

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

**JANUARY, 2006**

ANNUAL SESSION

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON JANUARY 3, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of January, 2006, at 9:37 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar - 7. Absent: None.

Donald Dicklich, St. Louis County Auditor, called the annual organizational meeting to order at 9:37 A.M. with all Commissioners present.

Commissioner Sweeney, Chair of the Board in 2005, presented a retrospective of the past year, thanking fellow Commissioners for their cooperation and noting both successes achieved and difficulties overcome.

Auditor Dicklich asked for nominations for Chair for 2006 and Commissioner Fink, supported by Commissioner Raukar, nominated Commissioner Nelson. No other nominations were received. Commissioner Kron, supported by Commissioner Forsman, moved to close nominations and elect Commissioner Nelson as Chair for 2006 by unanimous ballot; seven yeas - zero nays.

Newly-elected Chair Nelson presented a plaque to Commissioner Sweeney commemorating her service as Board Chair in 2005.

Chair Nelson asked for nominations for Vice-Chair for 2006 and Commissioner Sweeney, supported by Commissioner O'Neil, nominated Commissioner Kron. No other nominations were received. Commissioner Forsman, supported by Commissioner O'Neil, moved to close nominations and elect Commissioner Kron as Vice-Chair for 2006 by unanimous ballot; seven yeas - zero nays.

Chair Nelson appointed the following as Chairs of the Standing Committees of the County Board: Commissioner O'Neil - Health and Social Services; Commissioner Sweeney - Environment and Natural Resources; Commissioner Forsman - Public Works and Transportation; Commissioner Raukar - Finance and Budget; Commissioner Fink - Central Management and Intergovernmental; Commissioner Kron - Public Safety and Corrections and Economic Development.

Commissioner Kron, as Chair of Public Safety and Corrections, asked if Commissioner Forsman and Chair Nelson would be willing to serve on the Methamphetamine Task Force along with Sheriff Ross Litman. Both Commissioners agreed to serve. Commissioner Kron also asked Commissioner Fink if he would be interested in serving on the Economic Development Committee and he agreed to serve.

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Commissioner Forsman, supported by Commissioner Raukar, moved to adopt a schedule for Board meetings for the year 2006. Commissioner O'Neil asked if evening meetings could be scheduled at times during the year. Alan Mitchell, County Attorney, said it would be permissible to establish alternate starting times if proper notice is given. The schedule as presented was approved; seven yeas - zero nays. Resolution No. 1.

Commissioner Raukar, supported by Commissioner Forsman, moved to adopt a schedule for Committee of the Whole meetings for 2006; seven yeas - zero nays. Resolution No. 2.

(Note: all of the following appointments are for one-year terms unless otherwise noted.)

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner Fink and Commissioner Nelson as representatives to the Arrowhead Counties Association (ad hoc); seven yeas - zero nays. Resolution No. 3.

Commissioner Kron, supported by Commissioner O'Neil, moved to appoint Commissioner Fink as representative on the Arrowhead Emergency Medical Services Association Board of Directors; seven yeas - zero nays. Resolution No. 4.

Commissioner Forsman, supported by Commissioner Fink, moved to appoint Commissioner Sweeney, Commissioner Kron and Commissioner Raukar as representatives and Commissioner Nelson as alternate to Arrowhead Regional Corrections; seven yeas - zero nays. Resolution No. 5.

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner Sweeney as representative and Commissioner O'Neil as alternate to the Metropolitan Interstate Committee (ARDC); seven yeas - zero nays. Resolution No. 6.

Commissioner Kron, supported by Commissioner Forsman, moved to appoint Commissioner Sweeney as representative to the Community Health Services Board for a three-year term; seven yeas - zero nays. Resolution No. 7.

Commissioner Raukar, supported by Commissioner Kron, moved to appoint Commissioner O'Neil as representative and Commissioner Fink as alternate to the Duluth Area Family Services Collaborative; seven yeas - zero nays. Resolution No. 8.

Commissioner Fink, supported by Commissioner Raukar, moved to appoint Commissioner Kron and Commissioner O'Neil as representatives on the St. Louis County Election Canvassing Board for 2006; seven yeas - zero nays. Resolution No. 9.

Commissioner Kron, supported by Commissioner O'Neil, moved to appoint Commissioner Forsman as representative and Commissioner Sweeney as alternate to the St. Louis County Grievance Board; seven yeas - zero nays. Resolution No. 10.

Commissioner Raukar, supported by Commissioner Sweeney, moved to appoint Commissioner Forsman as representative and Commissioner Nelson as alternate to the Job Training Partnership Act; seven yeas - zero nays. Resolution No. 11.

Commissioner Kron, supported by Commissioner Forsman, moved to appoint Commissioner Sweeney as representative to the St. Louis County Law Library Board (consolidated into one board in 2005); seven yeas - zero nays. Resolution No. 12.

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Commissioner Forsman, supported by Commissioner Kron, moved to appoint Commissioner O'Neil as representative to the Laurentian Resource and Development Council (RC & D); seven yeas - zero nays. Resolution No. 13.

Commissioner Fink, supported by Commissioner Raukar, moved to appoint Commissioner Sweeney and Commissioner Nelson as representatives on the Liquor Licensing Committee; seven yeas - zero nays. Resolution No. 14.

Commissioner Forsman, supported by Commissioner Sweeney, moved to appoint Commissioner Kron and Commissioner Raukar as representatives and Commissioner Sweeney as alternate to the Metropolitan Inter-County Association (MICA); seven yeas - zero nays. Resolution No. 15.

Commissioner Forsman, supported by Commissioner Kron, moved to appoint Commissioner Nelson as representative and Commissioner Forsman as alternate to the 9-1-1 Emergency System User Board - North St. Louis County; seven yeas - zero nays. Resolution No. 16.

Commissioner Forsman, supported by Commissioner O'Neil, moved to appoint Commissioner Sweeney as representative and Commissioner Kron as alternate to the 9-1-1 Emergency System User Board - South St. Louis County; seven yeas - zero nays. Resolution No. 17.

Commissioner Raukar, supported by Commissioner Forsman, moved to appoint Commissioner Fink and Commissioner Kron as representatives and Commissioner O'Neil as alternate to the Northwest Airlines Tax Increment Financing District Board; seven yeas - zero nays. Resolution No. 18.

Commissioner Kron, supported by Commissioner Sweeney, moved to appoint Commissioner Fink as representative and Commissioner Nelson as alternate to the St. Louis County Planning Commission; seven yeas - zero nays. Resolution No. 19.

Commissioner Kron, supported by Commissioner Raukar, moved to appoint Commissioner O'Neil and Commissioner Nelson as representatives to the St. Louis County Promotional Bureau; seven yeas - zero nays. Resolution No. 20.

Commissioner Forsman, supported by Commissioner O'Neil, moved to appoint Commissioner Kron, Commissioner Nelson and Commissioner Raukar as representatives and Commissioner Sweeney as alternate to the St. Louis/Lake Counties Regional Railroad Authority; seven yeas - zero nays. Resolution No. 21.

Commissioner Sweeney, supported by Commissioner Forsman, moved to appoint Commissioner Kron to a six-year term on the Seaway Port Authority; seven yeas - zero nays. Resolution No. 22.

Commissioner Raukar, supported by Commissioner Forsman, moved to appoint Commissioner O'Neil, as Chair of Health and Social Services, and Commissioner Nelson as representatives on the Social Services Advisory Board; seven yeas - zero nays. Resolution No. 23.

Commissioner Raukar, supported by Commissioner O'Neil, moved to award contracts for legal advertising for 2006 as follows:

Duluth News Tribune as legal newspaper for legal notices, board proceedings, 1<sup>st</sup> and 2<sup>nd</sup> publications of the notice of expiration of redemption and the 1<sup>st</sup> publication of the financial statement and, Gilbert Herald for the 2<sup>nd</sup> publication of the financial statement and the 1<sup>st</sup> and 2<sup>nd</sup> publication of the delinquent tax list.

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Dana Frey, County Administrator, explained the bid process and said beginning July 1, 2006, Purchasing Department requests for bids, requests for proposals and requests for information will only be advertised on the County web page. All other legal advertisements and notices will continue to be published in the legal newspaper(s). The awards were then approved; seven yeas - zero nays. Resolution No. 24.

Chair Nelson asked Commissioners to take turns recognizing volunteer individuals or groups at the start of each Board meeting. The recognition rotation will also include the Attorney, Auditor and Sheriff. Gary Eckenberg, Deputy County Administrator, will prepare a schedule, according to Chair Nelson.

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board of Commissioners will meet in 2006 commencing at 9:30 A.M. on Tuesdays according to the following schedule:

January:	3rd, 10th - Duluth Courthouse 24th - Courtroom 4, Virginia Courthouse (31st is fifth Tuesday)
February:	7th, 14th - Duluth Courthouse 28th - Hibbing City Council Chambers
March:	14th - Duluth Courthouse 21st - Morse Town Hall, Ely
April:	4th, 11th - Duluth Courthouse 25th - Gilbert City Hall
May:	2nd, 9th - Duluth Courthouse 23rd - Hibbing City Council Chambers (30th is fifth Tuesday)
June:	6th, 13th - Duluth Courthouse 27th - Semer's Park Pavilion, Ely
July:	11th, 18th - Duluth Courthouse 25th - Hibbing City Council Chambers
August:	1st - Duluth Courthouse 15th - Mt. Iron Community Center (August 22nd and 29th - no meetings)
September:	5th, 12th - Duluth Courthouse 26th - Morse Town Hall, Ely
October:	3rd, 10th - Duluth Courthouse 24th - Virginia City Hall (31st is fifth Tuesday)
November:	7th, 14th - Duluth Courthouse 28th - Hibbing City Council Chambers

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December:     12th - Duluth Courthouse  
                  19th - Morse Town Hall  
                  (December 26th - no meeting)

NOTE:     The following Tuesdays were eliminated for the reasons indicated:  
            January 17th, February 21st, April 18th, May 16th, June 20th, September 19th, October  
            17th, November 21st - Third Tuesdays reserved for workshops

            March 7th - NACo Conference  
            March 28th - Duluth/St. Louis County Days at the Capitol  
            July 4th - Independence Day  
            August 8th - NACo Annual Conference  
            December 5th - AMC Annual Conference

Unanimously adopted. January 3, 2006. No. 1

**BY COMMISSIONER RAUKAR:**

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

            Health and Social Services Committee  
            Chair - Commissioner Steve O'Neil

            Environment and Natural Resources Committee  
            Chair - Commissioner Peg Sweeney

            Public Works and Transportation Committee  
            Chair - Commissioner Mike Forsman

            Finance and Budget Committee  
            Chair - Commissioner Steve Raukar

            Central Management and Inter-Governmental Committee  
            Chair - Commissioner Dennis Fink

            Public Safety and Corrections Committee  
            Chair - Commissioner Bill Kron

            Economic Development Committee  
            Chair - Commissioner Bill Kron

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will  
meet in 2006 as a Committee of the Whole immediately following the County Board meeting on  
Tuesdays, according to the following schedule:

January:     3rd, 10th - Duluth Courthouse  
                  24th - Courtroom 4, Virginia Courthouse  
                  (31st is fifth Tuesday)

February:    7th, 14th - Duluth Courthouse  
                  28th - Hibbing City Hall Council Chambers

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March: 14th - Duluth Courthouse  
21st - Morse Town Hall, Ely

April: 4th, 11th - Duluth Courthouse  
25th - Gilbert City Hall

May: 2nd, 9th - Duluth Courthouse  
23rd - Hibbing City Hall Council Chambers  
(30th is fifth Tuesday)

June: 6th, 13th - Duluth Courthouse  
27th - Semers Park Pavilion, Ely

July: 11th, 18th - Duluth Courthouse  
25th - Hibbing City Council Chambers

August: 1st - Duluth Courthouse  
15th - Mt. Iron Community Center  
(August 22nd and 29th - no meetings)

September: 5th, 12th - Duluth Courthouse  
26th - Morse Town Hall, Ely

October: 3rd, 10th - Duluth Courthouse  
24th - Virginia City Hall  
(31st is fifth Tuesday)

November: 7th, 14th - Duluth Courthouse  
28th - Hibbing City Council Chambers

December: 12th - Duluth Courthouse  
19th - Morse Town Hall, Ely  
(December 26th - no meeting)

NOTE: The following Tuesdays were eliminated for the reasons indicated:  
January 17th, February 21st, April 18th, May 16th, June 20th, September 19th, October  
17th and November 21st - third Tuesdays reserved for workshops

March 7th - NACo Conference  
March 28th - Duluth/St. Louis County Days at the Capitol  
July 4th - Independence Day  
August 8th - NACo Annual Conference  
December 5th - AMC Annual Conference

Unanimously adopted. January 3, 2006. No. 2

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Counties Association (ad hoc) for one-year terms expiring on December 31, 2006:  
Commissioner Dennis Fink  
Commissioner Keith Nelson

Unanimously adopted. January 3, 2006. No. 3

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**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Dennis Fink as a representative on the Arrowhead Emergency Medical Services Association Board of Directors for a one-year term expiring on December 31, 2006.

