarding the City of Mountain Iron and the Mountain Iron Housing and Redevelopment Authority's proposed adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 10 within Redevelopment Project No. 1.--57244

Supply Contract between the County of St. Louis and Cutler-Magner Company for Road Salt - Ice Control.--98-637

Diane K. Neumann, Realty Support - North Team, Minnesota Department of Natural Resources, regarding Amendment for Lease No. 144-016-0851 (International Wolf Center).--98-638

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 705 through 709, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:
RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

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

346

Adopted September 8, 1998. No. 705

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 8, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted September 8, 1998. No. 706

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 1999: Kathryn/Brian VandeNest, d/b/a Floodwood Lake Resort, Cedar Valley Township, On/Off-Sale 3.2 Percent Malt

Liquor License No. B9963.

Adopted September 8, 1998. No. 707

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

Kathryn/Brian VandeNest, d/b/a Floodwood Lake Resort, Cedar Valley Township, Permit No. S995.

Adopted September 8, 1998. No. 708

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Marie Kreegier, d/b/a The Homestead Restaurant, Clinton Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of September 12 & 13, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111.

RESOLVED FURTHER, that said authorization is granted contingent upon the licenseholder posting "No Parking" signs printed in four-inch or larger black letters on white background, a minimum of four feet above the ground, every 50 feet for 500 feet of the road, North on C-SAH 7 and West on C-SAH 16, at the licenseholder's expense and that the signs are to be removed after the event.

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

347

Adopted September 8, 1998. No. 709

Upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 710 which was not on the agenda.

BY COMMISSIONER SWEENEY:

WHEREAS, Minnesota's Lake Superior Coastal Program / Draft Environmental Im-pact Statement has been prepared to assess the environmental impact of policies and actions taken affecting natural resources in St. Louis County and the rest of the Lake Superior Basin; and

WHEREAS, the Minnesota's Lake Superior Coastal Program / Draft Environmental Im-pact Statement was received by members of the St. Louis County Board after August 25, 1998; and WHEREAS, the St. Louis County Board has not had adequate time for review and analysis of the statement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commis-sioners goes on record objecting to the short time period available for review of the plan.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners requests an extension of thirty days to submit written comments.

Unanimously adopted. September 8, 1998. No. 710

At 9:43 A.M. on Tuesday, September 8, 1998, upon motion of Commissioner Prebich, supported by Commissioner Raukar, the Board of County Commis-sioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
SEPTEMBER 15, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 15th day of September, 1998, at 9:36 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

At 9:37 A.M. a public hearing was convened, pursuant to Resolution No. 635, adopted August 11, 1998, to consider the petitioned name change request for Mud

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

348

Lake (Lake Number 69-630) located in Section 13, Township 54 North, Range 17 West, to the proposed name of "Golden Pond". The following persons addressed the issue:

Mark Johnson, Planning, detailed the process to change names of lakes.

Jim Lunda, Supervisor, Town of Cotton, expressed his and the Town of Cotton's support for the name change.

Larry Ringhofer, Town of Cotton and Mud Lake resident, explained how the idea for a change came about and, with good humor, urged the board to adopt the name change.

Glen Yakel, DNR Supervisor, told the Board that the DNR supports the name change.

At 9:45 A.M., Commissioner Prebich, supported by Commissioner Kron, moved to close the hearing (seven yeas - zero nays); Commissioner Prebich, supported by Commissioner Sweeney, moved to approve the name change (seven yeas - zero nays); Resolution No. 725.

At 9:46 A.M., pursuant to Resolution No. 629, adopted August 11, 1998, bids were received for the sale of the following described parcel of County fee property: The Westerly Four Hundred Sixty Eight and 6/10 feet (468.60) of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Twenty-Six

(26), Township Fifty-Two (52) North, of Range Twenty (20) West, excepting the Westerly Thirty-Three (33) feet thereof, containing 13.20 acres more or less. Bidding began at the minimum appraised price of \$1,300 and ended with a high bid of \$10,100 by Dale Rauvola, Floodwood, MN. Commissioner Sweeney, supported by Commissioner Kron, moved to accept the bid and approve the sale of the County fee land to Dale Rauvola; seven yeas - zero nays. Resolution No. 726.

Commissioner Prebich, supported by Commissioner Sweeney, moved to adopt the preliminary 1999 budget and certification of maximum property tax levies. Julie Brunner, County Administrator, gave a brief presentation and thanked staff and departments for the hard work in preparing the preliminary budget. Ms. Brunner also suggested that the Board begin exploring a biennial budget process to save time. The preliminary budget sets a maximum property tax levy increase of 3.65 percent. After some discussion, ranging from finding additional cuts to developing an easier way to understand the budget, the proposed budget was approved (six yeas - one nay, Commissioner Krueger); Resolution No. 727.

Commissioner Prebich, supported by Commissioner Raukar, moved to authorize a Joint Powers Agreement establishing PART-NERS - Local Governments with Youth. Alan Mitchell, County Attorney, told the Board that his office had reviewed the agreement and it was appropriate.

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

349

The agreement was then approved (seven yeas - zero nays); Resolution No. 728.

Commissioner Raukar, supported by Commissioner Krueger, moved to approve the award of highway bid for S.P. 69-632-20 (C-SAH 32) and S.P. 69-690-14 (C-SAH 90) to Wagner Construction, International Falls, on their low bid of \$2,967,235.50; seven yeas - zero nays. Resolution No. 730.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the award of highway bid for M.P. 3497 (crack sealing for various highways) to Daffinson Asphalt Maintenance, Green Bay, WI, on their bid of \$246,987.01. Commissioner Raukar also requested that Public Works submit a memo to the Board delineating where the crack sealing occurs; seven yeas - zero nays. Resolution No. 729.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Permanent Roadway Easement between the State of Minnesota, through its Office of the Commissioner of Iron Range Resources and Rehabilitation, and the County of St. Louis across portions of land lying near C-SAH 138.--57245

Carver Richards, Trenti Law Firm, submitting Summons and Complaint, Plaintiff's Interrogatories to Defendants, Demand for Production of Documents, and Notice of Taking Deposition in the matter of Frank Marinaro versus Todd Lee Nelson and St.

Louis County.--57246

B. D. Lesar, Mine Inspector of St. Louis County, submitting Investigation and Acci-dent Report for the David A. Pulis fatality which occurred on August 23, 1998.--57247

Operating and Capital Budget for 1999 for St. Louis County.--57248-D

Richard A. Nelson, Minnesota Power, Facility Operations, relative to Minnesota Power's property zoning classification and consent request.--57249

Purchase of Service Agreement between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for Food Stamp Employment and Training Services (FSET).--98-639ss

Cooperative Agreement under Title IV-D with the Office of Administrative Hearings and the Department of Human Services, State of Minnesota, and St. Louis County.--98-640ss

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for rental rehabilitation program.--98-641

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 711 through 724, as submitted to this Board on the Consent Agenda were

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

350

unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T21 Beer License	\$ 10.00
T23 Game and Fish	6,934.50
T27 Refunds	4,596.55
T50 State of Minnesota	3,387.00
T74 Employer/Employee Deductions	75,940.04
T75 Savings Bonds	6,850.00
T77 Cancelled Checks	136.89
T89 District Administrator	766.33

T98 Work Study Agency Fund	1,192.90
01 General Fund	708,939.82
02 Public Works	881,618.02
04 Social Services	1,793,716.07
08 Capital Projects	18,284.79
08A State Aid Road	359,699.86
09 McKinney Homeless Grant	8,253.00
11A Home Grant - All Years	151,380.49
12B CDBG Grant	258,081.31
127 Enhanced 9-1-1 Fund	16,362.39
129 City/County Comm. Antenna Site	196.36
13 St. Louis County HRA	432.37
131 Extension Service	11,773.78
15 Forfeited Tax	49,581.13
16 Forest Resources	15,784.75
26 Solid Waste Authorities	107,642.90
49 Postage/Office Supplies	15,057.51
50 Printing	1,311.15
51 County Garage	33,287.16
52A Property, Casualty, Liability	3,005.85
52B Workers Compensation	101,918.71
52D Medical/Dental Self Insurance	7.29
53 Management Information Systems	135,966.45
54 Regional Railroad Authority	54,286.36
55 Telecommunications	58,696.46

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

64A	Jensen Nursing Home	186,538.22
64B	Nopeming Nursing Home	125,825.62
64F	Community Food Services	8,496.73
64L	Laundry	18,832.03
64S	Supervised Living Facilities	4,570.66
73	Arrowhead Regional Corrections	222,144.45
74	Community Health Services	72,229.23
90	Range Maintenance Facility	<u>32,641.20</u>
		\$ 5,556,376.33

Adopted September 15, 1998. No. 711

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the County Board, Health Director, and County Auditor to revise the 1998 Immunization Action Plan budget to the amount of \$50,900.31, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 254; and

RESOLVED FURTHER, to amend the 1998 revenue/expenditure budget.

Adopted September 15, 1998. No. 712

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, the following tax forfeit parcel:

City of Ely, Undivided 1/4 interest and 983/2000 in NW 1/4 - SE 1/4 except Railway Right-of-Way of surface Zenith

Mine, Section 27, Township 63, Range 12. Minimum bid \$28,490.00 plus fees,

and has been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

BE IT RESOLVED, that said parcel, on file in the office of the County Auditor, identified in County Board File No. 57164, is hereby classified as non-conservation land under Minnesota Statutes, Section 282.01, and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted September 15, 1998. No. 713

BE IT THEREFORE RESOLVED, that St. Louis County does accept the roadway easement granted by the I.R.R.R.B. along County State Aid Highway 138 according to the roadway easement document, copy on file in County Board File No. 57245, and incorporated herein.

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

352

Adopted September 15, 1998. No. 714

RESOLVED, that the Purchasing Agent and the Public Works Director are hereby authorized to negotiate an agreement with RLK Kuusisto, LTD, Duluth, for engineering services related to the design of the Fourth Street Bridge (County No. 915) Railing (C.P. 1562) on C-SAH 9, for a fee not to exceed \$15,000.00, payable from Fund 02 (Public Works), Agency A11 (Administration and Engineering), Object 266 (Engineering), Org. 0008.

Adopted September 15, 1998. No. 715

RESOLVED, that a public hearing will be held on Tuesday, October 6, 1998, at 9:35 A.M. to determine whether the alleged violations, as stated below, occurred and determine the penalty to be imposed should it be proven that the violations did occur. Alleged violations are against Allied Properties, Inc., d/b/a Prime Time Steak House, Rice Lake Township, and are as follows:

Minnesota Statute 340A, Section 340A.504, Hours and Days of Sale.

Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for consumption on the premises may be made:

(1) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday.

St. Louis County Ordinance No. 28, Section 11 - Hours, Days and Location of Sales.

Subd. 11.02. **Intoxicating Liquor; On-Sale.** No sale of intoxicating liquor for consumption on the premises may be made:

(1) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday.

Subd. 11.04, **General Provisions.** On any licensed premises, no sale of liquor shall occur after the time required by law to cease sales of liquor. No licensee or his agent shall allow another person to consume liquor on a licensed premises from the period twenty (20) minutes after the sales are to be ceased by law;

Subd. 11.05. **Patrons in Licensed Premises.** No licensee or his agent shall allow patrons to remain in the licensed premises beyond the period twenty (20) minutes after sales are to be ceased by law. Adopted September 15, 1998. No. 716

RESOLVED, that St. Louis County Board Resolution No. 593, adopted August 4, 1998, is hereby amended to reflect the following changes in election judge/clerk appointments:

Unorganized 69-21 (Unorganized Precinct 18)

Delete: Richard Brown, Judge, 10568 Gamma Rd., Ray, MN 56669

Insert: Jan Budris, Judge, 9843 Gappa Rd., Ray, MN 56669

Unorganized 64-21, 65-21, and 66-21 (Unorganized Precinct 19)

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

353

Delete: Mildred Holmes, Clerk, P.O.
Box 149, Nett Lake, MN 55772
Angela Geshick, Judge, P.O.Box
146, Nett Lake, MN 55772

Nadine Strong, Judge,
Angora, MN 55703

Insert: Audrey Knott, Judge, 13052
Pike View Road, Nett Lake, MN
55772

RESOLVED FURTHER, that Sharon Wagner, previously listed as an election judge, be designated as Clerk for Unorganized 64-21, 65-21, and 66-21 (Unorganized Precinct 19).

Adopted September 15, 1998. No. 717

RESOLVED, that the County Board of Commissioners authorizes the Chair, Health Director, and County Auditor to sign an agreement with Raymone Kral L.P. for mental health consultation and training services for Nopeming Nursing Home for the period of three (3) years, beginning September 1, 1998, and ending August 30, 2001.

RESOLVED FURTHER, that training services approved by the Administrator at the rate of \$100 per hour not to exceed \$800 per year be payable from Fund 64B (Nopeming), Agency N72, Org. 5100, Object 299.

Adopted September 15, 1998. No. 718

WHEREAS, St. Louis County is the owner of property located within 100 feet of Minnesota Power land located at 3215 Arrow-head Road, within the City of Duluth; and

WHEREAS, Minnesota Power desires to rezone their property from Residential/Suburban to Industrial-Technology; and

WHEREAS, the City of Duluth Zoning Ordinance requires a petitioning land owner to obtain a valid "consent petition"

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

354

with signatures of property owners lying within 100 feet of the area requested for rezoning, in order for the process to proceed to a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Administrator to sign the consent petition relative to the rezoning of Minnesota Power property located in the vicinity of 3215 Arrowhead Road from Residential/Suburban to I-T Industrial Technology; and

RESOLVED FURTHER, that the Board of Commissioners in this action is not making any statement regarding the merits of the rezoning, but is supporting the process to continue the public hearing by the City of Duluth.

Adopted September 15, 1998. No. 719

WHEREAS, on October 28, 1997, the Board of Commissioners authorized the Solid Waste Department to enter into a two-year contract with Northern Minnesota Recycling (NMR) for the transportation, processing, and marketing of recyclable materials; and

WHEREAS, the cost of this contract was estimated to be \$224,140 which included credits from the sale of the materials processed; and

WHEREAS, markets for recyclable materials have been depressed, significantly reducing the amounts credited to the recycling program; and

WHEREAS, the Solid Waste Department intends to stockpile some recycled materials, delaying the time when revenue

will be received for those materials; and WHEREAS, the Purchase Order for this contract requires an additional \$184,000 to ensure adequate funding for the remainder of 1998.

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to add \$184,000 to Purchase Order SWV1379 for the transportation, processing, and marketing of recyclable materials payable from Fund 26, Agency J-34 Recycling.

Adopted September 15, 1998. No. 720

WHEREAS, the St. Louis County Board is authorized to act on behalf of Unorganized Townships for purposes of furnishing fire protection services, pursuant to Minnesota Statutes, Section 365.43; and

WHEREAS, the following legally organized corporations under the State of Minnesota have contracted with St. Louis County to provide fire protection in said townships for the year 1999;

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is hereby authorized to spread said local levies for the furnishing of fire protection in unorganized townships:

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

355

City of Babbitt

Unorganized Townships
61-12 and 61-13 \$25,200.00

City of Bearville

Unorganized Township 62-21 \$2,877.00

City of Chisholm

Unorganized Township 59-21\$10,500.00

City of Cook

Unorganized Township 62-17 \$1,050.00
Unorganized Township 63-17 \$4,725.00

City of Ely

Unorganized Township 64-12 \$758.10
Unorganized Township 64-13 \$1,253.70

City of Floodwood

Unorganized Township 52-21 \$8,007.30

City of Orr

Unorganized Township 63-19 \$2,278.50
Unorganized Township 66-20 \$5,533.50

Central Lakes

Unorganized Township 56-17\$21,000.00

Colvin

Unorganized Township 55-15 \$8,898.75

Crane Lake

Unorganized Townships 67-16,
67-17, 68-16, and 68-17 \$22,575.00

Evergreen

Unorganized Townships 60-19
and 60-20
 \$12,600.00

French

Unorganized Township 59-21 \$525.00

Gnesen

Unorganized Township 53-15 \$6,300.00

Lake Kabetogama

Unorganized Township 69-21\$33,600.00

Lakeland

Unorganized Township 57-16\$47,670.00

Makinen

Unorganized Township 56-16\$31,500.00

Northland

Unorganized Township 53-16 \$9,975.00

Pequaywan Lake

Unorganized Township 54-13 \$2,100.00

Pike-Sandy-Britt Region

Unorganized Township 59-16 \$1,164.18
Unorganized Township 60-18\$12,077.29
Unorganized Township 59-18 \$182.08

Silica

Unorganized Township 55-21\$23,100.00
Adopted September 15, 1998. No. 721

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes the County to pool unorganized town road levies levied pursuant to Minnesota Statutes 163.06; THEREFORE RESOLVED, that the County Board, acting on behalf of unorganized townships, for the purpose of furnishing road maintenance, will adopt and certify an additional maximum levy of \$200,000 for the year 1999 to be levied

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

356

only in such unorganized townships.

Adopted September 15, 1998. No. 722

RESOLVED, that the County Board approves the concept of the Public Works joint facility with MnDOT in the Duluth area, in order to facilitate further review and consideration.

RESOLVED FURTHER, that the County Board authorizes the Public Works Director to enter into an agreement with Melander, Melander & Schilling to provide preliminary planning and programming services related to the possible joint use facility with the Minnesota Department of Transportation in the Duluth area and bring back a proposal for the County Board to consider during the final quarter of 1998 at a cost not to exceed \$8,500, payable from Fund 02, Agency A11, Org. 0008, Object 299.

Adopted September 15, 1998. No. 723

WHEREAS, the H.R.A. must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 15th;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby certifies the H.R.A. maximum property tax levy for 1999 in the amount of \$162,366. This levy amount reflects the proposed property tax levy after the deduction of the H.R.A.'s 1999 certified HACA of \$12,634.

Adopted September 15, 1998. No. 724

BY COMMISSIONER PREBICH:

WHEREAS, a Petition has been filed with

the St. Louis County Auditor seeking to change the name of Mud Lake (Lake Number 69-630) located within Section 13, Township 54N., Range 17W. (Town of Cotton), to Golden Pond; and

WHEREAS, notice of a public hearing to be held on September 15, 1998, has been sent to the Cotton Town Board, Commissioner of Natural Resources and has been published for three consecutive weeks in the official newspaper of St. Louis County "Duluth News Tribune"; and WHEREAS, the Minnesota Commissioner of Natural Resources, as per Minnesota Statute 83.A.02 shall, in cooperation with County Boards and with their approval, change the names of lakes including the elimination of duplicate names, Mud Lake is a common lake name in use throughout Minnesota and within St. Louis County, while Golden Pond is a unique name.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the name change of Mud Lake (Lake Number 69-630) located within the Town of Cotton, St. Louis County, to Golden Pond; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners recommends that the Commissioner of Natural

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

357

Resources also approve said name change, and upon receiving written approval said name change is hereby ordered.

Unanimously adopted. September 15, 1998. No. 725

BY COMMISSIONER SWEENEY:

WHEREAS, the County Board, at the August 11, 1998, meeting, adopted Resolution No. 629, setting the date of September 15, 1998, in the Courthouse in Duluth, Minnesota, as the time for receiving and considering proposals for the sale of County fee property described as follows:

The Westerly Four Hundred Sixty Eight and 6/10 (468.60) feet of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section Twenty-Six (26), Township Fifty-Two (52), of Range Twenty (20) West, excepting the Westerly Thirty-Three (33) feet thereof, containing 13.20 acres more or less.

WHEREAS, the highest bid received for the property was from Dale E. Rauvola, Floodwood, MN, for \$10,100, which was higher than the minimum appraised value of \$1,300, and in the judgment of the Board it is in the best interest of St. Louis County and its citizens to sell said property;

RESOLVED, that the bid of Dale E. Rauvola, 6285 Hingeley, Floodwood, MN 55736, to purchase the above described property for the sum of \$10,100 plus costs, is accepted.

RESOLVED FURTHER, that the Chair of the Board and the County Auditor are

hereby authorized to execute and deliver a quit-claim deed in form to be prepared by the County Attorney conveying said above described parcel to Dale E. Rauvola upon payment of the purchase price.

Unanimously adopted. September 15, 1998. No. 726

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

358

BY COMMISSIONER PREBICH:

PRELIMINARY 1999 BUDGET

WHEREAS, Minnesota State Statutes, Section 275.07, pertaining to Truth-in-Taxation, requires that St. Louis County certify to the County Auditor a maximum proposed property tax levy for 1999 on or before September 15, 1998.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners adopts the preliminary 1999 Operating and Capital Budget and 1998 Revised Budget as presented at the September 15, 1998, Board meeting and certifies a maximum proposed County-wide property tax levy for 1999 of \$65,830,322 to the St. Louis County Auditor.

RESOLVED FURTHER, that such maximum proposed property tax levy includes the following:

A. County-wide Levy

\$64,325,459

Regional Levy

1,504,863

1) Arrowhead Regional Library Levy
\$354,261

2) Solid Waste Regional Debt Service Levy
a. County-wide/except WLSSD
837,906

b. County-wide/except WLSSD
Hibbing and East Mesaba
Service Areas

312,696

TOTAL PROPERTY TAX LEVY

\$65,830,322

B. Levy subject to Levy Limitation

\$62,457,867

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

Special Levy - Bonded Indebtedness

3,372,455

TOTAL PROPERTY TAX LEVY

\$65,830,322

BUDGET BY FUND AND MEANS OF FINANCING INCLUDING
PROPERTY TAX LEVIES:

COUNTY WIDE

		MEANS OF FINANCING	
FUND	PRELIM-	OTHER	I N A R Y
SOURCES	PROPOSED	WORKING	PROPERTY
FUND	OF TOTAL	CAPITAL	TAXLEVY
	BUDGET	FINANCING	
	REVENUE		
GENERAL			

General

Fund 01	\$58,791,241	\$3,255,562	\$27,994,454
	\$27,541,225	58,791,241	

Capital Project

Fund 08	400,000	0	322,793
	77,207	400,000	

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

360

PUBLIC WORKS

Public Works

Fund 02	29,983,768	0	14,143,548
	16,113,073	30,256,621	

Road & Bridge

Constr.

Fund 08A	13,907,860	0	0
	13,907,860	13,907,860	

Bldg. Constr.-

Improve-

ments Fund

08B	508,179	170,034	300,326
	37,819	508,179	

SOCIAL SERVICES

Social Services

Fund 4	66,440,649	0	19,342,485
	47,098,164	66,440,649	

DEBT

Babbitt Facility

Fund 34	112,700	112,700	0
	0	112,700	

Correctional

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

Facilities

FD37H	1,443,893	0	1,516,087
	0	1,516,087	

95 AJC Con-

struction	130,117	0	136,622
	0	136,622	

Fund 37J

97 Law Enforcement

Facilities -

Fund 37K	511,543	55,000	482,120
	0	537,120	

97-Hibbing

Public Works

Facility -

Fund 37L	87,024	0	87,024
	0	87,024	

MISCELLANEOUS

Enterprise

Funds	29,702,981	2,830,179	0
	26,301,936	29,132,115	

Other

Funds	9,869,001	0	0
	10,572,144	10,572,144	

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

362

Internal Service

Funds	<u>28,590,577</u>	<u>843,918</u>	<u> 0</u>
	<u>27,585,563</u>	<u>28,429,481</u>	

TOTAL

COUNTY

WIDE	240,479,533	7,267,393	64,325,459
	169,234,991	240,827,843	

REGIONAL

MEANS OF FINANCING			
FUND	PRELIM-	OTHER	I N A R Y
		BAL. OR	
SOURCES		WORKING	PROPERTY
	PROPOSED	OF TOTAL	TAXLEVY
FUND	BUDGET	CAPITAL	FINANCING
	REVENUE		

GENERAL

Arrowhead

Library *

System

Fund 01	400,000	0	354,261
	45,739	400,000	

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

DEBT

County-wide - Except

WLSSD

Solid Waste Refunding

Bond - 37I	245,343	0	
		45,343	
	0	245,343	

Regional Landfill

Const. - 37F	525,210	0	
		525,210	
	0	525,210	

Transfer/Closure

1991 - 37G	67,353	0	
		67,353	
	0	67,353	

County-wide - Except

WLSSD Hibbing & East

Mesaba Svc. Areas

Solid Waste Refunding

Bond - 37I	245,343	0	
		245,343	
	0	245,343	

Transfer/Closure

1991 - 37G	<u>67,353</u>	<u>0</u>	
		<u>67,353</u>	
	<u>0</u>	<u>67,353</u>	

TOTAL

REGIONAL	1,550,602	0	1,504,863
	45,739	1,550,602	

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

364

TOTAL

ALL

FUNDS	242,030,135	7,267,393	65,830,322
	169,280,730	242,378,445	

* The Arrowhead Library is levied against all taxable real and personal property of the County of St. Louis, exclusive of monies and credits and excluding taxable real and personal property of any city or township wherein a free public library is located or which is already taxed for local support of any such library.

RESOLVED FURTHER, that the budget expenditure during the fiscal year 1998 in the several departments of St. Louis County, the estimates of receipts from sources other than the monies herein levied, and the estimates of balances remaining in the several funds as of December 31, 1998, all of which are hereinafter itemized, are hereby approved, allowed, levied, and apportioned to the several departments and made a part of the proceedings of this Board as follows:

GENERAL FUND

TOTAL BUDGET ALLOWANCE

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

365

\$59,191,241

Means of Financing:

Estimated Fund Balance
3,255,562
Property Tax
28,348,715
Other Taxes
3,192,010
Fees and Services
5,656,028
Fines and Forfeitures
1,226,710
Licenses and Permits
128,170
Other Revenues
2,719,231
Intergovernmental Aid
<u>14,664,815</u>

TOTAL MEANS OF FINANCING

\$59,191,241

Of the foregoing budget allowance, the sum of \$59,191,241 is hereby apportioned to the several departments operating under the General Fund, and pursuant to Chapter 240 of the Laws of Minnesota for

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

366

1990, and the rules and regulations thereof, heretofore approved by the Board, there is hereby appropriated from the General Fund for expenditure during the fiscal year of 1999 the sum of \$59,191,241 to the items, in the amounts of hereinafter listed; and said expenditure shall be made by appointed or elected department heads in charge of such items (subject to the fiscal policies of the Board as adopted in the Budget), all of whom are hereby declared to be the encumbrance officers for said items within the meaning of said Chapter 240. The expenditures shall be made for the purpose as shown in the 1999 budget record which is made part of these proceedings by reference, to wit:

Board of County Commissioners	707,516
Aid to Other Agencies	911,286
Administrator	375,992
Intergovernmental Affairs	267,067
Planning and Research	388,297
Labor Relations	<u>42,760</u>
TOTAL POLICY AND MANAGEMENT	2,692,918

Community Development

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

367

450,000
P l a n n i n g & Z o n i n g
1,017,415

**TOTAL PLANNING DEPARTMENT
1,467,415**

M I S C o m m o n C h a r g e s
1,576,774
V e t e r a n s S e r v i c e s
545,064
E m p l o y e e D e v e l o p m e n t
273,278
S a f e t y O f f i c e
157,717

**TOTAL ADMINISTRATION
2,552,833**

B u i l d i n g S e r v i c e s
3,175,214
P u r c h a s i n g
451,229
M i c r o f i l m i n g
187,549

**TOTAL PURCHASING
638,778**

A u d i t o r
3,548,062
E l e c t i o n s
22,400

**TOTAL AUDITOR
3,570,462**

Reserve for Retired Employees
350,000

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

368

C i v i l S e r v i c e
1,142,618

A t t o r n e y
2,870,098

A s s e s s o r
1,780,581

R e c o r d e r
1,308,371

Emergency Communications
2,041,811

R a d i o M a i n t e n a n c e
486,325

**TOTAL COMMUNICATIONS
2,528,136**

E x t e n s i o n S e r v i c e
729,563

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

369

S u p p o r t S e r v i c e s
1,331,952
N u r s i n g
3,505,776
E n v i r o n m e n t a l H e a l t h
1,397,166

**T O T A L H E A L T H
6,234,894**

C o u r t A d m i n i s t r a t o r
4,457,518
E x a m i n e r o f T i t l e s
141,643

**TOTAL COURT ADMINISTRATOR
4,599,161**

C o m m i t m e n t s
57,459

S h e r i f f P a t r o l
7,817,780
B o a t a n d W a t e r S a f e t y
123,252
M e d i c a l E x a m i n e r
242,170
E m e r g e n c y M a n a g e m e n t
158,452
R e s c u e S q u a d
101,185
L a w E n f o r c e m e n t S e r v i c e s
700,647
C o u n t y J a i l
4,987,220

**T O T A L S H E R I F F
14,130,706**

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

370

A d m i n i s t r a t i o n
1,331,486
C o u r t a n d F i e l d S e r v i c e s
6,801,047
N o r t h e a s t R e g i o n a l C o r r e c t i o n s C e n t e r
4,356,071
A r r o w h e a d J u v e n i l e S y s t e m
2,625,429
G r a n t s / R e i m b u r s e m e n t s
(6,777,841)

**TOTAL ARROWHEAD
REGIONAL CORRECTIONS
8,336,192**

M i n e I n s p e c t o r
229,162
L a n d S u r v e y
796,680

**TOTAL PUBLIC WORKS
1,025,842**

**TOTAL BUDGET ALLOWANCE
59,191,241**

PUBLIC WORKS FUND

Budget Allowance

A d m i n i s t r a t i o n & E n g i n e e r i n g
5,186,754
R o a d M a i n t e n a n c e
12,962,267
E q u i p m e n t & M a i n t e n a n c e S h o p s
7,733,747
R o a d C o n s t r u c t i o n - C o u n t y

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

371

4,101,000

TOTAL BUDGET ALLOWANCE
29,983,768

Means of Financing

P r o p e r t y T a x
14,143,548
F e e s a n d S e r v i c e s
195,000
L i c e n s e s a n d P e r m i t s
18,000
O t h e r R e v e n u e
769,353
I n t e r g o v e r n m e n t a l A i d
15,130,720

TOTAL MEANS OF FINANCING
30,256,621

SOCIAL SERVICES FUND

Budget Allowance

A d m i n i s t r a t i o n a n d S u p p o r t S e r v i c e s
6,873,074
F i n a n c i a l A s s i s t a n c e
1 4 , 1 6 4 , 7 4 6
S o c i a l S e r v i c e s
45,402,829

TOTAL BUDGET ALLOWANCE
66,440,649

Means of Financing

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

372

P r o p e r t y T a x
19,342,485
F e e s a n d S e r v i c e s
1,389,611
O t h e r R e v e n u e
698,211
I n t e r g o v e r n m e n t a l A i d
45,010,342

TOTAL MEANS OF FINANCING
66,440,649

CAPITAL IMPROVEMENTS FUND

Budget Allowance

Public Works Department
 Road and Bridge Construction
13,907,860
 Building Improvements
508,179
Building Improvements
400,000

TOTAL BUDGET ALLOWANCE
14,816,039

Means of Financing

U s e o f F u n d B a l a n c e
170,034
P r o p e r t y T a x
623,119
I n t e r g o v e r n m e n t a l S t a t e A i d
14,022,886

TOTAL MEANS OF FINANCING
14,816,039

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

373

ENTERPRISE FUND

Budget Allowance

Medical Care Facilities
Chris Jensen Nursing Home
11,736,661
Nopeming Nursing Home
8,902,449

20,639,110

Solid Waste
Solid Waste Management/Recycling
4,182,610
Solid Waste Service Areas
4,881,261

9,063,871

TOTAL BUDGET ALLOWANCE
29,702,981

Means of Financing

Medical Care Facilities

Use of Fund Balance
384,180
Fees and Services
19,467,762
Other Revenue

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

374

216,302

20,068,244
Solid Waste

Use of Fund Balance
2,445,999

Fees and Services
4,207,612

Other Revenue
634,000

Intergovernmental Aid
1,776,260

9,063,871

TOTAL MEANS OF FINANCING
29,132,115

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

375

OTHER FUNDS

Budget Allowance

Tax Forfeited Land Trust Fund
4,334,577
Forest Development
1,227,080
McKinney Grant
463,344
ESG Grant
121,000
Community Development Block Grant
3,072,000
H.O.M.E. Program
651,000

TOTAL BUDGET ALLOWANCE
9,869,001

Means of Financing

Fees and Services
900
Other Taxes
780,000
Other Revenue
5,367,900
Intergovernmental Aid
4,423,344

TOTAL MEANS OF FINANCING
10,572,144

INTERNAL SERVICE FUND

Budget Allowance

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

376

Central Services Fund
P r i n t i n g
557,901

M o t o r P o o l F u n d
1,217,666

Insurance Fund
Property, Casualty, Liability
275,000
Workers' Compensation
1,920,525
Self Insurance - Medical/Dental
15,947,614

18,143,139

Management Information Systems Fund
4,200,190

T e l e c o m m u n i c a t i o n s F u n d
1,671,110

Community Food Services Fund
1,198,861

L a u n d r y F u n d
1,064,246

Supervised Living Facilities Fund
537,464

TOTAL BUDGET ALLOWANCE
28,590,577

Means of Financing

Central Services Fund
F e e s a n d S e r v i c e s

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

377

530,000

Motor Pool Fund
Fees and Services
1,217,700

Insurance Fund
Working Capital Balance
719,740
Fees and Services
16,850,785
Other Revenue
895,911
Intergovernmental Aid
100,000

18,566,436

Management Information Systems Fund
Fees and Services
3,447,840
Other Revenue
420,000

3,867,840
Telecommunications Fund
Use of Working Capital
124,178
Fees and Services
1,312,389

1,436,567

Community Food Services Fund
Fees and Services
1,198,861

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

378

Laundry Fund
 Fees and Services
1,064,246

Supervised Living Facilities
 Fees and Services
547,831

TOTAL MEANS OF FINANCING
28,429,481

DEBT SERVICE FUND

Budget Allowance

Fund 34 Babbitt Facility
112,700
Fund 37J AJC Construction
130,117
Fund 37I 93 Solid Waste-Transfer/
 Closure Refunding
490,686
Fund 37F 93 Solid Waste-Regional
 Landfill Construction
525,210

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

379

Fund 37G 91 Solid Waste-Trans-
f e r / C l o s u r e
134,706
Fund 37H Correction Facilities
1,443,893
Fund 37L Hibbing Public Works
Maintenance Facility
87,024
Fund 37K Range Lockups
511,543

TOTAL BUDGET ALLOWANCE
3,435,879

Means of Financing

Estimated Fund Balance
167,700

Property Tax:

County-wide:

Fund 34 Babbitt Facility
0

Fund 37J AJC Construction
136,622

Fund 37K Law Enforcement Facilities
482,120

Fund 37L Hibbing Pub Wks Facility
87,024

Fund 37H Correctional Facilities
1,516,087

2,221,853

County-wide - Except WLSSD:

Fund 37B Transfer/Closure Refunding
245,343

Fund 37F Regional Landfill Constr.
525,210

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

380

Fund 37G Transfer/Closure 1991
67,353

837,906

County-wide - Except WLSSD, Hibbing &
East Mesaba Service Areas:

Fund 37B Transfer/Closure Refunding
245,343

Fund 37G Transfer/Closure 1991
67,353

312,696

3,372,455

TOTAL MEANS OF FINANCING
3,540,155

Yeas - Commissioners Fink, Kron, Sweeney, Prebich,
Raukar, and Chair Forsman - 6
Nays - Commissioner Krueger - 1
Adopted September 15, 1998. No. 727

BY COMMISSIONER PREBICH:
WHEREAS, for nine years the St. Louis
County Board has been involved in the
PARTNERS Collaborative - a group
devoted to promoting youth leadership
and building healthy communities; and
WHEREAS, the PARTNERS Board has
determined that its top organizational goal
is a structural change, creating a
formalized Joint Powers Board, and such
an arrangement can provide PARTNERS

with enhanced organizational and legal
benefits and increased sustainability by
leveraging additional funding.
NOW, THEREFORE, BE IT RESOLVED,
that the St. Louis County Board hereby
authorizes the appropriate County
officials to enter into a Joint Powers
Agreement establishing the PARTNERS-
Local Governments with Youth.
Unanimously adopted. September 15,
1998. No. 728

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

381

BY COMMISSIONER RAUKAR:

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

M.P. 3497 located on various highways in St. Louis and Lake Counties. Length: 15,285 meters. Construction to consist of Crack Sealing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., September 14, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Daffinson Asphalt Maintenance

ADDRESS

1311 Contract Drive Green Bay,
WI 54304-5682

AMOUNT

\$246,987.01

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney,

on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Local Funds.

Unanimously adopted. September 15, 1998. No. 729

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

S.P. 69-632-20 (C-SAH 32, Arrowhead Road) and S.P. 69-690-14 (C-SAH 90, Arlington Avenue) located on C-SAH 32 from C-SAH 91 to C-SAH 90 and on C-SAH 90 from Marble Street to C-SAH 32 in Duluth. Length: 3.483 km. Construction to consist of Grade, Storm Sewer, Aggregate Base, Bituminous Surface, Lighting System, Signal System, Sanitary Sewer, Watermain and Gas Service.