Unanimously adopted. January 3, 2006. No. 4

**BY COMMISSIONER FORSMAN:**

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, 2006:

Commissioner Peg Sweeney

Commissioner Bill Kron

Commissioner Steve Raukar

Commissioner Keith Nelson (alternate)

Unanimously adopted. January 3, 2006. No. 5

**BY COMMISSIONER RAUKAR:**

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 expiring December 31, 2006:

Commissioner Peg Sweeney

Commissioner Steve O'Neil (alternate)

Unanimously adopted. January 3, 2006. No. 6

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints the following as a representative to the Community Health Services Board for a three-year term expiring December 31, 2008:

Commissioner Peg Sweeney

Unanimously adopted. January 3, 2006. No. 7

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Governing Board of the Duluth Area Family Services Collaborative for a one-year term expiring on December 31, 2006:

Commissioner Steve O'Neil

Commissioner Dennis Fink (alternate)

Unanimously adopted. January 3, 2006. No. 8

**BY COMMISSIONER FINK:**

RESOLVED, that Commissioner Bill Kron and Commissioner Steve O'Neil are hereby appointed to the St. Louis County Election Canvassing Board for any state/county special elections to be held in the year 2006.

Unanimously adopted. January 3, 2006. No. 9

**BY COMMISSIONER KRON:**

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, 2006:

Commissioner Mike Forsman

Commissioner Peg Sweeney (as alternate)

Unanimously adopted. January 3, 2006. No. 10

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**BY COMMISSIONER RAUKAR:**

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 expiring December 31, 2006:  
Commissioner Mike Forsman  
Commissioner Keith Nelson (alternate)  
Unanimously adopted. January 3, 2006. No. 11

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative to the Laurentian Resource and Development Council for a one-year term which will expire on December 31, 2006:  
Commissioner Steve O'Neil  
Unanimously adopted. January 3, 2006. No. 12

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Counties Association (ad hoc) for one-year terms expiring on December 31, 2006:  
Commissioner Dennis Fink  
Commissioner Keith Nelson  
Unanimously adopted. January 3, 2006. No. 13

**BY COMMISSIONER FINK:**

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Liquor Licensing Committee:  
Commissioner Peg Sweeney  
Commissioner Keith Nelson  
Unanimously adopted. January 3, 2006. No. 14

**BY COMMISSIONER FORSMAN:**

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 expiring on December 31, 2006:  
Commissioner William J. Kron  
Commissioner Peg Sweeney (alternate)  
Commissioner Steve Raukar  
Unanimously adopted. January 3, 2006. No. 15

**BY COMMISSIONER FORSMAN:**

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 expiring on December 31, 2006:  
Commissioner Keith Nelson  
Commissioner Mike Forsman (alternate)  
Unanimously adopted. January 3, 2006. No. 16

**BY COMMISSIONER FORSMAN:**

RESOLVED, 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 expiring on December 31, 2006:  
Commissioner Peg Sweeney  
Commissioner Bill Kron (alternate)

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Unanimously adopted. January 3, 2006. No. 17

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Northwest Airlines Tax Increment Financing District Board for one year terms which will expire on December 31, 2006:

Commissioner Dennis Fink

Commissioner Bill Kron

Commissioner Steve O'Neil (alternate)

Unanimously adopted. January 3, 2006. No. 18

**BY COMMISSIONER KRON:**

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, 2006:

Commissioner Dennis Fink

Commissioner Nelson (alternate)

Unanimously adopted. January 3, 2006. No. 19

**BY COMMISSIONER KRON:**

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 expiring on December 31, 2006:

Commissioner Steve O'Neil

Commissioner Keith Nelson

Unanimously adopted. January 3, 2006. No. 20

**BY COMMISSIONER FORSMAN:**

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 expiring on December 31, 2006:

Commissioner Bill Kron

Commissioner Keith Nelson

Commissioner Steve Raukar

Commissioner Peg Sweeney (alternate)

Unanimously adopted. January 3, 2006. No. 21

**BY COMMISSIONER SWEENEY:**

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, 2011:

Commissioner Bill Kron

Unanimously adopted. January 3, 2006. No. 22

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives to the Social Services Advisory Board:

Commissioner Steve O'Neil

Commissioner Keith Nelson

Unanimously adopted. January 3, 2006. No. 23

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**BY COMMISSIONER RAUKAR:**

RESOLVED, that the Director of Purchasing is hereby authorized to enter into a contract with the Duluth News-Tribune for the 2006 Legal Advertising services, in accordance with the specifications of Bid No. 4580 and their bid for Item 1 (Official Newspaper) as follows:

	<u>Per Inch</u>
1. Official Newspaper	
A. Legal Notices	\$ 1.98
B. Board Proceedings	\$ 1.98
C. Notice of Exemption of Redemption	
1st Publication	\$ 1.98
2nd Publication	\$ 1.98
D. Financial Statement	
1st Publication	\$ 1.98

RESOLVED FURTHER, that the Director of Purchasing is hereby authorized to enter into a contract with the Gilbert Herald for the 2006 Legal Advertising services, in accordance with the specifications of Bid No. 4580 and their low bid for Item 2 (Financial Statement – 2nd Publication), and Item 3 (Delinquent Tax List – 1st and 2nd Publication) as follows:

	<u>Per Inch</u>
2. Financial Statement	
2nd Publication/Location	\$ 1.90
3. Delinquent Tax List	
1st Publication	\$ 0.85
2nd Publication	\$ 0.59

RESOLVED FURTHER, that the County Board directs after six months starting July 1, 2006, all Requests For Bids, Requests For Proposals and Requests For Information will only be advertised on the St. Louis County web page.  
Unanimously adopted. January 3, 2006. No. 24

Commissioner Forsman, supported by Commissioner Sweeney, moved to reconsider the resolution on January 10, 2006.  
Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney, Raukar, and Chair Nelson - 7  
Nays - None

Commissioner Forsman made the following friendly amendment to the resolution:  
NOW, THEREFORE, IT IS MOVED, that Resolution No. 24, adopted January 3, 2006, be reconsidered to:

Delete:

RESOLVED FURTHER, that the County Board directs after six months starting July 1, 2006, all Requests For Bids, Requests For Proposals and Requests For Information will only be advertised on the St. Louis County web page.

Add:

RESOLVED FURTHER, that the County Board directs after six months starting July 1, 2006, all Requests For Bids, Requests For Proposals and Requests For Information with the exception of road and bridge projects will only be advertised on the St. Louis County web page.  
Unanimously adopted. January 3, 2006. No. 24

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At 10:45 A.M. on Tuesday, January 3, 2006, upon motion of Commissioner O'Neil, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 10, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of January, 2006, at 9:33 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Fink began the meeting by presenting a Volunteer Excellence Award to Mona Johnson-Cheslak, Duluth, for her tireless neighborhood volunteer efforts. Ms. Johnson-Cheslak thanked the Board for the award and the neighborhood recreation grants to be awarded later in the meeting.

At 9:45 A.M., a public hearing was convened pursuant to County Board Resolution No. 678, adopted December 20, 2005, to consider a Class "B" land exchange between St. Louis County and Roger A. Fischer and Linda Hurst-Doty. The following persons addressed the issue:

Mark Weber, Land Department, described the request and outlined county policy. The exchange will help consolidate ownership and assist with forest management.

Brian C. Fischer, Attorney representing Roger A. Fischer and Linda Hurst-Doty, said his clients are satisfied with the exchange proposal.

At 9:54 A.M., Commissioner Fink, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the Class "B" land exchange; seven yeas - zero nays. Resolution No. 38.

At 9:55 A.M., a public hearing was convened pursuant to County Board Resolution No. 679, adopted December 20, 2005, to consider granting an off-sale intoxicating liquor license to Bois Forte Reservation Tribal Council, d/b/a Ledge Liquor Store, Vermilion Lake Township. Alan Mitchell, County Attorney, advised the Board that: all required county departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicants and after discussion of the location and propriety of the business recommended approval; the Town of Vermilion Lake reviewed the application and recommended approval; all required notices were given; and, the required insurance certificate submitted. Andrew Datko and Bill Tibbetts, representing Ledge Liquor, said they understood and would abide by the provisions of Ordinance No. 28 (Liquor Ordinance). No one else addressed the issue.

At 10:02 A.M., Commissioner Kron, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 39.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Don Solem, Hunting Shack Lease Association, asked the Board to include his group when future changes to the hunting shack lease program are considered. Mr. Solem said the Land Department has been very cooperative and helpful.

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At the request of Commissioner Fink, Item No. 7 of the Consent Agenda (write-off of uncollectible debt by the Department of Public Health and Social Services) was removed for separate consideration under Health and Social Services Committee. Commissioner Kron, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve outdoor recreation grant funding of \$160,230 for various projects in Commissioner Districts 1, 2, 3 and 5. Commissioners from affected districts expressed pleasure at results of the selection process. Gary Eckenberg, Deputy County Administrator, in response to a question from Commissioner Raukar, said signage was being prepared for each project site indicating County participation. Prior to the vote, Commissioner Fink asked if his participation on the Neighborhood Housing Service (NHS) Board might be considered a conflict of interest. It was the consensus of the Board that it was not and Commissioner Fink was allowed to vote on the matter; seven yeas - zero nays. Resolution No. 40.

Commissioner Fink, supported by Commissioner Raukar, moved to approve conservation easements for the State of Minnesota across certain tax forfeited lands. Mark Weber, Land Department, in response to a question from Commissioner Fink, said one parcel was removed from the list because special legislation incorrectly identified non forfeited land as part of the easement. The Department will seek a legislative change before bringing the conservation easement back to the Board; seven yeas - zero nays. Resolution No. 41.

Commissioner Kron, supported by Commissioner Raukar, moved to approve continuation of a professional services contract with Judy Bernhardt for 9-1-1 addressing. Ross Litman, Sheriff, said the contract is needed to reduce a backlog of address requests; seven yeas - zero nays. Resolution No. 42.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a professional services contract with Brian Toivonen for Geographic Information Systems (GIS) and mapping services for the new Computer Aided Dispatch (CAD) System; seven yeas - zero nays. Resolution No. 43.

Commissioner Fink, supported by Commissioner Raukar, moved to approve a closed session for litigation purposes; seven yeas - zero nays.

Item No. 7 of the Consent Agenda (bad debt write-off) was then considered. Commissioner O'Neil, supported by Commissioner Kron, moved to approve the write-off. Commissioner Fink questioned if all uncollectible debts - even those less than \$10,000 - should be brought to the Board for approval. Vicki Maher, Department of Public Health and Social Services, explained the composition of collected debt and debt to be written off. County Attorney Mitchell said most outstanding debt is collected and the write-off should be viewed in that context. Because some clients/recipients are and always will be indigent, a certain percentage of debt will become uncollectible. Donald Dicklich, County Auditor, said uncollectible debts less than \$10,000 are reviewed by the Auditor and Administration prior to any write-off. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 44.