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Mr. Michael Tardy, at a meeting at 10:00 A.M. on September 14, 1998, and the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of

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

368

St. Louis County, Minnesota, in regular session duly convened, that this Board hereby approves the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-632-20 and
S.P. 69-690-14
M.P. STPF 6998 (098)

CONTRACTOR

Wagner Construction, Inc.
Jct. C.R. 24 and Hwy. 53 S.
South International Falls, MN 56679

AMOUNT

\$2,967,235.50
Unanimously adopted. September 15,
1998. No. 730

At 11:15 A.M. on Tuesday, September 15, 1998, upon motion of Commissioner Kron, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor and
Ex-Officio Clerk of the Board of County
Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE**

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

369

**BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
SEPTEMBER 22, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of September, 1998, at 9:40 A.M. in Room No. 24, Government Services Center, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda and the following persons chose to do so:

Gordon D. McFaul, County Auditor, informed the Board that a published notice error had occurred in the Mud Lake to Golden Pond name change that had been approved at the conclusion of the public hearing convened at the September 15, 1998, Board meeting. Alan Mitchell, County Attorney, advised the Board that the Minnesota Department of Natural Resources refused to process the name change without proper published notice of the hearing. Commissioner Sweeney, supported by Commissioner Kron, moved to reconsider the matter; six yeas - zero nays. Commissioner Sweeney, supported

by Commissioner Raukar, moved to table the approval and reschedule the hearing for October 27, 1998, at 9:35 A.M. in Virginia - six yeas - zero nays. Resolution No. 753.

Leonard Katauskas, Ely, representing the Lion's Club, requested that the Board consider increasing the number of temporary food service permits a nonprofit organization may apply for in a given year. The current Health Department limit of two permits per year (14 selling days) makes it difficult to decide which events to participate in for fundraising.

Gertrude Stauditz, Ely, representing the Kiwanis Club, also urged consideration of additional yearly permits.

Carol Thibault, Public Health Director, told the Board that the Health Department would explore the possibility of increasing the number of yearly permits.

Rudy Semeja, Ely, requested support from the Board to promote the establishment of a task force to study improvements to Highway 169 between Virginia and Ely.

At 10:05 A.M. a public hearing was convened, pursuant to Resolution No. 548, adopted July 14, 1998, to consider the petition from residents of Section 12, Town of Biwabik, in the plat of Scenic Acres to be separated from the Town of Biwabik and to be annexed to the Town of

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

370

White. The following persons addressed the annexation issue:

Ann Harwood, Assistant County Administrator, outlined the background of the petition and the process that has been followed.

Barb Scott, Scenic Acres resident and lead spokesperson for the annexation, presented the reasons for annexation including road maintenance, water and sewer services, fire and police protection. The residents of Scenic Acres contend that the Town of Biwabik cannot or will not provide these necessary services to the area. Attempts to influence the Biwabik Town Board have been unsuccessful.

Greg Debevec, Michael Murray, Vickie Popovich, Shirley Maki, Bill Maki, and Judd Perko, residents of Scenic Acres, all spoke in favor of the annexation.

Clifford Kippley, Town of White Supervisor, told the Board that he is in favor of the annexation.

William Proznik, Town of Biwabik Supervisor, disagreed with much of what the Scenic Acres residents contended and told the Board that the Town of Biwabik does provide adequate service to the area.

Helen Sedgeman, Town of Biwabik Supervisor, told the Board that the Town of Biwabik is not a "mining" township with a large tax base and must provide services to all residents and areas of the township. Ms. Sedgeman said the town is

concerned with the Scenic Acres area and does what it can. The loss of the area would have a significant revenue impact on the Town of Biwabik.

Anita Larson, Town of Biwabik Clerk, said that the Scenic Acres area gets as much township road maintenance as any other area of the Township.

Mary Ann Helander, Town of White Clerk, told the Board that Town of White resources were stretched thin and the residents of Scenic Acres cannot be guaranteed any large-scale improvements if the annexation is approved.

At 11:41 A.M. Commissioner Prebich, supported by Commissioner Kron, moved to close the hearing; six yeas - zero nays.

Commissioner Kron, supported by Commissioner Prebich, moved to approve the annexation. After some discussion concerning the will of the people, the lack of guarantees of improvement and whether or not the annexation merely switches the burden from one jurisdiction to another, Commissioner Fink, supported by Commissioner Prebich, moved to have the matter tabled until the October 6, 1998, County Board meeting to allow the Board time to digest the materials and information presented at the public hearing; six yeas - zero nays.

At 12:02 P.M. in the forenoon of Tuesday, September 22, 1998, Commissioner Raukar, supported by Commissioner Kron, moved to recess until

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

371

1:00 P.M. on September 22, 1998, in Room No. 24, Government Services Center, Ely, Minnesota.

The Board reconvened at 1:20 P.M. on Tuesday, September 22, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

At 1:20 P.M. a public hearing was convened, pursuant to Resolution No. 674, adopted September 1, 1998, to consider changing the fee for an influenza immunization from \$5.00 to \$7.00. Carol Thibault, Public Health Director, cited rising labor and vaccine costs as the reasons for the requested fee increase. Commissioner Kron, supported by Commissioner Sweeney, moved to close the hearing at 1:21 P.M.; six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Prebich, moved to approve the immunization fee increase. After some discussion concerning how the new fee was arrived at and a request for a follow-up report to justify the increase, the resolution was approved; six yeas - zero nays. Resolution No. 750.

Commissioner Fink, supported by Commissioner Raukar, moved to approve the sale of a strip of tax forfeited land to the City of Chisholm; six yeas - zero nays. Resolution No. 751.

Commissioner Fink, supported by Commissioner Sweeney, moved to suspend the rules to consider approval of an appraiser selection list for exchange of

state lakeshore leased lots for undeveloped county tax forfeited or fee lands. John Ongaro, County Legislative Lobbyist, explained that all of the appraisers on the submitted list were familiar with land appraisal values in Northeastern Minnesota. Commissioner Fink, supported by Commissioner Prebich, moved approval of the submitted list of appraisers; six yeas - zero nays. Resolution No. 752.

Commissioner Prebich, supported by Commissioner Sweeney, moved to table the transfer of the St. Louis County Fairgrounds in Hibbing to Hibbing Community College until the October 6, 1998, meeting; six yeas - zero nays. Commissioners felt the delay was needed to get all parties together to formulate a plan to replace the fairground. Alan Mitchell, County Attorney, advised the Board that the resolution on the table directed the County Attorney to negotiate the transfer and he asked for direction as to whom he should negotiate with. After further discussion, it was decided that the original resolution was still on the table and Commissioner Raukar, supported by Commissioner Prebich, moved to seek a commitment, in writing, from the I.R.R.B. for funding help in fairground replacement; six yeas - zero nays.

A request for a resolution of support for a permanent increase of \$5 million in the Minnesota Office of Tourism budget was brought up to discussion. Commissioners decided to take no action on this matter.

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

372

Commissioner Kron, supported by Commissioner Raukar, moved to hold a closed session after the Committee of the Whole meeting for purposes of litigation; six years - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie M. Brunner, County Administrator, and Richard H. Hansen, Highway Engineer/Public Works Director, submitting Board Letter No. 98-587 regarding Trunk Highway 169 Improvement Task Force.--57250

Julie Brunner - County Administrator, Anthony J. Bruno, Jr. - Civil Service/Personnel Director, and Steve Fecker - County Negotiator submitting Board Letter No. 98-584 regarding Health Care Basic and Health Care Supervisory Units three percent salary adjustment.--98-642

Amendment No. 4 to Contract Agreement No. 1998-1223 between St. Louis County, through its Board of Commissioners, and the Duluth Community Health Center for HIV counseling and testing services.--98-643

Project Contract between the County of St. Louis and Sundance Silviculture, Inc., for Mechanical Site Preparation-Row Scarification, Disc Trenching.--98-644

Purchase of Service Agreement between the St. Louis County Board of Commissioners and University Medical

Center-Mesabi.--98-645ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (MA MR/RC Waiver).--98-646ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver).--98-647ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (MA MR/RC Waiver).--98-648ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Cherry-Mountain Iron Wheeling Meals, Inc.--98-649ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and City of Duluth (Senior Dining Program).--98-650ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc.--98-651ss

Memorandum of Understanding for Provision of Telephone Services between the County of St. Louis, through its Management Information Systems Department, and the City of Hibbing, through its Police Department.--98-652

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

373

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Landstrom Services, Inc., for services of a qualified loan specialist.--98-653

Louis County Community Development Block Grant Program Year 6 (Six), FY 1998 Agreement between St. Louis County and City of Buhl.--98-654

St. Louis County Community Development Block Grant Program Year 6 (Six), FY 1998 Agreement between St. Louis County and City of Babbitt.--98-655

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 731 through 749, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 1, 1998, are hereby approved. Adopted September 22, 1998. No. 731

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 8, 1998, are hereby approved. Adopted September 22, 1998. No. 732

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as

submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted September 22, 1998. No. 733

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 22, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted September 22, 1998. No. 734

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, numbered Tracts 1 through 17 (totaling \$647,444.80), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted September 22, 1998. No. 735

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Pequaywan Inn Resort, Inc., d/b/a Pequaywan Inn Resort, Inc., Unorganized Area 54-13, to sell/serve outside the

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

374

designated serving area of the County Liquor License for the date of October 3, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111.
Adopted September 22, 1998. No. 736

WHEREAS, the County Board approved accepting the state grant funds to provide outreach and screening for homeless children involved in the court system; and WHEREAS, the Board authorized increasing the department's revenue budget (Fund 04, SSV 9519) by \$109,725; NOW, THEREFORE, BE IT RESOLVED, that the County Board approves increases in the 1998 Social Service budget expenditure accounts as follows:

Fund:	04	04
Agency:	SSV	SSV
Organization:	3110	3120
Object:	4040	4040
Amount of increase:		\$37,700
	\$66,800	

These increases are not incorporated in the 1998 revised budget.
Adopted September 22, 1998. No. 737

RESOLVED, that the St. Louis County Board authorizes the Social Service Department Director to submit a grant proposal at a maximum of \$7,870.35 to the Van Gordon New Initiatives Outreach Fund of the Miller Dwan Foundation for the purchase of two wheelchair lifts, and that the Social Service Department Director be authorized to sign the grant application.

Adopted September 22, 1998. No. 738

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes, Section 282.04, Subdivision 4, is hereby authorized to grant a permanent easement to the Cooperative Light and Power Association of Lake County, 4th Street and 15th Avenue, Two Harbors, Minnesota 55616, for an electrical distribution line on and across the following tax forfeited lands:

A 15-foot wide strip of land, as surveyed by the Cooperative and approved by the St. Louis County Land Department on and across the NE 1/4 of NE 1/4, Section 27, Township 54, Range 12, and more completely described in the easement agreement,

for the consideration of \$50.00 land use fee, \$50.00 administration cost, \$6.00 publication fee, and \$19.50 recording fee, for a total cost of \$125.50.

RESOLVED FURTHER, that said easement is permanent and subject to the terms and conditions of the easement agreement.

Adopted September 22, 1998. No. 739

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes, Section 282.04, Subdivision 4, is hereby authorized to grant a permanent non-exclusive easement to LeTourneau and Sons, Inc., and heirs, 4120 West Superior Street, Duluth, Minnesota 55807, for a wetland mitigation site on the following tax

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

375

forfeited land:

A 2.5 acre parcel of land which is described as the NW 1/4 of NE 1/4 of NW 1/4 of NE 1/4 of Section 30, Township 51, Range 14,

for the consideration of \$500.00 land use fee, \$50.00 administration cost, \$6.00 publication cost, and \$19.50 recording fee, and \$344.12 loss of future revenue for a total cost of \$919.62.

RESOLVED FURTHER, that said easement is permanent non-exclusive and subject to the terms and conditions of the easement agreement.

Adopted September 22, 1998. No. 740

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012,

92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted September 22, 1998. No. 741

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

Township of Pequaywan, that part of Section 6, Township 54, Range 12, part of the SE 1/4 of SE 1/4 lying Southeasterly of the centerline of the West Branch Road. Parcel Code No. 502-20-882; Land Area: 0.5 acres.

Adopted September 22, 1998. No. 742

WHEREAS, the Minnesota Data Practices Act, Minnesota Statutes Chapter 13, governs data practices operations in county government; and

WHEREAS, Minnesota Statutes, Section 13.02, Subdivision 16, requires the County to designate an individual as the Responsible Authority for management of data

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

376

practices; and

WHEREAS, the St. Louis County department heads are responsible for the operation of data management within their respective departments.

NOW, THEREFORE, BE IT RESOLVED, that the following policies shall be established:

That the St. Louis County Administrator is designated as the Responsible Authority for management of data practices within St. Louis County.

That the St. Louis County department heads may be designated as the individuals responsible for data practices procedures within their respective departments pursuant to the direction of the Responsible Authority.

That the St. Louis County Attorney's Office shall act as the legal advisor regarding data practices procedures.

That County Board Resolutions No. 671, adopted September 10, 1979, and No. 406, adopted June 9, 1980, governing data practice procedures are hereby repealed.
Adopted September 22, 1998. No. 743

RESOLVED, that the previously scheduled County Board Meeting and Committee of the Whole Meeting for October 13, 1998, is canceled to allow Commissioners to attend the St. Louis County Human Services Conference held in Duluth on October 13 - 14, 1998.
Adopted September 22, 1998. No. 744

RESOLVED, that the three percent salary increase agreements, negotiated with the Health Care Basic and Health Care Supervisory Bargaining Units, pursuant to the 1998 Omnibus Health and Human Services Bill, on file in Contract File No. 98-642, are hereby approved subject to acceptance of the three percent adjustment plan by the Commissioner of Human Services; and the appropriate County officials are authorized to execute said agreements upon notification of acceptance by the Commissioner.

Adopted September 22, 1998. No. 745

WHEREAS, the St. Louis County Planning Commission on May 8, 1998, granted preliminary approval of the plat of "Robinson Ridge"; and

WHEREAS, the final prints have been submitted, reviewed, and approved by appropriate County Departments;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners grants final plat approval to Robinson Ridge located in part of Section 13, Township 62, Range 14, lying North of Highway No. 169.

Adopted September 22, 1998. No. 746

WHEREAS, the Minnesota Department of Natural Resources has begun a cooperative project to create a new digital elevation model for the Mesabi Range, known as the Mesabi Range digital elevation mapping project; and

WHEREAS, products from this project will include five-foot elevation contours, black and white aerial photography and geo-referenced digital orthophotos for

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

377

approximately 850 square miles of the Mesabi Iron Range; and

WHEREAS, the digital products will be compatible with Land Departments geographic information system; and

WHEREAS, the products will be useful to the Land Department for the management of tax forfeit lands on the Mesabi Range; and

WHEREAS, funding for this project is being provided by various public and private organizations; and

WHEREAS, there is a benefit to the Land Department and St. Louis County, the County will put \$5,000 toward this project;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County pay \$5,000 in 1998 to the Minnesota Department of Natural Resources, Division of Minerals, for the Mesabi Range digital elevation mapping project, payable from Land Department, Fund 16-F11.

Adopted September 22, 1998. No. 747

WHEREAS, the Trunk Highway 169 (Iron Range Expressway) Improvement Task Force was formed by citizens and local governments, acting in response to the important and long-standing need for an adequate transportation link to support economic growth in Northeastern Minnesota; and

WHEREAS, the mission of the Trunk Highway 169 (Iron Range Expressway) Improvement Task Force is to expedite the completion of a safe and modern four-lane roadway for all users of Trunk Highway 169 between Coleraine and

Pengilly; and

WHEREAS, the 1998 Federal Highway Funding Bill, known as TEA-21, has earmarked \$7.1 million for the construction of a 4.4 mile four-lane roadway between Coleraine and Bovey; and

WHEREAS, an additional \$21 million, from a yet unnamed funding source, is necessary to complete the remaining eight-mile segment between Bovey and Pengilly; and

WHEREAS, Final Environmental Impact Statement (EIS) from Grand Rapids to Pengilly was completed in November 1989; and

WHEREAS, locations of highway alignments have been determined; and

WHEREAS, detailed design plans are approximately 80 percent complete. Design work was stopped in recent years due to higher priority needs in Northeast Minnesota; and

WHEREAS, Mn/DOT, with the assistance of the Arrowhead Regional Development Commission (ARDC), is in the process of updating the Long Range (20-year) Highway Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby endorses the efforts of the Trunk Highway 169 (Iron Range Expressway) Improvement Task Force to improve the Trunk Highway 169 corridor between Coleraine and Pengilly, as shown on the map found in County Board File No. 57250.

Adopted September 22, 1998. No. 748

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

378

WHEREAS, the County of St. Louis is planning on implementing additional County State Aid Highway Projects in 1998 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and
WHEREAS, said County is prepared to proceed with the construction of said projects through the use of advance encumbrances from the general State Aid Construction Account to supplement the available funds in their State Aid Regular Construction Account; and
WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subdivision 7, and Minnesota Rules, Chapter 8820.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation is hereby requested to approve this advance for financing approved County State Aid Highway Projects of St. Louis County in an amount up to \$4.2 Million in accordance with Minnesota Rules 8820.1500, Subparagraph 9, and to authorize repayments from the following year's accruals to the Regular Construction Account of the County State Aid Highway fund for said County.

Adopted September 22, 1998. No. 749

BY COMMISSIONER SWEENEY:
RESOLVED, that the St. Louis County Board of Commissioners hereby establishes the Department of Public Health and Long Term Medical Care fee for administration of influenza immunizations to be \$7.00 per flu shot, effective October 1, 1998.
Unanimously adopted. September 22,

1998. No. 750

BY COMMISSIONER FINK:
RESOLVED, that under the provisions of Minnesota Statutes 282.01, that the County Auditor is hereby authorized to sell the following described tax forfeited land to the City of Chisholm:

City of Chisholm, lands in the City of Chisholm, E 1/2 of W 1/2 of SW 1/4 of NW-NW, except part South of North 8 feet, Section 28, Township 58, Range 20. Parcel Code No. 20-210-650.

Land Value	\$ 200.00
3 Percent Assurance Fee	6.00
Deed Fee	25.00
Deed Tax	1.65
Recording Fee	<u>19.50</u>
Total Consideration	\$252.15
Unanimously adopted. September 22, 1998. <u>No. 751</u>	

Upon motion of Commissioner Fink, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 752 which was not on the agenda.

BY COMMISSIONER FINK:
WHEREAS, the 1998 Legislature (80th Legislature) established a procedure to exchange State lakeshore containing State leased lots for "county land"; and
WHEREAS, the process requires that the State hire licensed appraisers to appraise these State properties; and
WHEREAS, the statute provides that the selection of the appraisers must be agreed

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

379

to by the county board of the county containing the leased lakeshore lots; and WHEREAS, the State, through the Department of Natural Resources, has provided a suggested list of licensed appraisers from which they are prepared to conduct the appraisals and seeks the approval of the St. Louis County Board. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners agrees to the following list of licensed firms:

Lead Appraiser: William Steigerwaldt
Steigerwaldt Land
Service, Inc.
Tomahawk, WI

Walter "Bill" Culbert, Jr. Tom Turner
Culbert Realty, Inc. Ely, MN
Virginia, MN

Cliff Crosby Craig Solum
Crosby Appraisals S o l u m &
Duluth, MN Associates
Spooner, WI

Unanimously adopted. September 22,
1998. No. 752

BY COMMISSIONER SWEENEY:
WHEREAS, the County Auditor has verified that a petition signed by fifteen registered voters requesting that Mud Lake located in the Town of Cotton be changed to Golden Pond; and
WHEREAS, Minnesota Statute, Chapter 83A.06, requires the County to consider such a request and upon close of the hearing make a recommendation to the

Commissioner of Natural Resources regarding the proposed name; and WHEREAS, there was an error in the published notification of the initial hearing held on September 15, 1998.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby sets a hearing for October 27, 1998, at 9:35 A.M. in the St. Louis County Courthouse, Virginia, Minnesota, to consider the petitioned name change request for Mud Lake (Lake Number 69-630) located in Section 13, Township 54 North, Range 17 West, to the proposed name of "Golden Pond". Unanimously adopted. September 22, 1998. No. 753

At 2:00 P.M. on Tuesday, September 22, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS

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

OCTOBER, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
OCTOBER 6, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of October, 1998, at 9:37 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda, but no one chose to do so.

At 9:38 A.M., a public hearing was convened pursuant to Resolution No. 716, adopted September 15, 1998, to determine whether alleged violations of Minnesota Statute 340A and St. Louis County Ordinance No. 28 by Allied Properties, d/b/a Prime Time Steak House, Rice Lake Township, occurred and what penalties should be imposed. Alan Mitchell, County Attorney, advised the Board to continue the hearing until November 3, 1998, because the Deputy Sheriff who cited the establishment had been in a motor-cycle accident and was unable to appear. Chair Forsman then asked if anyone wanted to address the

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

381

matter, but no one chose to do so. Commissioner Prebich, supported by Commissioner Sweeney, moved to continue the hearing until the November 3, 1998, Board meeting; six yeas - zero nays.

Commissioner Kron, supported by Commissioner Prebich, moved to approve the annexation of Section 12, Town of Biwabik, tabled at the September 22, 1998, meeting, to the Town of White effective January 1, 1999; six yeas - zero nays. Resolution No. 766.

At 9:46 A.M. in the forenoon of Tuesday, October 6, 1998, the Chair declared a recess to allow time for I.R.R.R.B. and Ironworld representatives to set up a presentation.

The Board reconvened at 10:00 A.M. on Tuesday, October 6, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Brian Hiti and Todd Nelson, I.R.R.R.B., and Jodi Phelps, Ironworld, presented a proposal to relocate the St. Louis County Fair in Hibbing to Ironworld on either a permanent or temporary basis. The addition of the Fair to Ironworld was viewed as a good match of culture and heritage. Much of the necessary infrastructure is already in place and there is ample room for expansion. Costs were estimated at \$650,000 for a temporary location and \$3 million for a permanent site. The I.R.R.R.B. would contribute \$500,000 to relocation costs. Presenters

emphasized that this was a preliminary proposal and many of the details, including possible partnerships and funding, were still to be determined.

The proposed transfer of the current St. Louis County Fairgrounds to Hibbing Community College for \$1 million, tabled from the September 22, 1998, meeting, was then considered. Alan Mitchell, County Attorney, advised the Board that talks with the Minnesota Attorney General's Office and representatives of the Minnesota State College and University system (MNSCU) resulted in a proposal for the County to retain ownership of the racetrack area and provide MNSCU with an option to purchase the parcel for \$1 if racing were to cease. Commissioner Prebich, supported by Commissioner Fink, moved to approve the original resolution. Commissioner Prebich, supported by Commissioner Sweeney, moved to amend the resolution to incorporate the purchase option for MNSCU; five yeas - one nay, Commissioner Fink. After some discussion concerning sources of funding to relocate the fairgrounds, the amended resolution was approved; six yeas - zero nays. Resolution No. 765.

Commissioner Kron, supported by Commissioner Prebich, moved to approve a recommended increase in the County Sheriff's salary from Grade 29 to 30 of the Management Compensation Plan, retroactive to January 1, 1998. After some discussion concerning whether it was appropriate to approve retroactive

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

382

pay for department heads, Commissioner Fink moved to have the pay increase effective January 1, 1999. The motion failed due to lack of support. Clyde Nelson, Lakewood, representing Citizens' Research Council, urged the Board to reject the retroactive provision of the proposed resolution. Commissioner Raukar, supported by Commissioner Prebich, then moved to table the matter until the October 20, 1998, meeting; six yeas - zero nays.

Pay rates for the College Work Study Program were then considered. Commissioner Fink, supported by Commissioner Raukar, moved to approve a one class pay increase to \$6.10 per hour for all work study. Jordan Hickman Civil Service, explained that the proposed rates were within guidelines established by local universities and colleges and that the two pay classes were appropriate for the work involved. Commissioner Raukar then withdrew his support and the motion failed. Commissioner Sweeney, supported by Commissioner Prebich, moved to approve the original resolution with the two pay class rates; four yeas - two nays, Commissioner Fink and Chair Forsman. Resolution No. 767.

Commissioner Fink, supported by Commissioner Prebich, moved to suspend the rules to consider a proposed 1999 Solid Waste service fee schedule; six yeas - zero nays. Ted Troolin, Solid Waste Director, told the Board that fees will remain the same as the last four years. Commissioner

Fink, supported by Commissioner Sweeney, moved to approve the 1999 fee schedule; six yeas - zero nays. Resolution No. 768.

Commissioner Raukar then requested that a petition signed by 3,102 residents to keep the St. Louis County Fairgrounds in Hibbing be entered into the record. Commissioner Raukar, supported by Commissioner Kron, moved to accept the petition and have it entered into the Board record; six yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Petition of Hibbing citizens requesting that the St. Louis County Fair in Hibbing remain in Hibbing.--57251-D

Jim Gustafson, Commissioner, Iron Range Resources & Rehabilitation Board, relative to Ironworld being explored as a potential site for the St. Louis County Fair.--57252

Documentation from public hearing held on September 22, 1998, to consider a petition from residents of Section 12 in Biwabik to become annexed to the Town of White.--57253-D

Steven H. Bruns, Peterson, Fram & Bergman, submitting Summons and Complaint in the matter of Associates Industrial Loan Company versus Gordon C. Pendell, Michelle M. Pendell, County of St. Louis, and St. Mary's Medical

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

383

Center.--57254

Agreement for Services between the County of St. Louis, through its Department of Public Health and Long Term Medical Care on behalf of Nopeming Nursing Home, and Raymone Kral, L.P.--98-656

Purchase of Services Agreement between the Glen Mills Schools and the County of St. Louis, through the Social Services Department.--98-657ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and CHOICE, Unlimited-Options (MA MR/RC Waiver).--98-658ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and CHOICE, Unlimited-Options (CSSA).--98-659ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and CHOICE, Unlimited, CHOICE (MA MR/RC Waiver).--98-660ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and CHOICE, Unlimited - CHOICE (CSSA).--98-661ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center (SILS).--98-662ss

Purchase of Service Agreement between St. Louis County Board of Commissioners

and Duluth Regional Care Center (SILS-SILVR).--98-663ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center, In-Home Family Support Services.--98-664ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and DRCC--Respite Care Services.--98-665ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center - Daniels Road.--98-666ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center - East Fifth.--98-667ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center - Exeter.--98-668ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center - Galere.--98-669ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Duluth Regional Care Center - Jefferson.--98-670ss

Purchase of Service Agreement between St. Louis County Board of Commissioners

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

384

and Duluth Regional Care Center - Jitney.-
-98-671ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Merritt.--98-672ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center, Inc. -
Northside.--98-673ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Noumenon.--98-674ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Piedmont.--98-675ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Rockridge.--98-676ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center, Inc. -
SLS Foster Support.--98-677ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Triggs.--98-678ss

Purchase of Service Agreement between

St. Louis County Board of Commissioners
and Duluth Regional Care Center - Valley.-
-98-679ss

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Duluth Regional Care Center -
Woodland.--98-680ss

State of Minnesota Department of
Transportation Certificate of Final
Contract Acceptance, Low S.P. No. 69-
632-15, Final Voucher No. 10, Contract
No. C21897.--98-681

State of Minnesota Department of
Transportation Certificate of Final
Contract Acceptance, Low S.P. No. 69-
710-12, Final Voucher No. 17, Contract
No. C93209.--98-682

Plan Provider Participation Agreement
between UCare Minnesota and St. Louis
County.--98-683

Home Investment Partnership Program
Community Housing Development
Organization Grant Agreement between St.
Louis County and Arrowhead Economic
Opportunity Agency.--98-684

Home Investment Partnership Program
Grant Agreement Community Housing
Development Organization Operating
Expense Agreement between St. Louis
County and Arrowhead Economic
Opportunity Agency.--98-685

Supply Contract between the County of St.

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

385

Louis and Nagurski's Corner, Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-686

Agreement for Engineering Services between the County of St. Louis, through its Solid Waste Department, and Wenck Associates for Landfill Engineering Support Services.--98-687

Home Investment Partnership Program Community Housing Development Organization Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.--98-688

Purchase of Service Agreement between St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (MA MR/RC Waiver).--98-689ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (CSSA).--98-690ss

State of Minnesota Amendment No. 1 to Grant Contract Number 5000-344 between the Minnesota Department of Public Safety, State Patrol Division, and St. Louis County Sheriff's Department for Operation NightCAP.--98-691

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 754 through 764, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 15, 1998, are hereby approved. Adopted October 6, 1998. No. 754

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 22, 1998, are hereby approved. Adopted October 6, 1998. No. 755

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 6, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12. Adopted October 6, 1998. No. 756

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for a license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, is hereby approved and the County Auditor is authorized to issue the license as follows;

RESOLVED FURTHER, that if named licenseholder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

Pappas Enterprises, Inc., d/b/a LeGrand Supper Club, Grand Lake Township,

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

386

Tobacco Products License No. T98151.
Adopted October 6, 1998. No. 757

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T22 Cities and Towns	\$ 4,412.51
T23 Game and Fish	301,394.50
T27 Refunds	8,746.71
T28 School Districts	483.80
T49 Taconite Production Tax	5,970,294.00
T50 State of Minnesota	204,122.38
T66 Criminal Fines	95,656.11
T74 Employer/Employee Deductions	1,260,574.57
T75 Savings Bonds	12,250.00
T77 Cancelled Checks	4,596.57
T87 Assault Fees	2,486.83
T89 District Administrator	808.32
T98 Work Study Agency Fund	1,154.62
T99 Reserve Health & Welfare	245.18
01 General Fund	761,872.97
02 Public Works	1,501,040.16
04 Social Services	5,149,069.46
08 Capital Projects	10,122.00
08A State Aid Road	777,446.70
08Y Hibbing/Virginia Law Enforcement	

Centers	86,199.74
09 McKinney Homeless Grant	17,951.00
10B Emergency Shelter 95 Funds	12,051.65
12B CDBG Grant	66,043.45
128 Law Library	10,653.05
129 City/County Comm. Antenna Site	160.10
131 Extension Service	8,028.67
15 Forfeited Tax	91,160.68
16 Forest Resources	56,721.81
26 Solid Waste Authorities	74,880.53
49 Postage/Office Supplies	7,617.54
50 Printing	8,570.52
51 County Garage	15,367.38
52A Property, Casualty, Liability	1,347.90
52B Workers Compensation	56,025.37
52D Medical/Dental Self Insurance	842.63
53 Management Information Systems	131,812.27
54 Regional Railroad Authority	10,305.32
55 Telecommunications	47,245.06
64A Jensen Nursing Home	382,514.61
64B Nopeming Nursing Home	250,425.80
64F Community Food Services	63,838.84
64L Laundry	22,010.01
64S Supervised Living Facilities	7,119.30

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

387

72	Northern Counties Land Use	
	Coordinating Board	2,586.69
73	Arrowhead Regional Corrections	195,460.09
74	Community Health Services	5,794.79
85	Patients Trust Fund	<u>643.56</u>
		\$17,700,155.75

Adopted October 6, 1998. No. 758

RESOLVED, that a public hearing will be held on Tuesday, November 3, 1998, at 9:35 A.M. in the County Board Room, Courthouse, Duluth, Minnesota, to determine whether the alleged violations, as stated below, occurred and determine the penalty to be imposed should it be proven that the violations did occur. Alleged violations are against Allied Properties, Inc., d/b/a Prime Time Steak House, Rice Lake Township, and are as follows:

Minnesota Statute 340A, Section 340A.504, Hours and Days of Sale.

Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for consumption on the premises may be made:

(1) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday.

St. Louis County Ordinance No. 28, Section 11 - Hours, Days and Location of Sales.

Subd. 11.02. **Intoxicating Liquor; On-Sale.** No sale of intoxicating liquor for consumption on the premises may be made:

(1) between 1:00 a.m. and 8:00 a.m. on

the days of Monday through Saturday.

Subd. 11.04. **General Provisions.** On any licensed premises, no sale of liquor shall occur after the time required by law to cease sales of liquor. No licensee or his agent shall allow another person to consume liquor on a licensed premises from the period twenty (20) minutes after the sales are to be ceased by law;

Subd. 11.05. **Patrons in Licensed Premises.** No licensee or his agent shall allow patrons to remain in the licensed premises beyond the period twenty (20) minutes after sales are to be ceased by law.

Adopted October 6, 1998. No. 759

WHEREAS, the City of Duluth and the Duluth Police Department were awarded a grant dealing with the prevention of auto theft for the time period of July 1, 1997, through July 1, 1999, in the amount of \$113,100; and

WHEREAS, the St. Louis County Sheriff's Office was also a participant in the activities which were funded by the grant in the form of providing personnel services and in procuring equipment for the Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff's Department to accept reimbursement from the City of Duluth for the Sheriff's Departments efforts on behalf of the grant, Operation Secure Ride, in the amount of \$20,926.88, payable to the following budget references:

Fund 01, Department 091,

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

389

cost of the project and to pay any additional amount by which the cost of the project exceeds the estimate by appropriation to the construction fund of additional funds or proceeds of additional bonds of St. Louis County. St. Louis County recognizes that any subsequent withdrawal of allocated or additional funds of St. Louis County will impair the obligation of contract between the State of Minnesota, St. Louis County and the bondholders.

BE IT FURTHER RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of the Solid Waste Department to sign the final Capital Assistance Program Grant Application on behalf of St. Louis County.

BE IT FURTHER RESOLVED, by the St. Louis County Board of Commissioners, that St. Louis County will implement the project, provide necessary local financing, and accept and exercise the governmental powers necessary to develop and operate the project.

Adopted October 6, 1998. No. 764

BY COMMISSIONER PREBICH:

WHEREAS, St. Louis County owns approximately 53 acres of land in fee, commonly referred to as the St. Louis County Fairgrounds and race track; and WHEREAS, the Minnesota State College and University system (MNSCU) has indicated a desire to acquire that property; and WHEREAS, the St. Louis County Board has previously, and continues to, support the expansion of the Hibbing Community College as a positive and beneficial project for St. Louis County and its residents; and

WHEREAS, the St. Louis County Board believes that they have been presented with sufficient information to understand the project, the resources available and the proposed footprint of the Hibbing Community College expansion project; and

WHEREAS, the St. Louis County Board is willing to convey the lands currently necessary to facilitate the expansion of the Hibbing Community College upon certain terms and conditions.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Attorney to draft and the necessary County officials to execute a Warranty Deed conveying in fee simple that parcel of property generally described as approximately 13 acres in size that runs to the East parallel to 23rd Street in Hibbing to approximately 20 feet West of the race track property and proceeds South and Southeasterly in a line with the race track property until it intersects with the current Hibbing Community College property immediately North-west of the football field and then South 258.04 feet and then West running on a line contiguous with the Hibbing Community College property line until it again intersects with the Community College property and then North to the starting point on 23rd Street, excepting a parcel of property that includes the existing youth hockey arena running from 20 feet South of the hockey arena to the current Northern County property line, upon receipt from MNSCU of \$1 million with the closing to be no later than October 30, 1998, unless a later date is agreed to by the

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

390

County Attorney for good cause as shown by MNSCU.

BE IT FURTHER RESOLVED, that the St. Louis County Attorney is authorized to pre-prepare, and the necessary County officials to execute, an easement in perpetuity from St. Louis County to the MNSCU for that portion of the property excluded from the transfer by the County from 40 feet North of the exist-ing hockey arena to 23rd Street for \$1.00 or other good and valuable consideration.

BE IT FURTHER RESOLVED, that it is the intent of the St. Louis County Board to specifically retain ownership and control and exclude from this transfer the property referred to as the Hibbing race track and grandstand, but provide an option to MNSCU to purchase for \$1 that property south of the residual line of that property referred to as the race track upon termination of racing at that site, the option and legal description to be approved by the County Attorney prior to the execution by the necessary County officials.

BE IT FURTHER RESOLVED, that the County shall receive an easement, as approved by the County Attorney, for access, egress, and parking on all property transferred pursuant to this resolution for \$1.00 or other good and valuable consideration as a condition of the above generally described conveyance in fee simple and conveyance by permanent easement.

BE IT FURTHER RESOLVED, that all documents and specific legal descriptions used for said conveyances be in a form

approved by the County Attorney.

BE IT FURTHER RESOLVED, that St. Louis County shall not be responsible for any costs associated with the transfer of this property, including title insurance and closing costs or costs associated with the demolition or removal of any buildings or other materials situated thereon.

Unanimously adopted. October 6, 1998.
No. 765

BY COMMISSIONER KRON:

WHEREAS, Minnesota Statutes, Section 379.02, allows the County Board to divide one town and attach a part to another town if petitioned to do so by not less than twenty legal voters residing in the territory to be affected; and

WHEREAS, the St. Louis County Board of Commissioners has received petitions from residents of Biwabik and White Townships requesting that the boundaries of both townships be changed by attaching Section 12 of Biwabik Township to the Town of White; and

WHEREAS, the petition complies with all requirements of Minnesota Statutes, Section 379.02; and

WHEREAS, there will be at least twenty-five qualified voters, and real estate valued at the last preceding assessment of \$30,000 or more in Biwabik Township after the change in boundaries, and at least two-thirds of the legal voters of Section 12 have signed the petition; and

WHEREAS, after proper notice pursuant to Minnesota Statutes, Section 379.03, a public hearing was held on Tuesday, September 22, 1998, at 9:35 A.M. in Ely,

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

391

Minnesota, to receive public testimony regarding the petition; and
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby grants the petition to attach Section 12 of Biwabik Township to the Town of White and thereby change the boundaries of both townships, effective January 1, 1999. Unanimously adopted. October 6, 1998. No. 766

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County provides work study placements in various departments for college students qualifying under school administered financial aid programs (i.e. college work study);
WHEREAS, the work study placements provided by the County are categorized as either para-professional positions or clerical/technical positions;
WHEREAS, the County sets compensation rates for work study positions in accordance with the general guidelines established by the educational institutions administering the financial aide program;
THEREFORE, BE IT RESOLVED, that the compensation schedule for work study participants shall not exceed \$7.35 per hour for para-professional placements, and \$6.10 per hour for clerical/technical placements, effective September 26, 1998.
Yeas - Commissioners Kron, Sweeney, Prebich, Raukar - 4
Nays - Commissioner Fink & Chair Forsman - 2
Absent - Commissioner Krueger - 1
Adopted October 6, 1998. No. 767

Upon motion of Commissioner Fink, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 768 which was not on the agenda.

BY COMMISSIONER FINK:

WHEREAS, in 1993, the Solid Waste Department implemented a combined Solid Waste Tipping Fee and Service Fee to collect revenue to operate the program; and
WHEREAS, in 1995, the Service Fee, based on fee per residential parcel, was reduced significantly, from \$68/residential parcel to \$58/residential parcel; and
WHEREAS, in 1996 - 1998 the Service Fee remained at \$58/residential parcel; and
WHEREAS, the revenue generated by solid waste service fees are still adequate to fund recycling, household hazardous waste, administration, and waste reduction programs;
NOW, THEREFORE, BE IT RESOLVED, that for 1999, the Solid Waste Department recommends that the Solid Waste Service Fee remain the same as 1998 and be set as follows:

Residential Parcels	\$58.00
Seasonal/Recreational Parcels	\$19.72
Commercial Parcels:	
*EMV less than \$50,000	\$58.00
EMV \$50,001 to \$100,000	\$87.00
EMV \$100,001 to \$150,000	\$116.00
EMV \$150,001 to \$200,000	\$145.00
EMV more than \$200,000	\$174.00

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

392

*EMV - Estimated Market Value - land value plus improvements
Adopted October 6, 1998. No. 768

At 12:00 P.M. on Tuesday, October 6, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor and Ex-Officio Clerk of the Board of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
OCTOBER 20, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 20th day of October, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A.

Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve an agreement with the City of Duluth to maintain city streets. Richard Hansen, Highway Engineer, told the Board that the City and County have been maintaining roads and streets for each other since 1937

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

393

without any formal agreement. The proposed agreement would clearly spell out responsibilities and set a fee of \$3,027 per lane mile maintained, which would be negotiable annually and be based on the current Minnesota Department of Transportation (MNDOT) rate. After discussion, Commissioner Fink, supported by Commissioner Krueger, moved to table the matter for two weeks to allow time to more closely study the agreement (five years - two nays, Commissioner Raukar and Chair Forsman).

Commissioner Raukar, supported by Commissioner Prebich, then moved to approve the companion agreement with the City of Duluth to maintain county roads. Lane mile costs would be the same and, overall, the County would realize a net revenue of approximately \$272,000. Commissioner Fink, supported by Commissioner Prebich, then moved to table this matter for two weeks (six years - one nay, Commissioner Raukar).

Commissioner Raukar, supported by Commissioner Sweeney, moved to award the contract for highway project S.A.P. 69-030-03 (various county roads, south half of St. Louis County) to Timme, Inc., Spring Valley, WI, on their low bid of \$183,905.11 (seven years - zero nays). Resolution No. 795.

Commissioner Krueger, supported by Commissioner Sweeney, moved to award the contract for highway project S.A.P. 69-612-12 (C-SAH 12, Lester River Road)

to H & R Construction, Dalton, MN, on their low bid of \$64,334.62 (seven years - zero nays). Resolution No. 796.

An increase in the salary level for the County Sheriff from Grade 29 to Grade 30 of the Management Compensation Plan was then considered. The matter had been tabled at the October 6, 1998, Board meeting where a motion by Commissioner Kron, supported by Commissioner Prebich, to approve the increase, retroactive to January 1, 1998, was on the floor. Commissioner Kron, with the approval of Commissioner Prebich, then offered a friendly amendment making the increase effective October 1, 1998. After discussion, the increase was approved (five years - two nays, Commissioner Raukar and Chair Forsman). Resolution No. 797.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a request for a closed session for litigation and labor negotiations (seven years - zero nays).

Commissioner Forsman then stepped down as Chair of the Board and moved to suspend the rules, supported by Commissioner Prebich, to consider a resolution supporting domestic steel industry efforts to have the President of the United States stop the illegal dumping of below-cost foreign steel on the American market (seven years - zero nays). Economic instability around the world has decreased demand for steel and forced foreign steel producers to allegedly begin

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

394

dumping steel on the United States market. Thousands of steelworker jobs may be at stake while legal remedies are pursued. Commissioner Forsman, supported by Commissioner Prebich, moved to approve the resolution supporting the steel industry efforts (seven yeas - zero nays. Resolution No. 798.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-607 regarding repurchase of tax forfeited land.--57255

Julie Brunner, County Administrator, and John Valentine, Purchasing Agent, submitting Board Letter No. 98-619 regarding Bid Specifications - Legal Printing.--57256

U. S. Steel Industry Fact Sheet.--57257

Minnesota Trail Assistance Program Grant Agreement between the State of Minnesota, through the Commissioner of Natural Resources, and St. Louis County for Ashawa Ski Trail and Lookout Mt. Ski Trail.--98-692

Purchase of Service Agreement between St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Waiver DT&H Programs).--98-693ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and UDAC, Inc. (CSSA).--98-694ss

Amendment for Service Agreement for Collection and Proper Disposal/Recycling of Lead Acid Batteries between St. Louis County and Arrowhead Battery, Inc.--98-695

Project Contract between St. Louis County and Bulk Storage, Inc., for Construction of Two Dome Type Salt Storage Buildings (Buyck and Brimson Garage Sites).--98-696

Land Department Agreement for Engineering Analysis between the County of St. Louis and Control Technology, Inc., for the Development of a Proprietary System of GPS Enhancement.--98-697

Department of Natural Resources Snow-mobile Safety Enforcement Grant.--98-698

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 769 through 794, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:
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. 57107, are hereby approved and the

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

395

County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail Assistance	\$ 8,961.32
T21 Beer License	10.00
T23 Game and Fish	13,781.29
T27 Refunds	811.24
T50 State of Minnesota	
39,888.72	
T72 Home CHDO	
Program Income	14,344.00
T74 Employer/Employee	
Deductions	1,263,948.27
T75 Savings Bonds	5,300.00
T77 Cancelled Checks	865.57
T78 Volunteer Fire	
Departments	9,708.50
T84 Attorneys Forfeitures	56.00
T85 Sheriffs Forfeitures	
125.67	
T89 District Administrator	766.33
T98 Work Study	
Agency Fund	1,641.83
T99 Reserve Health & Welfare	1,232.30
01 General Fund	877,480.37
02 Public Works	1,159,264.18
04 Social Services	2,413,495.14
08A State Aid Road	209,795.57
08Y Hibbing/Virginia	
Law Enforcement	
Centers	18,010.57
09 McKinney Homeless	
Grant	220,500.00
11A Home Grant - All	
Years	73,927.83
12B CDBG Grant	26,648.64

128 Law Library	19.95
13 St. Louis County	
HRA	2,084.65
131 Extension Service	10,483.87
15 Forfeited Tax	55,625.20
16 Forest Resources	2,821.16
26 Solid Waste	
Authorities	121,431.04
49 Postage/Office	
Supplies	30,867.73
50 Printing	23,948.53
51 County Garage	6,675.35
52A Property, Casualty,	
Liability	4,689.46
52B Workers	
Compensation	36,242.85
52D Medical/Dental Self	
Insurance	1,094.29
53 Management	
Information	
Systems	27,938.27
54 Regional Railroad	
Authority	54,694.53
55 Telecommunica-	
tions	23,447.10
64A Jensen Nursing	
Home	319,079.75
64B Nopeming Nursing	
Home	158,256.76
64F Community Food	
Services	39,677.90
64L Laundry	13,680.42
64S Supervised Living	
Facilities	5,592.06

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

396

72	Northern Counties Land Use Coordinating Board	10,654.15
73	Arrowhead Regional Corrections	171,109.96
74	Community Health Services	<u>24,063.58</u>
		\$7,504,741.90

Adopted October 20, 1998. No. 769

RESOLVED, that pursuant to the recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - Gabriel Aho, \$667.20; Jeffrey Blix, \$2,134.36; Tony Clemmer, \$152.84; Lukas Dixon, \$587.32; Harold Ersbo, \$63.26; Roger Hensen, \$1,247.52; Rita Igwe, \$559.18; JMM Limited Partner, \$17,669.16; Mark Johnsen, \$310.64; Anne Knuth, \$1,455.58; Shaun Lawson-Scott, \$1,018.52; Jon Malek, \$597.00; David Mooers, \$2,130.30; John Murray, \$86.84; Paul Pedersen, \$710.10; Milton Peterson, \$14.18; Richard Peterson, \$969.48; Sellars Construction, \$1,152.76; James Siebert, \$832.16; Tempill Silliman, \$662.28; Michelle Sullivan, \$759.06; Debra Upton, \$2,024.58; USX Corporation, \$5,811.58; Gerald Westfall, \$475.16; Sean Witte, \$1,022.42.

Personal Property - Christopher Clark, \$115.46; Steve Lasila, \$39.66; Erick Turner, \$62.18.
Adopted October 20, 1998. No. 770

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 20, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.
Adopted October 20, 1998. No. 771

RESOLVED, that Resolution No. 506, adopted June 23, 1998, regarding adjusting the motor pool rates and charges, is hereby amended by changing the Sheriff's vehicle rates as follows:

\$.255/mile	Sedans
\$.325/mile	4WD Vehicles

Adopted October 20, 1998. No. 772

RESOLVED, that the Chairperson of the County Board, County Auditor, and Health Director be authorized to enter into agreements with:

City of Aurora	\$20.00 per day
City of Ely	\$25.00
City of Hibbing	\$20.00
City of Orr	\$25.00

for lease of space for WIC clinics October 1, 1998, through September 30, 1999, payable from Fund 01, Org. 220 (Public

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

397

Health Nursing), Agency 222J (WIC), Object 342.

Adopted October 20, 1998. No. 773

RESOLVED, that the St. Louis County Board approves the contract between the St. Louis County Social Service Department and the St. Louis County Department of Health and Long Term Care for the provision of Child and Teen Checkup administrative services and MA outreach from January 1, 1999, to December 31, 1999. Reimbursement, which will not exceed \$414,575, will be budgeted in the department's 1999 budget. Adopted October 20, 1998. No. 774

RESOLVED, that the County Board of Commissioners authorizes the Board Chair-person, Health Director, and the County Auditor to sign an agreement with UCare Minnesota for Public Health Nursing Services for the Plan's enrollees, payable to Fund 01, Agency 220 (Public Health Nursing), Org. 220, for the period October 1, 1998, to termination or renegotiation by either party. Adopted October 20, 1998. No. 775

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

1. Unorganized Township, Section 27,

Township 55, Range 15. Part of the SW-SE-NE-NW lying Southeasterly of the road right-of-way, platted in Comstock Lake Third Division. Plat/Parcel Code: 662-10-4132.

Adopted October 20, 1998. No. 776

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57255, are approved.

Adopted October 20, 1998. No. 777

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012,

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

398

92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted October 20, 1998. No. 778

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4, is hereby authorized to grant a permanent right-of-way easement to Minnesota Power, 30 West Superior Street, Duluth, MN 55802, for a roadway across the following tax forfeited lands:

SE 1/4 - SW 1/4 and SW 1/4 - SE 1/4, Sec. 33, T. 52 N., R. 15 W. A 66-foot roadway easement over, under and across that part of the Southeast Quarter of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter, both in Section 33, Township 52 North, Range 15 West, Saint Louis County, Minnesota, the centerline is described jointly as follows:

Commencing at the northwest corner of said SE 1/4 - SW 1/4; thence South 01 degree 41 minutes 07 seconds East, along the west line of said SE 1/4 - SW 1/4 a distance of 64.66 feet to the point of beginning of the centerline to be described;

thence northeasterly, along a nontangential curve concave to the northwest, having a radius of 261.75 feet, central angle of 8 degrees 19 minutes 24 seconds, a chord bearing of North 68 degrees 13 minutes 19 seconds East, a distance of 38.02 feet; thence easterly, along a reverse curve concave to the south, having a radius of 200.00 feet, central angle of 24 degrees 42 minutes 59 seconds, a distance of 86.28 feet to the point of intersection with a line drawn parallel with and distant 33.00 feet south of the north line of said SE 1/4 - SW 1/4; thence North 88 degrees 46 minutes 36 seconds East, along said parallel line a distance of 744.46 feet; thence southeasterly, along a tangential curve concave to the southwest, having a radius of 219.69 feet, central angle of 31 degrees 03 minutes 57 seconds, a distance of 119.12 feet, thence easterly, along a reverse curve concave to the north, having a radius of 444.81 feet, central angle of 29 degrees 42 minutes 00 seconds, a distance of 230.57 feet; thence South 89 degrees 51 minutes 27 seconds East a distance of 124.29 feet; thence southeasterly, along a tangential curve concave to the southwest, having a radius of 596.54 feet, central angle of 19 degrees 54 minutes 46 seconds, a distance of 207.32 feet; thence South 69 degrees 56 minutes 41 seconds East a distance of 139.85 feet; thence southeasterly, along a tangential curve concave to the southwest, having a radius of 515.08 feet, central angle of 20 degrees 52 minutes 39 seconds, a distance of 187.69 feet; thence southeasterly, along a reverse curve

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

399

concave to the northeast, having a radius of 949.51 feet, central angle of 30 degrees 36 minutes 49 seconds, a distance of 507.33 feet; thence South 79 degrees 40 minutes 51 seconds East a distance of 41.76 feet; thence easterly, along a tangential curve concave to the north, having a radius of 315.43 feet, central angle of 23 degrees 30 minutes 47 seconds, a distance of 129.45 feet; thence southeasterly, along a reverse curve concave to the southwest, having a radius of 228.17 feet, central angle of 60 degrees 27 minutes 36 seconds, a distance of 240.77 feet; thence South 42 degrees 44 minutes 02 seconds East a distance of 1.16 feet to the east line of the SW 1/4 - SE 1/4, and there terminating.

The sidelines of the above described easement are prolonged or shortened to terminate on the east and west lines of said SW 1/4 - SE 1/4 and SE 1/4 - SW 1/4 respectively.

For the consideration of \$150.00 administration fee, \$19.50 recording fee, and \$6 publication fee for a total cost of \$175.50.

RESOLVED FURTHER, that said easement is permanent and is subject to the terms and conditions of the easement agreement.
Adopted October 20, 1998. No. 779

WHEREAS, the Land Department has 40,140 acres of tax forfeit land requiring a forest inventory; and

WHEREAS, that securing such inventory data is absolutely fundamental in the practice of wise land management planning and decision making; and
WHEREAS, the bid from Steigerwaldt of \$50.50 per stand will provide for this work being accomplished at a fair and reasonable cost; and

WHEREAS, by its professional references, and its performance in the execution of the Phase I inventory contract for the Land Department, Steigerwaldt has demonstrated it has the expertise to properly deliver this service in a timely manner; and

WHEREAS, the cost of this service shall not exceed \$60,000 for 1998;

NOW, THEREFORE, BE IT RESOLVED, that the appropriate St. Louis County officials are authorized to sign, on behalf of St. Louis, a consulting Agreement with Steigerwaldt Land Services, Inc.; and the Land Commissioner is authorized to pay for these services from Fund 16 for an amount not to exceed \$60,000.

Adopted October 20, 1998. No. 780

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the Town of Fall Lake for the general surface maintenance and winter maintenance of certain roadways within the township under their jurisdiction. This agreement begins August 1, 1998, and continues for one year. The Town of Fall Lake agrees to pay the County \$350 per mile per year for the specified roads listed in said agreement, payable to the Public Works Department,

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

400

Fund 02, Agency 00A.
Adopted October 20, 1998. No. 781

RESOLVED, that the Purchasing Agent is hereby authorized to purchase two (2) New Truck Mounted Road Patchers, Wildcat Model RP005, from Macqueen Equipment, Inc., of St. Paul, MN, in accordance with the specifications of Bid No. 3835 and their low specification bid price of \$239,900.00, plus 6.5 percent MN state sales tax of \$15,593.50, for a total price of \$255,493.50, payable from: Fund 02 (Public Works), Agency A14 (Equipment and Maintenance Shops), Object 649 (Other Equipment Purchases).
Adopted October 20, 1998. No. 782

RESOLVED, that the Public Works Department is authorized to sell one (1) 1989 Ford F-Superduty truck with stake body platform and air compressor (Unit No. 9074) to the City of Proctor for the price of \$2,000.
RESOLVED FURTHER, that the \$2,000 proceeds from this sale shall be credited to Public Works, Fund 01, Agency 00A, Revenue Source 5104.
Adopted October 20, 1998. No. 783

WHEREAS, the Minnesota Extension Service/St. Louis County and Carlton, Itasca, Koochiching and Lake Counties have applied for and been awarded a grant to provide a Nutrition Education Program, for which St. Louis County is to serve as fiscal agent.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts the grant in the amount of \$50,658

(payable to Fund 131, Agency 132, Org. FNP6) and authorizes the necessary County Officials to execute the necessary grant agreements.
Adopted October 20, 1998. No. 784

WHEREAS, a "Housing and Homeless Resources Booklet" has been prepared to provide homeless people and service providers with comprehensive information on programs and agencies available to address the problems of homelessness; and WHEREAS, the booklet has become a valuable tool for County Social Services staff, service providers, homeless people and requires a third printing; and WHEREAS, the Northland Foundation has offered to provide the County \$1,000 to be applied to publication costs of said manual.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners accepts the above-referenced Northland Foundation award and authorizes the Planning Director to execute documents necessary for receipt of such award; and
RESOLVED FURTHER, that said award be appropriated to Fund 01-019-FPA2.
Adopted October 20, 1998. No. 785

WHEREAS, Boise Cascade has made application to have the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section 26, Township 68 North, Range 19 West, placed under the provisions of Minnesota Statutes, Sections 270.31 to 270.39, the Minnesota Tree Growth Tax Law; and
WHEREAS, said application complies in

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

401

all respects with the Minnesota Tree Growth Tax Law and the St. Louis County Tree Growth Tax Policy;

NOW, THEREFORE, BE IT RESOLVED, that the application of Boise Cascade Corporation, 400 Third Avenue East, International Falls, Minnesota 56649, to place the below described property under the Minnesota Tree Growth Tax Law is hereby approved beginning with the assessment year of 1999.

Description: Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4), Section 26, Township 68 North, Range 19 West, containing 40 acres.

Adopted October 20, 1998. No. 786

RESOLVED, that the specifications for legal printing (revised 5-8-95), copy on file in County Board File No. 57256, are hereby approved for solicitation of bids for 1999, including:

1. Official Newspaper
 - a. Legal Notices
 - b. Board Proceedings
 - c. Notice of Expiration of Redemption
 - First Publication
 - Second Publication
 - d. Financial Statement - First Publication
2. Financial Statement - Second Publication/Location
3. Delinquent Tax List
 - First Publication
 - Second Publication

Adopted October 20, 1998. No. 787

WHEREAS, the provision of flu shots to County employees results in direct savings in excess of \$11,000.00 as well as indirect costs associated with employee absences and additional medical care;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby authorizes the payment of up to \$11,000.00 from the County Health Insurance Fund (Fund 52D, Agency P17, Object 299) to provide flu shots to County employees, retirees, and dependents in 1998.

Adopted October 20, 1998. No. 788

WHEREAS, the St. Louis County Board of Commissioners has established a Citizen Advisory Board to review all CDBG applications and to make funding recommendations to the County Board; and

WHEREAS, the Citizen Advisory Board has completed its review of all 50 Community Development Block Grant applications for Fiscal Year 1999 totaling \$5.1 million in funding.

WHEREAS, the expected Fiscal Year 1999 CDBG - Year Five Action Plan for projects within St. Louis County, is estimated at approximately \$2,700,000; and

WHEREAS, the Citizen Advisory Board will recommend 40 projects, totaling \$2,674,100 for funding award in FY99;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby call a public hearing to be held on Tuesday, November 3, 1998, at 9:40 A.M. at the Courthouse

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

402

in Duluth, Minnesota, for the purposes of receiving the Citizen Advisory Board recommendations, receiving citizen comments on these recommendations, which includes housing, community development, homeless program initiatives, and to take formal action to approve submittal of the Year Five Action Plan for Fiscal Year 1999.

Adopted October 20, 1998. No. 789

WHEREAS, the St. Louis County Social Service Department has operated Rainbow and Lincoln Park Senior Centers for 25 and 18 years respectively; and

WHEREAS, these Centers have effectively served largely the seniors who live in the attached high rises, Tri Towers and Midtowne I and II; and

WHEREAS, over the years, due to a number of factors, senior participation at the Centers has declined; and

WHEREAS, Advisory Committees at both Centers recognize this, are aware of the importance of increasing senior participation in the Duluth senior center programs, and support the direction of a multi-generational community center development in this area.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners allocates up to \$8,000 for the purpose of funding a concept design to explore the feasibility of the construction of a multi-generational community center to be located on the Duluth Waterfront.

RESOLVED FURTHER, that payment for this concept design shall be payable from Fund 08, Agency 090 (Capital Projects).

Adopted October 20, 1998. No. 790

RESOLVED, the St. Louis County Board hereby conveys Unit No. 5025, a 1979 International S2574, to the Township of Toivola for fire protection purposes.

RESOLVED FURTHER, that \$5,000 be transferred from the General Fund, Undesignated Fund Balance, to the Public Works Department (Fund 02, Agency 00A, Revenue Source 5104).

Adopted October 20, 1998. No. 791

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Ms. Kalie Klaysmat as the Unorganized Township representative to the Cook-Orr Healthcare District Board of Directors for a four-year term beginning January 1, 1999.

Adopted October 20, 1998. No. 792

RESOLVED, that a public hearing will be held at 9:40 A.M. on October 27, 1998, in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Echo Lake, Inc., d/b/a Trail's End Resort, Portage Township.

Adopted October 20, 1998. No. 793

RESOLVED, that the County Board authorizes the number of FTE's for the St. Louis County Jail to be increased from 73.0 to 74.0, effective immediately, in order to hire a Correctional Officer to be assigned to the Duluth Courthouse Lockup on a daily basis.

RESOLVED FURTHER, that no additional funding is requested in Fund 01, Agency

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

403

101, for this position in 1998.
Adopted October 20, 1998. No. 794

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

S.A.P. 69-030-03, C.P. 8224, located on twelve sites in South St. Louis County. Project to consist of Steel Plate Beam Guardrail.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 19, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER
Timme, Inc.
Northern Division

ADDRESS
N7814 - 250th St.
P.O. Box 118
Spring Valley, WI 54767

AMOUNT
\$183,905.11

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Department A17, Object 527.

Unanimously adopted. October 20, 1998.
No. 795

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

S.A.P. 69-612-12 (C-SAH 12, Lester River Road), C.P. 8225, located between Superior Street and Strand Road. Project to consist of Steel Plate Beam Guardrail.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 19, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular

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

404

session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

H & R Construction Co.

ADDRESS

Box 756
Dalton, MN 56324

AMOUNT

\$64,334.62

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 2, Department A17, Object 527.

Unanimously adopted. October 20, 1998.

No. 796

BY COMMISSIONER SWEENEY:

RESOLVED, that pursuant to the results of a Department Head compensation study, the compensation rate for County Sheriff is increased to Grade 30 of the St. Louis County Management Compensation Plan, effective October 1, 1998.

Yeas - Commissioners Fink, Krueger, Kron, Sweeney, and Prebich - 5
Nays - Commissioner Raukar and Chair Forsman - 2

Adopted October 20, 1998. No. 797

Upon motion of Commissioner Forsman, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 798 which was not on the agenda.

BY COMMISSIONER FORSMAN:

WHEREAS, the United States steel industry is a \$70 billion annual business in the United States; and

WHEREAS, economic instability in Russia, Asia, and other countries has diminished the foreign demand for steel; and

WHEREAS, foreign steel producers have begun desperately dumping record-setting volumes of steel on the American market at below-cost prices, threatening thousands of American steel industry jobs; and

WHEREAS, the legal process required to stop the dumping will be lengthy.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby supports the American steel industry effort to urge the President of the United States to immediately stop the illegal dumping of below-cost, foreign steel on the American market until such time as a legal decision is handed down.

Unanimously adopted. October 20, 1998.

No. 798

At 10:10 A.M. on Tuesday, October 20, 1998, upon motion of Commissioner Prebich, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

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

405

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
OCTOBER 27, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of October, 1998, at 9:38 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda and the following person chose to do so:

Mary Theurer, representing A.F.S.C.M.E., spoke to the Board on behalf of child support officers in St. Louis County who have allegedly been working out-of-class. Ms. Theurer described the negotiations as at an impasse and asked the Board for some indication of when the issue will be resolved. Alan Mitchell, County Attorney, advised the Board that he has been in touch with the Civil Service Director and would be meeting with Ms. Theurer sometime during the current week.

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

406

At 9:40 A.M., pursuant to Resolution No. 753, adopted September 22, 1998, a public hearing was convened to consider the petitioned name change request for Mud Lake (Lake No. 69-630) located in Section 13, Township 54 North, Range 17 West (Town of Cotton), to the proposed name Golden Pond. An original hearing on this matter had been held on September 15, 1998, but had to be rescheduled because of an error in the published notice. Larry Ringhofer, Golden Pond resident, thanked the Board for supporting the name change. Commissioner Prebich, supported by Commissioner Kron, moved to close the hearing at 9:41 A.M.; seven yeas - zero nays. Commissioner Prebich, supported by Commissioner Sweeney, then moved to approve the name change; seven yeas - zero nays. Resolution No. 817.

At 9:42 A.M., pursuant to Resolution No. 793, adopted October 20, 1998, a public hearing was convened to consider granting Combination On/Off Sale and Sunday On Sale Intoxicating Liquor Licenses to Echo Lake, Inc., d/b/a Trail's End Resort, Portage Township. Alan Mitchell, County Attorney, advised the Board that: all required County departments had reviewed the application and recommended approval; the Portage Town Board had recommended approval; the necessary insurance certificate had been received; and, all required notices had been given. Lois Huber, co-owner, was present for the hearing. Persons in attendance were invited to address the issue, but no one chose to do so. At 9:46 A.M., the hearing was closed on motion of Commissioner

Kron, supported by Commissioner Raukar; seven yeas - zero nays. Commissioner Krueger, supported by Commissioner Sweeney, moved approval of the licenses; seven yeas - zero nays. Resolution No. 818.

Commissioner Sweeney, supported by Commissioner Prebich, moved to suspend the rules to consider a request by Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Solway Township, for a permit to sell/serve intoxicating liquor outside the designated licensed premises in conjunction with a one-day event planned for October 31, 1998; seven yeas - zero nays. After some discussion, Commissioner Sweeney, supported by Commissioner Krueger, moved to approve the permit; seven yeas - zero nays. Resolution No. 819.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and Mark C. Flaherty, Planning Director, submitting Board Letter No. 98-643 regarding denial of the rezoning request for property in the Town of Meadowlands.--57258

Documentation from public hearing held on October 27, 1998, to consider granting a Combination On/Off Sale Intoxicating Liquor License and a Sunday On-Sale Intoxicating Liquor License to Echo Lake, Inc., d/b/a Trail's End Resort, Portage Township.--57259

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

407

Documentation from public hearing held on October 27, 1998, to consider the petitioned name change request for Mud Lake (Lake Number 69-630) located in Section 13, Township 54 North, Range 17 West, to the proposed name "Golden Pond".--57260

Upon motion of Commissioner Kron, supported by Commissioner Prebich, Resolutions No. 799 through 816, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 6, 1998, are hereby approved.

Adopted October 27, 1998. No. 799

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted October 27, 1998. No. 800

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following

application for a permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

James Lager, d/b/a Norway Point Resort, Leiding Township, Permit No. S9918.

Adopted October 27, 1998. No. 801

RESOLVED, that the County Board authorizes the Social Service Department to enter into a Host County Contract with the Department of Human Services for the provision of Moose Lake Regional State Operated Services in Region III. As fiscal agent, St. Louis County will accept \$1,762,236 from the state for the granting period of July 1, 1998, through June 30, 1999.

RESOLVED FURTHER, that the County Board authorizes the Social Services Department to enter into a second shared services agreement with the Department of Human Services for the granting period of July 1, 1998, through June 30, 1999, allowing the Department to provide direction for the types of services to be developed, delivered, and provided; coordinate the delivery of state provided services with other providers; and authorize actual delivery of services. Further, the agreement authorizes the Department to pay St. Louis County's assessed share of state operated service costs according to Region III's, SFY 1999 utilization based formula.

Budget Reference:

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

408

Expenditures:
Fund 04 Social Services
Agency SSV Mental Health Services
Organization 6860 (MLRTC SOS)
Revenue:
State Other 9511
County Taxes 0020
Adopted October 27, 1998. No. 802

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

City of Duluth, Marine Division Plat, Southeasterly 30 feet of Northwesterly 100 feet of Lots 12 - 16, Soo Line Railway Lease No. 7841, Block 15, Plat/Parcel Code: 10-3190-2310. Minimum bid \$6,000.00 plus fees;

WHEREAS, said parcel has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes, Section 282.01; and

WHEREAS, said parcel, on file in the office of the County Auditor, identified as County Board File No. 57116, is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other

statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland. BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted October 27, 1998. No. 803

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

City of Hibbing, Plat of Forest Lanes, Outlot A, Plat/Parcel Code: 139-130-70. Minimum bid \$850.00 plus fees;

WHEREAS, said parcel has been viewed by the County Board of Commissioners and has been classified as non-conservation land as provided for in Minnesota Statutes, Section 282.01; and

WHEREAS, said parcel, on file in the office of the County Auditor, identified as County Board File No. 57116, is approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcel of land has been viewed and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other

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

409

statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted October 27, 1998. No. 804

WHEREAS, Minnesota Statutes 282.341 allows for the reinstatement of a repurchase contract after a default; and WHEREAS, this property was declared in default and the repurchase contract was canceled by County Board Resolution No. 583, dated August 4, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to reinstate repurchase contract number C22960129 upon receipt of payment for all charges that should have been paid at the date of reinstatement or payment in full.

Adopted October 27, 1998. No. 805

RESOLVED, that the County has prepared a list of tax forfeited lands which have been sold under the provisions of Minnesota Statute, Chapter 282, and for which there are taxes or installment payments due but not paid as of this date. NOW, THEREFORE, BE IT RESOLVED, this Board does hereby approve the cancellation of each contract for purchase or repurchase of tax forfeited land which is in default and on the list prepared by the

County Auditor, in County Board File No. 57149, all according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted October 27, 1998. No. 806

WHEREAS, the St. Louis County Public Works Department has plans to construct a segment of County State Aid Highway No. 4 between the intersection with C-SAH 111 (Palo Road) and the Embarrass River (S.A.P. 69-604-53); and

WHEREAS, additional highway right of way is required for the construction; and WHEREAS, tax forfeited properties will be crossed by the proposed alignment; and WHEREAS, Minnesota Statutes 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands;

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Auditor to grant the necessary right of way easements for highway purposes over the following parcels located in the Town of Biwabik, Unorganized Township 57-16, and the Town of White (St. Louis County Highway Right of Way Plat No. 15 and No. 16):

Parcel 41 and Parcel 66 in Plat No. 15 and Parcel 2 in Plat No. 16

RESOLVED FURTHER, that the Public Works Department will pay any timber damages resulting from the project;

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

410

payable from Fund 08A, Account 500, Auditor's Account 365.

Adopted October 27, 1998. No. 807

WHEREAS, the Town of Meadowlands initiated a rezoning from FAM-3 to MUNS-4 to allow for the construction of town homes in the NW 1/4 of NW 1/4, Section 21, Township 53, Range 19; and WHEREAS, a public hearing was held on September 12, 1998, before the County Planning Commission on the proposed rezoning; and

WHEREAS, the Planning Commission at its October 8, 1998, meeting voted 7-0 to recommend denial of the rezoning on the grounds that the proposal failed to meet the criteria for rezoning found in Article VIII, Section 6E, of the County Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners, herewith, denies the request for rezoning of the NW 1/4 of NW 1/4, Section 21, Township 53, Range 19, from FAM-3 to MUNS-4; and

RESOLVED FURTHER, the Staff Report to the Planning Commission, dated September 8, 1998, shall serve as the findings for the denial and said report shall be placed in Board File No. 57258 and made part of this resolution by reference. Adopted October 27, 1998. No. 808

RESOLVED, that pursuant to changes to Minnesota Statute 340A stating that St. Louis County is no longer the licensing authority for Evergreen Alliance Beverages, Inc., d/b/a Giants Ridge Recreation Area, White Township;

RESOLVED, that renewal fees were collected in error from Evergreen Alliance Beverages, Inc., d/b/a Giants Ridge Recreation Area, White Township;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes a refund of on-sale intoxicating and Sunday on sale intoxicating liquor license fees paid by Evergreen Alliance Beverages, Inc., d/b/a Giants Ridge Recreation Area, White Township; and

RESOLVED FURTHER, that said refund payable from Fund 01, Agency 051, Revenue Source 4040, will be as follows:

On-Sale Intoxicating Liquor License Fee	\$1,060.00
Sunday On-Sale Intoxicating Liquor License Fee	<u>200.00</u>
Total	\$1,260.00

Adopted October 27, 1998. No. 809

WHEREAS, St. Louis County was granted Shelter Plus Care funding under the U.S. Department of Housing and Urban Development's FY96 SuperNOFA, as authorized by Title IV of the Stewart B. McKinney Homeless Assistance Act of 1987, for the purpose of carrying out eligible activities to address the needs of homeless persons; and

WHEREAS, as authorized by Resolution No. 348, the St. Louis County Board authorized the execution of a subrecipient agreement with the Housing and Redevelopment Authority of Duluth in the amount of \$147,000, and with the Range Mental Health Center in the amount of \$114,840; and

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

411

WHEREAS, authorized representatives of St. Louis County and the Range Mental Health Center have mutually agreed to terminate said agreement for \$114,840 at the request of the Range Mental Health Center; and

WHEREAS, the Housing and Redevelopment Authority of Duluth presently operates a Shelter Plus Care Program and additional funding would allow the Housing and Redevelopment Authority of Duluth to expand its program from six participants to a total of eleven participants through May 31, 2002;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners does hereby authorize the Planning Director, the County Auditor, and a representative of the County Attorney to execute an addendum between St. Louis County and the Housing and Redevelopment Authority of Duluth to provide an additional \$114,840 of Shelter Plus Care funding, payable from SHP/S+C Fund 09, Agency M05, Org. DHRA.
Adopted October 27, 1998. No. 810

WHEREAS, the 911 Communications Department has a Dictaphone Model 5000 Voice Logging Recorder and Playback unit stored at its Virginia facility; and

WHEREAS, the 911 Communications Department has determined that this equipment is obsolete for use by the County; and

WHEREAS, the City of Ely has expressed an interest and has offered to purchase this equipment for \$500; and

WHEREAS, the Purchasing and

Communications Departments feel this is a fair offer;

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent and 911 Communications Director are hereby authorized to sell a Dictaphone Model 5000 Voice Logging Recorder and Playback Unit (County Asset No. 12113 and No. 12114) to the City of Ely for their offer of \$500, on an "as is/where is" basis. Funds from the sale shall be payable to Fund 01, Department 098.

Adopted October 27, 1998. No. 811

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the acceptance of an additional \$16,300 for completion of the North Shore Wastewater Facility Plan; amends the 1998 Department of Public Health and Long Term Medical Care budget to include these monies in Fund 1, Agency 230 (Environmental Health), Org. 244; and authorizes the additional expenditures of not more than \$16,300 for Ayres and Associates to complete the North Shore Wastewater Facility Plan, which will bring the total contract cost to the amount of the original proposal of \$59,500.

Adopted October 27, 1998. No. 812

RESOLVED, that the St. Louis County Board of Commissioners authorizes a Purchase of Service Agreement with KidsPeace Corporation, doing business as Mesabi Academy, for residential care services for delinquent youth for the period November 1, 1998, through December 31, 1999, at the per diem rates

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

412

listed below, pending receipt of the proper licenses to operate a facility for delinquent children and youth from the Minnesota Department of Corrections.

<u>Residential</u> <u>Continuum</u>	<u>Per Diem</u> <u>Rate</u>
Secure Residential	\$160
Intake Residential	\$160
Open Residential	\$150
Sexual Treatment	\$175
Pre-Release Residential	\$150

Adopted October 27, 1998. No. 813

BE IT RESOLVED, that the Chairman of the County Board, the Public Works Director, the County Attorney, and the County Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the City of Duluth for the "Wetlands Mitigation Agreement", an agreement which defines responsibilities for the administration and cost to construct replacement wetlands on the Enger Golf Course as part of the reconstruction of Arrowhead Road, S.P. 69-632-20, said project to be funded by Federal and State Aid Funds.

Adopted October 27, 1998. No. 814

WHEREAS, Wireless North, a cellular telephone company, wishes to erect a communication tower at the Pike Lake Toolhouse on County property; and
WHEREAS, Wireless North agrees to pay the County a rental fee of \$400 per month for placement of their communications tower on the County property; and

WHEREAS, St. Louis County is provided the option of installing its communications equipment on the antenna tower with no payment of rental fee to Wireless North.