Commissioner Forsman, supported by Commissioner Sweeney, moved to reconsider County Board Resolution No. 24 (award of bids for legal printing), adopted on January 3, 2006; seven yeas - zero nays. Marcus Hall, Public Works Director, said Resolution No. 24 directed that after July 1 all bids and requests for proposals will only be advertised on the County web page. Federal highway project regulations stipulate bid publication in newspapers and trade journals. Director Hall asked the Board to amend the resolution to exempt road and bridge projects from the web site limitation. Commissioner Forsman offered a friendly amendment - accepted by the makers of the original motion

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- to amend Resolution No. 24 by adding the Public Works exception; seven yeas - zero nays. (See the minutes from the January 3, 2006, meeting for full text of Resolution No. 24)

Commissioner Kron, supported by Commissioner Sweeney, moved to suspend the rules to recommend Commissioner Raukar for selection as a member of the Arrowhead Regional Development Commission (ARDC) Board; seven yeas - zero nays. County Administrator Frey and Commissioner Sweeney explained that the appointment differed from appointments made to the ARDC. Commissioner Sweeney, supported by Commissioner Kron, moved to recommend Commissioner Raukar for the ARDC Board; seven yeas - zero nays. Resolution No. 45.

Commissioner Kron asked for reconsideration of Item No. 14 of the Consent Agenda (creation of a subcommittee consisting of the Administrator and Chair of Central Management and Intergovernmental Committee to explore shared services with other jurisdictions) to add another Commissioner to the group. Attorney Mitchell said the Board could reconsider and amend the resolution or, because of the nature of the resolution, the Chair could appoint an additional member by consensus. After discussion, a consensus was not reached and the matter was referred to Committee of the Whole for possible discussion.

Commissioner O'Neil reminded everyone about Martin Luther King Day on January 16 and some of the activities to take place.

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

Communications received by the St. Louis County Board for the year 2006.-58492

Letters from the County Administrator for the year 2006 to the County Board regarding items on the Committee of the Whole and County Board Meeting Agendas.-58493

Land Commissioner submitting appraisal reports for the sale of timber for the year 2006.-58494

Finance and Budget Committee submitting recommendations for reduction and correction of assessed valuations and taxes for the year 2006.-58495

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 2006.-58496

County Auditor submitting applications for Lawful Gambling License applications for the year 2006.-58497

St. Louis and Lake Counties Regional Railroad Authority submitting agendas and minutes for their meetings held in the year 2006.-58498

Northern Counties Land Use Coordinating Board submitting minutes and agendas of their meetings for the year 2006.-58499

Documentation from public hearing held on January 10, 2006, to consider the Class "B" land exchange between St. Louis County and Roger A. Fischer and Linda Hurst-Doty.-58500-D

Documentation from public hearing held on January 10, 2006, to consider granting an off-sale intoxicating liquor license to Boise Forte Reservation Tribal Council, d/b/a Ledge Liquor Store,

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Vermilion Lake Township.-58501

Jail Corrections Officers/911 Communications Bargaining Unit Agreement for 2004/2005 and the Letter of Understanding implementing the terms for transition to the payroll year in Corrections Officers' work schedules.-06-01

Addendum No. 2 to Lease No. 1998-1130 between James Jaus represented by Oneida Realty Company and St. Louis County for office space in Suite 300, Palladio Building, for use by the Employee Safety & Development Office.-06-02

Nursing Facility Participation Agreement between UCare Minnesota and Chris Jensen Health & Rehabilitation Center.-06-03

Group Residential Housing Rate Agreement, Contract No. 50407, between the St. Louis County Board of Commissioners and Jean Truman, d/b/a Quilt Haven.-06-04ss

Purchase of Service Agreement, Contract No. 13891, between the St. Louis County Board of Commissioners and Diamond Willow Assisted Living, LLC, for assisted living plus services. -06-05ss

Addendum to Purchase Agreement, Contract No. 13891A, between the St. Louis County Board of Commissioners and Diamond Willow Assisted Living, LLC, for assisted living plus services.-06-06ss

Group Residential Housing Rate Agreement, Contract No. 50394, between the St. Louis County Board of Commissioners and Diamond Willow - 913.-06-07ss

Group Residential Housing Rate Agreement, Contract No. 50395, between the St. Louis County Board of Commissioners and Diamond Willow - 915.-06-08ss

Addendum to Purchase Agreement, Contract No. 13820C, between the St. Louis County Board of Commissioners and Tender Loving Care of Duluth, Inc., for adult foster care services. -06-09ss

Addendum to Purchase Agreement, Contract No. 13820D, between the St. Louis County Board of Commissioners and Tender Loving Care of Duluth, Inc., for adult foster care services. -06-10ss

Group Residential Housing Rate Agreement, Contract No. 50398, between the St. Louis County Board of Commissioners and TLC Caribou House.-06-11ss

Group Residential Housing Rate Agreement, Contract No. 50408, between the St. Louis County Board of Commissioners and TLC Haines Road.-06-12ss

Group Residential Housing Rate Agreement, Contract No. 50402, between the St. Louis County Board of Commissioners and Spectrum Cares - Lakeside Manor.-06-13ss

Group Residential Housing Rate Agreement, Contract No. 50404, between the St. Louis County Board of Commissioners and Spectrum Virginia House II.-06-14ss

Group Residential Housing Rate Agreement, Contract No. 50403, between the St. Louis County Board of Commissioners and Spectrum Virginia House I.-06-15ss

Addendum to Purchase Agreement, Contract No. 13832C, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc.-06-16ss

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Addendum to Purchase Agreement, Contract No. 13666B, between the St. Louis County Board of Commissioners and Spectrum Community Health, Inc., for home care services.-06-17ss

Addendum to Purchase Agreement, Contract No. 13834B, between the St. Louis County Board of Commissioners and Innovative Living, Inc.-06-18ss

Addendum to Purchase Agreement, Contract No. 13834A, between the St. Louis County Board of Commissioners and Innovative Living, Inc., for adult foster care services.-06-19ss

Addendum to Purchase Agreement, Contract No. 13874A, between the St. Louis County Board of Commissioners and Innovative Living, Inc., d/b/a Innovative Assisted Living.-06-20ss

Addendum to Purchase Agreement, Contract No. 13893A, between the St. Louis County Board of Commissioners and Transitional Senior Housing for adult foster care services.-06-21ss

Addendum to Purchase Agreement, Contract No. 13868A, between the St. Louis County Board of Commissioners and Transitional Senior Housing for assisted living plus services.-06-22ss

Purchase of Service Agreement, Contract No. 13893, between the St. Louis County Board of Commissioners and Transitional Senior Housing for adult foster care and out-of-home respite services.-06-23ss

Group Residential Housing Rate Agreement, Contract No. 50397, between the St. Louis County Board of Commissioners and Transitional Senior Housing - Rose.-06-24ss

Group Residential Housing Rate Agreement, Contract No. 50393, between the St. Louis County Board of Commissioners and Sally J. Ruzynski - Savanna Country Care.-06-25ss

Homes Plus Agreement for Adult Foster Care/Respite Care between the St. Louis County Board of Commissioners and Sally J. Ruzynski.-06-26ss

Addendum to Purchase Agreement, Contract No. 13884A, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for assisted living services.-06-27ss

Addendum to Purchase Agreement, Contract No. 13885A, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for assisted living plus services.-06-28ss

Addendum to Purchase Agreement, Contract No. 13753B, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for home care services. -06-29ss

Addendum to Purchase Agreement, Contract No. 13726A, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for non-residential services. -06-30ss

Addendum to Purchase Agreement, Contract No. 13733B, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services. -06-31ss

Addendum to Purchase Agreement, Contract No. 13849A, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.-06-32ss

Addendum to Purchase Agreement, Contract No. 13852A, between the St. Louis County Board of

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Commissioners and Peterson Colonial Homes, Inc., for adult foster care services.-06-33ss

Addendum to Purchase Agreement, Contract No. 13847A, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for adult foster care services.-06-34ss

Addendum to Purchase Agreement, Contract No. 13730A, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for independent living skills.-06-35ss

Addendum to Purchase Agreement, Contract No. 13851A, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for residential care services.-06-36ss

Homes Plus Agreement for Adult Foster Care/Respite Care between the St. Louis County Board of Commissioners and Jean Truman.-06-37ss

Addendum to Purchase Agreement, Contract No. 13752A, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care services.-06-38ss

Addendum to Purchase Agreement, Contract No. 13747B, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC, d/b/a Home Instead Senior Care, for home care services.-06-39ss

Addendum to Purchase Agreement, Contract No. 13720B, between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC, for home care services. -06-40ss

Addendum to Purchase Agreement, Contract No. 13744B, between the St. Louis County Board of Commissioners and Healthstar Home Health, d/b/a HealthStar Staffing, Inc., for home care services.-06-41ss

Addendum to Purchase Agreement, Contract No. 13755B, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for home care services.-06-42ss

Addendum to Purchase Agreement, Contract No. 13758A, between the St. Louis County Board of Commissioners and Healthline Home Care for home care services.-06-43ss

Addendum to Purchase Agreement, Contract No. 13728A, between the St. Louis County Board of Commissioners and Morgan Business Trust, d/b/a Extended Family Home Care, for home care services.-06-44ss

Addendum to Purchase Agreement, Contract No. 13872A, between the St. Louis County Board of Commissioners and Care At Home, Inc., for home care services.-06-45ss

Addendum to Purchase Agreement, Contract No. 13756B, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, d/b/a HomeCare Specialists, for home care services.-06-46ss

Addendum to Purchase Agreement, Contract No. 13665A, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for home care services.-06-47ss

Addendum to Purchase Agreement, Contract No. 13668B, between the St. Louis County Board of Commissioners and Gentiva Certified HealthCare Corp., d/b/a Gentiva Health Services, for home care

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services.-06-48ss

Grant Agreement, Contract No. 20627, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for MFIP/DWP grant services.-06-49ss

Group Residential Housing Rate Agreement, Contract No. 50405, between the St. Louis County Board of Commissioners and The Pointe Estates.-06-50ss

Purchase of Service Agreement, Contract No. 13896, between the St. Louis County Board of Commissioners and Hughes Homes, Inc., for assisted living plus services.-06-51ss

Agreement for Professional Services between the County of St. Louis and Engineering Partners Company, LLC, for Joint Public Safety Facility Project.-06-52

Homes Plus Agreement for Adult Foster Care/Respite Care between the St. Louis County Board of Commissioners and Jessica Eberl.-06-53

Group Residential Housing Rate Agreement, Contract No. 50406, between the St. Louis County Board of Commissioners and Jessica Eberl.-06-54ss

Addendum to Purchase Agreement, Contract No. 13729B, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for non-residential services.-06-55ss

Addendum to Purchase Agreement, Contract No. 13837C, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.-06-56ss

Addendum to Purchase Agreement, Contract No. 13840A, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for residential care services.-06-57ss

Addendum Contract No. 30108 between the St. Louis Public County Public and Human Services Department and the Human Development Center for forensic psychological services.-06-58ss

Addendum to Purchase Agreement, Contract No. 13857A, between the St. Louis County Board of Commissioners and Reed's Boarding and Lodging, LLC, for residential care services.-06-59ss

Addendum to Purchase Agreement, Contract No. 13855A, between the St. Louis County Board of Commissioners and Lakeview Residence, Inc., for residential care services.-06-60ss

Addendum to Purchase Agreement, Contract No. 13882A, between the St. Louis County Board of Commissioners and Bluewater Residential Services, LLC, for adult foster care services.-06-61ss

Addendum to Purchase Agreement, Contract No. 13549, between the St. Louis County Board of Commissioners and Derungs Adult Foster Care Home for adult foster care services.-06-62ss

Addendum to Purchase Agreement, Contract No. 13833A, between the St. Louis County Board of Commissioners and Family Counseling and Extended Services, Inc., for adult foster care services.-06-63ss

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Addendum to Purchase Agreement, Contract No. 13858A, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd., for adult foster care services.-06-64ss

Addendum to Purchase Agreement, Contract No. 13550A, between the St. Louis County Board of Commissioners and Hassett Adult Foster Care Home for adult foster care services.-06-65ss