BE IT THEREFORE RESOLVED, that the appropriate County officials are authorized to sign an Antenna Site Lease Agreement between Wireless North and St. Louis County.

Adopted October 27, 1998. No. 815

WHEREAS, on August 4, 1998, Resolution No. 601, the St. Louis County Board of Commissioners appointed individuals to the three Social Service Advisory Committees; and

WHEREAS, one of the individuals appointed, Mr. Robert Bizal, requested to transfer to the Disability Program Advisory Committee;

THEREFORE, BE IT RESOLVED, that the Board hereby appoints Mr. Robert Bizal to the Disability Program Advisory Committee.

RESOLVED FURTHER, the Board appoints Ms. Rebecca Forsman to the Family and Children Program Advisory Committee.

Adopted October 27, 1998. No. 816

BY COMMISSIONER PREBICH:

WHEREAS, a Petition has been filed with the St. Louis County Auditor seeking to change the name of Mud Lake (Lake Number 69-630) located within Section 13, Township 54N., Range 17W. (Town of Cotton), to Golden Pond; and
WHEREAS, notice of a public hearing to be held on October 27, 1998, has been

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

413

sent to the Cotton Town Board, Commissioner of Natural Resources and has been published for three consecutive weeks in the official newspaper of St. Louis County "Duluth News Tribune"; and WHEREAS, the Minnesota Commissioner of Natural Resources, as per Minnesota Statute 83.A.02 shall, in cooperation with County Boards and with their approval, change the names of lakes including the elimination of duplicate names, Mud Lake is a common lake name in use throughout Minnesota and within St. Louis County, while Golden Pond is a unique name.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the name change of Mud Lake (Lake Number 69-630) located within the Town of Cotton, St. Louis County, to Golden Pond; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners recommends that the Commissioner of Natural Resources also approve said name change, and upon receiving written approval said name change is hereby ordered.

Unanimously adopted. October 27, 1998.

No. 817

BY COMMISSIONER KRUEGER:

WHEREAS, Echo Lake, Inc., d/b/a Trail's End Resort, Portage Township, St. Louis County, Minnesota, has applied for a Combination On/Off-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License; and WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2 (d), requires that

a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on October 27, 1998, at or about 9:40 A.M. in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the applications for said licenses Echo Lake, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and WHEREAS, the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location.

NOW, THEREFORE, BE IT RESOLVED, that Combination On/Off-Sale Intoxicating Liquor License (License Number L9989) and Sunday On-Sale Intoxicating Liquor License (License Number LS9989) shall be issued to Echo Lake, Inc., d/b/a Trail's End Resort, Portage Township;

FURTHER RESOLVED, that said liquor licenses shall be effective through June 30, 1999;

FURTHER RESOLVED, that said licenses are approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the licensed place of business, the County Board, at its discretion may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. October 27, 1998.
No. 818

BY COMMISSIONER SWEENEY:

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ron Occhino, Officer, Saginaw Union Station, Inc., d/b/a Saginaw Union Station, Solway Township, to sell/serve outside the designated serving area of the County Intoxicating Liquor License for the date of October 31, 1998, as per application on file in the office of the County Auditor, identified as County Board File No. 57111. RESOLVED FURTHER, that said authorization is contingent upon the licenseholder posting "No Parking" signs printed in four-inch or larger black letters on white background, a minimum of four feet above the ground, every 50 feet for 500 feet on both sides of South T.H. 2; every 50 feet for 100 feet on both sides of Saginaw Road; every 50 feet for 300 feet on both sides of West T.H. 2; every 50 feet for 500 feet on both sides of East T.H. 194, at the licenseholder's expense and that the signs shall be removed after the event;

RESOLVED FURTHER, that said authorization is approved contingent upon approval from the Town Board, Sheriff's Department, Health Department, and Attorney's Office.

Unanimously adopted. October 27, 1998.
No. 819

At 9:50 A.M. on Tuesday, October 27, 1998, upon motion of Commissioner Prebich, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the

Board of County Commissioners

Attest:

Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

OFFICIAL PROCEEDINGS

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

NOVEMBER, 1998

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
NOVEMBER 3, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of November, 1998, at 9:38 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons

who wanted to address the County Board concerning issues not on the agenda and the following person chose to do so:

Durbin Keeney, Duluth, representing StandDown North, a veterans' organization, presented a plaque to Board Chair Forsman expressing appreciation for County Board support of StandDown North 98.

At 9:45 A.M., a public hearing, continued from the October 6, 1998, County Board meeting, was reconvened to determine whether alleged violations of Minnesota Statute 340A and St. Louis County Ordinance No. 28 (Liquor Ordinance) by Allied Properties, d/b/a Prime Time Steak House, occurred and what penalties to impose. Alan Mitchell, County Attorney, advised the Board that the hearing should be opened and then continued until

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

416

December 15, 1998, at 9:35 A.M., to allow time for the Deputy Sheriff who cited the establishment to recover from injuries sustained in a motorcycle accident. Chair Forsman opened the hearing to anyone who wanted to address the issue, but no one chose to do so. Commissioner Sweeney, supported by Commissioner Fink, then moved to continue the hearing until December 15, 1998; seven yeas - zero nays.

At 9:51 A.M., a public hearing was convened, pursuant to Resolution No. 789, adopted October 20, 1998, to consider the Community Development Block Grant (CDBG) Citizen Advisory Board recommendations, to hear citizen comments and to take formal action to approve submittal of the Year Five Action Plan for Fiscal Year 1999 to the Department of Housing and Urban Development (HUD). The following persons addressed the issue:

Nancy Larson, CDBG Manager, reviewed the proposal and described the process and criteria used to determine which programs are included. Ms. Larson lauded all those involved in the process.

Rick Wolf, Chair of the CDBG Advisory Board, Judith Sedin, Legal Aid Representative, Gordon Hoelscher, representing Range Mental Health, Mac Rudstrom, Cook, and Connie Moore, representing Project SOAR, all praised the CDBG staff and the Board for the hard work that results in vital funding for their respective

projects.

At 10:25 A.M., Commissioner Prebich, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Prebich, supported by Commissioner Kron, then moved to approve the Year Five Action Plan for Fiscal Year 1999; seven yeas - zero nays. Resolution No. 830.

The street maintenance agreements with the City of Duluth, tabled from the October 20, 1998, Board meeting, were taken up. Commissioner Raukar, supported by Commissioner Prebich, moved to approve the first agreement, which provides for the County to maintain certain city streets at an annually negotiable, reimbursement rate of \$3,027 per lane mile. Richard Hansen, Highway Engineer, explained that the City and County have been performing maintenance on each other's streets and roads since 1937 without any formal agreement and without regard for equity. The agreements presented were the result of discussions/negotiations between County and City Public Works representatives. However, Gary Doty, City of Duluth Mayor, has indicated that there is no agreement on the table and has requested a two or three year study before any agreement is implemented. After some discussion, Commissioner Kron offered a friendly amendment, which was accepted by the makers of the motion, directing Public Works to monitor the service delivery and cost of the

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

417

maintenance for one year and report back to the Board to determine if the fees were equitable. Discussion ensued that focused on the uniqueness of the Duluth situation, budgetary responsibilities and collaboration with other political subdivisions to provide sensible and cost effective service for the taxpayers. Glen Slotness, representing the Duluth Chamber of Commerce, addressed the issue and wondered what will happen after January 1, 1998, if an agreement is not reached. Mr. Slotness urged the Board to begin discussions at the elected, decision-making level to ensure that necessary service is not sacrificed. Commissioner Raukar, supported by Commissioner Prebich, moved to call the question. Commissioner Raukar then withdrew his motion to call the question to allow for further discussion. After some additional discussion, Commissioner Kron, supported by Commissioner Raukar, then moved to call the question; seven yeas - zero nays. Commissioner Krueger, supported by Commissioner Fink, moved to sever the lane mile compensation from the resolution. Alan Mitchell advised the Board that the compensation amount was part of the proposed agreement and could not properly be separated on the resolution. The original resolution with the friendly amendment was then approved; five yeas - two nays, Commissioners Fink and Krueger. Resolution No. 831.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the companion street maintenance agreement,

tabled at the October 20, 1998, Board meeting, to have the City of Duluth maintain certain roads and streets for the County; five yeas - two nays, Commissioners Fink and Krueger. Resolution No. 832.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the award of bid for Highway Project S.P. 69-590-06 (Trail) to R & M Construction, Inc., Virginia, MN, on their low bid of \$404,950.25; seven yeas - zero nays. Resolution No. 833.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Mayor Gary L. Doty, City of Duluth, in strong opposition to the winter snowplowing costs for certain streets within the city limits.--57261

Julie Brunner, County Administrator, and Gordon D. McFaul, County Auditor, submitting Board Letter No. 98-656 regarding removal of property from tree tax status - Carl A. Brown.--57262

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-651 regarding proposed land exchange between St. Louis County and Allen Richard Olsen.--57263

Lobbying Services Agreement with Arrowhead Counties and John Ongaro.--98-699

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

418

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 820 through 829, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T23 Game and Fish	\$ 283,817.50
T27 Refunds	442.87
T28 School Districts	8,609,310.00
T48 Taconite Relief/Other	2,778,118.00
T49 Taconite Production Tax	74,709.00
T50 State of Minnesota	184,775.24
T66 Criminal Fines	100,650.91
T74 Employer/Employee Deductions	1,304,001.58
T75 Savings Bonds	6,000.00
T77 Cancelled Checks	8,668.27
T85 Sheriffs Forfeitures	1,572.92
T87 Assault Fees	1,478.75
T89 District Administrator	808.32
T98 Work Study Agency Fund	1,093.05
01 General Fund	957,728.48

02 Public Works	539,319.11
03 Septic Loan Revolving Fund	87,300.00
04 Social Services	3,831,449.28
08 Capital Projects	5,791.00
08A State Aid Road	218,588.25
08B Road & Bridge Building Const.	1,250.00
08Y Hibbing/Virginia Law Enforcement Centers	22,686.00
09 McKinney Homeless Grant	17,265.00
10B Emer. Shelter 95 Funds	3,857.78
11A Home Grant - All Years	23,721.13
12B CDBG Grant	121,282.75
128 Law Library	8,313.27
129 City/County Comm. Antenna Site	173.51
13 St. Louis County HRA	295.80
131 Extension Service	12,151.92
15 Forfeited Tax	76,990.43
16 Forest Resources	95,543.31
26 Solid Waste Authorities	115,803.03
49 Postage/Office Supplies	22,899.59
50 Printing	8,439.21
51 County Garage	19,898.80
52A Property, Casualty, Liability	1,600.00
52B Workers Compensation	77,134.09
52D Medical/Dental Self Insurance	99.31
53 Management	

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

	Information Systems	81,115.50
54	Regional Railroad Authority	11,362.83
55	Telecommunications	53,896.16
64A	Jensen Nursing Home	318,838.32
64B	Nopeming Nursing Home	130,244.72
64F	Community Food Services	12,045.29
64L	Laundry	16,055.16
64S	Supervised Living Facilities	5,489.67
72	Northern Counties Land Use Coordinating Board	1,500.00
73	Arrowhead Regional Corrections	256,438.53
74	Community Health Services	<u>13,511.14</u>
		\$20,525,524.78

Adopted November 3, 1998. No. 820

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 3, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted November 3, 1998. No. 821

RESOLVED, that the Chair of the Board and the County Auditor are hereby authorized to execute the Lobbying Services Agreement with Arrowhead Counties Association, a copy of which is on file in Contract File No. 98-699, which

would utilize the services of St. Louis County's Lobbyist, John Ongaro, to further Arrowhead Counties lobbying activities at the State Legislature during the 1999 legislative session.

Adopted November 3, 1998. No. 822

RESOLVED, that the County Board authorizes the Chairperson of the County Board, the Health Director, and the County Auditor to enter into an agreement with Bemidji State University for undergraduate public health nursing experience for the period September 6, 1998, through August 31, 2001.

Adopted November 3, 1998. No. 823

WHEREAS, the following parcels of tax forfeited land located in St. Louis County may be considered for exchange:

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4), Section Five (5), Township Fifty-Six (56) North, Range Fourteen (14) West (78.93±Acres); and

WHEREAS, Minnesota Statutes 282.01 calls for the classification or reclassification of said parcels as to conservation or non-conservation;

NOW, THEREFORE, BE IT RESOLVED, that the classification of the above referenced parcels of tax forfeited land is hereby declared to be non-conservation, and that the parcels be appraised for land exchange.

Adopted November 3, 1998. No. 824

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

420

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

1. Township of Pequaywan, Section 18, Township 54, Range 12, that part of the SE 1/4 of SE 1/4 lying West of the centerline of new Highway No. 44, in Island Lake Memorial Forest. Plat/Parcel Code: 502-20-2720.

2. Township of Eagles Nest, Section 26, Township 62, Range 14, West 370 feet of Government Lot 4 lying South of Highway except Westerly 175 feet and except East 165 feet of West 340 feet in Lake Vermilion Memorial Forest. Plat/Parcel Code: 317-10-4244.

Adopted November 3, 1998. No. 825

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land, identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-

public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted November 3, 1998. No. 826

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land, identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners

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

421

hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.
Adopted November 3, 1998. No. 827

WHEREAS, Minnesota Statute 270.38, Subdivision 2, allows cancellation of a Tree Growth Tax Status Agreement without formal hearing by mutual agreement between the land owner and the County Board; and

WHEREAS, Carl A. Brown, 9360 Brown Road, Cook, MN 55723, has requested removal of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) of Section 6, Township 61, Range 17, from the Tree Growth Tax Status;

NOW, THEREFORE, BE IT RESOLVED, that the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 of SW 1/4) be reverted to the ad valorem tax status upon compliance with the provisions of the Minnesota Tree Growth Tax Law, including payment of withdrawal penalty.

RESOLVED FURTHER, that said changes will be effective for the assessment date of January 1, 1999.

Adopted November 3, 1998. No. 828

RESOLVED, that a public hearing will be held on Tuesday, November 24, 1998, at 9:35 A.M. in the St. Louis County Courthouse, Hibbing, Minnesota, to determine whether the alleged violations, as stated below, occurred and the penalty to be imposed should it be proven that the violations did occur. Alleged violations are against Sandberg, Inc., d/b/a Bear River Viking Bar, Morcom Township, and are as follows:

Minnesota Statute 340A, Section 340A.504, Hours and Days of Sale.

Subd. 2. **Intoxicating liquor; on-sale.** No sale of intoxicating liquor for consumption on the premises may be made:

- (1) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday.

St. Louis County Ordinance No. 28, Section 11 - Hours, Days and Location of Sales.

Subd. 11.02. **Intoxicating Liquor; On-Sale.** No sale of intoxicating liquor for consumption on the premises may be made:

- (1) between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday.

Subd. 11.04. **General Provisions.** On any licensed premises, no sale of liquor shall occur after the time required by law

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

422

to cease sales of liquor. No licensee or his agent shall allow another person to consume liquor on a licensed premises from the period twenty (20) minutes after the sales are to be ceased by law;

Subd. 11.05. **Patrons in Licensed Premises.** No licensee or his agent shall allow patrons to remain in the licensed premises beyond the period twenty (20) minutes after sales are to be ceased by law. Adopted November 3, 1998. No. 829

BY COMMISSIONER PREBICH:
WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Program (CDBG) for the purpose of developing viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities and preventing and/or eliminating conditions of slums and blight, principally for persons of low and moderate income; and
WHEREAS, Title II of the Affordable Housing Act of 1990, as amended, establishes a Housing Program (HOME) for purposes of expanding the supply of affordable housing units for very low and low income families and to promote the involvement of private non-profit organizations in sponsoring and developing affordable housing projects; and
WHEREAS, Subtitle B of Title IV of McKinney Homeless Assistance Act of 1987, as amended, establishes an Emergency Shelter Grant Program (ESG)

for purposes of improving the quality of emergency shelters, to assist in the costs of operations of shelters and transitional housing and in the provision of essential social services to homeless individuals; and
WHEREAS, the Secretary of Housing and Urban Development (HUD) is authorized to make grants to cities and/or counties to finance local CDBG, HOME and ESG Programs, submitted and approved in accordance with the Consolidated Plan regulations; and
WHEREAS, the St. Louis County Board desires to continue to carry out the "1995-1999 Consolidated Plan" of HUD-funded programs, including CDBG, HOME, and ESG grants,
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby makes a finding that CDBG expenditures as set forth below are necessary and appropriate and further that said expenditures will serve to assist low and moderate-income individuals/families (no less than 70 percent as described in federal regulations) and/or serve to prevent or eliminate conditions of slum or blight in the community; also the St. Louis County Board hereby makes a finding that HOME expenditures are targeted for developing affordable housing units for the very low income, low income and special needs populations and that at least 15 percent of HOME funds are for Community Housing Development Organizations; also the St. Louis County Board hereby makes a finding that not more than 30 percent of ESG funds will be used for essential services and homeless prevention activities; and

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

423

BE IT FURTHER RESOLVED, that the Planning Director is hereby authorized to prepare and submit the "Year Five Action Plan of the 1995-1999 Consolidated Plan" and amendments thereto, and all assurances and understandings contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding levels as set forth below, and to act in connection with said submission and to provide such additional information as may be required.

St. Louis County Projects - Year Five Action Plan:

HOUSING - CDBG

AEOA Homeownership Assistance Program	\$ 80,000
AEOA Short-Term/Transitional Housing-Shelter	75,000
AEOA Single Family Housing Rehab Program	550,000

ECONOMIC DEVELOPMENT - CDBG

Chicagami Day Care Center Expansion	18,300
Floodwood Commercial Rehab	25,000
Microenterprise - ACEAC	10,000
Microenterprise - NEEF	50,000

PHYSICAL IMPROVEMENT - CDBG

4-H Camp Accessibility Improvements	25,000
AEOA Exterior Ramp Replacement	10,000
Balliet's Addition Water & Sewer Improvements	200,000
Breitung Street & Infrastructure Improvements	105,000
Brimson Fire Hall Improvements	1,000
Camp Chicagami Accessibility Improvements	23,200
Canosia Township Slum & Blight Elimination	36,000
Community/Family Investment Center Renovation	100,000
Ely Street & Infrastructure Improvements	250,000
Hermantown Blight Removal	40,000
Hibbing Storm & Sanitary Sewer Improvements	100,000
Kelsey Town Center Renovation	20,000
LEC Masterplan Renovation/ADA Trails	28,500
Mesabi Trail - Kelly Lake Segment	50,000
Nijjii Center Rehabilitation Project	13,000
Range Detoxification	

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

424

Service Building	250,000
Soudan School Demolition	200,000
Toivola Community Center & Recreation Area Improvements	25,000
Tower Sanitary Improvements	70,000

PUBLIC SERVICE - CDBG

AEOA Homeless/Shelter Operations	35,000
CIL Ramp Project	20,000
Be the BEST! Project	17,500
ESN Telecare Program	18,000
Legal Aid Service	41,200
Native American Organizing Project	25,000
Proctor House	20,000
Project Outreach	19,200
Project SOAR	10,000
Range Respite Certified CarePartners	28,200
Range Transitional Housing 30,000	30,000
ROCK (Raising our Children's Kids)	20,000
RWA Children's Program	20,000
Salvation Army Soup Kitchen	15,000

HOME PROGRAM CATEGORIES

Homeowner Rehabilitation Program	133,422
First Time Homebuyer Program	261,261
CHDO Set-Aside Projects	158,667
CHDO Operating Expense	32,550
General Administration - St. Louis County Consortium	65,100

**EMERGENCY SHELTER GRANT
CATEGORIES**

Operation Homeless Shelters	53,000
Essential Services	30,000
Homeless Prevention	32,000
Administration	6,000
Unanimously adopted. November 3, 1998. <u>No. 830</u>	

BY COMMISSIONER RAUKAR:

WHEREAS, the City of Duluth and St. Louis have since 1937, been performing maintenance work within the Duluth city

limits on each others road and street systems without written agreement and without compensation to the other party; and

WHEREAS, the City of Duluth and St. Louis County have determined that it is mutually beneficial to put the terms of the road and street maintenance in writing to avoid future controversy over each party's responsibility for said maintenance, and to establish a cost per lane mile for reimbursement for work performed by either party on the others road and street systems; and

WHEREAS, the cost per lane mile for work performed will be reviewed and negotiated on an annual basis, and become a part of this written agreement.

RESOLVED, that the Public Works Department is hereby authorized to perform road maintenance on certain city streets located in the City of Duluth, and be paid \$3,027 per lane mile by the city for said work.

RESOLVED FURTHER, that the Public Works Department will monitor the service delivery and cost of the maintenance for one year and report back to the Board to determine if the reimbursement rate is equitable.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - Commissioners Fink and Krueger - 2

Adopted November 3, 1998. No. 831

WHEREAS, the City of Duluth and St. Louis have since 1937, been performing maintenance work within the Duluth city limits on each others road and street systems without written agreement and without compensation to the other party; and

WHEREAS, the City of Duluth and St. Louis County have determined that it is mutually beneficial to put the terms of the road and street maintenance in writing to avoid future controversy over each party's responsibility for said maintenance, and to establish a cost per lane mile for

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

425

reimbursement for work performed by either party on the others road and street systems; and

WHEREAS, the cost per lane mile for work performed will be reviewed and negotiated on an annual basis, and become a part of this written agreement.

RESOLVED, that the Public Works Department is hereby authorized to pay the City of Duluth at the rate of \$3,027 per lane mile to perform road maintenance on County roads located within the City of Duluth.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - Commissioners Fink and Krueger - 2

Adopted November 3, 1998. No. 832

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

S.P.69-590-06 (Trail), Minnesota Project No. TEAF 6998(105). Length: 7.64 miles. Construction to consist of Grading, Aggregate Base, Bituminous Surface and Fencing.

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Mr. Mike Tardy, at a meeting at 10:00 A.M. on November 2, 1998, and the County Highway Engineer determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby recommends the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-590-06
Minn. Proj. TEAF 6998(105)

CONTRACTOR

R & M Mesabi Construction, Inc.
1505 - 9th St. South
Virginia, MN 55792

AMOUNT

\$404,950.25

Unanimously adopted. November 3, 1998. No. 833

At 11:47 A.M. on Tuesday, November 3, 1998, upon motion of Commissioner Prebich, supported by Commissioner

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

426

Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
NOVEMBER 10, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of November, 1998, at 9:37 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J.

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

427

Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6.
Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

Commissioner Fink, supported by Commissioner Kron, moved to suspend the rules to consider final plat approval of the Giant's Ridge Resort Village; six yeas - zero nays. Mark Johnson, Planning Department, appeared before the Board and explained that this was part of the second phase of the Giant's Ridge Golf Course Project and would include a hotel with conference room facilities. All required County departments have reviewed and approved the plan. Commissioner Fink, supported by Commissioner Raukar, moved final approval of the plat; six yeas - zero nays. Resolution No. 856.

Commissioner Kron then invited the Board and the public to attend the Veterans' Memorial Hall Dinner on Wednesday, November 11, 1998 (Veterans' Day), at 6:00 P.M. at American Legion Post 71 in West Duluth.

Commissioner Prebich asked Mark Johnson, Planning, to provide to the Board a map of the previously approved Giant's Ridge Resort Village plat. In response to a question from Commissioner

Prebich, Mark Johnson said that condominium development would be part of the third phase of the Giant's Ridge Golf Course Project.

Julie Brunner, County Administrator, then told the Board that she had requested a progress report from Richard Blakesley, Veterans' Service Officer, on the status of the St. Louis County, World War II veterans book of biographies.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Annual Report of the Secretary of the St. Louis County Fair - Hibbing.--57264

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-679 regarding permanent easement to the Western Lake Superior Sanitary District for Bayview Heights Interceptor Extension over Tax Forfeited Property.--98-700

Purchase of Service Agreement between St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Waiver SLS Programs).--98-701ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Moose Lake Regional State Operated Services (SOCS MA MR/RC Crisis Respite Programs).--98-702ss

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

428

Plan Provider Participation Agreement with UCare Minnesota for public health nursing services.--98-703

St. Louis County 1998 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Mountain Iron.--98-704

St. Louis County 1998 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Aurora.--98-705

St. Louis County 1998 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the Township of Alango.--98-706

St. Louis County 1998 Recycling and Waste Reduction Grant Agreement between the County of St. Louis and the City of Eveleth.--98-707

St. Louis County Grant Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Central Hillside SportsCourt Neighborhood Project.--98-708

St. Louis County Grant Agreement between the St. Louis County Board of Commissioners and the City of Virginia for the Skatejam, Inc., Project.--98-709

St. Louis County Grant Agreement between the St. Louis County Board of Commissioners and St. Louis County for the Kabetogama Community Ice Rink/Warming House Project.--98-710

Lease Agreement between the City of Orr and the County of St. Louis for WIC clinics.--98-711

Lease Agreement between the City of Ely and the County of St. Louis for WIC clinics.--98-712

Lease Agreement between the City of Aurora and the County of St. Louis for WIC clinics.--98-713

Lease Agreement between the City of Hibbing and the County of St. Louis for WIC clinics.--98-714

Road Maintenance Agreement between St. Louis County and Fall Lake Township.--98-715

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.- Supported Living Services--Adult.--98-716ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.- Aldrich.--98-717ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.- Cedar.--98-718ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.- Central.--98-719ss

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

429

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Supported Living Services--Child.--98-720ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Douglas.--98-721ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Evans.--98-722ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Horizons.--98-723ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Ivy.--98-724ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc.-Jones.--98-725ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Northern Habilitative Services, Inc., In-Home Family Support.--98-726ss

BY COMMISSIONER KRON:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 20, 1998, are hereby approved.
Adopted November 10, 1998. No. 834

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 27, 1998, are hereby approved.
Adopted November 10, 1998. No. 835

RESOLVED, that pursuant to the recommendations of the Tax Committee,

the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - DMR Electronics, Inc., \$35,377.04; Allen Erickson, \$330.30; John Fawcett, \$391.52; Richard Gottschald, \$4,096.94; Nikki Johnson, \$155.60; William Jones, \$1,325.50; Gary Kalligher, \$1,393.18; Henry Nickel, Jr., \$503.54; Kenneth Reynolds, \$526.84; RMM Limit Liability, \$6,073.34; St. Louis County, \$388.72; Todd Steberg, \$290.76; Lisa Vesterstein, \$2,022.74.

Personal Property - Gertrude Anderson, \$196.30; Tim Langenbrunner, \$121.50.
Adopted November 10, 1998. No. 836

RESOLVED, that the appraisal reports for the sale of timber, numbered Tracts 1 through 3, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted November 10, 1998. No. 837

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chairperson of the Board, the County Auditor, and the Health Director to enter into an agreement with the University of Minnesota, Duluth, to provide community health education intern experience for its students for the period September 1, 1998, through August 31, 2001.
Adopted November 10, 1998. No. 838

RESOLVED, that the County Board of Commissioners authorizes the Chairperson of the Board, the County Auditor, and the

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

430

Health Director to sign the agreement with the Hibbing Family Service Collaborative for the period July 1, 1998, through December 31, 1998, for public health nurse salary and benefits (\$52,500), travel reimbursement (\$3,150), supplies (\$3,000), and computer hardware (\$5,000), payable to Fund 1, Agency 220 (Public Health Nursing), Org. 262.

Adopted November 10, 1998. No. 839

WHEREAS, the Land Department has 40,140 acres of tax-forfeit land requiring a forest inventory; and

WHEREAS, that securing such inventory data is absolutely fundamental in the practice of wise land management planning and decision-making; and

WHEREAS, the bid from Steigerwaldt of \$50.50 per stand will provide for this work being accomplished at a fair and reasonable cost; and

WHEREAS, by its professional references, and its performance in the execution of the Phase I inventory contract for the Land Department, Steigerwaldt has demonstrated it has the expertise to properly deliver this service in a timely manner; and

WHEREAS, the cost of this service shall not exceed \$110,000;

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is authorized to execute an amended Agreement with Steigerwaldt Land Services, Inc., to include additional acreage of 40,140 acres at \$50.50/per stand; and the Land Commissioner is authorized to pay for these services from Fund 16 in an amount not to exceed \$110,000.

RESOLVED FURTHER, that Resolution No. 780, dated October 20, 1998, is hereby rescinded.

Adopted November 10, 1998. No. 840

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land

identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes, Section 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners; and

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted November 10, 1998. No. 841

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval:

1. Township of Greenwood, Section 18, Township 62, Range 16, an undivided 1/8 interest of the NE 1/4 in SE 1/4, in Lake Vermilion Memorial Forest. 40 Acres. Plat/Parcel Code: 387-10-1792

Adopted November 10, 1998. No. 842

WHEREAS, the City of Hibbing is instituting a pilot program on January 1, 1991, to improve the quality of its recyclable materials through a manual

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

431

curbside collection program; and WHEREAS, the City requires a collection trailer for this pilot program; and WHEREAS, the County has as surplus equipment two recycling trailers previously used by other curbside collection program participants; and WHEREAS, the City of Hibbing has submitted an offer to purchase these two recycling trailers for \$300.00; and WHEREAS, the Solid Waste Department is committed to working with the City of Hibbing to improve its recycling program. NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves the sale of two surplus recycling trailers "as is" to the City of Hibbing for \$300.00. Adopted November 10, 1998. No. 843

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law on Tuesday, February 9, 1999, at 10:00 A.M. at the Duluth Entertainment and Convention Center (DECC), Duluth, Minnesota. Adopted November 10, 1998. No. 844

WHEREAS, St. Louis County encourages public and private entities to recycle; and WHEREAS, the City of Ely and Clark's IGA of Cook have been leasing cardboard balers from St. Louis County since 1994 to recycle cardboard and these leases expire

on December 31, 1998; and WHEREAS, it is the County's best interest to continue to allow the City of Ely and Clark's IGA of Cook to use the balers to recycle cardboard. NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to enter into two-year lease agreements with the City of Ely and Clark's IGA of Cook for the use of County-owned cardboard balers. Clark's IGA of Cook will pay \$100.00 per year and the City of Ely will pay \$1.00 per year. Adopted November 10, 1998. No. 845

WHEREAS, proper operation and maintenance of the leachate collection and treatment system is critical to the integrity of the St. Louis County Regional Landfill; and WHEREAS, Northeast Technical Services, Inc., has successfully operated and maintained the leachate system at the Regional Landfill since November of 1993; and WHEREAS, on December 17, 1996, the Board of Commissioners approved a one-year contract with Northeast Technical Services, Inc., to continue to operate and maintain the leachate system; and WHEREAS, that contract allows the County to extend the contract for two additional one-year periods; and WHEREAS, on October 7, 1997, the Board of Commissioners approved a one-year extension of the contract which is due to expire on December 31, 1998. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Solid Waste Department is authorized to extend the existing contract with Northeast Technical Services, Inc., for the operation and maintenance of the Regional Landfill leachate system for one additional year at a cost not to exceed \$16,724 payable from Fund 26, Agency J-48 Leachate Operations. Adopted November 10, 1998. No. 846

WHEREAS, the St. Louis County Public

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

432

Works Department plans to reconstruct, widen, and improve a segment of County State Aid Highway 44 (S.A.P. 69-644-19) located in Ault and Pequaywan Townships; and

WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements, payable from Public Works Department (Fund 02, Agency A17, Objects 365 and 375).

Adopted November 10, 1998. No. 847

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with RLK Kuusisto, Ltd., to prepare plans and specifications for reconstruction of C-SAH 157, White Street, located between Eighth Avenue and Fourteenth Avenue in the City of Ely, MN. Compensation shall be a lump sum amount not to exceed \$20,465 (eligible for state aid reimbursement), payable from Public Works Department (Fund 2, Agency A11, Object 266).

Adopted November 10, 1998. No. 848

RESOLVED, that the Purchasing Agent is hereby authorized to renew the County Surety Bond policy covering Public Officials and Employees for an additional two-year period, 1999/2000, with Otis-Magie Agency, Duluth, MN, at their quoted premium of \$5,446; and

RESOLVED FURTHER, that the Purchasing Agent is authorized to add or delete bonding positions as may be requested by departments during the policy period. Reimbursable payment from: Fund 01 General, Agency 051 Auditor

Department, Object 379 Other Misc. Charges.

Adopted November 10, 1998. No. 849

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on October 27, 1998, the classifications of Account Clerk Intermediate, Account Clerk Senior, Account Clerk Specialist, Account Clerk Technician, Administrative Secretary, Cashier, Cashier Senior, Clerk General, Clerk Intermediate, Clerk Senior, Clerk Specialist, Clerk Steno General, Clerk Steno Intermediate, Clerk Steno Technician, Clerk Technician, Clerk Typist General, Clerk Typist Intermediate, Clerk Typist Technician, Court Assignment Deputy, Court Clerk, Court Clerk Senior, Data Processing Clerk, Data Processing Technician, and Highway Division Clerk are abolished effective November 10, 1998.

Adopted November 10, 1998. No. 850

RESOLVED, that the Sheriff's Office - Division of Emergency Management is authorized to submit an application for FFY 1999 State and Local Emergency Management Assistance funding.

RESOLVED FURTHER, that the Chair of the Board and Sheriff are authorized to sign the application on behalf of St. Louis County.

Adopted November 10, 1998. No. 851

WHEREAS, the St. Louis County Regional Landfill will require construction of the next phase of the landfill by the Fall of 2000; and

WHEREAS, an engineering consultant is required to prepare construction plans and specifications for this construction project; and

WHEREAS, Wenck Associates, Inc., is qualified to perform this work and has unique experience in previous landfill construction projects.

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is

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

433

authorized to enter into an agreement with Wenck Associates, Inc., to prepare design plans and construction documents for Phase II landfill construction at a cost not to exceed \$10,332, payable from Fund 26, Agency J-48 Landfill Construction. Adopted November 10, 1998. No. 852

WHEREAS, from time to time it is necessary for the State of Minnesota Department of Natural Resources and St. Louis County to have access across each other's land to pursue land management activities; and

WHEREAS, the State of Minnesota Department of Natural Resources and St. Louis County, through its Land Department, have established a process for cooperating and providing reciprocal access over certain lands.

NOW, THEREFORE, BE IT RESOLVED, the Land Commissioner is hereby authorized to execute the Reciprocal Access Agreement between the State of Minnesota Department of Natural Resources and St. Louis County.

BE IT FURTHER RESOLVED, that the Land Commissioner review annually the provisions of this agreement and make and approve any modifications that are necessary to more efficiently and economically serve the public interest. Adopted November 10, 1998. No. 853

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent easement, on file in Contract File No. 98-700, to the WLSSD for utility purposes, over, under and across certain tax forfeited land, for the consideration of \$3,984.50 (\$3,514.00 land easement value, \$345.00 timber damage value, \$100.00 administration fee, \$6.00 publication cost, and \$19.50 recording fee).

FURTHER RESOLVED, that the WLSSD be granted a temporary construction permit at no charge for the descriptions

identified in Contract File No. 98-700. Adopted November 10, 1998. No. 854

RESOLVED, effective immediately through the remainder of 1998, all St. Louis County Departments desiring to make a single item purchase which exceeds \$3,000 must first receive approval by the County Administrator.

RESOLVED FURTHER, that elected Department Heads will be requested to furnish informational reports of any such expenditures to the County Board. Adopted November 10, 1998. No. 855

Upon motion of Commissioner Fink, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 856 which was not on the agenda.

BY COMMISSIONER FINK:

WHEREAS, the St. Louis County Planning Commission on March 20, 1997, approved the preliminary plat of Giant's Ridge Resort Village as part of the Commission's overall review and approval of the Planned Unit Development for Giant's Ridge; and

WHEREAS, the Giant's Ridge Resort Development Review Committee, which is a subcommittee of the Planning Commission, has reviewed and approved the more detailed plans for this specific area; and

WHEREAS, the final prints for the plat have been submitted, reviewed, and approved by the appropriate County departments.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners gives final plat approval to "Giant's Ridge Resort Village" located in part of Government Lots 3 and 4, Section 19, Township 59N., Range 15W., and part of the NE 1/4 of SE 1/4, Section 24, Township 59N., Range 16W. (Town of White).