Addendum to Purchase Agreement, Contract No. 13888A, between the St. Louis County Board of Commissioners and Lifeway Services, LLC, for adult foster care services.-06-66ss

Addendum to Purchase Agreement, Contract No. 13848B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for adult foster care services.-06-67ss

Addendum to Purchase Agreement, Contract No. 13792A, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for adult foster care services.-06-68ss

Addendum to Purchase Agreement, Contract No. 13890A, between the St. Louis County Board of Commissioners and Parchem, Inc., for adult foster care services.-06-69ss

Addendum to Purchase Agreement, Contract No. 13856A, between the St. Louis County Board of Commissioners and Range Residential Alternatives for adult foster care services.-06-70ss

Addendum to Purchase Agreement, Contract No. 13871B, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for adult foster care services.-06-71ss

Addendum to Purchase Agreement, Contract No. 13831A, between the St. Louis County Board of Commissioners and TL Care Services, LLC, d/b/a Westview Services, for adult foster care services.-06-72ss

Addendum to Purchase Agreement, Contract No. 13836A, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care services.-06-73ss

Addendum to Purchase Agreement, Contract No. 13894A, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for adult foster care services.-06-74ss

Addendum to Purchase Agreement, Contract No. 13846A, between the St. Louis County Board of Commissioners and September House for assisted living plus services.-06-75ss

Addendum to Purchase Agreement, Contract No. 13873A, between the St. Louis County Board of Commissioners and Solstice Corporation, d/b/a Golden Oaks Residence, for assisted living plus services.-06-76ss

Addendum to Purchase Agreement, Contract No. 13821B, between the St. Louis County Board of Commissioners and Solway Serenity Acres for assisted living plus services.-06-77ss

Addendum to Purchase Agreement, Contract No. 13867A, between the St. Louis County Board of Commissioners and St. Ann's Residence for assisted living plus services.-06-78ss

Addendum to Purchase Agreement, Contract No. 13865A, between the St. Louis County Board of Commissioners and Wesley Residence, Inc., for assisted living plus services.-06-79ss

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Addendum to Purchase Agreement, Contract No. 13732B, between the St. Louis County Board of Commissioners and Daybreak Adult Day Services for adult day care services.-06-80ss

Addendum to Purchase Agreement, Contract No. 13735B, between the St. Louis County Board of Commissioners and University Medical Center - Mesabi for adult day care services.-06-81ss

Addendum to Purchase Agreement, Contract No. 13734B, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for adult day care services. -06-82ss

Addendum to Purchase Agreement, Contract No. 13757A, between the St. Louis County Board of Commissioners and UDAC for support employment services.-06-83ss

Addendum to Purchase Agreement, Contract No. 13763A, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for non-residential services.-06-84ss

Addendum to Purchase Agreement, Contract No. 13736A, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc., for non-residential services.-06-85ss

Addendum to Purchase Agreement, Contract No. 13742, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for non-residential services.-06-86ss

Addendum to Purchase Agreement, Contract No. 13762A, between the St. Louis County Board of Commissioners and NHS-Northstar Specialized Services, Inc., for non-residential services.-06-87ss

Addendum to Purchase Agreement, Contract No. 13764A, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC, for non-residential services.-06-88ss

Addendum to Purchase Agreement, Contract No. 13766A, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for independent living skills.-06-89ss

Addendum to Purchase Agreement, Contract No. 13754A, between the St. Louis County Board of Commissioners and Employment Links, LLC, for supported employment.-06-90ss

Addendum to Purchase Agreement, Contract No. 13761B, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., for non-residential services.-06-91ss

Addendum to Purchase Agreement, Contract No. 13656B, between the St. Louis County Board of Commissioners and Choice, Unlimited, for non-residential services.-06-92ss

Addendum to Purchase Agreement, Contract No. 13765B, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota, Inc., for non-residential care services.-06-93ss

Addendum to Purchase Agreement, Contract No. 13670A, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc., for non-residential services.-06-94ss

Addendum to Purchase Agreement, Contract No. 13788A, between the St. Louis County Board of Commissioners and Arrowhead House, Inc., for intensive residential treatment services.-06-95ss

Purchase of Service Agreement, Contract No. 13797, between the St. Louis County Board of

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Commissioners and the Center for Alcohol and Drug Treatment, d/b/a Duluth Detox Center, for meals.-06-96ss

Addendum to Purchase Agreement, Contract No. 13812A, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.-06-97ss

Addendum to Purchase Agreement, Contract No. 13813A, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels for home delivered meals.-06-98ss

Addendum to Purchase Agreement, Contract No. 13721B, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota for companion services.-06-99ss

Addendum to Purchase Agreement, Contract No. 13791A, between the St. Louis County Board of Commissioners and Lutheran Social Service Family Resource Center for independent living skills.-06-100ss

Agreement for Family Foster Care for Children, Community Alternatives for Disabled Individuals and Traumatic Brain Injury Waivers between the St. Louis County Board of Commissioners and Eve Stein.-06-101ss

Purchase of Service Agreement, Contract No. 13895, between the St. Louis County Board of Commissioners and the Town of White for chore services - snowplowing.-06-102ss

Group Residential Housing Rate Agreement, Contract No. 50410, between the St. Louis County Board of Commissioners and Miketin's Central Boarding Home.-06-103ss

Group Residential Housing Rate Agreement, Contract No. 50399, between the St. Louis County Board of Commissioners and IHS - Waldorf No. 2.-06-104ss

Group Residential Housing Rate Agreement, Contract No. 50412, between the St. Louis County Board of Commissioners and Range Center, Inc. (Tamarack).-06-105ss

Addendum to Purchase Agreement, Contract No. 13841C, between the St. Louis County Board of Commissioners and Salmi Homes, Inc., for assisted living plus services.-06-106ss

Addendum to Purchase Agreement, Contract No. 13869A, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus services.-06-107ss

Addendum to Purchase Agreement, Contract No. 13870A, between the St. Louis County Board of Commissioners and McCarthy Manor for assisted living plus services.-06-108ss

Addendum to Purchase Agreement, Contract No. 13866B, between the St. Louis County Board of Commissioners and The Lamb House, Inc., for assisted living services.-06-109ss

Addendum to Purchase Agreement, Contract No. 13706A, between the St. Louis County Board of Commissioners and Lakeside Manor, Inc., for assisted living plus services.-06-110ss

Addendum to Purchase Agreement, Contract No. 13876A, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, Inc., d/b/a Home Care Service Options of Duluth/Mt. Royal Pines III, LLP, for assisted living plus services.-06-111ss

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Addendum to Purchase Agreement, Contract No. 13877A, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, Inc., d/b/a Home Care Service Options of Duluth/Mt. Royal Pines III, LLP, for assisted living services.-06-112ss

Addendum to Purchase Agreement, Contract No. 13878A, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc., for assisted living plus services.-06-113ss

Addendum to Purchase Agreement, Contract No. 13863A, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, d/b/a Greenview Residence, for assisted living plus services.-06-114ss

Addendum to Purchase Agreement, Contract No. 13860A, between the St. Louis County Board of Commissioners and Edgewood Vista Senior Living, Inc., for assisted living plus services. -06-115ss

Addendum to Purchase Agreement, Contract No. 13859A, between the St. Louis County Board of Commissioners and Duluth Retirement, LLC, d/b/a Primrose of Duluth, for assisted living plus services.-06-116ss

Addendum to Purchase Agreement, Contract No. 13880A, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community, d/b/a St. Raphael's Health and Rehabilitation Center, for assisted living services.-06-117ss

Addendum to Purchase Agreement, Contract No. 13854A, between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home for assisted living plus services.-06-118ss

Agreement between the County of St. Louis, through its Management Information Systems Director, and Prism Technologies, Inc.-06-119

Medica Health Plans, Medica Insurance Company, Medica Health Plans of Wisconsin and Medica Self-Insured, d/b/a Medica Self-Insured Skilled Nursing Facility Participation Agreement. -06-120

Agreement between the County of St. Louis and the Historic Union Depot, Inc., for management of the depot.-06-121

St. Louis County Public Works Department Right of Way Vegetation Removal Contract with Mesabi Brushing, Inc., for C.P. 3561.-06-122

Agreement for Professional Services between the County of St. Louis and Northeast Technical Services, Inc., for Regional Landfill Environmental Engineering and Monitoring Services.-06-123

Amendment No. 2 to 2005 Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, Division of Trails and Waterways, and St. Louis County for additional funding for public trails.-06-124

Agreement for Professional Services between the County of St. Louis and Short Elliot Hendrickson, Incorporated (SEH), for the reconstruction of County-State Aid Highway 1 (Cirrus Drive), S.P. 69-601-01, C.P. 8293, from T.H. 53 to Airport Road in Duluth.-06-125

Agreement for Professional Services between the County of St. Louis and DSGW Architects for the repair and upgrade of the Northland Office Building exterior.-06-126

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Professional and Technical Services Contract between the State of Minnesota, through its Commissioner of Transportation, and Ramsland and Vigen, Inc., for Cirrus Drive Appraisals.-06-127

Agreement for Professional Services between St. Louis County and Engineering Partners Company, LLC, for railroad crossing improvement at County Road 695 (Seville Road) one half mile east of C-SAH 98 (Canosia Road).-06-128

Contract between the County of St. Louis and Lenci Enterprises, Inc., for Remodeling, Sitework and Exhibit Design on S.P. 69-595-005, C.P. 3596, TEAX 6904(071).-06-129

Amendment No. 1 to 2006 Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, Division of Trails and Waterways, and St. Louis County for additional funding for maintaining public trails.-06-130

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 25 through 37, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58495, are hereby approved:

Real Estate - Samuel Brandenburger, \$489.50; Michael Curtis, \$245.60; Laura Baron, \$0.00; Brian Blom, \$807.56; Sarah Carlson, \$293.56; Raymond Goerdt, \$142.68; Derek Hage, \$107.86; Roxanne Kelly, \$275.28; Richard Kresal, \$208.24; Kevin Myhre, \$134.40; Danny Opacich, \$512.70; Marc Parenteau, \$158.54; Damian Richardson, \$246.40; Mark Rossman, \$364.80; Thomas Seafolk, \$255.58; Lance Snow, \$253.68; Cheryl Stavig, \$261.92; Ruth Thuringer, \$427.56; Justin Tobeck, \$277.00; Dwight Wikstrom, \$242.08; Barbara Wilson, -\$14.16; Garland Workman, \$104.72; Vivian Hanson, \$21.94.

Personal Property - John Wiley, \$32.36.  
Adopted January 10, 2006. No. 25

RESOLVED, that the appraisal reports for sale of timber, numbered Tracts 1 through 4, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 10, 2006. No. 26

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 23, 2005, on file in the office of the County Auditor, identified as County Board File No. 58342, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted January 10, 2006. No. 27

WHEREAS, the parcels described in County Board File No. 58496 are currently dedicated as Memorial Forest; and

WHEREAS, pursuant to Minnesota Statutes 459.06, Subdivision 3, any tax forfeited land, which has been included in a memorial forest, that is found more suitable for other purposes, may be withdrawn from the forest for disposal, if the Commissioner of Natural Resources approves the sale of such land; and

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WHEREAS, the parcels described in County Board File No. 58496 are more suitable for purposes other than forest management;

NOW, THEREFORE, BE IT RESOLVED, that the parcels described in County Board File No. 58496 be withdrawn from Memorial Forest and offered for sale, and approval for the sale of said parcels be requested from the Commissioner of Natural Resources.

Adopted January 10, 2006. No. 28

WHEREAS, St. Louis County has contracted with Ayres Associates to prepare final plans and specifications for the proposed reconstruction of Sanitary Sewer District No. 1 in Midway Park Addition of Midway Township under Agreement No. 2004-001898;

WHEREAS, changes from the existing layout is resulting in revisions to the final plans to reduce sewer line lengths to no more than 380 feet. The Consultant will realize an additional cost of about \$3,000 to make these; and

NOW, THEREFORE, BE IT RESOLVED, that Agreement No. 2004-001898, authorizing \$98,200.00 in funding (Resolution No. 379, passed on July 13, 2004) be amended to include an additional amount, not to exceed, \$3,000 in additional funds to cover the Consultants cost to revise the final plans and specifications as requested for the proposed reconstruction of Sanitary Sewer District No. 1, C.P. 3647. The funds for this project, revised to be estimated at \$101,200.00 are payable from Fund 200, Agency 200019, Object 629900.

Adopted January 10, 2006. No. 29

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Alborn Sno Devils, Inc., to operate out of Wayside Corner Store, Inc., New Independence Township 7425 Swan Lake Road, Culver, MN 55779, New.

Adopted January 10, 2006. No. 30

WHEREAS, St. Louis County Sheriff's Office has coordinated the Multijurisdictional Boundary Waters Drug Task Force since 1990; and

WHEREAS, the Minnesota Department of Public Safety-Office of Justice Programs has funds available for Multijurisdictional Drug and Gang Task Forces; and

WHEREAS, the continued interagency coordination and intelligence functions supported by this program are invaluable for the interdiction of narcotics;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the submission of a grant application to the Minnesota Department of Public Safety-Office of Justice Programs for \$100,000 for the purpose of continuing the Boundary Waters Drug Task Force; and

RESOLVED FURTHER, that said grant funds will be appropriated and disbursed from Fund 100, Agency 129999, Grant 12901, Year 2006; and

RESOLVED FURTHER, that the Sheriff is hereby authorized to sign and execute such documents and agreements as are necessary to implement this project on behalf of the County.

Adopted January 10, 2006. No. 31

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept two awards from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for \$443,989.00 and \$493,322 to be used for a new regional Computer Aided Dispatch (CAD) System; and

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign any associated contract documents; and

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RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract; and RESOLVED FURTHER, that funds will be made payable to and authorizes expenditure of the funds from Fund 100, Agency 129999, Grant 12934, Year 2005, for \$443,989.00 and Fund 100, Agency 12999, Grant 12934, Year 2006, for \$493,322.

Adopted January 10, 2006. No. 32

WHEREAS, the Purchasing Department has prepared bid specifications for new 2006 vehicles up to one ton capacity; and

WHEREAS, bids were received and compared with the State of Minnesota contracts; and

WHEREAS, several vehicles were priced lower on the State of Minnesota contracts; and

WHEREAS, local qualifying bids within \$300.00 of the State of Minnesota Contract prices will be awarded to local bidders; and

WHEREAS, build-out dates are often announced with short lead times for placing orders;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with the specifications of Bid No. 4578, and State of Minnesota Contract Releases, 2006 vehicles as follows:

- 1.0 Eight (8) Class III, full-size, four door sedans, with police package V-8, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$20,688.00 each delivered to Duluth for a total of \$165,504.00 (this vehicle is not subject to state sales tax), for a total purchase price of \$165,504.00, payable from Fund 100 (General), Agency 129000 (Sheriff), Object Code 666100 (Automobiles).
- 1.1 One (1) Class III, full-size, four door sedan, with police package V-8, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$20,230.00 each delivered to Duluth for a total of \$20,230.00, plus 6.5% State Sales Tax of \$1,314.95 per unit for a total purchase price of \$21,544.95, payable from Fund 715 (County Garage), Agency 715001 (Duluth Garage), Object Code 666100 (Automobiles).
- 2.0 Three (3) Class III, full-size, four door sedans, with police package V-6, from Elk River Ford/Dodge of Elk River, MN, at their State of Minnesota Contract price of \$20,488.00 each delivered to Duluth for a total of \$61,464.00 (this vehicle is not subject to state sales tax), for a total purchase price of \$61,464.00, payable from Fund 100 (General), Agency 129000 (Sheriff), Object Code 666100 (Automobiles).
- 3.0 Eight (8) Class IIA, mid-size, four door sedans, with police package, from Mike Motors of Ely, MN, at their low specification bid price of \$17,974.00 each delivered to Duluth for a total of \$143,792.00, plus 6.5% State Sales Tax of \$1,168.31 per unit, for a total purchase price of \$153,138.48, payable from Fund 715 (County Garage), Agency 715001 (Duluth Garage), Object Code 666100 (Automobiles).
- 4.0 Two (2) Class IIA, mid-size, four door sedans, from Car/Truck City of Pine City, MN, at their State of Minnesota Contract price of \$14,823.00 each delivered to Duluth for a total of \$29,646.00, plus 6.5% State Sales Tax of \$963.50 per unit, for a total purchase price of \$31,573.00, payable from Fund 715 (County Garage), Agency 715001 (Duluth Garage), Object Code 666100 (Automobiles).
- 4.1 One (1) Class IIA, mid-size, four door sedan, from Car/Truck City of Pine City, MN, at their State of Minnesota Contract price of \$14,823.00 each delivered to Virginia for a total of \$14,823.00, plus 6.5% State Sales Tax of \$963.50 per unit, for a total purchase price

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of \$15,786.50, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666100 (Automobiles).

- 4.2 Two (2) Class IIA, mid-size, four door sedans, from Car/Truck City of Pine City, MN, at their State of Minnesota Contract price of \$14,823.00 each delivered to Duluth for a total of \$29,646.00, plus 6.5% State Sales Tax of \$963.50 per unit, for a total purchase price of \$31,573.00, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666100 (Automobiles).
- 5.0 Two (2) 6000 GVWR, full size, 2-wheel drive, pickup trucks with 8 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$14,535.00 each delivered to Duluth for a total of \$29,070.00, plus 6.5% State Sales Tax of \$944.78 per unit, for a total purchase price of \$30,959.56, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666200 (Pickups/Vans).
- 5.1 Three (3) 6000 GVWR, full size, 2-wheel drive, pickup trucks with 8 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$14,535.00 each delivered to Virginia for a total of \$43,605.00, plus 6.5% State Sales Tax of \$944.78 per unit, for a total purchase price of \$46,439.34, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666200 (Pickups/Vans).
- 5.2 One (1) 6000 GVWR, full size, 2-wheel drive, pickup truck with 8 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$14,535.00 each delivered to Virginia for a total of \$14,535.00, plus 6.5% State Sales Tax of \$944.78 per unit, for a total purchase price of \$15,479.78, payable from Fund 600 (Solid Waste), Agency 600001 (Administration), Object Code 666200 (Pickups/Vans).
- 6.0 One (1) 6050 GVWR, full size, extended cab, 2-wheel drive, pickup truck with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$16,199.00 each delivered to Virginia for a total of \$16,199.00, plus 6.5% State Sales Tax of \$1,052.94 per unit, for a total purchase price of \$17,251.94, payable from Fund 100 (General), Agency 122001 (Surveyor), Object Code 666200 (Pickups/Vans).
- 6.1 One (1) 6050 GVWR, full size, extended cab, 2-wheel drive, pickup truck with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$16,199.00 each delivered to Virginia for a total of \$16,199.00, plus 6.5% State Sales Tax of \$1,052.94 per unit, for a total purchase price of \$17,251.94, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666200 (Pickups/Vans).
- 6.2 Two (2) 6050 GVWR, full size, extended cab, 2-wheel drive, pickup trucks with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$16,199.00 each delivered to Duluth for a total of \$32,398.00, plus 6.5% State Sales Tax of \$1,052.94 per unit, for a total purchase price of \$34,503.88, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666200 (Pickups/Vans).
- 7.0 One (1) 6250 GVWR, full size, extended cab, 4-wheel drive, pickup truck with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$19,265.00 each delivered to Duluth for a total of \$19,265.00, plus 6.5% State Sales Tax of \$1,252.23 per unit, for a total purchase price of \$20,517.23, payable from Fund 240

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(Forfeited Tax), Agency 241003 (Resource Manager), Object Code 666200 (Pickups/Vans).

- 7.1 Two (2) 6250 GVWR, full size, extended cab, 4-wheel drive, pickup trucks with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$19,265.00 each delivered to Duluth and Virginia for a total of \$38,530.00, plus 6.5% State Sales Tax of \$1,252.23 per unit, for a total purchase price of \$41,034.46, payable from Fund 240 (Forfeited Tax), Agency 241007 (Virginia), Object Code 666200 (Pickups/Vans).
- 7.2 Three (3) 6250 GVWR, full size, extended cab, 4-wheel drive, pickup trucks with 6 1/2 ft. box, from Car/Truck City of Pine City, MN, at their low specification bid price of \$19,265.00 each delivered to Duluth for a total of \$57,795.00, plus 6.5% State Sales Tax of \$1,252.23 per unit, for a total purchase price of \$61,551.69, payable from Fund 240 (Forfeited Tax), Agency 241008 (Pike Lake), Object Code 666200 (Pickups/Vans).
- 8.0 Three (3) 8500 GVWR, full size, 2-wheel drive, pickup trucks with 8 ft. box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$16,388.80 each delivered to Virginia for a total of \$49,166.40, plus 6.5% State Sales Tax of \$1,065.27 per unit, for a total purchase price of \$52,362.22, payable from Fund 200 (Public Works), Agency 202020 (Equipment & Shops), Object Code 666200 (Pickups/Vans).
- 9.0 One (1) 8500 GVWR, full size, crew cab, 4-wheel drive, pickup truck with 6 1/2 ft. box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$22,521.80 each delivered to Duluth for a total of \$22,521.80, plus 6.5% State Sales Tax of \$1,463.92 per unit, for a total purchase price of \$23,985.72, payable from Fund 100 (General), Agency 129000 (Sheriff), Object Code 666200 (Pickups/Vans).
- 10.0 Two (2) 7 passenger minivans, from Mike Motors of Ely, MN, at their low specification bid price of \$17,555.00 each delivered to Duluth for a total of \$35,110.00, plus 6.5% State Sales Tax of \$1,141.08 per unit, for a total purchase price of \$37,392.16, payable from Fund 100 (General), Agency 129000 (Sheriff), Object 666200 (Pickups/Vans).
- 11.0 One (1) 9300 GVWR, diesel cargo van, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$22,225.90 each delivered to Duluth for a total of \$22,225.90, plus 6.5% State Sales Tax of \$1,444.68 per unit, for a total purchase price of \$23,670.58, payable from Fund 100 (General), Agency 129000 (Sheriff), Object 666200 (Pickups/Vans).

Adopted January 10, 2006. No. 33

WHEREAS, the Conference Committee Report on the Federal Budget Reconciliation Act of 2005 passed the Senate on December 21, 2005; and

WHEREAS, the Conference Committee report included language changes that require additional action by the House of Representatives; and

WHEREAS, the Minnesota Department of Human Services estimates a shift to our state and county taxpayers of \$121M due to the Targeted Case Management reform language; and

WHEREAS, the Minnesota Department of Human Services estimates, "if this language (Third Party Recovery language changes) is enacted, Minnesota will lose millions in federal funding, and more importantly, will lose much of the progress that has been made over the last 20 years;" and

WHEREAS, these services are critical to: children in need of protection, vulnerable adults in need of protection, children and adults with mental illness, disabled adults and children, and the elderly in

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Minnesota and St. Louis County; and

WHEREAS, the argument is made that this bill merely “slows the growth in the Medicaid budget,” while in reality it disallows the state and local governments’ ability to be reimbursed at any level for these mandated services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners opposes the language changes for targeted case management and 3<sup>rd</sup> party recovery in the Conference Committee report of SR1932 that ends federal participation in federally mandated programs provided by St. Louis County for vulnerable populations.

BE IT FURTHER RESOLVED, that the St. Louis County Board of Commissioners urges Minnesota’s Representatives to vote “no” on this bill as written, and accept alternative language proposed by the Minnesota Department of Human Services.

BE IT FURTHER RESOLVED, a copy of this resolution shall be sent to the Minnesota Congressional Delegation.