Unanimously adopted. November 10, 1998. No. 856

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

419

At 9:48 A.M. on Tuesday, November 10, 1998, upon motion of Commissioner Prebich, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
NOVEMBER 17, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 17th day of November, 1998, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The

meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

Commissioner Kron, supported by

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

420

Commissioner Raukar, moved to request a closed session at 11:00 A.M. for purposes of labor negotiations; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Sweeney, moved to request a closed session for purposes of litigation; seven yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-683 regarding repurchase of tax forfeited land.--57264

David L. Weidt, Duluth, submitting Summons and Complaint in the matter of Signe Carlson versus St. Louis County, Minnesota, and Chris Jensen Nursing Home.--57266

Phillip R. Krass, Bloomington, submitting Amended Summons and Complaint in the matter of Jeffrey T. Walker, individually and as Mayor of, Cohasset, City of Cohasset and J.R. Properties, versus Itasca County Auditor Robert Zuehlke, St. Louis County Auditor Gordy McFaul, Aitkin County Auditor Alice Dotzler, Cook County Auditor Carol Gresczyk, Lake County Auditor Steve McMahon, Crow Wing County Auditor Roy Luukkonen, and State of Minnesota.--57267

BY COMMISSIONER PREBICH:

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 17, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted November 17, 1998. No. 857

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

C & B Warehouse Distr., Inc., d/b/a Britt Short Stop, Unorganized Area 60-18, Tobacco Products License No. T9910;

C & B Warehouse Distr., Inc., d/b/a Ely Lake Shortstop, Fayal Township, Tobacco Products License No. T9998;

Gruben's Marina, Inc., d/b/a Gruben's Marina, Greenwood Township, Tobacco Products License No. T99122;

Hide-A-Way Bar & Lounge, Inc., d/b/a

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

421

Hide-A-Way Bar & Lounge, Inc.,
Unorganized Area 61-13, Tobacco
Products License No. T9918;

Holiday Stationstores, Inc., d/b/a Holiday
Stationstore No. 184, White Township,
Tobacco Products License No. T99167;

Inter City Oil Co., Inc., d/b/a Inter City
Oil Co., Inc., Cotton Township, Tobacco
Products License No. T9991;

Barbara Boisjolie, d/b/a Jerry's Place,
Unorganized Area 63-19, Tobacco
Products License No. T9922;

Pappas Enterprises, Inc., d/b/a LeGrand
Supper Club, Grand Lake Township,
Tobacco Products License No. T99118;

Paulson's Super Valu, Inc., d/b/a Paulson's
Super Valu, Inc., Canosia Township,
Tobacco Products License No. T9974.
Adopted November 17, 1998. No. 858

RESOLVED, that pursuant to St. Louis
County Ordinance No. 51, the
applications for licenses to sell tobacco
products, at retail, on file in the office of
the County Auditor, identified as County
Board File No. 57110, are hereby
approved and the County Auditor is
authorized to issue licenses as follows;

RESOLVED FURTHER, that if named
licenseholders sell their licensed business,
the County Board, at its discretion, may,
after an investigation, transfer the license
to a new owner:

The following applicants were issued a

tobacco violation citation in 1998:

5717, Inc., d/b/a Crossroads Store,
Brevator Township, Tobacco Products
License No. T9971;

Proctor Milk House, Inc., d/b/a Proctor
Milk House, Inc., City of Proctor,
Tobacco Products License No. T99151;

Riverside Inn of Side Lake, Inc., d/b/a
Riverside Inn of Side Lake, Inc., French
Township, Tobacco Products License No.
T99110;

Dana Gangsei, d/b/a Side Lake Store,
French Township, Tobacco Products
License No. T99111;

Sunset Resort, Inc., d/b/a Sunset Resort,
Unorganized Area 68-19, Tobacco
Products License No. T9936.
Adopted November 17, 1998. No. 859

WHEREAS, the Minnesota Department of
Agriculture has made low interest loan
funds available to counties, Soil and Water
Conservation Districts, and Joint Powers
Organizations through the Agricultural
Best Management Loan Program and the
Countywide Individual Sewage Treatment
System and Well Loan Program; and
WHEREAS, St. Louis County has agreed
to act as the local lender, administer the
lending agreements with individual
borrowers, and guarantee repayment to the
state; and

WHEREAS, St. Louis County has
identified a need for low interest loan
funds to encourage repair of individual

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

422

sewage treatment systems and sealing of abandoned wells that prevent or mitigate nonpoint source pollution; and

WHEREAS, many agricultural best management practices, repair of individual sewage treatment systems and sealing of abandoned wells are identified in the Comprehensive Local Water Plan as priorities;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County approves the application, authorizes its submittal, and designates the County Administrator to be the authorized representative, and hereby grants County Administration the authority to sign the application, loan agreement and all other correspondence or documentation necessary to implement the loan program on behalf of St. Louis County; and

BE IT FURTHER RESOLVED, that the County Administrator is the authorized representative for all prior Agricultural Best Management Practices and Countywide ISTS Loan Agreements and is granted the authority to sign all correspondence and documents to carry out all prior loan programs on behalf of St. Louis County; and

BE IT FURTHER RESOLVED, that all prior designations of the authorized representative by St. Louis County for the Agricultural Best Management Practices Loan Program is hereby rescinded.

Adopted November 17, 1998. No. 860

RESOLVED, that the County Board of Commissioners authorizes the Board Chairperson, Health Director, and the

County Auditor to accept \$127,000 for the Services for Chemically Dependent Pregnant Women Grant with the Minnesota Department of Human Services beginning November 1, 1998, until June 30, 1999, payable to Fund 01, Agency 220, Org. 261.

RESOLVED FURTHER, that the expenditure/revenue budgets are hereby amended as follows:

Salaries	\$39,681
Fringe	8,372
Contracted Services	47,802
Space Cost	1,200
Copying	550
Communication	3,200
Instate Travel	10,045
Supplies/Materials	6,150
Other	<u>10,000</u>
Total	\$127,000

Adopted November 17, 1998. No. 861

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57265, is approved.

Adopted November 17, 1998. No. 862

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract with George Bougalis & Sons Construction Company of Hibbing, MN, in accordance with the plans and specifications of Bid

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

423

No. 3855, for the Construction of Two (2) Metal Sided, Industrial Type, Full Color, 60-foot by 108-foot Pole Buildings, at their low specification bid price of \$162,173.00, payable from: Fund 08B Capital Projects, Agency 600 Building Construction, Organization 3490 Cold Storage Bldg. - Hibbing Maintenance, Object 611 Building Construction.

Adopted November 17, 1998. No. 863

WHEREAS, the Board of Water and Soil Resources through the Natural Resource Block Grant Program provides funding to Counties in support of Water Planning, Wetland Program Administration, and Shoreland Management; and

WHEREAS, the funding levels should be based on the workload relating to administering the mandated programs and the magnitude of the resource; and

WHEREAS, the Soil and Water Conservation Districts are in need of additional funds to administer their required portions of these programs.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board requests that the Minnesota Legislature take the following actions relating to the Natural Resources Block Grant Program:

1. The Water Planning Minimum Base Grant to Counties shall be set at \$50,000 and a formula be established wherein additional funds can be added to the base as a result of the level of water resources within the County.

2. The Shoreland Management portion of the grant program be increased to cover at

least 50 percent of the cost of program administration.

3. The Wetland portion of the program be increased so that each SWCD receives at least \$2,500 for each city within its jurisdiction and that the County's aid be increased to 50 percent of its program cost.

Adopted November 17, 1998. No. 864

WHEREAS, St. Louis County acquired certain lands described as Lot Numbers Thirty-Five (35), Thirty-Six (36), and Thirty-Seven (37), and Thirty-Eight (38), Hillside Garden Tracts to Proctor for the purpose of reconstruction of Boundary Avenue; and

WHEREAS, the reconstruction project is now complete and these lots are no longer needed; and

WHEREAS, the County and the City of Proctor are interested in the highest and best use for this land, which they believe is a commercial use; and

WHEREAS, on June 1, 1998, the Proctor City Council rezoned the property to commercial (C-1); and

WHEREAS, the City of Proctor and the Proctor Economic Development Agency have been working with a developer who would utilize the land in the highest and best use and would provide a needed service in the Proctor community.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, the County Auditor, and the County Administrator to execute a Purchase Agreement and subsequent

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

424

transfer documents, pending approval by the County Attorney's Office, for the sale of this parcel to the City of Proctor at the sale price of \$150,000, payable to Fund 02, Department 00A, Revenue Source 5320.

Adopted November 17, 1998. No. 865

WHEREAS, in 1959, Minnesota led the country by establishing a quasi-judicial commission, now known as the Minnesota Municipal Board (MMB), to provide a uniform system of boundary adjustment throughout the state; and

WHEREAS, St. Louis County Officials have served as members of the MMB in the past and feel it is an effective and constructive process for resolving boundary adjustments; and

WHEREAS, the Minnesota Municipal Board will sunset as part of the Community-Based Planning Act, effective December 31, 1999. Minnesota Statutes Section 414.11(1997). (S.F. 1905, 80th Leg., 1997 Minn. Laws).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports the repealing of the sunset of the MMB and encourages the MMB's involvement in any restructuring of the state's boundary adjustment system.

Adopted November 17, 1998. No. 866

BE IT RESOLVED, that the appropriate County Officials are authorized to execute the Annual Plan Contract Letter between the Department of Public Safety, Minnesota Center for Crime Victim Services Crime Victim & Witness

Advisory Council and the St. Louis County Victim-Witness Assistance Program, to provide \$3,350 for fiscal year 1999 for emergency financial assistance to victims in St. Louis County, to be deposited in Fund 01, Agency 031, Org. VEFG, and distributed by the authority of the County Attorney.

Adopted November 17, 1998. No. 867

At 9:45 A.M. on Tuesday, November 17, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:

Gordon D. McFaul, 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**

423

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
NOVEMBER 24, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of November, 1998, at 9:35 A.M. in the Jury Lounge, Courthouse, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda but no one chose to do so.

At 9:37 A.M., a public hearing was convened, pursuant to Resolution No. 829, adopted November 3, 1998, to determine whether the alleged violations of Minnesota Statute 340A and St. Louis County Ordinance No. 28 (Liquor Ordinance) occurred and what penalty to impose. Alleged violations are against Sandberg, Inc., d/b/a Viking Bear River Bar, Morcom Township. Alan Mitchell, County Attorney, detailed the charges which involved patrons consuming alcohol on the premises after the legal closing time. The St. Louis County Liquor Licensing Committee recommended a ten-

day suspension and \$1,000 civil fine, with six days and the fine stayed for one year, provided no further violations occur. Maxine Sandberg, owner of the establishment, appeared before the Board and admitted that the violation did occur. No one else chose to address the issue. Commissioner Prebich, supported by Commissioner Sweeney, moved to close the hearing at 9:41 A.M.; seven yeas - zero nays. Commissioner Prebich, supported by Commissioner Sweeney, then moved to accept the evidence and testimony as proof that the violations did occur; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to accept the Liquor License Committee penalty recommendation and set the suspension date for sometime in January, 1999. After discussion concerning an appropriate time for suspension, Commissioner Raukar, supported by Commissioner Prebich, moved to amend the motion to suspend the license from Monday, November 30, 1998, through Thursday, December 3, 1998; six yeas - one nay, Commissioner Fink. The original motion, as amended, was then approved; seven yeas - zero nays. Resolution No. 887.

Commissioner Raukar, supported by Commissioner Prebich, moved to approve the distribution of \$95,000 in recreational grants for various projects. Ann Harwood, Assistant County Administrator, told the Board that funding was in place for the projects. Clyde Nelson, Lakewood Township, representing Citizens Research Council, expressed his displeasure with the

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

424

grant selection process and accused some Board members of violating the Open Meeting Law. After some discussion, the grant distribution was approved; six years - one day, Commissioner Krueger. Resolution No. 888.

At 10:22 A.M. in the forenoon of Tuesday, November 24, 1998, Commissioner Fink, supported by Commissioner Sweeney, moved to recess the Board meeting until 11:30 A.M. on November 24, 1998, in the Jury Lounge, Courthouse, Hibbing, Minnesota.

The Board reconvened at 12:26 P.M. on Tuesday, November 24, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Commissioner Prebich, supported by Commissioner Sweeney, moved to approve the Committee of the Whole agenda as a second Consent Agenda which included all of those items unanimously passed at the Committee of the Whole meeting of this date.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and John Vogel, Land Commissioner, submitting Board Letter No. 98-693 regarding repurchase of tax forfeited land.-57268

Julie Brunner, County Administrator, and

Anthony J. Bruno, Jr., Civil Service/Personnel Director, submitting Board Letter No. 98-702 regarding Health and Dental Insurance Rates - 1999.--57269

Documentation from public hearing held on November 24, 1998, to determine whether Sandberg, Inc., d/b/a Bear River Viking Bar, had violated county liquor laws by allowing patrons to remain in the licensed premises after hours.--57270

Jail Corrections Officers Bargaining Agreement for 1998/1999.--98-727

Forest Road Agreement between the U.S. Department of Agriculture, Forest Service, and St. Louis County.--98-728

Minnesota Department of Public Safety, Division of Emergency Management, application for FFY 1999 State and Local Emergency Management Assistance funding.--98-729

Agreement for Engineering Services between the County of St. Louis and RLK-Kuusisto, Ltd., for S.A.P. 69-757-01, C-SAH 157, County Project 9233.--98-730

Purchase of Service Agreement between Hibbing Family Service Collaborative and St. Louis County.--98-731

Agreement for Community Health Education Internship between St. Louis County, through its Department of Public Health and Long Term Medical Care, and

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

425

the University of Minnesota - Duluth, through its Department of Health, Physical Education and Recreation.--98-732

Supply Contract between the County of St. Louis and Inter City Oil Co., Inc., for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil, and Diesel Fuel.--98-733

Project Contract between the County of St. Louis and Lipe Brothers Construction for Investigation of Water Infiltration - Demolition Phase.--98-734

Agreement for Services between the County of St. Louis and Northland Consulting Engineers, L.L.P. - Structural Integrity of Building (GSC) and Adjacent Parking Ramp.--98-735

Agreement for Services between the County of St. Louis and Northland Consulting Engineers, L.L.P. - Feasibility of Relocating Law Library.--98-736

Project Contract between the County of St. Louis and R & M Mesabi Construction, Inc., for Construction of Langly South Forest Management Road.--98-737

Agreement for Subscription between the County of St. Louis and Eco Partners, Inc., for a one-year subscription to the publication *Trash Talk!*--98-738

Agreement for Consulting Services between St. Louis County and Parthe' Productions, Inc.--98-739

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and North Pines I & II.--98-740ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Gary M. & Yvonne S. Scheer.--98-741ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Craig & Kim Spellerberg.--98-742ss

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Donna L. Rowan.--98-743ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack.--98-744ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Arrowhead Psychological Clinic, P.A.--98-745ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and RSI-Kenroy.--98-746ss

Purchase of Service Agreement between St. Louis County Board of Commissioners

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

426

and Paragon Services, Inc. - Highland.--98-747ss

Road Maintenance Agreement between St. Louis County and the City of Duluth for City Maintenance Performed on County State Aid Routes in Duluth.--98-748

Road Maintenance Agreement between St. Louis County and the City of Duluth for County Maintenance Performed on Duluth City Streets.--98-749

Agreement for Clinical Public Health Experience between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Bemidji State University.--98-750

Contribution Agreement between the County of St. Louis and Duluth Township for the design of a wastewater treatment system in the North Shore area.--98-751

Amendment for Service Agreement for Collection of Waste from the Cotton "Sit" Site between St. Louis County and Norland Sanitary Service.--98-752

Enger Park Golf Course Wetlands Mitigation Agreement between the City of Duluth and the County of St. Louis.--98-753

Professional Services Agreement between St. Louis County and Ellen O'Neill.--98-754

Software Product License Agreement

Number 452215 between St. Louis County and Software Diversified Services.--98-755

Site Lease Agreement between WirelessNorth, L.L.C., and the County of St. Louis.--98-756

Group Residential Housing Rate Agreement between the St. Louis County Board of Commissioners, through the Social Service Department, and Richard and Edna Krull.--98-757ss

Addendum No. 1 to Agreement between St. Louis County and Housing and Redevelopment Authority of Duluth, Minnesota.--98-758

Purchase of Service Agreement between St. Louis County Board of Commissioners and Nekton - Chester Park.--98-759ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Nekton - K & D.--98-760ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Nekton - Kenwood.--98-761ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Nekton, Inc. - Lakeview.--98-762ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Nekton, Inc. - 901.--98-763ss

Purchase of Service Agreement between

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

427

St. Louis County Board of Commissioners
and Nekton - Nuvo.--[98-764ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Nekton - Spirit Valley.--[98-765ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Nekton - Springvale.--[98-766ss](#)

Grant Agreement between St. Louis
County Board of Commissioners and The
Housing Redevelopment Authority of
Duluth.--[98-767ss](#)

Addendum to Contract No. 12014 between
the St. Louis County Board of Commis-
sioners and Miller Dwan Medical Center.--
[98-768ss](#)

Addendum to Contract No. 20414 between
the St. Louis County Board of Commis-
sioners and Range Mental Health Center.--
[98-769ss](#)

Addendum to Contract No. 20415 between
the St. Louis County Board of Commis-
sioners and Human Development Center.--
[98-770ss](#)

Addendum to Contract No. 20418 between
the St. Louis County Board of Commis-
sioners and Range Mental Health Center.--
[98-771ss](#)

Addendum to Contract No. 20413 between
the St. Louis County Board of Commis-
sioners and Human Development Center.--
[98-772ss](#)

Addendum to Contract No. 20411 between
the St. Louis County Board of Commis-
sioners and Arrowhead House.--[98-773ss](#)

Addendum to Contract No. 20388 between
the St. Louis County Board of Commis-
sioners and Merritt House.--[98-774ss](#)

Addendum to Contract No. 20408 between
the St. Louis County Board of Commis-
sioners and Parkside Home.--[98-775ss](#)

Addendum to Contract No. 20412 between
the St. Louis County Board of
Commissioners and St. Louis Riverview
Homes, Inc.--[98-776ss](#)

Addendum to Contract No. 20391 between
the St. Louis County Board of
Commissioners and Lutheran Social
Services.--[98-777ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and St. Luke's Hospital Volunteer Guild.--
[98-778ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Geriatric Community Caregivers.--[98-
779ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and University Medical Center - Mesabi.--
[98-780ss](#)

Purchase of Service Agreement between
St. Louis County Board of Commissioners
and Chestnut Grove, Inc.--[98-781ss](#)

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

428

Addendum to Contract No. 12091 between St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency.--98-782ss

Addendum to Contract No. 12080 between St. Louis County Board of Commissioners and Aurora-Hoyt Lakes Meals-N-Wheels.-98-783ss

Addendum to Contract No. 12084 between St. Louis County Board of Commissioners and Have Meals - Will Travel.--98-784ss

Addendum to Contract No. 12085 between St. Louis County Board of Commissioners and Kelsey Recreational Club.--98-785ss

Addendum to Contract No. 12090 between St. Louis County Board of Commissioners and Bethlehem Lutheran Church "Meals on Wheels".--98-786ss

Addendum to Contract No. 12102 between St. Louis County Board of Commissioners and Arrowhead Health Alternatives.--98-787ss

Addendum to Contract No. 12103 between St. Louis County Board of Commissioners and Healthline Home Care.--98-788ss

Addendum to Contract No. 12105 between St. Louis County Board of Commissioners and Home Health, Inc.--98-789ss

Addendum to Contract No. 12106 between St. Louis County Board of Commissioners and Interim Health Care.--98-790ss

Addendum to Contract No. 12111 between St. Louis County Board of Commissioners and St. Mary's Home Care.--98-791ss

Addendum to Contract No. 12110 between St. Louis County Board of Commissioners and Senior Friends Associates, Inc.--98-792ss

Addendum to Contract No. 12109 between St. Louis County Board of Commissioners and TLC Home Care.--98-793ss

Addendum to Contract No. 12113 between St. Louis County Board of Commissioners and Vermilion Home Care.--98-794ss

Addendum to Contract No. 12142 between St. Louis County Board of Commissioners and Villa Home Health Nursing Services.--98-795ss

Addendum to Contract No. 12141 between St. Louis County Board of Commissioners and Allied Health Alternatives, Inc.--98-796ss

Addendum to Contract No. 12187 between St. Louis County Board of Commissioners and H.O.M.E.S., Inc.--98-797ss

Addendum to Contract No. 12147 between St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.--98-798ss

Addendum to Contract No. 12116 between St. Louis County Board of Commissioners and Benedictine Health Center of the

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

429

Benedictine Sisters' Benevolent Association.--98-799ss

Addendum to Contract No. 12119 between St. Louis County Board of Commissioners and Lifeline - Range Mental Health Center.--98-800ss

Addendum to Contract No. 12118 between St. Louis County Board of Commissioners and University Medical Center/Mesabi - Hibbing Adult Day Care.--98-801ss

Addendum to Contract No. 12115 between St. Louis County Board of Commissioners and Ely Bloomenson Hospital.--98-802ss

Addendum to Contract No. 12114 between St. Louis County Board of Commissioners and Daybreak Adult Day Care.--98-803ss

Upon motion of Commissioner Kron, supported by Commissioner Prebich, Resolutions No. 868 through 886, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 3, 1998, are hereby approved.

Adopted November 24, 1998. No. 868

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 20 (totaling \$823,466.68), as submitted by the Land Commissioner, on file in the

office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted November 24, 1998. No. 869

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;

FURTHER RESOLVED, that said licenses are approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999:

The following is a transfer from Yelensky Resorts, Inc., d/b/a Rocky Point Resort, Unorganized Area 69-21:

K.J. Resorts, Inc., d/b/a Rocky Point Resort, Unorganized Area 69-21, On-Sale Intoxicating Liquor License No. L9990 and Sunday On-Sale Intoxicating Liquor

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

430

License No. LS9990.

Adopted November 24, 1998. No. 870

RESOLVED, that the County Board supports the Application for Need Determination submitted by Duluth Regional Care Center that proposes program changes at their DRCC-Triplex Intermediate Care Facility for Persons with Mental Retardation and recommends approval of this Application by the Commissioner of the Department of Human Services.

Budget Reference: All costs for ICF-MR Services are covered under the state medical assistance program with no county costs involved.

Adopted November 24, 1998. No. 871

RESOLVED, that the St. Louis County Board authorizes the appropriate County Officials to execute a renewal of a lease agreement at the Graysher Plaza Building with Manney Realty, Inc., which offices staff of the St. Louis County Social Services Department.

RESOLVED FURTHER, that the 8,253 square feet area rental rate will be \$8,036.18 per month, payable from Fund 04, Agency ADM, Organization 2100, Object 342, effective December 1, 1998, through May 31, 2002.

Adopted November 24, 1998. No. 872

WHEREAS, St. Louis County has need to retain the services of a contractor for the collection and proper management of tires collected at designated County solid waste

facilities; and

WHEREAS, the first extension of the agreement expires on December 31, 1998, and may be extended for one (1) year upon mutual agreement of both parties; and

WHEREAS, St. Louis County desires an agreement extension; and

WHEREAS, R & J Tire Recycling, the current service provider, is agreeable to the agreement extension;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Solid Waste Department to extend the current tire collection and disposal agreement between St. Louis County and R & J Tire Recycling for one year, at a rate of \$87.00 per ton for car, pickup, and truck tires and \$150.00 per ton for large off-road tires with a maximum weight per tire not to exceed 600 pounds. The term of the extension is from January 1, 1999, through December 31, 1999, at an estimated reimbursement cost of \$49,500 payable from Fund 26, Agency J-34.

Adopted November 24, 1998. No. 873

WHEREAS, Minnesota Statutes 282.341 allows for the reinstatement of a land sale contract after a default; and

WHEREAS, this property was declared in default and the land sale contract was canceled by County Board Resolution No. 806, dated October 27, 1998.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to reinstate Land Sale Contract Number C22930258 upon

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

431

receipt of payment for all charges that should have been paid at the date of reinstatement or payment in full.

Adopted November 24, 1998. No. 874

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the applications for repurchase, on file in County Board File No. 57268, are approved.

Adopted November 24, 1998. No. 875

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from

sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted November 24, 1998. No. 876

RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent right-of-way easement to Calvin P. and Shirley A. Thibault, 4321 W. Beyer Road, Duluth, MN 55803, for access road purposes on the following tax forfeited land:

An easement for ingress and egress 66.00 feet in width, 33.00 feet on each side of a line described as follows: Commencing at the Southwest corner of the Southeast One-Quarter of the Northeast One-Quarter of Section 17, Township 51 North, Range 14 West of the 4th Principal Meridian, St. Louis County, Minnesota; thence Easterly on the South line of said 16th section, which has an assumed Azimuth of 89 degrees 09 minutes 31 seconds a distance of 33.67 feet to the actual point of beginning; thence at an Azimuth of 347 degrees 31 minutes 38 seconds a distance of 18.52 feet; thence at an Azimuth of 315 degrees 07 minutes 09 seconds a distance of 14.17 feet; thence at an Azimuth of 307 degrees 14 minutes 38 seconds a distance of 25.54 feet to the

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

432

West line of said 16th section and the point of termination. This parcel contains 0.09 acres more or less.

(Public Works Department), Agency A14 (Equipment and Maintenance), Object 659 (Other Equipment Purchases).

Adopted November 24, 1998. No. 879

For the consideration of \$50.00 administration fee, \$6.00 publication fee, \$10.00 timber damage, and \$19.50 recording fee, for a total cost of \$85.50.

Adopted November 24, 1998. No. 877

RESOLVED, that the Purchasing Agent is hereby authorized to enter into an agreement for the purchase and installation of Seven (7) One Way Plows and Selected Hitch and Wing Assemblies, in accordance with the specifications of Bid No. 3861, from Little Falls Machine, Inc., of Little Falls, Minnesota, at their low total specification bid price of \$76,941.00, plus the 6.5 percent state sales tax of \$4,043.07 on the materials portion, for a total of \$80,984.07, payable from: Fund 02 Public Works, Agency A14 Equipment & Maintenance, Object 651 Attachments to Rolling Stock. Adopted November 24, 1998. No. 878

RESOLVED, that the Purchasing Agent is hereby authorized to purchase from Aspen Equipment Company of Duluth, Minnesota, two new Ingersoll-Rand Model HP250WJD Trailer Mounted Portable Air Compressors with required options, in accordance with State of Minnesota Contract Release No. A-209 (5), at the contract price of \$16,307.00 each, for a total of \$32,614.00, plus State of MN sales tax of \$2,106.91, for a grand total of \$34,720.91, payable from: Fund 02

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

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on November 9, 1998, the new specification for Laundry Production Supervisor is adopted and placed in the Health Care Supervisory Unit at Grade 18, effective November 18, 1998.

Adopted November 24, 1998. No. 880

WHEREAS, St. Louis County requires contractors to haul mixed solid waste from its canister sites and transport the waste to transfer stations or the landfill for disposal; and

WHEREAS, the current contracts for this service expire December 31, 1998; and

WHEREAS, this haulage service was competitively bid in October, 1998;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Purchasing Agent is authorized to enter into two-year contracts beginning January 1, 1999, with two optional one-year extensions for canister site waste haulage, and fund these contracts in the amount of \$76,858.00 for 1999 (for a total of \$153,716 for 1999 and 2000) from Fund 26 as follows:

<u>CONTRACTOR</u>	<u>ANNUAL</u>
<u>FUND SOURCE</u>	<u>AMOUNT</u>
	<u>SITES SERVICED</u>
Waste Management Site d/b/a Suburban	\$26,279 J-35 Canister Balkan Township, Comstock Lake,
Sanitation	Dewey Lake, French Township, Great

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

435

and from the Northwoods Transfer Station at an annual cost of \$43,000; and with Dougherty Trucking and Aggregate from the Brookston Transfer Station at an annual cost of \$24,000, payable from Fund 26, J-36 Transfer Stations.

Adopted November 24, 1998. No. 882

RESOLVED, that the 1999 monthly rates for the self-funded Fee-for-Service health coverage, reflecting a 24.5 percent increase for single and 24.5 percent increase for family coverage for active employees, are approved as follows:

1999 Rate

SINGLE COVERAGE

\$253.06

FAMILY COVERAGE

\$587.75

RESOLVED FURTHER, that the 1999 monthly rates for the self-funded Managed Care health coverage with a 24.5 percent increase for single coverage and a 24.5 percent increase for family coverage, are approved as follows:

1999 Rate

SINGLE COVERAGE

\$253.06

FAMILY COVERAGE

\$587.75

RESOLVED FURTHER, that the 1999 monthly rates for the retired employees' Fee-for-Service High Option health coverage with a 24.5 percent rate increase are approved as follows:

HIGH OPTION

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

436

SINGLE SUBSCRIBERS:

- A. Subscriber/Retiree/Surviving Spouse without Part A and B Medicare
1999 Rate - \$253.06

- B. Subscriber/Retiree/Surviving Spouse ONLY, with Part A and Part B Medicare
1999 - \$207.56

FAMILY SUBSCRIBERS:

- A. Retiree/Subscriber and/or Spouse (OR Surviving Spouse) with dependents. Retiree/Subscriber and Spouse both without Parts A and B Medicare (no dependents)
1999 Rate - \$587.75

- B. Retiree/Subscriber/Surviving Spouse with Part A and B Medicare with dependent child(ren)
1999 Rate - \$542.25

- C. Retiree with Part A and Part B Medicare, and Spouse without Part A and Part B Medicare (no other dependents)
1999 Rate - \$460.62

Spouse with Part A and Part B Medicare, and Retiree without Part A and Part B Medicare (no other dependents)

- D. Both Retirees/Spouse with Part A and Part B Medicare
1999 Rate - \$415.12

RESOLVED FURTHER, that the 1999 monthly rates for the retired employees' Low Option health coverage, with a 24.5 percent increase for single coverage and for family coverage, are approved as follows:

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

437

LOW OPTION

SINGLE SUBSCRIBERS:

- A. Retiree/Subscriber/Surviving Spouse without Part A and Part B Medicare
1999 Rate - \$212.75

- B. Retiree/Subscriber/Surviving Spouse with Part A and Part B Medicare
1999 Rate - \$128.83

FAMILY SUBSCRIBERS:

- A. Retiree/Subscriber and/or Spouse (OR Surviving Spouse) with dependents
1999 Rate - \$487.98

- B. Retiree and spouse both without Part A and Part B Medicare
1999 Rate - \$425.50

- C. Spouse with Part A and Part B Medicare, and Retiree without Part A and Part B Medicare,
OR
1999 Rate - \$341.58

Retiree with Part A and Part B Medicare, and spouse without Part A and Part B Medicare,
OR

Retiree/Subscriber/Surviving Spouse with Parts A and B Medicare with one dependent child

- D. Both Retiree/Spouse with Part A and Part B Medicare
1999 Rate - \$257.66

RESOLVED FURTHER, that the Health Insurance Committee recommendation of a monthly rate of \$20.26 for dental insurance in 1999 is hereby adopted.

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

438

Adopted November 24, 1998. No. 883

RESOLVED, that the 1998/1999 Jail Corrections Officers Bargaining Agreement, a copy of which is on file in Contract File No. 98-727 is hereby approved, and the appropriate County Officials are authorized to execute said contract.

Adopted November 24, 1998. No. 884

WHEREAS, the Articles of Incorporation of the Kabetogama Tourism Bureau states that the Bureau's Board of Directors must be approved by the St. Louis County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby approves the Board of Directors for the Kabetogama Tourism Bureau as follows:

<u>Name</u>	<u>Term</u>
<u>Expiration</u>	
Kathy Wilson, President	F1
1999	
Marlene Tomczak, Vice President	F1
2000	
Alan Burchell, Secretary/Treasurer	F1
1999	
Larry Kec	
Fall, 2000	
Jerry Snyder	F1
2000	
Lee Herseth	F1
2001	
Phil Hart	F1
2001	

Adopted November 24, 1998. No. 885

RESOLVED, that the Department of Public Health and Long Term Care conduct an analysis at Nopeming Nursing

Home on the financial impact involved in downsizing the number of nursing home beds, upgrading current rooms and moving

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

to single rooms, adding assisted living units in existing buildings, avoiding layoff of staff with possible changes in occupancy, and possible sale of adjacent land on Nopeming campus;

RESOLVED FURTHER, that the Director of Public Health and Long Term Care meet as soon as possible with staff at Nopeming to explain the County Board's actions and the discussions which led to the Board's actions.

Adopted November 24, 1998. No. 886

BY COMMISSIONER FINK:

WHEREAS, the matter regarding Sandberg, Inc., d/b/a Bear River Viking Bar (Viking Bar), came on before the full Board of the St. Louis County Board of Commissioners on November 24, 1998; and

WHEREAS, upon the representations to the St. Louis County Board by the St. Louis County Attorney's Office and the Viking Bar's admission to the violation, the St. Louis County Board unanimously found that on September 26, 1998, the Viking Bar allowed patrons to remain in the licensed premises in excess of twenty (20) minutes after 1:00 A.M. in violation of St. Louis County Ordinance No. 28, Section 11.05.

BE IT HEREBY RESOLVED, that the liquor license issued to the Viking Bar, pursuant to St. Louis County Ordinance No. 28, shall be suspended for ten (10) days and the Viking Bar shall pay a civil penalty of \$1,000. Six (6) days of the suspension and the entire amount of the civil penalty shall be stayed for a period of one year. The suspension period shall

begin 12:01 A.M. November 30, 1998, and continue for four (4) consecutive days. Should the Viking Bar violate any state or local liquor law or regulation within one year from November 24, 1998, the Board will impose the remaining six (6) days of the ten (10) day suspension and the entire \$1,000 civil penalty.

Unanimously adopted. November 24, 1998. No. 887

WHEREAS, the St. Louis County Board has adopted a one year pilot Recreation Grant Program by County Board Resolution No. 320, dated April 21, 1998; and

WHEREAS, the Land Department has received and reviewed thirteen (13) applications from various governmental entities for the over \$7,500 large grant category; and

WHEREAS, those thirteen (13) applications have been deemed as requests in accordance with the goals and objectives found in the Recreation Grant Program Policy and Procedures on file in the office of the County Auditor, and identified as County Board File No. 57175;

NOW, THEREFORE BE IT RESOLVED, that the County Auditor is hereby authorized to fund the large grant requests, payable from Fund 16-F21 as follows:

¢ Lincoln Park Collaborative	\$35,000
¢ Quad Cities Joint Recreation Facilities	\$25,000
¢ City of Hibbing	\$15,000
¢ City of Virginia	\$10,000
¢ City of Duluth	\$5,000

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

440

C Town of Solway \$5,000
Yeas - Commissioners Fink, Kron,
Sweeney, Prebich, Raukar, and
Chair Forsman - 6
Nays - Commissioner Krueger - 1
Adopted November 24, 1998. No. 888

Upon motion of Commissioner Prebich,
sup-ported by Commissioner Sweeney,
Resolu-tions No. 889 through 897, which
were approved at the Committee of the
Whole meeting this date, were brought
forth to this meeting as a second Consent
Agenda and unanimously adopted with
Commissioner Krueger absent.

BY COMMISSIONER PREBICH:

RESOLVED, that the County Board
authorizes the Chairperson of the County
Board, the Health Director, and the
County Auditor to enter into an
agreement with the College of St.
Scholastica for undergraduate public health
nursing experience for the period
September 6, 1998, through August 31,
2001.

Adopted November 24, 1998. No. 889

RESOLVED, that the County Board
authorizes the Chairperson of the County
Board of Commissioners, the County
Auditor, and the Health Director to sign
an agreement with the Community Health
Board of Carlton, Cook, Lake, and St.
Louis Counties for the period September 1,
1998, through August 31, 1999, for
reimbursement to the Public Health
Department for Minnesota Breast and
Cervical Cancer Control Program and

hereby amends the 1998 Public Health
budget in the amount of \$8,338 in Fund 1,
Agency 220 (Public Health Nursing), Org.
230C, as follows:

Salary and Benefits	\$6,888
Advertising	500
Supplies	750
Printing	<u>200</u>
Total	\$8,338

Adopted November 24, 1998. No. 890

RESOLVED, that the Purchasing Agent is
hereby authorized to purchase from
Pentek, Inc., of Coraopolis, Pennsylvania,
the sole source, One New Pentek Vac-Pac
Model 12D Decontamination System, in
accordance with Pentek quote dated 11-4-
98 at the price of \$39,409.99 plus State of
MN sales tax of \$2,561.65 and shipping
cost of \$450.00, for a grand total of
\$42,421.64 payable from: Fund 02 (Public
Works Department), Agency A14
(Equipment and Maintenance), Object 659
(Other Equipment Purchases).

Adopted November 24, 1998. No. 891

RESOLVED, that the St. Louis County
Board of Commissioners will convene a
public hearing at 9:35 A.M. on Tuesday,
December 22, 1998, in Ely, Minnesota, to
consider the adoption of the fee schedule
for the year 1999 for various county
departments.

Adopted November 24, 1998. No. 892

RESOLVED, that the St. Louis County
Board of Commissioners hereby establishes
a public hearing for 9:40 A.M. on

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

441

Tuesday, December 22, 1998, in Ely, Minnesota, for the purpose of obtaining public comment on the 1999 - 2003 Capital Improvement Plan.

Adopted November 24, 1998. No. 893

RESOLVED, that the County Board hereby authorizes the Sheriff's Department to participate with the Duluth Police Department in the Auto Theft Prevention Program and to receive reimbursement from the program grant for overtime expenses incurred, payable to Fund 01, Department 091.

Adopted November 24, 1998. No. 894

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to enter into an agreement with the City of Duluth which would provide for a City of Duluth employee clerical staff person as support for a St. Louis County Child Support Specialist, not to exceed 25 hours per week, and office space on the third floor of Duluth City Hall to house both staff.

RESOLVED FURTHER, that the above stated service and space allocation is \$750 per month, operating on a month to month basis, payable from Fund 04, Agency FIN, Org. 1410.

Adopted November 24, 1998. No. 895

WHEREAS, St. Louis County Board Resolution No. 602, dated August 4, 1998, and subsequent contract of September, 1998, with Control Technology, Inc., of Waseca, Minnesota, has now completed the Land Department signal propagation studies at two test sites as part of the

development of the County's enhanced real-time GPS system; and

WHEREAS, the primary purpose of the initial procedures was to test how well the GPS correction transmission signal would propagate due to changes in terrain, elevation, and timber canopy; and

WHEREAS, it is now known that computer simulation can predict with a high degree of certainty the correct location for the towers and we are now ready for development and implementation of the system; and WHEREAS, this technology and equipment is exclusive and proprietary in nature and Control Technology, Inc., has developed and perfected the process and the equipment, and has licensee's successfully operating the system in other locations.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Land Department to contract with Control Technology, Inc., for the purpose of implementing and installing necessary equipment and software to make three (3) initial sites operational.

BE IT FURTHER RESOLVED, that said contract be in the amount of \$76,100 from Fund 16, F16, F11, Object 299, and that such contract be subject to approval by the Purchasing Agent and the County Attorney.

Adopted November 24, 1998. No. 896

WHEREAS, the St. Louis County Land Department will be without a Land Commissioner to conduct necessary county business as a result of the

retirement of Land Commissioner John Vogel on November 30, 1998.

NOW, THEREFORE, BE IT RESOLVED, that David Epperly is hereby temporarily appointed Acting Land Commissioner until such time as the Board fills the position of Land Commissioner with a permanent appointment or otherwise rescinds this resolution.

Adopted November 24, 1998. No. 897

At 12:27 P.M. on Tuesday, November 24, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor and Ex-Officio Clerk of the Board of County Commissioners

(Seal of the County Auditor)

ST. LOUIS COUNTY BOARD OF COMMISSIONERS

INFORMATIONAL MEETING AND PUBLIC HEARING

TRUTH IN TAXATION FOR THE 1999 ST. LOUIS COUNTY BUDGET AND LEVY

Thursday, December 3, 1998,
Courthouse, Virginia
Tuesday, December 8, 1998, Courthouse,
Duluth

The meeting was called to order at 5:05 p.m. in Courtroom 1, St. Louis County Court-house, Virginia, Minnesota, on Thursday, December 3, 1998. Present were: Commissioners Bill Kron, Peg Sweeney, Steve Raukar and Mike Forsman, Acting Chair. Absent were: Commissioners Dennis Fink, Marilyn Krueger and Chair Liz Prebich.

Julie Brunner, County Administrator, presented an overview of the proposed budget, detailing the wide range of services offered by St. Louis County and the revenue sources available to pay for these services. Through the use of graphs and charts, Ms. Brunner demonstrated how tax dollars are spent and emphasized that the County is, once again, below the maximum levy limit allowed by Minnesota Statutes.

At 5:20 p.m., Commissioner Fink joined

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

443

the meeting.

The Acting Chair then opened the meeting to the public and the following persons addressed the Board concerning the proposed 1999 budget:

Kent Carlson, representing Legal Aid, requested that the Board consider restoring proposed discretionary grant cuts to 1998 levels.

Ken Hall, representing Arrowhead Center and Range Transitional Housing, requested that discretionary grant cuts be restored. Shelley Saukko, Arrowhead Center, also requested that the Board reconsider cuts in discretionary grants for small agencies.

(Commissioners responded to these requests by indicating that when final 1998 fund balances are determined in March of 1999, consideration will be given to restoring the budget cuts.)

Alan Burchell, Lake Kabetogama area resort owner, told the Board that the Truth in Taxation statement amounted to "sticker shock". The large increases in taxes are not translating into increased services for the unorganized areas of the County.

Dan Arvola, Wuori Township, complained that his taxes had increased 20 % over the past two years. Mr. Arvola was also experiencing a problem with a ditch near his property. The Acting Chair referred Mr. Arvola to the Assessor concerning the

tax increase. Public Works would be contacted to check on the ditch problem.

At 6:30 p.m., Commissioner Kron, supported by Commissioner Sweeney, moved to recess the hearing until Tuesday, December 8, 1998 at 5:00 p.m. in the Duluth Courthouse. (Five yeas, zero nays)

Commissioner Prebich reconvened the Truth In Taxation public hearing on Tuesday, December 8, 1998, at 5:03 p.m. in the St. Louis County Courthouse. Present were: Commissioners Dennis Fink, Marilyn Krueger, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Liz Prebich, Chair. Absent: None

County Administrator Julie Brunner gave a presentation similar to the one she gave at the December 3, 1998 Truth In Taxation public hearing.

The Chair entered into the record a letter received from Clyde Nelson, representing Citizen's Research Council, urging the Board to cut the proposed budget even further.

The Chair then opened the meeting to the public and the following persons addressed the Board concerning the proposed 1999 Budget and Levy:

David Adams, Duluth, representing Legal Aid, urged the Board to consider restoring cuts from the discretionary grant program. Commissioner Sweeney explained that the discretionary grants will be reconsidered

after final 1998 fund balances are determined in March 1999.

Board

Reverend T. C. Peterson, Duluth, asked the Board how budgets are built and whether a “zero-based budget” process has ever been considered. Commissioner Prebich and County Administrator Brunner explained how the budget process works. Commissioner Fink added that, at least in areas where spending is discretionary, a process similar to zero-based budgeting is used.

Mary Durward, County Assessor, responding to a request from the Board, explained the cooperative effort with Minnesota Power that has resulted in leaseholders receiving only one statement for taxes due instead of two.

Commissioner Kron, supported by Commissioner Sweeney, moved to adjourn the Truth In Taxation public hearing at 5:39 p.m.: Seven yeas, zero nays.

Liz Prebich, Chair of the Finance and Budget Committee

Paul L. Tynjala, Clerk of the County

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

445

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
DECEMBER 8, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of December, 1998, at 9:37 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair opened the meeting to persons who wanted to address the County Board concerning matters not on the agenda but no one chose to do so.

Commissioner Raukar, supported by Commissioner Prebich, moved to recommend the award of contract for S.P. 69-623-26 (C-SAH 23) to Mesabi Bituminous, Inc., Gilbert, MN, on their low bid of \$172,938.25; seven yeas - zero nays. Resolution No. 904.

Commissioner Sweeney, supported by Commissioner Prebich, moved to suspend the rules to consider authorization for an alternative payment program for Chris Jensen Health and Rehabilitation Center with the Minnesota Department of Human

Services; seven yeas - zero nays. Carol Thibault, Public Health Director, and Steve Baukner, Chris Jensen Administrator, explained that this was an "opt out" program that frees nursing facilities from some of the cumbersome requirements of the current Medical Assistance payment program. This one-year, renewable program would be a transition step toward implementation of managed care contracting. After some discussion, Commissioner Sweeney, supported by Commissioner Kron, moved to approve the alternative payment plan; seven yeas - zero nays. Resolution No. 905.

Chair Forsman then informed the Board that he would be going to Washington, D.C., to testify about remote border crossing issues with Canada and would present a resolution concerning the matter for Board consideration.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

James W. Neher, Assistant Attorney General, State of Minnesota, submitting Answer to Amended Summons and Complaint in the matter of Jeffrey T. Walker, et al., versus State of Minnesota, et al.--57271

Petition of voters or land owners in Ellsburg Township requesting the upgrading of County Highway 59 from County Highway 52 to State Highway 53.--57272

Chemically Dependent Pregnant Women Grant between St. Louis County, through its Department of Public Health and Long Term Medical Care, and the Minnesota Department of Human Services.--98-804

Purchase of Service Agreement between St. Louis County Board of Commissioners and Healthline Home Care, d/b/a Healthline Home Care - Vermilion Branch.--98-805

Purchase of Service Agreement between St. Louis County Board of Commissioners and Town of Biwabik for snowplowing chore services.--98-806ss

Purchase of Service Agreement between St. Louis County Board of Commissioners and Town of White for snowplowing chore services.--98-807ss

Project Contract between the County of St. Louis and Larry Anderson for Basal Pruning of Natural White Pine Regeneration.--98-808

Consulting Services Agreement for Water Access Property Addressing between the County of St. Louis, through its Communications Department, and Kalie Klaysmat.--98-809

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 898 through 903, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 10, 1998, are hereby approved. Adopted December 8, 1998. No. 898

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 17, 1998, are hereby approved. Adopted December 8, 1998. No. 899

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. 57107, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>	<u>TOTAL</u>
T11 MN Trail	
Assistance	\$ 3,404.02
T21 Beer Licenses	10.00
T22 Cities and Towns	17,079,008.11

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

447

T23	Game and Fish	313,521.98	08Y	Hibbing/Virginia	
T27	Refunds	73,478.15		Law Enforcement	
T28	School Districts	9,809,312.78		Centers	365,305.26
T49	Taconite		09	McKinney	
	Production Tax	10,170.00		Homeless Grant	40,538.00
T50	State of		10B	Emer. Shelter 95	
	Minnesota	255,147.72		Funds	11,070.22
T52	Taxes and		11A	Home Grant -	
	Penalties	3,530.30		All Years	46,946.67
T66	Criminal Fines	157,855.87	12B	CDBG Grant	422,012.79
T74	Employer/Em-		127	Enhanced 9-1-1	
	ployee Deductions	2,001,517.87		Fund	19,730.18
T75	Savings Bonds	13,345.00	128	Law Library	14,076.66
T77	Cancelled Checks	519.64	129	City/County Comm.	
T78	Volunteer Fire			Antenna Site	184.45
	Departments	5,010.00	13	St. Louis County HRA	7,840.23
T83	Sheriff Fine		131	Extension Service	
	Contingency	750.00		82,378.89	
T84	Attorney's		15	Forfeited Tax	159,230.78
	Forfeitures	2,894.76	16	Forest Resources	79,813.87
T85	Sheriff's		26	Solid Waste	
	Forfeitures	1,323.55		Authorities	238,088.77
T86	Attorney Trust		49	Postage/Office	
	Accounts	400.00		Supplies	42,084.95
T87	Assault Fees	2,811.79	49A	Plat Book Revolving	130.00
T89	District Administrator	2,976.06	50	Printing	52,515.49
T98	Work Study		51	County Garage	42,803.28
	Agency Fund	3,204.58	52A	Property,	
T99	Reserve Health			Casualty, Liability	9,218.72
	& Welfare	1,005.48	52B	Workers	
01	General Fund	1,884,439.02		Compensation	153,775.64
02	Public Works	1,967,856.74	52D	Medical/Dental	
03	Septic Loan			Self Insurance	99.32
	Revolving Fund	21,000.00	53	Management	
04	Social Services	7,209,424.86		Information Systems	221,072.35
08	Capital Projects	105,841.85	54	Regional Railroad	
08A	State Aid Road	715,502.53		Authority	81,762.64
08B	Road & Bridge		55	Telecommunications	78,806.65
	Building Const.	20,371.00	64A	Jensen Nursing	

	Home	674,563.42
64B	Nopeming Nursing Home	504,886.63
64F	Community Food Services	65,722.29
64L	Laundry	55,247.29
64S	Supervised Living Facilities	17,852.50
72	Northern Counties Land Use Coordinating Board	1,688.42
73	Arrowhead Regional Corrections	712,749.59
74	Community Health Services	73,345.89
85	Patients' Trust Fund	<u>539.00</u>
		\$45,941,714.50

Adopted December 8, 1998. No. 900

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 8, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted December 8, 1998. No. 901

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the

applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

The following applicants were issued a tobacco violation citation in 1998:

Edwards Oil, Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T9985;

Debra Jones, d/b/a Frontier Resort, Unorganized Area 69-19, Tobacco Products License No. T9939;

Meadowlands Co-op, d/b/a Meadowlands Co-op, City of Meadowlands, Tobacco Products License No. T99137;

Leon Polley, d/b/a Polley's Resort, Unorganized Area 63-17, Tobacco Products License No. T9920;

Best Oil, Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products

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

449

License No. T99150;

Jarth, Inc., d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T99165.

Adopted December 8, 1998. No. 902

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

Keith Nelson, d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T9997;

Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township, Tobacco Products License No. T99107;

Black Bear Cafe, Inc., d/b/a Black Bear Cafe, Vermilion Lake Township, Tobacco Products License No. T99164;

G.W. Resorts, Inc., d/b/a Borderland Lodge, Unorganized Area 67-17, Tobacco Products License No. T9929;

Susan Chalstrom, d/b/a Chalstrom's Bait, Rice Lake Township, Tobacco Products

License No. T99154;

Sanford Brenna, d/b/a Clark's IGA Foods, City of Cook, Tobacco Products License No. T9982;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Albion Township, Tobacco Products License No. T9952;

Paul Lautigar, d/b/a Corner Express, Biwabik Township, Tobacco Products License No. T9969;

Douglas Miller, Dennis Miller, Brady Miller d/b/a Dawghouse Bar & Grill, Northland Township, Tobacco Products License No. T99140;

Associated Enterprises, Inc., d/b/a Dino's Bottle Shop, City of Aurora, Tobacco Products License No. T9959;

Dolores McDonell, d/b/a Fall Inn Tavern, Rice Lake Township, Tobacco Products License No. T99155;

Kindgren Enterprises, d/b/a Flip's Bar, City of Proctor, Tobacco Products License No. T99145;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Unorganized Area 68-21, Tobacco Products License No. T9938;

Handberg's Marine, Inc., d/b/a Handberg's Marine, Inc., Unorganized Area 67-17, Tobacco Products License No. T9930;

Marie Kreegier, d/b/a The Homestead Restaurant, Clinton Township, Tobacco Products License No. T9980;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T99126;

ILI, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T99115;

Kennedy's Bar & Lounge, Inc., d/b/a Kennedy's Bar & Lounge, Inc., City of Proctor, Tobacco Products License No. T99148;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Area 70-18, Tobacco Products License No. T9948;

Ely-Winton Rod & Gun Club, Inc., d/b/a Longbranch Clubhouse, City of Winton, Tobacco Products License No. T99168;

Curran Enterprises, Inc., d/b/a Makinen Liquor Store, Unorganized Area 56-16, Tobacco Products License No. T994;

Theodore Melgeorge, d/b/a Melgeorge's Resort, Unorganized Area 66-19, Tobacco Products License No. T9927;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, Tobacco Products License No. T99139;

Oh Laughing Buddha, Inc., d/b/a Sand Lake Hooks and Hops, Unorganized Area 60-18, Tobacco Products License No. T9912;

Elizabeth Kirsh, d/b/a Sportsmens Inn, Gnesen Township, Tobacco Products License No. T99117;

C & E Enterprises, Inc., d/b/a Sunset Lounge & Bottle Shop, Rice Lake Township, Tobacco Products License No. T99157;

Vaughn, Inc., d/b/a Taconite Haven Sports Lounge, City of Hoyt Lakes, Tobacco Products License No. T99131;

Loran/Diane Tardy, d/b/a Tardy's Fuel & Food, Sturgeon Township, Tobacco Products License No. T99162;

Winton Municipal Liquor Store, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T99170.

Adopted December 8, 1998. No. 903

BY COMMISSIONER RAUKAR:

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

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

451

S.A.P. 69-623-26, Minnesota Project No. STP 6998(099). Length: 2.18 miles. Construction to consist of Grading, Aggregate Base, Bituminous Surface and Shoulders.

WHEREAS, said bids or proposals were duly opened by the Commissioner of Transportation's Representative, Mr. Mike Tardy, at a meeting at 10:00 A.M. on November 30, 1998, and the County Highway Engineer determined the lowest bidder of said project for which proposals were invited and submitted; and WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the Board should recommend to the Commissioner of Transportation of the State of Minnesota, the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that this Board hereby recommends the award of contract on the above project to the lowest bidder:

STATE PROJECT

S.P. 69-623-26
Minn. Proj. STP 6998(099)

CONTRACTOR

Mesabi Bituminous, Inc.
4988 Enterprise Drive
Gilbert, MN 55741

AMOUNT

\$172,938.25

Unanimously adopted. December 8, 1998.
No. 904

Upon motion of Commissioner Sweeney, supported by Commissioner Prebich, the rules were suspended to adopt Resolution No. 905 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign the Alternative Payment for Chris Jensen Health and Rehabilitation Center Agreement with the State of Minnesota, through its Department of Human Services, subject to the contract approval by the County Attorney for the term of one year effective upon signature by all parties.

Unanimously adopted. December 8, 1998.
No. 905

At 10:48 A.M. on Tuesday, December 8, 1998, upon motion of Commissioner Prebich, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

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

443

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
DECEMBER 15, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 15th day of December, 1998, at 9:39 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A. Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair began the meeting by presenting a State of Minnesota Merit Award for Construction Excellence to Richard Hansen, Highway Engineer, for his department's work on C-SAH 14 in the City of Proctor.

The Chair then opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda and the following persons chose to do so:

Shelley Thygeson, Duluth, requested that the County Board hold a public hearing to investigate and stop alleged abusive treatment by job counselors in the Minnesota Family Investment Program (MFIP).

Derrick Parker, Duluth, representing Low

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

444

Income People Organizing for Power, also requested that the Board hold a public hearing to look into alleged MFIP abuses.

The Chair directed Julie Brunner, County Administrator, to set up a meeting with the parties prior to the end of the first quarter of 1999 to investigate the allegations.

At 9:52 A.M., a public hearing was reconvened to determine whether alleged violations of Minnesota Statute 340A and St. Louis County Ordinance No. 28 (Liquor Ordinance) occurred and what penalty to impose. Alleged violations are against Allied Properties, Inc., d/b/a Prime Time Steak House, Rice Lake Township. This was a continuation of public hearings held on October 6, 1998, and November 3, 1998, and concerned two separate incidents. Shaun Floerke, Assistant County Attorney, detailed the charges which involved patrons consuming alcohol on the licensed premises after the legal closing time. The St. Louis County Licensing Committee recommended a twenty-day suspension and \$1,000 civil fine for the first offense, and a sixty-day suspension and \$2,000 fine for the second count. David Ostrander, owner of the establishment, appeared before the Board and was sworn in by the Chair. Mr. Ostrander admitted that the violations did occur. No one else chose to address the issue. Commissioner Prebich, supported by Commissioner Sweeney, moved to close the hearing at 10:00 A.M.; seven yeas - zero nays. Commissioner Fink,

supported by Commissioner Sweeney, moved to accept the admission of Mr. Ostrander, as well as the documentation submitted, as proof that the violations did occur; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to accept the Liquor Licensing Committee recommendation for penalties to be imposed. After some discussion, Commissioner Prebich, supported by Commissioner Raukar, moved to amend the penalty resolution to a twenty-day suspension and a \$3,000 civil fine with the remainder of the penalty stayed for one year if Mr. Ostrander submits to an alcohol assessment/treatment program and no further violations occur. Upon request of Commissioner Fink, the amendment was changed to a thirty-day suspension, beginning immediately, with the stipulation that Mr. Ostrander submit to an alcohol/anger assessment within those thirty days. The remainder of the penalty would be stayed for a two-year period. Additionally, Mr. Ostrander must submit proof that the assessment was sought and that he is abiding by whatever is recommended; seven yeas - zero nays. The amended penalty resolution was then approved; seven yeas - zero nays. Resolution No. 936.

At 10:40 A.M. in the forenoon of Tuesday, December 15, 1998, the Chair declared a recess until 11:00 A.M. on December 15, 1998, in the County Board Room, Courthouse, Duluth, Minnesota.

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

445

The Board reconvened at 11:00 A.M. on Tuesday, December 15, 1998, the regular order of business resumed with all members present.

At the request of Alan Mitchell, County Attorney, Item No. 28 of the Consent Agenda (a parking space lease agreement with the City of Duluth) was removed and placed on the Finance and Budget Committee.

Commissioner Prebich, supported by Commissioner Sweeney, moved to support the creation of a non-profit organization to disperse a portion of tobacco settlement funds for tobacco control programs. Carol Thibault, Public Health Director, Julie Burns, Public Health Department, and Steve O'Neil, Lung Association, all appeared before the Board and urged support of the dispersment of eleven percent of the settlement to cessation programs. After lengthy discussion, Commissioner Fink, supported by Commissioner Krueger, moved to table the resolution but the motion failed; two yeas - five nays, Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman. Commissioner Kron, supported by Commissioner Prebich, moved to call the question; six yeas - one nay, Commissioner Fink. The resolution as submitted was then approved; four yeas - three nays, Commissioners Fink, Krueger, and Chair Forsman. Resolution No. 939.

Commissioner Kron, supported by Commissioner Raukar, moved to suspend the rules to consider a settlement of

litigation between St. Louis County and Linda Sequin for alleged employment discrimination, defamation, and violation of her civil rights; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Prebich, moved to approve payment of the settlement offer of \$25,000; seven yeas - zero nays. Resolution No. 940.

Commissioner Prebich, supported by Commissioner Raukar, moved to approve the 1999 St. Louis County Operating and Capital Budget and Levy Certification with a request that a roll call vote be taken. Discussion ensued concerning whether or not this was a prudent budget. The roll call vote was taken and the motion failed; one yeas - six nays, Commissioners Fink, Krueger, Kron, Sweeney, Raukar, and Chair Forsman. Commissioner Prebich, supported by Commissioner Kron, then made a motion to move approval of the budget resolution to the December 22, 1998, Board meeting in Ely, MN; seven yeas - zero nays.

Commissioner Prebich, supported by Commissioner Krueger, moved to suspend the rules to consider a request by the City of Duluth to waive the thirty-day comment period required by statute to modify or create tax increment financing (TIF) districts. Cynthia Albright, Executive Director of the Duluth Economic Development Authority (DEDA), and Todd Torvinen, City of Duluth Finance Director, appeared before the Board and requested the waiver to facilitate the issuance of permits for the proposed

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

446

Technology Village Project in down-town Duluth. Commissioner Prebich, supported by Commissioner Raukar, moved to deny the waiver request. After some discussion, the motion failed; two yeas - five nays, Commissioners Fink, Krueger, Kron, Sweeney, and Chair Forsman. Commissioner Kron, supported by Commissioner Fink, moved to grant the thirty-day waiver. After further discussion, Commissioner Krueger, supported by Commissioner Kron, moved to call the question; seven yeas - zero nays. The thirty-day waiver of the comment period was then approved; six yeas - one nay, Commissioner Prebich. Resolution No. 937.

Commissioner Prebich, supported by Commissioner Kron, moved to approve a modified resolution leasing parking spaces to the City of Duluth. Alan Mitchell, County Attorney, explained that the number of parking spots leased was actually nineteen instead of sixteen and the fee was negotiated at a flat \$540 per month; seven yeas - zero nays. Resolution No. 938.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

SuperiorUSA Benefits Corporation proposal for administration of the Flexible Spending Accounts Plan.--57273

Documentation from public hearing held on December 15, 1998, to determine

whether Dave Ostrander, President, Allied Properties, Inc., d/b/a Prime Time Steak House, violated State and County liquor laws in two separate incidents.--57274

American Lung Association of Minnesota regarding Tobacco Settlement Proceeds.--57275

Civil Service Supervisory Bargaining Agreement for 1998/1999.--98-810

Merit Basic Bargaining Agreement for 1998/1999.--98-811

Merit Supervisory Bargaining Agreement for 1998/1999.--98-812

Architectural Services Agreement between the County of St. Louis and LHB Engineer-ing and Architects for Predesign for Water-front Aquatic/Community Center.--98-813

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc.--98-814ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and St. Ann's Home.--98-815ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and McCarthy Manor.--98-816ss

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

447

Purchase of Service Agreement between the St. Louis County Board of Commissioners and McIntyre Board and Lodging.--98-817ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Reed Pine Boarding and Lodging.--98-818ss

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Long Term Medical Care, and Association for Retarded Citizens (ARC).--98-819

Agreement for Consulting Services between St. Louis County and Emerald Systems, Inc.--98-820

Addendum to Contract No. 12083 between the St. Louis County Board of Commissioners and Ely Meals on Wheels.--98-821ss

Addendum to Contract No. 12117 between the St. Louis County Board of Commissioners and Benedictine - St. Anthony Center for Adult Day Care.--98-822ss

Minnesota Breast and Cervical Cancer Control Program Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--98-823

Agreement for Clinical Public Health Experience between St. Louis County, through its Department of Public Health and Long Term Medical Care, and the

College of St. Scholastica.--98-824

State of Minnesota Shared Services Agreement between St. Louis County, through the Social Services Department, for providing Moose Lake Regional State Operated Services in Region III.--98-825ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home.--98-826ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Salmi Homes, Inc.--98-827ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Lakeside Manor, Inc.--98-828ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Wesley Residence, Inc.--98-829ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and September House.--98-830ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Taylor SLS, Inc. (Mike Taylor, SLS, II).--98-831ss

Purchase of Service Agreement between the St. Louis County Board of

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

448

Commissioners and Mike Taylor SLS.--98-832ss

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Lakewind, Inc.--98-833ss

Addendum Contract No. 12087 between the St. Louis County Board of Commissioners and Meals Our Mission.--98-834ss

Addendum to Contract No. 12086 between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for Home Delivered Meals.--98-835ss

Purchase of Service Agreement between the St. Louis County Community Social Service Board and Meals Our Mission.--98-836ss

Upon motion of Commissioner Kron, supported by Commissioner Prebich, Resolutions No. 906 through 935, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER KRON:
RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 24, 1998, are hereby approved. Adopted December 15, 1998. No. 906

RESOLVED, that pursuant to the

recommendations of the Tax Committee, the applications of the following named persons and firms for reduction and correction of assessed valuations and taxes in the following amounts plus on those abatements of penalty and interest, any additional accrual to the date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 57148, are hereby approved:

Real Estate - John Adams, \$127.14; Erik Anderson, \$609.50; Linda Anderson, \$849.82; Emmett Berens, \$143.20; Kevan Bowman, \$1,020.42; Nicolle Brown, \$240.24; Debbie Bruter, \$234.66; Robert Carlson, \$94.52; John & Mary Cigalio, \$79.92; Rosemary Curtiss, \$533.90; Adam Dahlin, \$87.60; Eikill Schilling, \$300.00; William Ellis, \$122.26; Carl Gawboy, \$759.18; Brian Heikkila, \$679.64; Hib. Tac., \$7,118.92; HRA of Hibbing, \$120.02; Inland, \$7.30; John Kaufhold, \$163.28; Anthony Kilpela, \$596.74; Richard Krummi, \$1,046.80; Garth Lee, \$762.14; Martin Lepak, \$130.94; LTV, \$1,800.00; Keith Lucas, \$833.96; Shelley Meyer, \$407.74; Joann Montgomery, \$655.72; Mark Myles, \$207.40; Richard Nappa, \$1,064.29; Northshore Mining, \$4,775.48; NW Bank/J. McClintock, \$93.34; Raymond Pierce, \$196.48; Anthony Rich, \$1,036.30; Julius Salinas, \$580.76; Warren Schroyer, \$419.98; Nicholas Senich, \$1,191.68; David Sobczak, \$353.16; Clifford Solem, \$871.46; Robert Spicer, \$78.72; Joan Stately, \$95.30; John Thode, \$1,088.72;

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

449

Curtis Thompson, \$391.46; Chester Truedson, \$80.16; Gerald Ulleberg, \$813.84; USX, \$2,517.40; Lawrence Vongillern, \$708.18; Donald Walters, \$114.16; Bruce Watkins, \$353.14; Francis Wiermaa, \$81.22; David Wood, \$447.34.

Personal Property - David Carlson, \$226.66; Dana Elsen, \$171.80; Lynn Kopp, Jr., \$28.22; Gary Polu, \$17.64; John Richards, \$33.68; Kevin Richards, \$181.64.

Adopted December 15, 1998. No. 907

RESOLVED, that the appraisal report for the sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted December 15, 1998. No. 908

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

The following applicants were issued a tobacco violation citation in 1998:

City of Cook, d/b/a Cook Last Chance Liquors, City of Cook, Tobacco Products license No. T9983;

Pike-Sandy Co-op, d/b/a Pike-Sandy Co-op, Pike Township, Tobacco Products License No. T99143;

Stoneybrook Saloon, Inc., d/b/a Stoneybrook Saloon, Inc., City of Brookston, Tobacco Products License No. T9973. Adopted December 15, 1998. No. 909

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 15, 1998, on file in the office of the County Auditor, identified as County Board File No. 57109, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted December 15, 1998. No. 910

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows;

RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

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

450

Sandberg, Inc., d/b/a Bear River Viking Bar,
Morcom Township, Tobacco Products
License No. T99138;

Blackwood's of Proctor, Inc., d/b/a
Blackwood's Grill and Bar, City of Proctor,
Tobacco Products License No. T9944;

Curtis Mortenson, d/b/a Cherry Corner
Store, Cherry Township, Tobacco
Products License No. T9978;

Mario Colletti, d/b/a Colletti's Market,
City of Aurora, Tobacco Products License
No. T9958;

Randall Willeck, d/b/a Country Corner,
Culver Township, Tobacco Products
License No. T9992;

Belo Enterprises, Inc., d/b/a Crossroads
Convenience and Liquor Store, Clinton
Township, Tobacco Products License No.
T9979;

Curtis Convenience Stores, Inc., d/b/a
Food-N-Fuel, Cotton Township, Tobacco
Products License No. T9990;

Violet Hall, d/b/a Greaney Store,
Unorganized Area 63-21, Tobacco
Products License No. T9924;

Michael Grubb, d/b/a Hitching Post,
Gnesen Township, Tobacco Products
License No. T99114;

Kendallberry's, Inc., d/b/a Kountry
Krossroads, Pike Township, Tobacco

Products License No. T99142;

Joanne Hendrickson, d/b/a Lakeland Store,
Biwabik Township, Tobacco Products
License No. T9970;

Georgette Saugestad, d/b/a Melrude Pub,
Ellsburg Township, Tobacco Products
License No. T9996;

Mooseline, Inc., d/b/a Mooseline Bar &
Cafe, Unorganized Area 56-14, Tobacco
Products License No. T993;

Twig Mercantile, Inc., d/b/a Twig
Mercantile, Inc., Grand Lake Township,
Tobacco Products License No. T99120;

Melvin Wright, d/b/a Wright's Way,
Unorganized Area 63-19, Tobacco
Products License No. T9923;

Zupancich Bros., Inc., d/b/a Zupancich
Bros., Inc., City of Aurora, Tobacco
Products License No. T9964.

Adopted December 15, 1998. No. 911

WHEREAS, St. Louis County encourages
public and private entities to recycle; and
WHEREAS, the County utilizes the
services of Dougherty Trucking &
Recycling to process recyclable materials
in the County's recycling program; and
WHEREAS, Dougherty Trucking &
Recycl-ing desires to extend the lease
agreement for a recyclables baler from St.
Louis County to bale recyclable materials;
and
WHEREAS, it is the best interest of the

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

451

County for Dougherty Trucking & Recycling to bale recyclables at their recyclable materials processing facility; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board authorizes the Chair of the Board, County Auditor, and County Attorney to enter into a one-year extension of this lease agreement with Dougherty Trucking & Recycling for the use of a County-owned recyclables baler. Dougherty Trucking & Recycling will lease the baler for \$8.50 per month for each month the baler is used.

Adopted December 15, 1998. No. 912

WHEREAS, St. Louis County encourages public and private entities to recycle; and WHEREAS, the County utilizes the services of Dougherty Trucking & Recycling to process recyclable materials collected in south St. Louis County; and

WHEREAS, Dougherty Trucking & Recycling desires to collect, process, and market recyclable materials collected in the south St. Louis County recyclables program; and

WHEREAS, it is in the best interest of the County for Dougherty Trucking & Recycling to collect, process, and market recyclables at their recyclable materials processing facility; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board authorizes the Chair of the Board, County Auditor, and County Attorney to enter into a one-year extension of this agreement from January 1, 1999, through December 31, 1999, with Dougherty Trucking & Recycling of Saginaw (reimbursement not to exceed

\$20,000 payable from Fund 26, J-34, Recycling).

Adopted December 15, 1998. No. 913

WHEREAS, St. Louis County has a canister site lease agreement with the Kabetogama Lake Association, Inc., for the purpose of operating a solid waste canister site; and

WHEREAS, the current agreement expires on December 31, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Chair of the Board, County Auditor, and County Attorney to execute the renewal of this solid waste canister lease with the Kabetogama Lake Association, Inc., for a three-year term beginning January 1, 1999, to December 31, 2001, at a cost of \$260 per year.

Adopted December 15, 1998. No. 914

WHEREAS, it is more cost effective for the County to pay the City of Chisholm to deliver its mixed solid waste directly to the Regional Landfill; and

WHEREAS, the City of Chisholm has agreed to haul its mixed solid waste to the Regional Landfill at a cost to the County of \$12 per ton; and

WHEREAS, the County will realize a savings for haulage of \$3.50 per ton for mixed solid waste generated in the Chisholm collection area in 1999; and

WHEREAS, the current Agreement expires on December 31, 1998; and

WHEREAS, the current Agreement has been revised to add a provision for a two-year extension under the current terms;

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

452

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Solid Waste Department to extend the current Agreement with the City of Chisholm for two years to authorize payment of \$12.00 per ton for mixed solid waste delivered to the St. Louis County Regional Landfill, payable from Fund 26, Agency J-36 Transfer Station, up to a maximum total of \$22,000 per year.

Adopted December 15, 1998. No. 915

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, County Auditor, and County Attorney to sign an easement agreement with the Regents of the University of Minnesota for highway right of way purposes across that part of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) lying East of the Highway right of way across Section Twenty-Two (22), Township Fifty-Five (55) North, Range Eighteen (18) West, subject to approval by the County Attorney's Office.

Adopted December 15, 1998. No. 916

RESOLVED, that the Purchasing Agent is hereby authorized to purchase One (1) ASV Posi-Trac MD2810 Crawler/Tractor from ASV, Inc., of Grand Rapids, Minnesota, in accordance with the State of Minnesota Contract Release Number T-629, and their price of \$51,005.00, including delivery, plus the 6.5 percent state sales tax of \$3,310.45, for a total of \$54,315.45, payable from: Fund 02 Public

Works, Agency A14 Equipment & Maintenance Shops, Object 659 Other Equipment Purchases.

Adopted December 15, 1998. No. 917

RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the 1999 through 2000 proposal agreed to by SuperiorUSA Benefits Corporation for administration of the Flexible Spending Accounts Plan payable from Fund T74, Agency T74, Object 530, as contained in County Board File No. 57273, on file in the office of the County Auditor;

FURTHER RESOLVED, that the Chair of the County Board, County Auditor, and Civil Service/Personnel Director are authorized to sign said contract on behalf of St. Louis County.

Adopted December 15, 1998. No. 918

WHEREAS, entering of parcel boundaries and parcel code information into the St. Louis County Geographic Information system will provide better, more up-to-date maps for the Assessor and will provide access to County ownership and assessment information to the other departments and public who need to use this information; and

WHEREAS, the agreement with Pro-West & Associates provides for the consultant to document a framework for production of a GIS Parcel Coverage and to produce a parcel coverage for Leiding Township; and WHEREAS, funding was budgeted and is available in the 1998 Assessor's Department Budget, Fund 01, Department 56;

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

453

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the County Assessor, Purchasing Agent, and County Attorney to enter into an agreement with Pro-West & Associates for geographic information systems services in the amount of \$10,000, subject to approval by the County Attorney's Office.

Adopted December 15, 1998. No. 919

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit applications, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organizations:

Cook Firemen's Relief Association to operate out of the Log Cabin, Angora Township, renewal;

Cook Firemen's Relief Association to operate out of The South Switch, Angora Township, renewal.

Adopted December 15, 1998. No. 920

RESOLVED, that the 1998/1999 Civil Service Supervisory Bargaining Agreement, a copy of which is on file in Contract File No. 98-810, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Adopted December 15, 1998. No. 921

RESOLVED, that the 1998/1999 Merit

Basic Bargaining Agreement, a copy of which is on file in Contract File No. 98-811, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Adopted December 15, 1998. No. 922

RESOLVED, that the 1998/1999 Merit Supervisory Bargaining Agreement, a copy of which is on file in Contract File No. 98-812, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Adopted December 15, 1998. No. 923

RESOLVED, that the new job classification titled Solid Waste Operations Supervisor is approved, and placed in Salary Grade 21 on the Civil Service Supervisory Bargaining Unit Pay Plan.

Adopted December 15, 1998. No. 924

RESOLVED, that the St. Louis County Board of Commissioners:

(1) Authorizes a Purchase of Service Contract with the Hibbing Family Services Collaborative to provide additional professional school social work services and related expenses for the period January 1, 1999, through December 31, 1999, at a maximum cost of \$60,100.

(2) Increases the authorized staffing of the St. Louis County Social Service Department (SLCSSD) by one FTE Social Worker to provide professional social work services as specified in the Purchase of Service Agreement.

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

455

Administrator, Purchasing Agent, and County Attorney to execute a Professional Services Agreement with Klaers, Powers, and Associates in an amount not to exceed \$11,000 for the purposes of assisting the County, in accordance with their submitted proposal, in an update of the "County Water Plan"; and

RESOLVED FURTHER, disbursements relative to the above Professional Services Agreement shall be made from Fund 01, Agency 021, Org. 239D.
Adopted December 15, 1998. No. 926

WHEREAS, St. Louis County is part of the Northern Counties Land Use Coordinating Board; and

WHEREAS, the State of Minnesota has provided grant funds through Northern Counties for each member County to prepare elements related to the County land use planning process; and

WHEREAS, the County, in order to obtain its \$19,650 share of grant funds, must execute a contract with Northern Counties for said funds.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the above-referenced \$19,650 grant award and authorizes the County Administrator and a representative of the County Attorney to execute the grant agreement on behalf of St. Louis County, along with all necessary forms, attachments, and addendums to complete the grant agreement between St. Louis County and the Northern Counties Land Use Coordinating Board; and

RESOLVED FURTHER, that said grant

funds be appropriated to and disbursed from Fund 01, Agency 021, Org. PLAN.
Adopted December 15, 1998. No. 927

WHEREAS, St. Louis County is committed to the development of monitoring indicators related to land use issues as part of its participation with the Northern Counties Land Use Coordinating Board; and

WHEREAS, the County issued a RFP soliciting proposals to assist the County in developing the above-referenced monitoring indicators; and

WHEREAS, the County has identified SRF Consulting Group as having the technical ability to prepare such indicators in compliance with the County agreement with Northern Counties Land Use Coordinating Board.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Planning Department, Purchasing Agent, and County Attorney to execute a Professional Services Agreement with SRF Consulting Group, in an amount not to exceed \$19,000, to prepare monitoring indicators as proposed in their RFP response of October 13, 1998; and

RESOLVED FURTHER, disbursements relative to the above Professional Services Agreement shall be made from Fund 01, Agency 021, Org. PLAN.