Adopted January 10, 2006. No. 34

RESOLVED, that the Sheriff’s Office personnel complement be reduced by one full-time equivalent (FTE) Financial Analyst, and the personnel budget be reduced \$70,085, the cost of the position; and RESOLVED FURTHER, that the Sheriff’s operating budget, Fund 100, Agency 129003, Object 629900, be increased by \$70,085; and

RESOLVED FURTHER, that the Auditor’s personnel complement be increased by one FTE, Financial Analyst, and the resulting increase in the personnel budget will be offset by an equal reimbursement to that budget; and

RESOLVED FURTHER, the Sheriff shall reimburse the Auditor for this position from Fund 100, Agency 129003, Object 629900.

Adopted January 10, 2006. No. 35

RESOLVED, that the 2004/2005 Jail Corrections Officers/911 Communications Bargaining Unit Agreement, a copy of which is on file in Contract File No. 06-01, is hereby approved and the appropriate County officials are authorized to execute said contract;

RESOLVED FURTHER, that the Letter of Understanding between the County and the Jail Corrections Officers/911 Communications Bargaining Unit, implementing the terms for the transition to the payroll year in Corrections Officers’ work schedule, is hereby approved.

Adopted January 10, 2006. No. 36

WHEREAS, St. Louis County and the City of Duluth recognize that revenues to support desired programs are becoming more difficult to secure and also recognize that the needs are exceeding the resources; and

WHEREAS, St. Louis County and the City of Duluth believe that there are core essential services that government should be providing for all citizens; and

WHEREAS, St. Louis County and the City of Duluth acknowledge that there may be services where both the County and the City provide similar services; and

WHEREAS, St. Louis County and the City of Duluth acknowledge that there may be opportunities where these two governmental bodies can consolidate that would result in less costs to taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes its administration and the Chair of the Intergovernmental Committee to work with the City of Duluth to identify practical cost saving measures that would be in the best interest of the taxpayers of St. Louis County.

RESOLVED FURTHER, that the County Administration and the Chair of the Intergovernmental Committee explore extending this process to other governmental bodies in St. Louis County and the Arrowhead Region.

RESOLVED FURTHER, that the County Administration and the Chair of the Intergovernmental

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Committee report their findings and recommendations to the Commissioners and Councilors, including conclusions on the need for the creation of a Joint Powers Board to implement any of its recommendations, no later than July 1, 2006.

Adopted January 10, 2006. No. 37

**BY COMMISSIONER FORSMAN:**

WHEREAS, Roger A. Fischer and Linda Hurst-Doty have filed with the County Auditor a proposal for the 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 January 10, 2006, 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 40 acre parcel of Class B State Tax Forfeited property that is the subject of the proposed exchange is described as follows: NW 1/4 of SW 1/4, Section 25, Township 63N, Range 13W;
2. The parcels of private land that are the subject of the proposed exchange are described as follows: Undivided 1/4 Interest, SW 1/4 of SE 1/4, Section 35, Township 63N, Range 13W, Undivided 1/4 Interest, NW 1/4 of SE 1/4, Section 35, Township 63N, Range 13W, Undivided 1/4 Interest, SW 1/4 of SW 1/4, Section 35, Township 63N, Range 13W, Undivided 1/4 Interest, SE 1/4 of SW 1/4, Section 35, Township 63N, Range 13W;
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, 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 \$38,000.00, and the parcels to be transferred from Roger A. Fischer and Linda Hurst-Doty to the State of Minnesota are valued at \$40,000.00, resulting in a difference of \$2,000.00. Said appraisals are hereby accepted and adopted by the Board of Commissioners.
6. Roger A. Fischer and Linda Hurst-Doty have agreed to waive the \$2,000.00 difference at the time of closing, pursuant to Minnesota Statutes, Section 94.344, Subdivision 5, and have filed a Waiver of Payment for the difference in value.
7. That the County Auditor has posted notice of hearing in the County Auditor's Office on December 22, 2005, 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 January 10, 2006, the date of the hearing.
8. That timber appraisal reports have been prepared by the St. Louis County Land Department pursuant to Department of Natural Resources Operational Order #63.

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9. That the land acquired from this exchange would consolidate tax-forfeited ownership in the area and increase the timber management potential on approximately 280 acres of County managed land for the benefit of the tax payers of St. Louis County.
10. That the land received by Roger A. Fischer and Linda Hurst-Doty in this exchange is more suitable for private ownership.
11. That the land offered to the State of Minnesota by Roger A. Fischer and Linda Hurst-Doty is more suitable for land management purposes than the lands presently held.
12. That 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 Commissioners of Revenue as required by Minnesota Statutes, Section 94.344, Subdivision 10.

Unanimously adopted. January 10, 2006. No. 38

**BY COMMISSIONER FORSMAN:**

WHEREAS, Bois Forte Reservation Tribal Council, d/b/a Ledge Liquor Store, Vermilion Lake 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 January 10, 2006, at or about 9:45 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 Ledge Liquor Store 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 OFSL0616 Bois Forte Reservation Tribal Council, d/b/a Ledge Liquor Store, Vermilion Lake Township) shall be issued to Bois Forte Reservation Tribal Council, d/b/a Ledge Liquor Store, Vermilion Lake Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2006;

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 license holder.

Unanimously adopted. January 10, 2006. No. 39

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Land Department's Outdoor Recreation Project Fund is available to governmental subdivisions and other public corporations to provide funding for various recreation-based events, enterprises and facilities; and

WHEREAS, these funds have helped develop numerous recreation opportunities throughout the County; and

WHEREAS, County Board Resolution No. 370, authorized \$150,000 to be made available for outdoor recreation projects in Commissioner Districts 1, 2, 3 and 5 that meet the criteria of the Land

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Department Outdoor Recreation Project Fund; and  
 WHEREAS, the Land Department has received twenty-three (23) applications for projects in Commissioner Districts 1, 2, 3 and 5, for a total of \$383,760.  
 NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the following Outdoor Recreation Project Fund grants totaling \$160,230:

<u>City/Town</u>	<u>Project Description</u>	<u>Amount</u>
City of Proctor	St. Rose School Playground	\$ 11,000
City of Duluth	Central Hillside Basketball Court Repair	\$ 15,000
City of Duluth	Memorial Community Rec. Center Playground	\$ 20,000
Duluth School District	Unity High School BWCA Trip	\$ 2,730
City of Duluth	Grant Recreation Center Playground	\$ 17,500
City of Duluth	Portland Square Recreation Playground	\$ 15,000
City of Hermantown	Hermantown Trail Maintenance and Expansion	\$ 20,000
City of Hermantown	Let's Play Hermantown	\$ 9,000
Town of Duluth	Duluth Township Community Recreation Field	\$ 10,000
City of Duluth	12 <sup>th</sup> Street Park and Garden Beach Rehabilitation	\$ 10,000
Industrial Township	Burnett Park Playground Equipment Project	\$ 10,000
City of Duluth	Lester/Amity Trail Bridge Replacement	\$ <u>20,000</u>
	Total Funding	\$ 160,230

Funding payable from Forest Recreation Fund 290, Agency 290002.  
 Unanimously adopted. January 10, 2006. No. 40

WHEREAS, Minnesota Session Laws 2005, Chapter 161, Section 19, authorized the sale of tax forfeited land bordering public water with the requirement that St. Louis County grant specific easements to the State of Minnesota; and

WHEREAS, it is the intent of the County to make the following parcels available for sale.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County shall grant the following easements to the State of Minnesota:

1. NW 1/4 OF NE 1/4 EX N 1/2 AND PART OF W 10 AC OF NE 1/4 OF NE 1/4 LYING S OF LESTER RIVER AND W 10 AC OF NE 1/4 OF NE 1/4 LYING N OF LESTER RIVER EX N 5 AC, SECTION 17, T51N, R13W - (150 foot trout stream easement lying 75 feet on each side of the centerline of the stream).
2. NE 1/4 OF SE 1/4, SECTION 31, T52N, R14W. - (150 foot conservation easement lying 75 feet on each side of the centerline of the stream).
3. NE 1/4 OF SW 1/4, SECTION 31, T52N, R14W - (150 foot conservation easement lying 75 feet on each side of the centerline of the stream).
4. S 1/2 OF SW 1/4 OF SW 1/4 EX WLY 15 ACRES, SECTION 31, T52N, R14W - (150 foot conservation easement lying 75 feet on each side of the centerline of the stream).
5. NE 1/4 OF NE 1/4, SECTION 7, T50N, R18W - (150 foot trout stream easement lying 75 feet on each side of the centerline of the stream).
6. N 1/2 OF NE 1/4 AND N 1/2 OF NW 1/4, SECTION 8, T50N, R18W - (150 foot trout stream easement lying 75 feet on each side of the centerline of the stream).

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7. E 1/2 OF SE 1/4 OF SE 1/4, SECTION 34, T58N, R20W - (150 foot trout stream easement lying 75 feet on each side of the centerline of the stream).  
Unanimously adopted. January 10, 2006. No. 41

**BY COMMISSIONER KRON:**

RESOLVED, that the St. Louis County Board of Commissioners authorizes the professional services contracts with Ms. Judy Bernhardt for the year 2005, in an amount not to exceed \$30,000, payable from E911, Fund 100, Agency 179001;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Communications Department to enter into a professional services contract with Ms. Judy Bernhardt for the year 2006 to assist with 911 addressing within St. Louis County during the implementation phase of the new CAD system. This contract shall be at an hourly rate of \$30.00 per hour, in a total amount not to exceed \$65,000.00 payable from E911, Fund 100, Agency 179001, in the amount of \$15,000.00 and the Recorders Technology Fund, Fund 100, Agency 121002, in the amount of \$50,000.00.

Unanimously adopted. January 10, 2006. No. 42

RESOLVED, that the St. Louis County Board of Commissioners authorizes the Communications Department to enter into a professional services contract with Mr. Brian Toivonen for the year 2006, for GIS support and mapping assistance in the implementation phase of the new CAD system. This contract shall be at an hourly rate of \$15.00 per hour, in a total amount not to exceed \$35,000.00, payable from E911, Fund 100, Agency 179001.

Unanimously adopted. January 10, 2006. No. 43

**BY COMMISSIONER O'NEIL:**

WHEREAS, the St. Louis County Board approval is required to write off debts in excess of \$10,000; and

WHEREAS, St. Louis County Public Health and Human Services has bad debts totaling \$45,180.16; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Public Health and Human Services Department to write off \$45,180.16 in bad debt as follows:

<b>Customer Number</b>	<b>First Date of Debt</b>	<b>Amount</b>	<b>Comments</b>	<b>Type of Debt</b>
C000100	11/1/95	\$13,331.23	Over statute of limitations	Foster Care Fee
C000124	8/27/84	\$10,337.87	Over statute of limitations	Foster Care Fee
C000279	9/27/98	\$10,059.98	Over statute of limitations	Foster Care Fee
C000745	1/22/98	\$11,451.08	Over statute of limitations	Foster Care Fee
TOTAL		\$45,180.16		

Unanimously adopted. January 10, 2006. No. 44

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 45 which was not on the agenda.

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Arrowhead Regional Development Commission (ARDC) has contacted County Administration with a request that the County Board provide a recommendation to its Nominating Committee of one County Commissioner to serve on the ARDC Board of Directors for a term beginning January, 2006, through January, 2008; and

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WHEREAS, Commissioner Steve Raukar is the County Board's current member on the ARDC Board of Directors, and he is willing to continue to serve in this capacity;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners recommends that the name of Commissioner Steve Raukar be submitted to the ARDC Nominating Committee for consideration to selection to the position of ARDC Board member at its annual meeting to be held in January, 2006.

Unanimously adopted. January 10, 2006. No. 45

At 11:00 A.M. on Tuesday, January 10, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 24, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of January, 2006, at 9:35 A.M. in Courtroom No. 4, Courthouse, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Steve O'Neil, Bill Kron, Mike Forsman, Steve Raukar and Chair Keith Nelson - 5. Absent: Commissioners Dennis Fink and Peg Sweeney - 2.

Chair Nelson began the meeting by recognizing the Virginia Community Foundation for their fifteen years of civic work improving the City of Virginia. The Foundation has been instrumental in the completion of more than 89 projects and has secured grant funding in excess of \$300,000, according to Chair Nelson. Linda Niskanen, Deanne Polski and Eric Peterson accepted the recognition award on behalf of the Foundation.