Adopted December 15, 1998. No. 928

WHEREAS, the Natural Resources Block Grant Program is an ongoing program of the State to partially fund Water Planning, Shoreland Management, Wetland Program

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

456

Administration, and On-Site Septic System Programs; and

WHEREAS, the Grant Program requires a local match, which for St. Louis County will come from the appropriation to the Soil and Water Conservation Districts and in-kind contributions from County Departments administrating these programs.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Planning Department to submit an application for the 1999 Natural Resources Block Grant and that a match of \$100,879 is authorized to be paid from the 1999 County appropriations to the North and South SWCD along with an in-kind contribution from the appropriate County Departments.

Adopted December 15, 1998. No. 929

WHEREAS, St. Louis County has applied for a grant from the Minnesota Office of Environmental Assistance (OEA) under its Capital Assistance Program; and

WHEREAS, St. Louis County is committed to implementing the proposed project as described in the grant application, if OEA funding is received; and

WHEREAS, the OEA requires that St. Louis County enter into a grant agreement with the OEA that identifies the terms and conditions of the funding award.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes and directs St. Louis County to enter into a grant

agreement with the OEA to carry out the project specified therein and to comply with all of the terms, conditions, and matching provisions contained therein.

BE IT FURTHER RESOLVED, that St. Louis County authorizes the Chair of the Board, County Auditor, and the Solid Waste Director to sign the grant agreement on its behalf, subject to approval by the County Attorney's Office.

Adopted December 15, 1998. No. 930

WHEREAS, on October 28, 1997, the Board of Commissioners authorized the Solid Waste Department to enter into a two-year contract with Northern Minnesota Recycling (NMR) for the transportation, processing, and marketing of recyclable materials; and

WHEREAS, markets for recyclable materials have been depressed, significantly reducing the amounts credited to the recycling program; and

WHEREAS, the Department anticipates receiving more recyclable materials for processing than was originally planned for; and

WHEREAS, the amount of money payable to Northern Minnesota Recycling needs to be increased for 1999.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners authorizes the Solid Waste Director, the Purchasing Agent, and the County Attorney to execute a contract with Northern Minnesota Recycling for 1999 recycling roll-off haulage, processing of recyclables, and marketing of those

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

457

recyclables for an estimated contract amount of \$420,000, payable from Fund 26, Agency J-34 Recycling.

Adopted December 15, 1998. No. 931

RESOLVED, the St. Louis County Board of Commissioners does hereby approve the St. Louis County HRA expenditures and revenue budget for 1999 in the amount of \$425,541.

RESOLVED FURTHER, the Board certifies the final 1999 levy for the HRA in the amount of \$162,366.

Adopted December 15, 1998. No. 932

WHEREAS, the St. Louis County Communications Department, in cooperation with the Sheriff's Department, desires to improve radio communications for law enforcement agencies serving the Brevator and Fond du Lac areas by installing radio equipment at an appropriate antenna site; and

WHEREAS, such improvements are necessary to insure the efficiency and effectiveness of law enforcement communications and related Communications Department 9-1-1 operations; and

WHEREAS, the public served in those areas will benefit by effective law enforcement communications; and

WHEREAS, an antenna site owned by RACOM is appropriately located to enable the desired radio communications improvement.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board, the County Auditor, and County Attorney to enter into an

Antenna Site Lease Agreement with RACOM for a period of five years at a total cost not to exceed \$14,400.00, payable from Fund 01, Department 099, Object 342.

Adopted December 15, 1998. No. 933

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57163;

FURTHER RESOLVED, that said license is approved contingent upon the licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 1999:

Every Buddy's Tavern, Inc., d/b/a Every Buddy's Tavern, Inc., Cherry Township, On/Off Sale 3.2 Percent Malt Liquor License No. B9964.

Adopted December 15, 1998. No. 934

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and

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

458

Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57144:

Every Buddy's Tavern, Inc., d/b/a Every Buddy's Tavern, Inc., Cherry Township, Permit No. S9918.

Adopted December 15, 1998. No. 935

BY COMMISSIONER FINK:

WHEREAS, the matter regarding Allied Properties, Inc., d/a/a Prime Time Steak House (Prime Time), came on before the full Board of the St. Louis County Board of Commissioners on December 15, 1998; and

WHEREAS, based upon the representations to the St. Louis County Board by the St. Louis County Attorney's Office and the Prime Time's admission to four liquor violations stemming from two separate incidents, the St. Louis County Board unanimously found that on July 30 and September 7, 1998, the Prime Time allowed patrons to remain in the licensed premises and consume liquor after 1:20 A.M. in violation of St. Louis County Ordinance No. 28, Sections 11.04 and 11.05.

BE IT HEREBY RESOLVED, that the liquor licenses issued to the Prime Time shall be suspended for a period of eighty (80) days. The initial thirty (30) days of the suspension shall be effective

immediately. The remaining fifty (50) days of the suspension period shall be stayed for a period of two (2) years. The fifty (50) days stayed shall be imposed immediately and consecutively to the initial thirty (30) day suspension should Mr. Ostrander fail to supply proof to the St. Louis County Attorney's Office within thirty (30) days from December 15, 1998, that he has under-gone the previously mentioned anger/alcohol assessment and is following the assessment recommendations. In addition, the fifty (50) days stayed shall be imposed immediately should the Prime Time violate any state or local liquor law or regulation at any time during the two (2) year stay. Should the Prime Time remain open for business during any suspension period, the Prime Time shall remove all alcoholic beverages from the service area and shall not sell any alcoholic beverages during the suspension period. The Prime Time shall pay the civil penalties imposed, totaling \$3,000, no later than December 31, 1998, by submitting payment to the St. Louis County Auditor.

Unanimously adopted. December 15, 1998. No. 936

BY COMMISSIONER KRON:

RESOLVED, the St. Louis County Board of Commissioners hereby certifies that the Board has agreed to waive the 30-day comment period required by Minnesota Statutes, Section 469.175, Subdivision 2 (The Minnesota Tax Increment Financing Act), that information on the fiscal and economic implications of (1)

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

459

the modification to the Tax Increment Financing Plan for Tax Increment Financing District No. 2, and (2) approval of a Tax Increment Financing Plan for Tax Increment Financing District No. 19 by the Duluth Economic Development Authority be provided to the Board at least 30 days before a public hearing on said modification and approval.

Yeas - Commissioners Fink, Krueger, Kron, Sweeney, Raukar, and Chair Forsman - 6

Nays - Commissioner Prebich - 1

Adopted December 15, 1998. No. 937

BY COMMISSIONER PREBICH:

WHEREAS, the City of Duluth had a lease agreement with the County for 54 parking spaces on the roof of the County motor pool facility; and

WHEREAS, the motor pool building ramp and roof structural issues require the removal of vehicles from parking on the roof; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners hereby authorizes the Chair of the Board, County Auditor, and County Attorney to execute a one-year lease agreement, subject to annual review, with the City of Duluth for the current parking areas for tax exempt parking west of the ramp and six metered spots in the south LaFroth lot.

RESOLVED FURTHER, that this lease agreement is contingent on the City of Duluth, for safety considerations, removing two parking spots - one on the east entrance and one on the west exit - from the alley behind the St. Louis County Parking Ramp.

Unanimously adopted. December 15, 1998. No. 938

WHEREAS, the State of Minnesota has settled its lawsuit against the tobacco industry -- generating \$6.1 billion dollars for the state including a three percent Consent Judgment consisting of a \$102 million dollar cessation fund and \$100 million dollar research fund; and

WHEREAS, each year tobacco-related disease accounts for 6,400 deaths (17% of all deaths) in Minnesota costing over \$1.3 billion dollars in medical and work-related expenses; and

WHEREAS, environmental tobacco smoke is a leading cause of asthma in children and responsible for 3,000 annual lung cancer deaths among non-smokers; and

WHEREAS, internal industry documents show that cigarette companies aimed their multi-billion dollar advertising campaigns at youth because they knew they must attract new young tobacco users to replace those who have died or managed to quit; and

WHEREAS, more Minnesota youth are smoking (e.g., between 1992 and 1995, weekly smoking rates among 9th grade students increased by 50 percent); and

WHEREAS, the Koop-Kessler Advisory Committee on Tobacco Policy and Public Health calls for funding the development of comprehensive tobacco prevention and reduction programs and for such funding to be administered in a manner independent from the political influence of the tobacco industry; and

WHEREAS, the settlement recommends

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

460

that \$650 million dollars (11% of the total settlement) be earmarked for tobacco prevention; and

WHEREAS, the Minnesota Attorney General has proposed the creation of a non-profit corporation called the Minnesota Partnership for Action Against Tobacco (MPAAT) to administer the three percent Consent Judgment funds set aside by the Court;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports the creation of an independent non-profit organization (the Minnesota Partnership for Action Against Tobacco, or MPAAT) directed by a board of directors with significant representation from public health, health care, medical, and research organizations to administer the three percent Consent Judgment funds consisting of a \$102 million dollar cessation account and \$100 million dollar research account; and

BE IT FURTHER RESOLVED, that the St. Louis County Board actively supports legislative approval of an additional \$650 million dollars over the next five years to fund a comprehensive tobacco prevention program in Minnesota as described in the state's settlement agreement; and

BE IT FURTHER RESOLVED, that the St. Louis County Board supports oversight of the additional \$650 million dollar prevention fund by the independent non-profit organization, MPAAT, to ensure long-term sustainability and independence from the political influence of the tobacco industry.

Yeas - Commissioners Kron, Sweeney,

Prebich, Raukar - 4

Nays - Commissioners Fink, Krueger, and
Chair Forsman - 3

Adopted December 15, 1998. No. 939

Upon motion of Commissioner Kron, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 940 which was not on the agenda.

BY COMMISSIONER KRON:

WHEREAS, Linda Seguin has initiated a lawsuit against St. Louis County alleging various causes of action including employment discrimination, defamation, and violation of her civil rights; and

WHEREAS, the St. Louis County Attorney's Office, on behalf of the County, and counsel for Linda Seguin have engaged negotiations in pursuit of a settlement of the claim against St. Louis County; and

WHEREAS, the St. Louis County Board, in a closed litigation session, authorized the tender of an offer of judgment in the amount of \$25,000.00 in full, final, and complete settlement of Linda Seguin's claim against St. Louis County with the exception of possible workers' compensation claims; and

WHEREAS, St. Louis County did tender an offer of judgment in the amount of \$25,000.00 which has now been accepted by the Plaintiff Linda Seguin.

THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is authorized to issue a check in the amount of \$25,000 payable to Linda Seguin and her legal counsel in return for an executed release

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

443

signed by Linda Seguin releasing St. Louis County from all past and present claims against St. Louis County with the exception of possible claims for workers' compensation benefits.
Unanimously adopted. December 15, 1998. No. 940

At 12:35 P.M. on Tuesday, December 15, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Fink, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor and Ex-Officio Clerk of the Board of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
DECEMBER 15, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 15th day of December, 1998, at 9:39 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Marilyn A.

Krueger, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 7. Absent: None.

The Chair began the meeting by presenting a State of Minnesota Merit Award for Construction Excellence to Richard Hansen, Highway Engineer, for his department's work on C-SAH 14 in the City of Proctor.

The Chair then opened the meeting to persons who wanted to address the County Board concerning issues not on the agenda and the following persons chose to do so:

Shelley Thygeson, Duluth, requested that the County Board hold a public hearing to investigate and stop alleged abusive treatment by job counselors in the Minnesota Family Investment Program (MFIP).

Derrick Parker, Duluth, representing Low Income People Organizing for Power, also requested that the Board hold a public hearing to look into alleged MFIP abuses.

The Chair directed Julie Brunner, County Administrator, to set up a meeting with the parties prior to the end of the first quarter of 1999 to investigate the allegations.

At 9:52 A.M., a public hearing was reconvened to determine whether alleged violations of Minnesota Statute 340A and St. Louis County Ordinance No. 28 (Liquor Ordinance) occurred and what penalty to impose. Alleged violations are



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

461

signed by Linda Seguin releasing St. Louis County from all past and present claims against St. Louis County with the exception of possible claims for workers' compensation benefits.

Unanimously adopted. December 15, 1998. No. 940

At 12:35 P.M. on Tuesday, December 15, 1998, upon motion of Commissioner Sweeney, supported by Commissioner Fink, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the
Board of County Commissioners

Attest:
Gordon D. McFaul, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**OFFICIAL PROCEEDINGS OF THE
MEETING OF THE
BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF ST. LOUIS,
MINNESOTA, HELD
ON
DECEMBER 22, 1998**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of December, 1998, at 9:31 A.M. in Room No. 24, Government Services Building, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, William J. Kron, Peg Sweeney, Liz Prebich, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Marilyn A. Krueger - 1.

The Chair opened the meeting to persons who wanted to address the Board concerning issues not on the agenda but no one chose to do so.

At 9:35 A.M., a public hearing was convened, pursuant to County Board Resolution No. 892, adopted November 24, 1998, to consider the adoption of the 1999 fee schedule for various County departments. Ann Harwood, Assistant County Administrator, presented the schedule which contained a few changes from 1998 including the incremental fees that Public Works will now charge for plowing snow from private driveways over one mile in length. Previously a flat fee was charged on any driveway more than

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

462

one mile in length. Commissioner Sweeney questioned why road associations were still being charged the flat fee. Richard Hansen, Public Works Director, told the Board that this was a clerical error and the associations would be subject to the same incremental fees as private driveways. Commissioner Forsman asked why there were no 1998 comparison figures for the food service fees. Julie Brunner, County Administrator, told the Board that a list of 1998 fees would be provided prior to adjournment. Terry Soderberg, Solid Waste Department, explained the differences between out-of-county and in-county solid waste tipping fees. Commissioner Prebich, supported by Commissioner Raukar, moved to close the hearing at 9:58 A.M., with final approval delayed until after the Board reconvenes following the Committee of the Whole meeting; six yeas - zero nays.

At 10:02 A.M., the a public hearing was convened, pursuant to County Board Resolution No. 893, adopted November 24, 1998, to obtain public comment and consider adoption of the 1999 - 2003 Capital Improvement Plan. Ann Harwood gave a brief review of the plan, which must be submitted to the State of Minnesota Department of Trade and Economic Development for approval. Ms. Harwood stressed that this was a flexible plan and that each item must still be approved individually by the Board. After some discussion, Commissioner Raukar, supported by Commissioner Kron, moved to close the hearing at 10:21 A.M.; six yeas - zero nays. Commissioner Raukar,

supported by Commissioner Sweeney, moved to approve the plan; six yeas - zero nays. Resolution No. 969.

Commissioner Sweeney, supported by Commissioner Prebich, made a motion to refer the selection of nursing home pharmacy vendor to the January 5, 1999, Board meeting; six yeas - zero nays.

Commissioner Kron, supported by Commissioner Raukar, moved to approve a closed session for litigation; six yeas - zero nays.

At the request of Commissioner Prebich, Item No. 27 of the Consent Agenda (approval for various unorganized townships to be included in Virginia Area Ambulance District) was removed and placed on the Central Management and Inter-Governmental Committee Agenda. Commissioner Raukar then requested that Item No. 28 (appointment of persons to serve on various committees) also be removed and placed on the Central Management and Inter-Governmental Committee Agenda.

Commissioner Sweeney, supported by Commissioner Prebich, moved to table the selection of a nursing home pharmacy vendor until the January 5, 1999, annual meeting; six yeas - zero nays.

Item No. 27 of the Consent Agenda, approval of the inclusion of certain unorganized townships in the Virginia Area Ambulance District, was then considered. Apparently one complete unorganized

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

463

town-ship (T57-R16) and a portion of another (T59-R16 except Sections 4, 5, 6, 7, 18, 19, 30, and 31) are actually part of another ambulance district and should not be included in the approval resolution. Commissioner Prebich, supported by Commissioner Kron, moved to approve the corrected resolution; six yeas - zero nays. Resolution No. 974.

Item No. 28 of the Consent Agenda, the appointment of persons to various committees was then discussed. Commissioner Raukar, because of concern with the current member's meeting attendance, requested that the Planning Commission opening be advertised, allowing other candidates to apply for the post; six yeas - zero nays. Resolution No. 975.

Julie Brunner introduced Joe Austin, new head of the County Employee Safety and Development Division, to the Board.

Commissioner Sweeney, supported by Commissioner Raukar, moved to award the contract for S.A.P. 69-600-18 (Ugstad Road) to KGM Contractors, Inc., Angora, MN, on their low bid of \$517,973.60; six yeas - zero nays. Resolution No. 970.

Commissioner Prebich, supported by Commissioner Raukar, moved to award the contract for S.A.P. 69-627-08 (C-SAH 27 and Bridge No. 69623) to Lunda Construction Company, Black River Falls, WI, on their low bid of \$1,358,169.14; six yeas - zero nays. Resolution No. 971.

Commissioner Raukar, supported by Commissioner Prebich, moved to award the contract for the construction of one 36-foot by 105-foot industrial storage building at the Division 5 Toolhouse, Pike Lake, to Klasic Constructors of Duluth, Inc., on their low bid of \$57,999.00; six yeas - zero nays. Resolution No. 972.

At 11:00 A.M. in the forenoon of Tuesday, December 22, 1998, the Chair declared a recess until 11:10 A.M. on December 22, 1998, in Room No. 24, Government Services Center, Ely, Minnesota.

The Board reconvened at 11:10 A.M. on Tuesday, December 22, 1998, the regular order of business resumed with all members present except Commissioner Krueger.

Commissioner Prebich, supported by Commissioner Sweeney, moved to approve the 1999 Budget and Levy Resolution. Commissioner Fink, supported by Commissioner Kron, moved to amend the resolution by slashing an additional \$2,050,000 from the proposed levy using a list of non-specific, departmental cuts submitted that day by Commissioner Fink. Alan Mitchell, County Attorney, advised the Board that large, last minute, non-specific cuts of this nature could be construed as "arbitrary and capricious" and would be difficult to defend in court if challenged by elected department heads. Gordon McFaul, County Auditor, advised the Board that the proposed cut in the enterprise fund would have a direct effect

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

464

on debt service and might put the County in default of bond covenants. Commissioner Kron then withdrew his support of the amendment and the motion died for lack of support. After lengthy discussion concern-ing the merits of the budget and the inclusiveness of the process, Commissioner Prebich, supported by Commissioner Kron, moved to call the question; six yeas - zero nays. The 1999 Budget and Levy Resolution was then approved; five yeas - one nay, Commissioner Fink. Resolution No. 973.

At 12:15 P.M. in the afternoon of Tuesday, December 22, 1998, Commissioner Sweeney, supported by Commissioner Raukar, moved to recess the Board meeting until 1:30 P.M. on December 22, 1998, in Room No. 24, Government Services Center, Ely, Minnesota.

The Board reconvened at 2:35 P.M. on Tuesday, December 22, 1998, the regular order of business resumed with all members present except Commissioner Krueger who was absent and Commissioner Fink who had temporarily left the meeting.

Commissioner Prebich, supported by Commissioner Sweeney, moved to approve all items that had been approved at the Committee of the Whole meeting completed earlier; five yeas - zero nays.

At 2:40 P.M. Commissioner Fink rejoined the meeting.

Approval of the 1999 fee schedule,

delayed earlier, was now considered. Ann Harwood presented a list of comparison fees from 1998. After some discussion, Commissioner Prebich, supported by Commissioner Raukar, moved to approve the fee schedule with the proposed environmental service fees and the nursing fees removed from the resolution; six yeas - zero nays. Resolution No. 968.

Commissioner Prebich, supported by Commissioner Raukar, then moved to table consideration of the environmental service fees and nursing fees to the January 5, 1999, meeting; six yeas - zero nays.

The following Board and Contract Files were created as a result of documents received at this Board meeting:

Julie Brunner, County Administrator, and Dave Epperly, Acting Land Commissioner, submitting Board Letter No. 98-756 regarding repurchase of tax forfeited land.--57276

Fee schedules for various County departments to be effective Fiscal Year 1999.--57277

St. Louis County, Minnesota, 1999-2003 Capital Improvement Program & 1999 Capital Budget.--57278-D

Julie M. Brunner, County Administrator, submitting Board Letter No. 796 regarding fund transfers and appropriations for 1998.--57279

Brian Holzer, Fire Chief, City of Virginia,

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

465

relative to the Special Law establishing the Virginia Area Ambulance District.--57280

Purchase of Service Agreement for 1999 between St. Louis County and the Range Guardian ad Litem Program.--98-837

Purchase of Service Agreement for 1999 between St. Louis County and the Duluth Volunteer Guardian ad Litem Program, Inc.--98-838

Purchase of Service Agreement for 1999 between St. Louis County and the Range Women's Advocates.--98-839

Purchase of Service Agreement for 1999 between St. Louis County and the Arrowhead Center, Inc.--98-840

Purchase of Service Agreement between St. Louis County Board of Commissioners and Iron Range Empowerment Services, Inc.--98-841ss

Upon motion of Commissioner Prebich, supported by Commissioner Raukar, Resolutions No. 941 through 967, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER PREBICH:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 8, 1998, are hereby approved. Adopted December 22, 1998. No. 941

RESOLVED, that the appraisal reports for the sale of timber, numbered Tracts 1 through 2, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 57108, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports. Adopted December 22, 1998. No. 942

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for licenses to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 57110, are hereby approved and the County Auditor is authorized to issue licenses as follows; RESOLVED FURTHER, that if named licenseholders sell their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner:

Frieda Wilton, d/b/a Baba's Place, City of Brookston, Tobacco Products License No. T99172;

William Parris, d/b/a Bil Mars Supper Club, Unorganized Area 55-21, Tobacco Products License No. T992;

Every Buddy's Tavern, Inc., d/b/a Every Buddy's Tavern, Inc., Cherry Township, Tobacco Products License No. T99173;

Joni Stutzman, d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License

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

466

No. T99174;

Ronald Leslie, d/b/a Lakewood One Stop, Lakewood Township, Tobacco Products License No. T99134;

Lakehead Oil Co., Inc., d/b/a Pike Lake Holiday, Canosia Township, Tobacco Products License No. T9976;

Daley Corporation, d/b/a Vermilion Beach Resort, Unorganized Area 63-17, Tobacco Products License No. T9921.
Adopted December 22, 1998. No. 943

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 57111;
FURTHER RESOLVED, that said licenses are approved contingent upon licenseholder paying real estate or personal property taxes when due;
FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the licenses to a new owner, but without pro-rated refund of the license fees to the licenseholders;
FURTHER RESOLVED, that said licenses shall be effective through June 30, 1999;
FURTHER RESOLVED, that said licenses are approved contingent upon Health

Department approval:

The following is new and was recommended for approval contingent upon final Health Department approval by the Liquor Licensing Committee on December 8, 1998:

Vermilion Lodge, Inc., d/b/a Vermilion Dam Lodge, Unorganized Area 63-17, On-Sale Intoxicating Liquor License No. L9991 and Sunday On-Sale Intoxicating Liquor License No. LS9991.
Adopted December 22, 1998. No. 944

RESOLVED, that the St. Louis County Board authorizes the Chair of the County Board, Health Director, and County Auditor to sign an addendum to the agreement with Lake Superior College to provide clinical experience program for students of Practical Nursing and Nursing Assistant Programs at Chris Jensen Health and Rehabilitation Center for the period November 1, 1998, through October 31, 2000.
Adopted December 22, 1998. No. 945

RESOLVED, that the County Board of Commissioners hereby authorizes the Health Director and County Auditor to write off a bad debt for Chris Jensen Health and Rehabilitation Center in the amount of \$31,051.24 (MR #2645) effective upon passage of this resolution.
Adopted December 22, 1998. No. 946

RESOLVED, that the County Board of Commissioners authorizes the Board Chairperson, Health Director, and the

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

467

County Auditor to subcontract with the Association for Retarded Citizens (ARC) for \$47,775 for the Services for Chemically Dependent Pregnant Women Grant with the Minnesota Department of Human Services beginning November 1, 1998, until June 30, 1999, payable from Fund 1, Agency 220, Org. 261, Obj. 299. Adopted December 22, 1998. No. 947

RESOLVED, that the County Board of Commissioners authorizes the Board Chair-person, Health Director, and the County Auditor to subcontract with The Center for Alcohol and Drug Treatment for \$12,722 for the Services for Chemically Dependent Pregnant Women Grant with the Minnesota Department of Human Services beginning November 1, 1998, until June 30, 1999, payable from Fund 1, Agency 220, Org. 261, Obj. 299. Adopted December 22, 1998. No. 948

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an agreement with MedPro Staffing Service to provide Registered Nurses and Certified Nursing Assistants upon request of Chris Jensen Health and Rehabilitation Center and Nopeming Nursing Home effective December 1, 1998, through November 30, 2000, payable from Fund 64A (Chris Jensen), Agency N71, Org. 1200 (RNs), and 1400 (CNAs), and Object 264, and from Fund 64B (Nopeming), Agency N72, Org. 1200 (RNs) and 1400 (CNAs), Object 264.

Adopted December 22, 1998. No. 949

RESOLVED, that the St. Louis County Social Services Department enter an agreement with Xerox Corporation before January 1, 1999, to:

1. Trade in the Social Service Department's used Xerox Model 9900; and

2. Lease the Xerox Model 5800, including a five-year service contract, at an estimated cost of \$3,280 per month with the option to purchase the copier for \$7,750 at the end of the five-year period.

Budget Reference:

Fund 04 Social Services

Agency ADM

Organization 2202

E x p e n s e O b j e c t 3 4 1

Machinery/Equipment Rentals

Revenue Source 0020 Local Taxes - Current

Adopted December 22, 1998. No. 950

WHEREAS, under the provisions of Minnesota Statutes 282.241, amended, tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments.

NOW, THEREFORE, BE IT RESOLVED, that the application for repurchase, on file in County Board File No. 57276, is approved.

Adopted December 22, 1998. No. 951

WHEREAS, the County Board of Commissioners of the County of St. Louis,

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

468

State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted December 22, 1998. No. 952

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57150, are approved and the County Auditor is hereby authorized to offer said lands at public sale in a manner provided for by law on Tuesday, February 9, 1999, at 10:00 A.M. at the Duluth Entertainment and Convention Center (DECC), Duluth, Minnesota.

Adopted December 22, 1998. No. 953

WHEREAS, the St. Louis County Public Works Department has plans to reconstruct a portion of County State Aid Highway 7 from 0.34 miles South of C-SAH 27 to County Road 311;

WHEREAS, additional highway right of way is required for the reconstruction; and WHEREAS, tax forfeited properties adjoin the proposed reconstruction; and

WHEREAS, Minnesota Statutes 282.04, Subdivision 4, permits the County Auditor to grant easements over tax forfeited lands; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the County Auditor to grant the necessary right of way easements for highway purposes over the following parcels:

Parcel 4: Northeast Quarter of the Northeast Quarter except Railroad Right of Way, Section Twenty-Seven (27),

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

469

Township Fifty-Six (56) North, Range Eighteen (18) West.

Parcel 17: Northeast Quarter of the Northeast Quarter except Railroad Right of Way, Section Twenty-Two (22), Township Fifty-Six (56) North, Range Eighteen (18) West;

Parcel 21: Southeast Quarter of the Southeast Quarter except Railroad Right of Way (2 65/100 acres) Section Fifteen (15), Township Fifty-Six (56) North, Range Eighteen (18) West.

Parcel 22: Northeast Quarter of the Southeast Quarter except Railroad Right of Way, Section Fifteen (15), Township Fifty-Six (56) North, Range Eighteen (18) West.

Parcel 28: Northeast Quarter of the Northeast Quarter except Railroad Right of Way, Section Fifteen (15), Township Fifty-Six (56) North, Range Eighteen (18) West.

RESOLVED FURTHER, that any timber damages be paid from the Public Works Department (Fund 08A, Agency 500, Object 365).
Adopted December 22, 1998. No. 954

RESOLVED, that the Purchasing Agent is hereby authorized to purchase One (1) Indeco Model MES2000 Hydraulic Breaker, in accordance with the specifications of Bid No. 3878, from RDO Equipment Co., of Burnsville, Minnesota,

at their low total specification bid price of \$27,177.00, plus the 6.5 percent state sales tax of \$1,766.51, for a total of \$28,943.51, payable from Public Works (Fund 02, Agency A14 - Equipment and Maintenance, Object 651 - Attachments to Rolling Stock).

Adopted December 22, 1998. No. 955

RESOLVED, that the Purchasing Agent is hereby authorized to purchase an Itek Model 2000 Digital Platemaker, from Ikon Solutions of Duluth at the University of Minnesota Contract No. 20961048167 price of \$45,000, including trade-in of a Eskofot Camera, a Plate Processor, and a Plate Exposure Unit, plus state sales tax of \$2,925, for a total purchase price of \$47,925; and RESOLVED FURTHER, that this cost be appropriated from the Printing Fund balance as follows: Fund 50 Printing, Agency L12 Printing, Object 647 Office Equipment.

Adopted December 22, 1998. No. 956

RESOLVED, that the appropriate County authorities are authorized to sign and execute a 1999 Purchase of Service Agreement between the County and the Range Guardian ad Litem Program, a copy of which is on file in the office of the County Auditor, identified as Contract File No. 98-837;

RESOLVED FURTHER, that the \$53,178 budgeted in 1999 for the Range Guardian ad Litem Program is payable from the Court Administrator's budget (Fund 1, Agency 025).

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

470

Adopted December 22, 1998. No. 957

RESOLVED, that the appropriate County authorities are authorized to sign and execute a 1999 Purchase of Service Agreement between the County and the Duluth Volunteer Guardian ad Litem Program, Inc., a copy of which is on file in the office of the County Auditor, identified as Contract File No. 98-838; RESOLVED FURTHER, that the \$46,610 budgeted in 1999 for the Duluth Volunteer Guardian ad Litem Program, Inc., is payable from the Court Administrator's budget (Fund 1, Agency 025).

Adopted December 22, 1998. No. 958

RESOLVED, that the appropriate County authorities are authorized to sign and execute a 1999 Purchase of Service Agreement between the County and the Range Women's Advocates, a copy of which is on file in the office of the County Auditor, identified as Contract File No. 98-839; RESOLVED FURTHER, that the \$15,000 budgeted in 1999 for the Range Women's Advocates is payable from the Court Administrator's budget (Fund 1, Agency 025).

Adopted December 22, 1998. No. 959

RESOLVED, that the appropriate County authorities are authorized to sign and execute a 1999 Purchase of Service Agreement between the County and the Arrowhead Center, Inc., a copy of which is on file in the office of the County Auditor, identified as Contract File No. 98-840;

RESOLVED FURTHER, that the \$28,192 budgeted in 1999 for the Arrowhead Center, Inc., is payable from the Court Administrator's budget (Fund 1, Agency 025).

Adopted December 22, 1998. No. 960

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on December 7, 1998, the Civil Service classifications of Administrative Assistant - Attorney's, Electrician, Insurances/Claims Specialist, Natural Resources Photo-interpreter, Program Coordinator - County Jail, Recreation Leader, and Safety Director, and the unclassified position of Clerk-Administrative Aide be abolished effective December 22, 1998.

Adopted December 22, 1998. No. 961

RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize the County Sheriff Emergency Management Division to apply for a Hazardous Materials Emergency Preparedness Grant in order to conduct an Emergency Management Conference; RESOLVED FURTHER, that the County Board authorizes the Chair of the Board and the County Sheriff to sign a contract to accept grant funding in the amount up to \$1,500 from the Minnesota Department of Public Safety, Division of Emergency Management, for participation in the Emergency Management Conference;

RESOLVED FURTHER, that the County Board authorizes the County Auditor to amend the 1999 revenue budget for the

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

471

Emergency Management Division to include up to \$1,500 in grant money from the Minnesota Department of Public Safety (Fund 01, Agency 094).

Adopted December 22, 1998. No. 962

WHEREAS, it has become increasingly important to manage our nation's forest in a healthy sustainable condition; and
WHEREAS, the public needs to be assured that proper management of our forests is being carried out by a recognized program of commitment to sustainable standards and practices including reporting and monitoring which in turn assures sustainability of healthy forest condition; and

WHEREAS, such credible programs have been and are being developed and conducted on many large and managed forested areas in the United States; and

WHEREAS, one of the leaders in conducting such a program of assurance of sustainable forest management has been the Sustainable Forestry Initiative Program (SFI) developed by the American Forest and Paper Association; and

WHEREAS, this program and certification is now available to others through independent and separate licensing to join the SFI Initiative; and

WHEREAS, St. Louis County has a forest land base managed under a policy which dedicates the lands for sustainable production of goods and services including timber and a wide variety of other products and services including continued protection of the inherent biological and social resources and values; and

WHEREAS, it is in the interest of the County to assure continued long-term sustainability, adding to its commitment by becoming a licensee of this program dedicated to the sustainability of our forests and forest resources.

NOW, THEREFORE, BE IT RESOLVED, that the Land Commissioner is hereby authorized to enter into Sustainable Forestry Initiative (SFI) Agreement as a licensee and participate in the Sustainable Forestry Initiative upon approval of the agreement for form and execution by the County Attorney and remitting a fee of \$125.00 for the balance of 1998 and \$500 for 1999, payable from Fund 15, Object 242.

Adopted December 22, 1998. No. 963

RESOLVED, that the County Board of Commissioners authorizes, effective immediately, a Registered Nurse Supervisor position for Chris Jensen Health and Rehabilitation Center at a cost of \$43,000 annually and authorizes a 1.0 FTE increase in the Registered Nurse Supervisor complement, payable from Fund 64A, Agency N71 (Chris Jensen), Org. 1100. Adopted December 22, 1998. No. 964

WHEREAS, St. Louis County and the City of Virginia currently have joint ownership of C-SAH 103 within the city limits of Virginia; and

WHEREAS, the City Engineers Screening Board has directed all cities to divest themselves of dual designated streets in their respective cities by January 1, 2000; and

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

472

WHEREAS, the City of Virginia has expressed an interest, to both the County of St. Louis and the State of Minnesota Department of Transportation, to have C-SAH 103 exclusively designated as a Municipal State-Aid Street, after it has been reconstructed; and

WHEREAS, St. Louis County and the City of Virginia have agreed to expedite the reconstruction of C-SAH 103 due to the rapidly approaching January 1, 2000, deadline, by making a joint application to the Area Transportation Partnership for Federal Highway Funds for the federal fiscal year 2002; and

WHEREAS, in order to establish St. Louis County as the lead agency for the application for Federal Highway Funds the City of Virginia has agreed to temporarily vacate their part ownership of C-SAH 103 to St. Louis County; and

WHEREAS, the City of Virginia has agreed to provide their share of the local match for the Federal Construction Funds since much of the construction will be the total responsibility of the city in the form of underground utility replacements.

NOW, THEREFORE, BE IT RESOLVED, that upon completion of the reconstruction of C-SAH 103, the County will vacate its interest, and turn back, in its entirety, the ownership of C-SAH 103 to the City of Virginia.

RESOLVED FURTHER, that all funding for the County's share of the reconstruction of C-SAH 103 will come from Federal High-way Funds with County State-Aid Highway Funds being used for the local match.

Adopted December 22, 1998. No. 965

WHEREAS, 1997 Laws of Minnesota, Chapter 231, Article 2, Section 54, authorizes the Floodwood Joint Recreation Board to levy a tax; and

WHEREAS, the purpose of this tax will be to enhance recreational opportunities for youth within the area of ISD 698; and

WHEREAS, the St. Louis County Board represents Unorganized Township 52-21, which is part of the proposed special taxing district.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Minnesota Statutes 645.021, Subd. 3, the St. Louis County Board of Commissioners hereby grants local approval to the levy authorization set forth in 1997 Laws of Minnesota, Chapter 231, Article 2, Section 54.

Adopted December 22, 1998. No. 966

RESOLVED, that the St. Louis County Board of Commissioners hereby appropriates an additional \$153,771 from the General Fund Undesignated Fund Balance to the Arrowhead Regional Corrections budget (Fund 01, Dept. 014, Obj. 947) for 1998.

Adopted December 22, 1998. No. 967

BY COMMISSIONER PREBICH:

RESOLVED, the St. Louis County Board of Commissioners hereby enacts the fee schedule for various County departments to be effective for Fiscal Year 1999 as on file in St. Louis County Board File No. 57277.

Unanimously adopted. December 22, 1998. No. 968

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

473

BY COMMISSIONER RAUKAR:

WHEREAS, the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), pursuant to Minnesota Statutes, Section 373.40 (the "Act"), previously approved a Capital Improvement Plan (the "Plan"); and

WHEREAS, the Board has proposed an amendment to the Plan; and

WHEREAS, a public hearing, as required by the Act, was held on the proposed amend-ment to the Plan on December 22, 1998.