At 9:47 A.M., Commissioner Sweeney joined the meeting.

At 9:48 A.M., a public hearing was convened pursuant to County Board Resolution No. 646, adopted December 20, 2005, to consider a cartway petition submitted by Dennis and Nancy Seline for access to their property located in Unorganized Township 64 North, Range 17 West. The following persons addressed the issue:

Mark Olson, Public Works, said there is no current access to the Seline property. The proposed cartway route would follow an existing driveway and forest trail. An independent appraisal set compensation at \$12,200 (\$11,200 for the roadway and \$1,000 for the land), excluding costs incurred by the County of \$2,145.

Bob Stephenson, Attorney representing the Selines, described the location of the Seline property and the proposed cartway. Attorney Stephenson said \$2,000 compensation for the roadway (\$3,000 total, excluding County costs) was more equitable compensation for the cartway.

Andy Borland, Attorney representing Roger W. Neumann, affected landowner, said his client understood the petition for a cartway was legal. However, the proposed route would bisect his client's property and Attorney Borland said damages should be set at \$55,999.99.

Russ Sikkila, adjacent landowner, opposed the cartway because it may lead to unwanted development in the area.

At 10:25 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; six yeas - zero nays.

Discussion of damages ensued. Alan Mitchell, County Attorney, said a Findings of Fact and Conclusions and Order will be prepared once the Board determines costs and damages to be assessed to the petitioners. Commissioner Forsman, supported by Commissioner Sweeney, moved to grant the cartway and set compensation at \$12,200 in addition to County costs of \$2,145. Commissioner Kron, citing the intrusiveness of the cartway, offered a friendly amendment - accepted by the makers - to add \$5,000 to the compensation for a new total of \$17,500, and County costs of \$2,145. Commissioner Raukar said compensation was still too low and he offered an amendment, supported by Chair Nelson, to raise the compensation to \$24,000 in addition to county costs. After further discussion,

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Commissioner O'Neil, supported by Commissioner Sweeney, moved to table the matter until the February 7, 2006, County Board meeting; four yeas - two nays, Commissioners Forsman and Raukar.

Chair Nelson 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 11:00 A.M. in the forenoon of Tuesday, January 24, 2006, Chair Nelson moved to recess the Board until 11:05 A.M. on January 24, 2006, in the Courtroom No. 4, Courthouse, Virginia, Minnesota.

The Board reconvened at 11:10 A.M. on Tuesday, January 24, 2006, and the regular order of business resumed with all members present except Commissioner Fink.

Chair Nelson allowed the following person to address the Board concerning an issue not on the agenda:

Ted Tammaro, Mt. Iron, said he is hard of hearing and he asked if the County would consider putting visual aids in county court facilities. Commissioner Kron asked Administration to explore the matter.

Commissioner Raukar, supported by Commissioner Sweeney, moved to suspend the rules to consider amendments to the Recreation Cabin Lease Program; six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the changes. The following persons addressed the issue:

Alan Mitchell, County Attorney, explained proposed changes.

Don Solem, Recreation Cabin Lease Association, said the changes appear to be justified and he asked the Board to include the association in any future discussions of proposed changes to the Recreation Cabin Lease Program.

Dan Johnson, Cherry, said the changes are positive but he had reservations with size restriction language and inclusion of a Primitive Site Leasing Program in the policy.

After further discussion, the changes were approved; six yeas - zero nays. Resolution No. 58.

Commissioner Forsman, supported by Commissioner Sweeney, moved to schedule a closed session for labor negotiations for 11:45 A.M.; six yeas - zero nays.

At 11:42 A.M. in the forenoon of Tuesday, January 24, 2006, Chair Nelson moved to recess the Board until 1:30 P.M. on January 24, 2006, in the Courtroom No. 4, Courthouse, Virginia, Minnesota.

The Board reconvened at 1:32 P.M. on Tuesday, January 24, 2006, and the regular order of business resumed with all members present except Commissioners Fink and Raukar.

Commissioner Forsman, supported by Commissioner Kron, moved to approve technical amendments and changes to the Management Compensation Plan for senior county management employees. Dana Frey, County Administrator, said the amendments resulted from changes in benefits and working conditions but did not include any salary adjustments; five yeas - zero nays. Resolution No. 59.

Commissioner Forsman, supported by Commissioner O'Neil, moved to approve an arbitration settlement with Eric Anderson. County Attorney Mitchell described the settlement; five yeas - zero

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nays. Resolution No. 60.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve a settlement of litigation with Jodi Smestad Donahue. County Attorney Mitchell described the settlement; five yeas - zero nays. Resolution No. 61.

Commissioner Forsman noted that St. Louis County recently received an "Employer of the Year Award" from the National Right of Way Association.

Chair Nelson noted an error in County Board Communication No. 144, impacts of an Airport Zoning Ordinance in Cook (Communication No. 149) and a beaver control agreement (Communication No. 169).

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

County Attorney submitting Workers' Compensation Reports for year 2006.-58502

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 2006.-58503

County Auditor submitting applications for license to sell 3.2 percent malt liquor for the year 2006.-58504

Management Compensation Plan as amended.-58505

Mine Inspector submitting notices of inspections, accidents, and to fence mining property during the year 2006-58506

St. Louis County Board Committee of the Whole submitting minutes of their meetings for the year 2006-58507

Solid Waste Subcommittee submitting minutes and agendas for their meetings held during the year 2006.-58508

Documentation from public hearing held on January 24, 2006, to consider the petition of Dennis and Nancy Seline regarding the establishment of a cartway two rods in width over the property of Roger W. Neumann to provide access to their property located in Township 64 North, Range 17 West.-58509-D

David P. Sullivan, Chief Judge, Minnesota Judicial Branch - Sixth Judicial District, requesting the repeal of Resolution No. 338, adopted July 5, 2005, which transferred supervision of the Examiner of Titles, his assistant and budget to the County Attorney's Office.-58510

Gene and Yvonne Berg, Eveleth, concerned about the rising taxes on their retirement home located in Fayal Township; and further, that the Town Line Road on which they reside has not been improved in over four years.-58511

Mark A. Monacelli, County Recorder, submitting a report of all business transacted and monies received as County Recorder and Registrar of Titles for and during the year 2005.-58512

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Employee Safety & Development Training Contract between St. Louis County and Susan Mattis Turnham for a *GroupWise* session.-06-131

Employee Safety & Development Training Contract between the St. Louis County and Karen Keenan for a *Poles Apart: Communicating and Planning Effectively* session.-06-132

Project Contract No. 2005-002748 between the County of St. Louis and Siemens Building Technologies, Inc., for upgrading and installing air handling unit controls in the Government Services Center, Duluth.-06-133

Service Contract No. 4594 between the County of St. Louis and Gartner Refrigeration for HVAC and Temperature Control Maintenance Service at the Pike Lake Toolhouse.-06-134

Service Contract No. 4587 between the County of St. Louis and Udovich Garbage Service for Canister Site Waste Haulage Service.-06-135

Service Contract No. 4587 between the County of St. Louis and Norland Sanitary Service for Canister Site Waste Haulage Service.-06-136

Service Contract No. 4588 between the County of St. Louis and Veit Container Corporation, d/b/a Veit Disposal Systems for Demolition Debris Roll-Off Container Haulage Service.-06-137

Minnesota Department of Transportation Agreement No. 89033 with St. Louis County for federal participation in advance construction for S.P. 69-040-01, M.P. HPP H127(001), C.P. 3581.-06-138

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for M.P. 66-1301 for Bituminous Reclamation, Plant Mixed Bituminous Surface and Aggregate Shoulders.-06-139

Software Products Order Agreement between Mitchell Humphrey and Company and St. Louis County.-06-140

Agreement for Professional Services between the County of St. Louis and Abe Environmental Systems for Chris Jensen Preliminary HVAC Engineering.-06-141

Amendment No. 2 to Lease No. 2004-001878 between St. Louis County and Simon Property Group, L.P., for lease of Room L22B for the operation of the St. Louis County Auditor License Center.-06-142

Addendum to Purchase Agreement, Contract No. 13765A, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota, Inc.-06-143ss

Addendum to Purchase Agreement, Contract No. 11886B, between the St. Louis County Public Health and Human Service Department and Goodwill Industries Vocational Enterprises, Inc. (GIVE), for paper sorting.-06-144ss

Beaver Damage Control Agreement between the County of St. Louis, through the Land Department, and USDA - APHIS Wildlife Services.-06-145

Service Contract No. 4587 between the County of St. Louis and The G-Men, Inc., for Canister Site Waste Haulage Service.-06-146

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Amendment to Service Agreement for Collection of Residential and Commercial Recyclables Materials between St. Louis County and the City of Hibbing.-06-147

Agreement for Professional Services between the County of St. Louis and Lisa Marlow for gravel pit inventory.-06-148

Agreement for Professional Services between the County of St. Louis and Decker Planning & Research for Environmental Impact Statement Review.-06-149

Addendum to Purchase Agreement, Contract No. 13800 between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota - Family Resource Center Range Youth Shelter.-06-150ss

Addendum No. 13799B to Purchase Agreement, Contract No. 13799, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota - Bethany Crisis Shelter.-06-151ss

Addendum to Contract No. 13808 between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota, Family Resource Center, for supervised visitation program.-06-152ss

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 46 through 57, 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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,347,738.59
184	Extension Service	69,731.40
200	Public Works	2,452,120.01
230	Social Services	5,230,807.86
240	Forfeited Tax	370,869.61
250	St. Louis County HRA	12,233.24
600	Solid Waste Authorities	432,965.30
625	Chris Jensen Health & Rehab.	747,523.40
650	Laundry	77,253.72
660	Community Food Services	101,947.97
670	Supervised Living Facilities	45,807.88
700	Printing	10,008.00
715	County Garage	56,911.89
750	Management Information Systems	330,468.36
760	Telecommunications	113,168.94
925	Arrowhead Regional Corrections	1,205,794.23
955	Community Health Services	65,903.28

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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989	Regional Railroad Authority	<u>112,394.27</u> \$15,783,647.95
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Adopted January 24, 2006. No. 46

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 6, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted January 24, 2006. No. 47

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. 58504, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Industrial Volunteer Fire Department, Industrial Township, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0622, for May 6, 2006.

Adopted January 24, 2006. No. 48

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. 58494, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted January 24, 2006. No. 49

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 25 (totaling \$952,071.30), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 24, 2006. No. 50

WHEREAS, alcohol and other drug use among women of child bearing age continues to be a significant problem in St. Louis County; and

WHEREAS, Resolution No. 505, dated October 11, 2005, the County Board of Commissioners authorized the Department of Public Health & Human Services to apply for a grant from the Minnesota Organization on Fetal Alcohol Syndrome (MOFAS) aimed at preventing fetal alcohol spectrum disorders and improving intervention and support services for children who are already exposed; and

WHEREAS, the Public Health and Human Services Department will provide leadership in creating the Northland Fetal Alcohol Spectrum Disorders (FASD) Connection, a collaborative between St. Louis County, Arc Northland and Hayskids Foundations to address the following goals: 1) Reduce the incidence of FASD; 2) Promote early diagnosis and treatment of FASD; and 3) Reduce secondary disabilities associated with FASD; and

WHEREAS, the Minnesota Organization on Fetal Alcohol Syndrome (MOFAS) wishes to award a grant to the Public Health and Human Services Department in the amount of \$150,000 for the period of January 1, 2006, through December 31, 2006.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate County Officials to sign an agreement to accept \$150,000 from the Community Grant Program with the Minnesota Organization on Fetal Alcohol Syndrome (MOFAS) for the period beginning January 1, 2006, through December 31, 2006, payable to Fund 230, Grant Number 23318 North FASD, and to increase budgeted revenue and expenditures by \$150,000.