NOW, THEREFORE, BE IT RESOLVED, by the Board that:

1. The Capital Improvement Plan, as amended, presented to the Board of County Commissioners, and on file as County Board Document File No. 57278, is hereby approved.

2. The County Administrator is hereby directed to cause the Capital Improvement Plan to be submitted to the Community Development Division of the Department of Trade and Economic Development for approval.

Unanimously adopted. December 22, 1998. No. 969

BY COMMISSIONER SWEENEY:

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

S.A.P. 69-600-18 (C.R. 284), C.P. 8227, located between C-SAH 9 and a point 4019 m (2.5 mi.) North. Length: 4019 m

(2.5 miles). Project to consist of Grading, Aggregate Base, Bituminous Surface and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., December 14, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

KGM Contractors, Inc.

ADDRESS

P.O. Box 7
Angora, MN 55703

AMOUNT

\$517,973.60

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the

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

474

Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. December 22, 1998. No. 970

BY COMMISSIONER PREBICH:

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

S.A.P. 69-627-08 (C-SAH 27), C.P. 9571, located between C-SAH 25 and C-SAH 83. Length: 1271 m (0.79 miles). Project to consist of Grading, Aggregate Base, Bituminous Surface and Shoulders and Bridge No. 69623.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., December 14, 1998, and this Board has, with the County Highway Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby approve the award of contract on the above project to the lowest bidder:

LOW BIDDER

Lunda Construction Co.

ADDRESS

P.O. Box 669

620 Gebhardt Road
Black River Falls, WI 54615

AMOUNT

\$1,358,169.14

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project; payable from Fund 08A, Agency 525, Object 527.

Unanimously adopted. December 22, 1998. No. 971

BY COMMISSIONER RAUKAR:

RESOLVED, that the Purchasing Agent is hereby authorized to execute a contract with Klasic Constructors of Duluth, MN, in accordance with the plans and specifications of Bid No. 3873, for the Construction of One (1) Metal Sided, Industrial Type, Full Color 36-foot by 105-foot Pole Building, at their low specification bid price of \$57,999.00, payable from: Fund 08B Capital Projects, Agency 600 Building Construction, Organization 3491 Cold Storage Bldg. - Pike Lake, Object 611 Building Construction.

Unanimously adopted. December 22, 1998. No. 972

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

475

BY COMMISSIONER PREBICH:

BUDGET AND LEVY RESOLUTION

1998 FOR FISCAL YEAR 1999

RESOLVED, That the Board of County Commissioners of the County of St. Louis, duly assembled in regular session this 22nd day of December, 1998, does hereby approve the 1999 budget document (excluding Arrowhead Regional Corrections) and does hereby levy and assess against the taxable real and personal property in the County of St. Louis, exclusive of monies and credits for County purposes, the sum of \$65,830,322 said levy being based on the itemized statement covering all expenses of said county for 1999, as heretofore prepared by this Board, pursuant to Minnesota Statutes 383C.021 and made a part of its proceedings, to-wit:

A. County-wide Levy
\$64,310,883

Regional Levy
1,519,439

1) Arrowhead Regional Library Levy
\$368,837

2) Solid Waste Regional Debt Service
Levy
a. County-wide/except WLSSD
837,906

b. County-wide/except WLSSD
Hibbing and East Mesaba
Service Areas
312,696

TOTAL PROPERTY

TAX LEVY

\$65,830,322

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

476

B. Levy subject to Levy Limitation
\$62,457,867
Special Levy - Bonded Indebtedness
3,372,455
**TOTAL PROPERTY
TAX LEVY
\$65,830,322**

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

477

**BUDGET BY FUND TYPE AND MEANS OF
FINANCING INCLUDING PROPERTY TAX
LEVIES:**

FINANCING	MEANS OF		
OTHER SOURCES FUND VENUE	TAX BUDGET FINANCING	FUND BAL. OR ADOPTED OF TOTAL CAPITAL	PROP- ERTY S WORKING LEVY RE
<u>GENERAL</u>			
<u>FUND</u>	\$59,815,417	\$3,282,394	\$28,348,715
	\$28,184,308	\$59,815,417	
<u>SPECIAL REVE- NUE FUNDS</u>			
Public Works			
Fund	29,983,768	0	14,143,548
	16,113,073	30,256,621	
Social Service			
Fund	66,567,519	126,870	19,342,485
	47,098,164	66,567,519	
Other Special			
Revenue	<u>3,723,000</u>	<u>0</u>	<u>0</u>
	3,723,000		
TOTAL	100,274,287	\$126,870	\$33,486,033
	\$66,934,237	\$100,547,140	

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

478

DEBT SERVICE
FUNDS 2,285,277 167,700 2,221,853
 02,389,553

CAPITAL PROJECT
FUNDS 14,816,039 \$170,034 \$623,119
 \$14,022,886 \$14,816,039

ENTERPRISE
FUNDS 30,595,283 3,142,745 1,150,602
 26,301,936 30,595,283

INTERNAL SERVICE
FUNDS 28,092,835 1,055,069 0
 27,585,563 28,640,632

TRUST
FUNDS 5,626,331 0 0
 ~~5,889,800~~

TOTAL
BUD-
GET \$241,505,469 \$7,944,812 \$65,830,322
 \$168,928,704 \$142,703,864

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

479

**MEMO ONLY
REGIONAL LEVIES**

MEANS OF FINANCING

	FUND BAL.	PROP-
OTHER	OR	ERTY S
OURCES	ADOPTED	WORKING
FUND	TAX OF TOTAL	LEVY RE
VENUE	BUDGET CAPITAL	FINANCING

**GENERAL
FUND**

Arrowhead			
Library *			
System			
Fund 01	368,837	0	368,837
	0 368,837		

**DEBT
SERVICE
WITHIN
ENTERPRISE
FUNDS**

County-wide -
Except
WLSSD

Solid Waste
Refunding

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

480

Bond - 37I	245,343	0	245,343
	0 245,343		

Regional Landfill Const.- 37F	525,210	0	525,210
	0 525,210		

Trans- fer/Closure 1991 - 37G	67,353	0	67,353
	0 67,353		

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

481

County-wide -
Except WLSSD
Hibbing & East
Mesaba Svc. Areas

Solid Waste			
Refunding			
Bond - 37I	245,343	0	245,343
	0		245,343
Trans-			
fer/Closure			
1991 - 37G	<u>67,353</u>	<u>0</u>	<u>67,353</u>
	<u>67,053</u>		
TOTAL			
RE-			
SIONAL	1,519,439	0	1,519,439
	01,519,439		

* The Arrowhead Library is levied against all taxable real and personal property of the County of St. Louis, exclusive of monies and credits and excluding taxable real and personal property of any city or township wherein a free public library is located or which is already taxed for local support of any such library.

RESOLVED FURTHER, that the budget expenditure during the fiscal year 1999 in the several departments of St. Louis County, the estimates of receipts from sources other than the monies herein levied, and the estimates of balances remaining in the several funds as of December 31, 1998, all of which are hereinafter itemized, are hereby approved, allowed, levied, and apportioned to the several departments and made a part of the proceedings of this Board as follows:

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

482

GENERAL FUND

**TOTAL BUDGET ALLOWANCE
\$59,815,417**

Means of Financing:

Estimated Fund Balance
3,282,394
Property Tax
28,348,715
Other Taxes
3,192,010
Fees and Services
5,669,028
Fines and Forfeitures
1,226,710
Licenses and Permits
128,170
Other Revenues
2,719,231
Intergovernmental Aid
15,262,159

**TOTAL MEANS OF FINANCING
\$59,815,417**

Of the foregoing budget allowance, the sum of \$59,815,417 is hereby apportioned to the several departments operating under the General Fund, and pursuant to Chapter 240 of the Laws of Minnesota for 1990, and the rules and regulations thereof, heretofore approved by the Board, there is hereby appropriated from the General Fund for expenditure during the fiscal year of 1999 the sum of \$59,815,417 to the items, in the amounts of hereinafter listed; and said expenditure shall be made by appointed or elected department heads in charge of such items (subject to the fiscal policies of the Board as adopted in the Budget), all of whom are hereby declared to be the encumbrance officers for said items within the meaning of said Chapter 240. The

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

483

expenditures shall be made for the purpose as shown in the 1999 budget record which is made part of these proceedings by reference, to wit:

Board of County Commissioners

707,516

Aid to Other Agencies

911,783

Administrator

375,992

Intergovernmental Affairs

267,067

Planning and Research

388,297

Labor Relations

42,760

TOTAL POLICY AND MANAGEMENT

2,693,415

Community Development

450,000

Planning & Zoning

1,017,415

TOTAL PLANNING DEPARTMENT

1,467,415

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

484

MIS Common Charges

1,576,774

Veterans Services

545,064

Employee Development

273,278

Safety Office

157,717

TOTAL ADMINISTRATION

2,552,833

Building Services

3,175,214

Purchasing

451,229

Microfilming

187,549

TOTAL PURCHASING

638,778

Auditor

3,548,062

Elections

22,400

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

485

TOTAL AUDITOR

3,570,462

Reserve for Retired Employees

350,000

Civil Service

1,142,618

Attorney

2,870,098

Assessor

1,780,581

Recorder

1,308,371

Emergency Communications

2,041,811

Radio Maintenance

486,325

TOTAL COMMUNICATIONS

2,528,136

Extension Service

729,563

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

486

Support Services

1,331,952

Nursing

3,505,776

Environmental Health

1,397,166

TOTAL HEALTH

6,234,894

Court Administrator

4,457,518

Examiner of Titles

141,643

TOTAL COURT ADMINISTRATOR

4,599,161

Commitments

57,459

Sheriff Patrol

7,817,780

Boat and Water Safety

123,252

Medical Examiner

242,170

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

487

Emergency Management

158,452

Rescue Squad

101,185

Law Enforcement Services

700,647

County Jail

5,026,555

TOTAL SHERIFF

14,170,041

Administration

1,331,486

Court and Field Services

6,801,047

Northeast Regional Corrections Center

4,356,071

Arrowhead Juvenile System

2,625,429

Grants/Reimbursements

(6,777,841)

**TOTAL ARROWHEAD REGIONAL
CORRECTIONS 8,336,192**

Mine Inspector

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

488

229,162

Land Survey

796,680

TOTAL PUBLIC WORKS

1,025,842

McKinney Grant 463,344

Emergency Shelter Grant 121,000

TOTAL GRANTS

584,344

TOTAL GENERAL FUND BUDGET

ALLOWANCE 59,815,417

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

489

SPECIAL REVENUE FUNDS

PUBLIC WORKS FUND

Budget Allowance

Administration & Engineering

5,186,754

Road Maintenance

12,962,267

Equipment & Maintenance Shops

7,733,747

Road Construction-County

4,101,000

TOTAL BUDGET ALLOWANCE

29,983,768

Means of Financing

Property Tax

14,143,548

Fees and Services

195,000

Licenses and Permits

18,000

Other Revenue

769,353

Intergovernmental Aid

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

490

15,130,720

TOTAL MEANS OF FINANCING

30,256,621

SOCIAL SERVICES FUND

Budget Allowance

Administration and Support Services

6,873,074

Financial Assistance

14,164,746

Social Services

45,529,699

TOTAL BUDGET ALLOWANCE

66,567,519

Means of Financing

Fund Balance

126,870

Property Tax

19,342,485

Fees and Services

1,389,611

Other Revenue

698,211

Intergovernmental Aid

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

491

45,010,342

TOTAL MEANS OF FINANCING

66,567,519

OTHER SPECIAL REVENUE FUNDS

Community Development Block Grant	
	3,072,000
Home Grant	<u>651,000</u>

TOTAL BUDGET ALLOWANCE

\$3,723,000

Means of Financing

Intergovernmental Aid
3,723,000

TOTAL MEANS OF FINANCING \$3,723,000

DEBT SERVICE FUNDS

Budget Allowance

Fund 34 Babbitt Facility
112,700

Fund 37J AJC Construction

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

492

130,117

Fund 37H Correction Facilities

1,443,893

Fund 37L Hibbing Public Works

Maintenance Facility

87,024

Fund 37K Range Lockups

511,543

TOTAL BUDGET ALLOWANCE

2,285,277

Means of Financing

Estimated Fund Balance

167,700

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

493

Property Tax:

Fund 34 Babbitt Facility

0

Fund 37J AJC Construction

136,622

Fund 37K Law Enforcement Facilities

482,120

Fund 37L Hibbing Pub Wks Facility

87,024

Fund 37H Correctional Facilities

1,516,087

2,221,853

TOTAL MEANS OF FINANCING

2,389,553

CAPITAL IMPROVEMENTS FUNDS

Budget Allowance

Courthouse Improvements Fund 400,000

Public Works Department

Road and Bridge State Aid Projects

13,907,860

Road and Bridge Building

Improvements

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

494

508,179

TOTAL BUDGET ALLOWANCE

14,816,039

Means of Financing

Use of Fund Balance

170,034

Property Tax

623,119

Intergovernmental State Aid

14,022,886

TOTAL MEANS OF FINANCING

14,816,039

ENTERPRISE FUNDS

Budget Allowance

Medical Care Facilities

Chris Jensen Nursing Home

11,601,361

Nopeming Nursing Home

8,779,449

20,380,810

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

495

Solid Waste

Solid Waste Management/Recycling

4,182,610

Solid Waste Service Areas

4,881,261

Solid Waste Debt Service

1,150,602

10,214,473

TOTAL BUDGET ALLOWANCE

30,595,283

Means of Financing

Medical Care Facilities

Use of Fund Balance

696,746

Fees and Services

19,467,762

Other Revenue

216,302

20,380,810

Solid Waste

Use of Fund Balance

2,445,999

Property Tax

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

496

1,150,602
Fees and Services
4,207,612
Other Revenue
634,000
Intergovernmental Aid
1,776,260

10,214,473

TOTAL MEANS OF FINANCING

30,595,283

INTERNAL SERVICE FUNDS

Budget Allowance

Central Services Fund
Printing
515,901

Motor Pool Fund
1,117,666

Insurance Fund
Property, Casualty, Liability
275,000
Workers' Compensation
1,920,525
Self Insurance - Medical/Dental
15,947,614

18,143,139

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

497

Management Information Systems Fund
3,976,016

Telecommunications Fund
1,539,542

Community Food Services Fund
1,198,861

Laundry Fund
1,064,246

Supervised Living Facilities Fund
537,464

TOTAL BUDGET ALLOWANCE
28,092,835

Means of Financing

Central Services Fund
Fees and Services
530,000

Motor Pool Fund
Fees and Services
1,217,700

Insurance Fund
Use of Fund Balance
719,740
Fees and Services
16,850,785
Other Revenue

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

498

895,911
Intergovernmental Aid
100,000

18,566,436

Management Information Systems Fund

Use of Fund Balance

108,176

Fees and Services

3,447,840

Other Revenue

420,000

3,976,016

Telecommunications Fund

Use of Fund Balance

227,153

Fees and Services

1,312,389

1,539,542

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

499

Community Food Services Fund
Fees and Services
1,198,861

Laundry Fund
Fees and Services
1,064,246

Supervised Living Facilities
Fees and Services
148,948
Intergovernmental Aid
398,883

547,831

TOTAL MEANS OF FINANCING
28,640,632

TRUST FUNDS

Budget Allowance

Forfeited Tax Sale Fund
\$4,399,251

Forest Resources Fund
1,227,080

TOTAL BUDGET ALLOWANCE
\$5,626,331

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

500

Means of Financing

Fees and Services	
900	
Other Revenue	
5,367,900	
Other Taxes	415,000
Intergovernmental Aid	<u>116,000</u>

TOTAL MEANS OF FINANCING

\$5,899,800

RESOLVED FURTHER, that the County Board recognizes the need to provide discretion to department heads in spending their budget allocations. The County Board hereby authorizes departmental spending within their agency budgets on any line item within their agency so long as their total budget is not overspent. However, no public aid assistance and/or personnel services budget authority be used for any other purpose without Board approval.

RESOLVED FURTHER, that each Capital Projects Fund will have an appropriation which shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of a capital expenditure appropriation is abandoned if three years pass without a disbursement from or encumbrance of the appropriation, or at the discretion of the County Administrator.

RESOLVED FURTHER, that in order to achieve consistent and accurate staffing levels for each Department, the County Board authorizes the County Administrator to report the personnel complement as full-time equivalents. The County Board also authorizes Department Heads to add and delete positions within their personnel complement so long as

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

501

the total full-time equivalent personnel complement does not exceed the total number of authorized positions approved by the County Board. In addition, the position being added or deleted must be within three pay grades of each other and must be approved by the County Administrator as the budget officer of the County.

RESOLVED FURTHER, each appropriation, except an appropriation within the Capital Project Funds, lapses at the close of the fiscal year to the extent that it has not been expended or encumbered.

RESOLVED FURTHER, that, as in the past, the Chair of the County Board shall receive an additional \$500 annually.

RESOLVED FURTHER, that a staggered hiring policy effective January 1, 1995, will continue. The policy requires that any department desiring to fill a vacant position must first obtain authorization from the County Administrator and report to the County Administrator any personnel service budget authority savings as a result of the turnover in the position.

RESOLVED FURTHER, that the MIS Department's 1999 staffing complement is authorized to increase 1.0 FTE, with a new PC Support Tech I.

RESOLVED FURTHER, the Telecommunications Department's 1999 staffing complement is authorized to increase 1.0 FTE Network Administrator.

RESOLVED FURTHER, the Building Services Department's 1999 staffing complement is authorized to increase 1.0 FTE Janitorial position in Hibbing.

RESOLVED FURTHER, the County Attorney's 1999 staffing complement is authorized to increase 1.6 FTE positions as a .6 Legal Secretary II and 1.0 Legal Secretary I.

RESOLVED FURTHER, the Sheriff's Department Jail 1999 staffing complement is authorized to increase 2 FTE Deputy Sheriff positions. These positions are grant related and will end upon termination of the grants.

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

502

RESOLVED FURTHER, the Land Department's 1999 staff will increase 2 FTE Forest Tech Trainees.

RESOLVED FURTHER, the Civil Service Department's 1999 staff will increase 1.0 FTE Information Specialist I.

RESOLVED FURTHER, that the 1999 Administrative Budget includes funding allocations for FY 1999 to the following agencies within the Aid to Other Agencies Account (01-014):

St. Louis County Historical Society
\$219,468

St. Louis County Promotional Bureau
\$98,858

Community Fair
\$1,120

County Fair, Hibbing
\$15,300

South St. Louis County Fair, Proctor
\$15,300

Soil Conservation, North
\$53,000

Soil Conservation, South
\$53,000

Port Authority
\$50,000

Veterans Travel
\$2,400

Depot
\$7,000

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

503

Arrowhead Library System

\$368,837

School Lunch Program

\$2,000

PILT Payments

\$5,500

Northspan

\$20,000

TOTAL:

\$911,783

RESOLVED FURTHER, that the following discretionary grants will be paid by Social Services (Fund 04). These grants total \$595,401 as listed below:

Valley Youth Center

\$31,604

Life House

3,000

Minnesota Program Development

13,500

Copeland Community Center

10,000

Arrowhead Center

100,000

Ely Community Resources

7,500

St. Louis County on Aging

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

504

71,402

AEOA - RSVP	20,601
AEOA - Meals on Wheels	11,500
AEOA - Senior Services	3,195

Women's Coalition

5,000

Range Women's Advocates

5,000

AEOA - Lives in Transition

5,000

Legal Aid of NE Minnesota

90,000

Indian Legal Assistance

15,000

Sexual Assault Program of

North St. Louis County

31,239

PAVSA

44,860

Duluth Community Health Center

15,000

Salvation Army

12,000

Bethany Crisis Nursery

25,000

First Witness

40,000

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

505

Elder Services Network

35,000

TOTAL:

\$595,401

RESOLVED FURTHER, that the County Board authorizes the County Auditor to continue to designate portions of fund balances for cash flow purposes with the objective that full cash flow designation be accomplished by the end of 1999.

RESOLVED FURTHER, whereas the County receives federal program revenues as a reimbursement of indirect costs incurred by the General Fund, and whereas those revenues on future remittances may not always be separately identified from specific County Department revenues at the time of payment, that when federal program revenues are earned jointly by the General Government and the Social Services Fund, and earnings are not separately identified at the time of payment, revenues shall be allocated between the General Fund and the Social Services Fund in the same proportion as federal program costs. Such allocation shall be made at the time that quarterly settlement payments are received.

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to bill the St. Louis County Land Department (Fund 15) for the 1999 services it will receive as follows:

Legal Services from the St. Louis County
Attorney's Office (Fund 01, Dept. 031)
\$30,000

Accounting Services from the St. Louis
County Auditor's Office (Fund 01, Dept.
051) \$25,000

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

506

Personnel Services from the St. Louis
County Civil Service Department (Fund 01, Dept.
063) \$12,000

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to bill the St. Louis County Solid Waste Department (Fund 26) for 1999 services it will receive as follows:

Legal services from the St. Louis County
Attorney's Office (Fund 01, Dept. 031)
\$65,072

Personnel services from the St. Louis
County Civil Service Department
(Fund 01, Dept. 063)
\$12,000

RESOLVED FURTHER, as of January 2, 1999, all employees who are in out-of-county travel status shall be reimbursed for meals and incidental expenses at rates not to exceed the so-called CONUS rates promulgated under 41CFR Part 301.7.

RESOLVED FURTHER, that the County Auditor is authorized to advance 100% of required deposits when reserving overnight lodging.

RESOLVED FURTHER, except for the foregoing, the provisions of the County Travel Policy continue in effect.

RESOLVED FURTHER, that the Board authorizes the salary of County Commissioners to be \$43,313.00 effective January 1, 1999. Any Commissioner may choose a lesser amount upon written notification to the County Auditor before December 31, 1998.

RESOLVED FURTHER, that the salary of the County Commissioners shall be published in one newspaper in the county in a municipality to be determined by the County Auditor, in addition to the official newspaper, as required by law.

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

507

RESOLVED FURTHER, that the Board authorizes the incoming Sheriff's compensation to start at pay grade U30, Step B of the Management Compensation Pay Plan.

RESOLVED FURTHER, that the St. Louis County Attorney shall have the authority to annually adjust the salaries of the unclassified employees in the St. Louis County Attorney's Office within the total funds allocated for salaries by the County Board.

RESOLVED FURTHER, that the employees in the Unclassified Plans shall receive a 3% salary increase effective the first pay period in 1999.

RESOLVED FURTHER, that health insurance co-pays for employees covered by the Management Compensation Plan; Unclassified Manager's Compensation Plan; Unclassified Support Staff Plan; Unclassified County Attorney's Plan; and the Unclassified Bailiff's Plan are effective January 1, 1999, including a \$10 Office Call; \$25 Emergency Room; \$7/\$12 Prescription Drugs; with a \$200 cap on co-pay expenses for Single coverage and \$400 cap for Family coverage.

RESOLVED FURTHER, that the estimated 1999 net receipts from the Forfeited Tax Fund (Fund 15) be allocated in such a way that the amount allocated to the General Fund is at least \$1,010,000.

RESOLVED FURTHER, that \$2,525,000 of the 1998 net receipts of the Forfeited Tax Fund (Fund 15) be allocated as follows: General Fund (\$1,010,000), Schools (\$1,010,000), and Cities and Towns (\$505,000). That any amount in excess of \$2,525,000 of the net receipts, and eligible under Minnesota Statutes 459.06, Subd. 2 shall be transferred to the Memorial Forests Fund (Fund 16) as follows: \$50,000 to Forest Recreation (Dept F21) for allocation to the Mesabi Trail Project and the remaining amount to be allocated to Memorial Forests Management (Dept F11) up to a maximum of 30% of the net receipts. Any amount remaining after the above-mentioned

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

508

allocations shall be allocated to Forest Recreation (Dept. F21).

RESOLVED FURTHER, that any proceeds, distributed in the current year 1998 and hereafter, to the County's General Revenue Fund from the proceeds of the sale or rental of tax forfeited property shall be the first funds used to extinguish "obligations yet to become due, as well as those already due" and "anything that is due and owing" ("debt" as defined in Black's Law Dictionary, Sixth Edition), including accounts payable and salaries payable. In the event that the funds distributed are in excess of the amount necessary to extinguish General Revenue Fund debt, they shall be used to extinguish debt in Special Revenue Fund(s), as determined by the County Auditor; a transfer back to the General Fund shall be made by such Special Revenue Fund(s) from the discretionary revenue of such Fund(s).

RESOLVED FURTHER, that included within the Land Department's 1999 budget is an appropriation of \$7,500 for the Northern Counties Land Use Coordinating Board.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - Commissioner Fink - 1

Absent - Commissioner Krueger - 1

Adopted December 22, 1998. No. 973

BY COMMISSIONER PREBICH:

WHEREAS, 1997 Laws of Minnesota, Chapter 231, Article 2, Section 56, authorize certain entities to establish the Virginia Area Ambulance District; and WHEREAS, the Cities of Virginia, Mt. Iron, Gilbert, and eleven organized townships may be included in the new district; and

WHEREAS, the following unorganized townships may also be included in the Virginia Area Ambulance District with the approval of the St. Louis County Board:

Township 61 North, Range 17 West
Township 59 North, Range 16 and 18 West

Township 56 North, Range 16 West
Township 60 North, Range 18 West
Township 55 North, Range 15 West
Township 57 North, Range 16 West

THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statute Section 645.021, Subdivision 2, the St. Louis County Board grants local approval to the 1997 Laws of Minnesota, Chapter 231,

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

509

Article 2, Section 56, Subdivision 1(b), Clauses (1), (3), (4), and (5); and RESOLVED FURTHER, that pursuant to Minnesota Statute Section 645.021, Subdivision 2, the St. Louis County Board grants local approval to Chapter 231, Article 2, Section 56, Subdivision 1(b), Clause (2), for Township 59 North, Range 18 West, and Sections 4, 5, 6, 7, 18, 19, 30, and 31 of Township 59 North, Range 16 West.

RESOLVED FURTHER, that pursuant to Minnesota Statute Section 645.021, Subdivision 2, the St. Louis County Board denies local approval for Chapter 231, Article 2, Section 56, Subdivision 1(b), Clause (6) (Township 57, Range 16). Unanimously adopted. December 22, 1998. No. 974

BY COMMISSIONER RAUKAR:

RESOLVED, the St. Louis County Board of Commissioners hereby makes the following Committee appointments:

Cooperative Extension Committee (3 year term)

Pru Lulich
Janice Dzwonkowski
Richard Kolu

Civil Service Commission (3 year term)

Michael C. Mourin

CDBG Advisory Committee (3 year term)

William Clement (Rice Lake)
Jeffrey Kletscher (At Large)

Zoning Board of Adjustment (3 year term)

William A. Rauch
George Rogich

RESOLVED FURTHER, the Board hereby elects Deena Congdon and Darrell Scott to the Crane Lake Water and Sanitary District Board for three year terms which would expire January 1, 2002.

RESOLVED FURTHER, the Board authorizes the advertising of vacancies in the following committees and Boards:

CDBG Advisory Committee
Planning Commission
Zoning Board of Adjustment
Unanimously adopted. December 22, 1998. No. 975

Upon motion of Commissioner Prebich, supported by Commissioner Sweeney, Resolutions No. 976 through 989, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and unanimously adopted with Commissioner Krueger absent and Commissioner Fink out of the room.

BY COMMISSIONER PREBICH:

RESOLVED, that the County Board of Commissioners authorizes the Chair of the Board, County Auditor, and Health Director to sign an extension to the lease agreement with Hibbing Economic Development Authority for space at 3920 - 13th Avenue East for the period October 1, 1998, through September 30, 1999, payable from Fund 01, Agency 210 (Support Services), Org. 210, Obj. 342.

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

510

Adopted December 22, 1998. No. 976

RESOLVED, that the Director of the St. Louis County Social Service Department is authorized to execute a lease with the Cook Housing and Redevelopment Authority for the rental of an office at the Pioneer Building for the amount of \$150 per month, \$1,800 annually, for the period January 1, 1999, through December 31, 1999.

Budget Reference:

Fund 04

Agency ADM

Organization 2100

Object 342

Adopted December 22, 1998. No. 977

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land identified in County Board File No. 57116, which have been viewed by the Land Department on behalf of the County Board of Commissioners;

BE IT RESOLVED, that said parcels are hereby classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and the County Auditor is hereby authorized to offer said lands at a non-public sale limited to the adjacent property owners.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and

282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the parcels of land and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said lands.

Adopted December 22, 1998. No. 978

RESOLVED, that under the provisions of Minnesota Statutes 459.06, the following application to remove county tax forfeited property as described below from Memorial Forest status and thereby permitting its sale, be passed and forwarded to the Commissioner of Natural Resources for approval.

1. Unorganized Township, Long Lake Estates - Second Addition, Government Lot 1, Government Lot 2 and NE 1/4 of NW 1/4, Section 26, Township 56, Range 16, Lots 19 and 20, Block 1. ±.2 Acres. Plat/Parcel Codes: 676-16-190 and 676-16-200.

Adopted December 22, 1998. No. 979

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner:

Stoney Brook Township, NE 1/4 of SW 1/4, Section 12, Township 50, Range 18. Plat/Parcel Code: 535-10-1870.

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

511

Minimum bid \$7,323.00 plus fees.

Stoney Brook Township, Government Lot 5, except railway right-of-way 3.0 acres, Section 12, Township 50, Range 18. Plat/Parcel Code: 535-10-1910. Minimum bid \$8,746.00 plus fees.

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation land as provided for in Minnesota Statutes, Section 282.01; and WHEREAS, said parcels, on file in the office of the County Auditor, identified as County Board File No. 57116, are approved and the County Auditor is hereby authorized to offer said lands at a Special Private Sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby certifies that the parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale. The County Board of Commissioners hereby certifies the land sale and has identified any and all nonforested, marginal land and wetland.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners hereby requests approval from the Commissioner of Natural Resources for the sale of said land.

Adopted December 22, 1998. No. 980

RESOLVED, that the St. Louis County

Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a permanent non-exclusive easement to Minnesota Power, 30 West Superior Street, Duluth, Minnesota 55802, for an above ground fiber optic cable site on the following tax forfeited land:

A Twenty-Five foot (25) wide right-of-way, being all that part of the grantor's land lying within Twelve and One-Half feet (12.5) of each side of the following described line:

Commencing at the Aluminum Capped Pipe Monument for the South Quarter-Corner of Section Thirty-Five (35), Township Sixty-Three (63) North, Range Twelve (12) West of the Fourth Principal Meridian, proceed North zero degrees, twenty-two minutes, forty-five seconds east (N 0E 22' 45" E) a distance of Five Hundred Five and Six-Tenths feet (505.6') along the westerly property boundary line of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of said Section 35, to the point of intersection with the centerline of an existing 46kV overhead transmission line; thence North thirty-eight degrees, thirty-seven minutes east (N 38E 37' E) along said transmission line centerline a distance of one hundred fifty-three and six-tenths feet (153.6') to a point on said centerline, being the point of beginning; thence North twenty-seven degrees, eight minutes, twenty-three seconds west (N 27E 08' 23" W) a distance of two hundred seven and one-tenth feet

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

512

(207.1') to a point on the westerly property boundary of the said SW 1/4 of SE 1/4 and being eight hundred four and five-tenths (804.5') north zero degrees, twenty-two minutes, forty-five seconds east (N 0E 22' 45" E) of the South Quarter-Corner of said section and there terminating;

for the consideration of \$265.00 land use fee, \$100.00 administration fee, \$19.50 recording fee, and \$6.00 publication fee, for a total cost of \$390.50.

RESOLVED FURTHER, that said easement is permanent non-exclusive and is subject to the terms and conditions of the easement agreement.

Adopted December 22, 1998. No. 981

WHEREAS, Saint Louis County Public Works Department plans to reconstruct, widen, and improve a segment of C-SAH 114 and replace County Bridge 718 over the Little Fork River, County Project 9554, S.A.P. 69-714-01 (Unorganized Township 63-21 and 62-21).

WHEREAS, the improvement consists of reconstructing said roadway approaches and bridge as determined necessary to provide for the safety of the traveling public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for said construction, together with temporary easements.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary

easements.

Adopted December 22, 1998. No. 982

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Premises Permit application, on file in the office of the County Auditor, identified as County Board File No. 57122, for the following organization:

Lester Park Hockey Association, Inc., to operate out of Ridgeview Lanes, Rice Lake Township, new.

Adopted December 22, 1998. No. 983

RESOLVED, that a public hearing will be held at 9:35 A.M. on January 26, 1999, in the St. Louis County Courthouse, Virginia, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Vermilion Lodge, Inc., d/b/a Vermilion Dam Lodge, Unorganized Area 63-17.

Adopted December 22, 1998. No. 984

WHEREAS, the Taxpayer Relief Act of 1997 and the Internal Revenue Service Code Section 132(f)(1) permit certain trans-portion items, including parking, to be pre-tax salary reductions excludable from the employees' Federal income and FICA wages; and

WHEREAS, this item is then also excludable from the employees' State income;

NOW, THEREFORE, BE IT RESOLVED, that effective January 1, 1999, the County Auditor is hereby authorized to implement

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

513

the provisions of the foregoing as they relate to County employees' payroll deductions for parking.

Adopted December 22, 1998. No. 985

WHEREAS, 144 youth have volunteered their time to the community and have earned a ski pass through the Incredible Exchange Program of the Minnesota Extension Service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the purchase of Spirit Mountain ski passes in the amount of \$27,332.49, payable from Fund 131, Agency 133, Org. Sou.

Adopted December 22, 1998. No. 986

RESOLVED, that the fund transfers and appropriations for 1998 within the listed funds, as on file in County Board File No. 57279, are hereby approved.

Adopted December 22, 1998. No. 987

RESOLVED, that the County Sheriff, Executive Director of Arrowhead Regional Corrections, and Chair of the St. Louis County Board are hereby authorized to execute an agreement on behalf of St. Louis County with Arrowhead Interfaith Council for 1999 chaplaincy services at the County Jail, Northeast Regional Corrections Center (NERCC), and Arrowhead Juvenile Center (AJC). Said contract for the amount of \$12,854.40 payable from Fund 01, Agency 101, Object 299, and \$16,710.72 payable from Fund 73, Agency 15, Object 299.

Adopted December 22, 1998. No. 988

RESOLVED, that the County Board hereby authorizes the Sheriff's Department to participate with the Duluth Police Department in the Auto Theft Prevention Program and to receive reimbursement from the program grant for \$15,000 in overtime expenses incurred, payable to Fund 01, Department 091. This grant is separate from the grant awarded with the Duluth Police Department, in conjunction with the Gang Strike Force (Res. No. 894, dated November 24, 1998).

Adopted December 22, 1998. No. 989

The following resolutions were approved at the Committee of the Whole meeting this date and unanimously adopted by the County Board with Commissioner Krueger absent.

BY COMMISSIONER FORSMAN:

WHEREAS, the City of Duluth and St. Louis County have, since 1937, been performing maintenance work within the Duluth city limits on each others road and street systems without written agreement and without compensation to the other party; and

WHEREAS, the City of Duluth and St. Louis County have determined that it is mutually beneficial to put the terms of the road and street maintenance agreement in writing to avoid future controversy over each party's responsibility for said maintenance; and

WHEREAS, the City and County have negotiated and reached a short-term agreement; and

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

514

WHEREAS, it is the intent of both parties to continue to meet and discuss a long-term agreement.

THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the County Administrator and Public Works Director to sign an agreement with the City of Duluth whereby the City will pay the County \$50,000 for the period of January 1, 1999, through March 31, 1999, to compensate for the disparity in services rendered during that period.

Unanimously adopted. December 22, 1998. No. 990

BY COMMISSIONER SWEENEY:

RESOLVED, that the recommendation from the St. Louis County Labor/Management Health Insurance Committee to authorize payroll deductions for family dental coverage through the Minnesota Benefit Association, subject to two (2) or more employees indicating their interest in enrollment in this plan, is hereby approved.

Unanimously adopted. December 22, 1998. No. 991

BY COMMISSIONER FORSMAN:

RESOLVED, that the St. Louis County Board supports application by the City of Ely for funds from IRRRB, CDBG, and the Minnesota Historical Society dedicated to renovation of the Ely Railroad Round House.

Unanimously adopted. December 22, 1998. No. 992

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board supports application by the City of Floodwood for ISTE/TEA 21 funding for development of the Floodwood River Trail Project.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - None

Absent - Commissioner Krueger - 1

Out of Room - Commissioner Fink - 1

Adopted December 22, 1998. No. 993

BY COMMISSIONER KRON:

RESOLVED, the County Board confirms the appointment of Barbara Hayden Haugen as St. Louis County Planning Director at a 1999 starting salary of \$71,000, and the employment terms and benefits established in the St. Louis County Management Compensation Plan.

Yeas - Commissioners Kron, Sweeney, Prebich, Raukar, and Chair Forsman - 5

Nays - None

Absent - Commissioner Krueger - 1

Out of Room - Commissioner Fink - 1

Adopted December 22, 1998. No. 994

At 2:58 P.M. on Tuesday, December 22, 1998, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Mike Forsman, Chair of the Board of County Commissioners

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

515

Attest:
Gordon D. McFaul, 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**