RESOLVED FURTHER, that the appropriate County Officials are authorized to sign agreements with Arc Northland to utilize grant funds to address issues related to FASD.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Adopted January 24, 2006. No. 51

WHEREAS, St. Louis County has a variety of Chemical Dependency services available in the community funded by the Consolidated Chemical Dependency Treatment Fund; and

WHEREAS, the Department of Public Health and Human Services has contracted with the providers listed below for at least ten years to provide needed chemical dependency treatment services on behalf of the County; and

WHEREAS, the Department wishes to renew these Agreements.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Agreements for the period January 1, 2006, through December 31, 2006, with the following providers as follows, to be paid from Fund 230, Agency 232006, Object 606000:

**Non-Residential:**

	<u>Service Rate</u>
<u>Arrowhead Center, Inc.</u>	
Adult and Youth Outpatient Treatment	\$36.38 per hour
<u>Center for Alcohol and Drug Treatment</u>	
First Step	\$23.55 per hour
Other Outpatient	\$29.77 per hour
<u>Duluth Bethel Society</u>	
Bethel Outpatient Center-Outpatient Treatment	\$26.84 per hour
<u>Miller-Dwan Medical Center</u>	
Adolescent Outpatient Treatment	\$77.37 per hour
<u>Range Mental Health Center</u>	
Outpatient Day Treatment	\$38.25 per hour
Outpatient Evening Treatment	\$38.25 per hour

**Residential:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Short-Term Primary Residential - Adult	\$284.59 per day
<u>Miller-Dwan Medical Center</u>	
Residential - Youth	\$315.92 per day
<u>Range Mental Health Center</u>	
Residential - Adult	\$279.21 per day

**Half-Way House:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Howard Friese House	\$78.80 per day
Marty Mann House	\$78.80 per day

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<u>Duluth Bethel Society</u>	
Bethel Port Rehabilitation Center	\$66.20 per day
<u>Minnesota Indian Primary Residential Treatment Center, Inc.</u>	
Thunderbird House	\$39.90 per day
Wren House	\$39.90 per day
<b><u>Extended Care:</u></b>	
	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Extended Care Treatment	\$165.00 per day
<u>Duluth Bethel Society</u>	
Bethel Port Rehabilitation Center, Extended Care Treatment	\$115.87 per day
Adopted January 24, 2006. <u>No. 52</u>	

WHEREAS, the Department of Public Health & Human Services has successfully implemented a program to reduce the impact of fetal alcohol spectrum disorders (FASD) and other chemically related health effects in infants in St. Louis County; and

WHEREAS, the Department of Public Health & Human Services has determined that prevention/intervention efforts in this area are both needed and consistent with the Department's goals; and

WHEREAS, Minnesota Department of Human Services had made funding available through its Chemical Health Division;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Department to submit a grant application to the Minnesota Department of Human Services to continue and enhance the Superior Babies Program in St. Louis County.

Adopted January 24, 2006. No. 53

WHEREAS, the St. Louis County Board of Commissioners passed Budget and Levy Resolution No. 620 on December 13, 2005; and

WHEREAS, funding for Public Service Grants for 2006 were included in Resolution No. 620; and WHEREAS, the Arrowhead Economic Opportunity Agency (AEOA) has requested that Public Service Grant funding for AEOA-RSVP and AEOA-Meals on Wheels be combined into one Public Service Grant for AEOA-RSVP.

NOW, THEREFORE, BE IT RESOLVED, that Budget and Levy Resolution No. 620 be amended to combine Public Service Grant funding of \$18,156 for AEOA-RSVP and public Service Grant funding of \$7,063 for AEOA-Meals on Wheels into one Public Service Grant of \$25,219 for AEOA-RSVP. Budget Reference: Fund 230.

Adopted January 24, 2006. No. 54

WHEREAS, the St. Louis County Board has received a petition signed by at least 15 registered voters, who are residents of St. Louis County, requesting the naming of a point in Lake Kabetogama identified as the South 1/2 of the NE 1/4 of Section 20, Township 69, Range 21, as Nelson Point; and

WHEREAS, the petition states the reason for the name designation is in respect to Mr. Leroy G. Nelson who acquired the property in 1935 and built a cabin on the point where his family would spend the entire summers on the lake; and

WHEREAS, Minnesota Department of Natural Resources Supervisor Glen Yakel has indicated that there is no known name for the point in the DNR records, and that he would be supportive of this action by the County Board; and

WHEREAS, Minnesota Statutes require that the County Board conduct a public hearing on any request

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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for the naming or renaming of state geographic features and waterways;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners establishes a public hearing for March 14, 2006, at 9:35 A.M. in the St. Louis County Courthouse, Duluth, MN, to consider the naming of a point of land in Lake Kabetogama, identified as the South 1/2 of the NE 1/4 of Section 20, Township 69, Range 21, with adjacent water area of Peterson Bay as "Nelson Point".

Adopted January 24, 2006. No. 55

WHEREAS, the County has performed an office space study and space use master plan which concluded that the County is in need of additional office space in the Virginia area, and the Luoma Clinic building is located at 301 South 4th Avenue, Virginia, Minnesota (Parcel Code 090-0010-11000) is being offered for sale to the County; and

WHEREAS, the Luoma Clinic has been appraised at \$184,000, a satisfactory property inspection by County staff has been conducted, and negotiations with the owner have concluded.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Attorney's Office and appropriate County officials to execute a purchase agreement with Mr. Arne Luoma in the amount of \$207,500, payable on June 30, 2006, and to execute all other documents necessary to complete the purchase of the property located at 301 South 4th Avenue, Virginia, Minnesota (Parcel Code 090-0010-11000), and legally described as follows: Lots 1, 2, and 3, Block 43, Virginia, City of Virginia. Funds are available from the Northland Office Building Improvements, Fund 421, Agency 421001.

Adopted January 24, 2006. No. 56

RESOLVED, that the St. Louis County Board hereby confirms the appointment of Mr. Robert Krepps as County Land Commissioner, effective on or about February 13, 2006, at a 2006 salary rate of \$84,638 (MCP Grade 27/Merit I) and the level of employment benefits specified in the County Management Compensation Plan for new employees;

RESOLVED FURTHER, Mr. Krepps may be reimbursed for moving expenses up to \$6,000 associated with his relocation for employment with St. Louis County upon submission of proper receipts.

RESOLVED FURTHER, Mr. Krepps' appointment is conditional upon his successful completion of the standard drug test required for all new hires to St. Louis County employment and any relevant federal or state requirements.

Adopted January 24, 2006. No. 57

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 58 which was not on the agenda.

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Recreation Cabin Lease Committee has recommended the following changes to the Recreation Cabin Lease Program:

1. Establish the standard lease size at 564 sq. ft. Set the 2006 standard lease fee at \$300 per year, with annual increases equal to the Consumer Price Index. Increase the current lease fee to the \$300 level plus the consumer index through periodic fee increases over a five year period and freeze the current lease fee for five years for leaseholders paying more than the standard lease fee, with annual increases thereafter equal to the Consumer Price Index.
2. Allow a leasing option whereby the lessee may choose to utilize up to 764 sq. ft. of structural space for an annual lease fee of \$500 with annual increases equal to the Consumer Price Index. This shall be implemented by increasing an individual's current lease fee to the \$500 level plus

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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the Consumer Price Index through periodic fee increases not to extend beyond 2010.

3. Allow for construction of a main dwelling structure (cabin) not to exceed 480 sq. ft. with no measurement greater than 24 feet. Allow for the construction of up to three additional structures, one of which may be a dwelling structure (bunkhouse) not to exceed 256 sq. ft. with no combination of structures exceeding 564 sq. ft. or 764 sq. ft., depending on the lease. Structures may be immediately adjacent to other structures.
4. Allow for the construction of a three-cord wood shed with no solid walls and a minimum of three-inches between slats. The woodshed is not to be included in the structural space square footage.
5. Enforce all leases and require correction of all non-conforming uses on Recreation Cabin leases. Current main dwelling structures of more than 480 sq. ft. or total structural space of more than 764 sq. ft., previously authorized by the Land Department under existing lease provisions, will not be subject to de-construction. Main dwelling construction exceeding 480 sq. ft. or total structural space of more than 764 sq. ft. not previously authorized by the Land Department shall be subject to de-construction.
6. Continue the leasing program, recognizing its temporary nature, "in a manner which minimizes undesirable social or environmental effects and which does not conflict with other important or dominant uses of the lands and resources," as put forth by County Board Resolution No. 50 in 1982, with the following addition: Enforce cancellation for non compliance with rules and regulations.
7. Provide the general public with recreational opportunities on tax forfeited land through the development of a *Primitive Site* leasing program; the specifics of which shall be developed by staff and presented to the County Board for adoption.
8. All Recreation Cabin Lease provisions not addressed in the above recommendations shall remain the same.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Land Commissioner shall implement the above recommendations of the Recreation Cabin Lease Committee, and to revise the Recreation Cabin Lease consistent with the recommendations, to be effective January 1, 2006.

RESOLVED FURTHER, the St. Louis County Land Commissioner shall develop a Primitive Site Leasing Program for County Board approval, also to be implemented by May 1, 2006.

RESOLVED FURTHER, that Resolution No. 261, adopted May 24, 2005, and Resolution No. 369, adopted July 26, 2005, are hereby rescinded.

Unanimously adopted. January 24, 2006. No. 58

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the Management Compensation Plan, a copy of which is on file in County Board File No. 58505, is hereby adopted as amended, effective January 24, 2006.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, and Chair Nelson - 5

Nays - None

Absent - Commissioners Fink and Raukar - 2

Adopted January 24, 2006. No. 59

WHEREAS, the American Federation of State, County, and Municipal Employees (AFSCME) Council 5 and county employee Eric Anderson prevailed on several claims in a grievance arbitration; and

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

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WHEREAS, the arbitrator's award of August 30, 2005, as clarified by a subsequent order of December 20, 2005, directed that the County remit payment of \$49,535.84 to Eric Anderson, less any applicable income tax withholdings and ordered several modifications to the employee's personal records;

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the Chair, the Auditor, and the Sheriff to execute a Final Resolution of Arbitration, Return to Work and Release of Claims, implementing the terms and conditions of the arbitrator's award;

RESOLVED FURTHER, that the award of \$49,535.84, less applicable federal and state tax withholdings, shall be made payable to Eric Anderson from Fund 100, Account 137002.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, and Chair Nelson - 5

Nays - None

Absent - Commissioners Fink and Raukar - 2

Adopted January 24, 2006. No. 60

WHEREAS, the Public Employees Retirement Association (PERA) determined that Jodi Smestad Donahue qualified for in the line of duty pension benefits pursuant to Minnesota Statutes, Section 353.656, effective August 24, 2002; and

WHEREAS, Jodi Smestad Donahue applied to St. Louis County for continued health insurance benefits pursuant to Minnesota Statutes, Section 299A.465, and commenced litigation in an effort to obtain such benefits; and

WHEREAS, the Minnesota Court of Appeals recently determined that a peace officer is entitled to continued employer-paid health insurance benefits pursuant to Minnesota Statutes, Section 299A.465, when they have been determined to qualify for an in the line of duty pension pursuant to Minnesota Statutes, Section 353.656; and

WHEREAS, to date, Ms. Donahue has purchased health insurance coverage with St. Louis County since August 24, 2002, in the amount of \$15,698.84.

NOW, THEREFORE, BE IT RESOLVED, the County Attorney is authorized to enter into a Stipulation to settle this litigation by reimbursing Ms. Donahue the amount of \$15,698.84, and providing her with continued health insurance coverage pursuant to Minnesota Statutes, Section 299A.465, Subdivision 1. Reimbursement to be payable from Fund 740, Agency 740002, Object 552506, Retiree's Health Insurance.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar, and Chair Nelson - 6

Nays - None

Absent - Commissioners Fink and Raukar - 2

Adopted January 24, 2006. No. 61

At 1:42 P.M. on Tuesday, January 24, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**FEBRUARY, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 7, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of February, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner O'Neil presented a Volunteer Excellence Award to Vicki Sanville, Duluth, for her efforts on behalf of the homeless. Ms. Sanville thanked the Board for the award and for focusing attention on the continuing plight of the homeless.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Audra Lenzen, County employee from Virginia, submitted hundreds of letters signed by employees asking the Board to strongly encourage analysis of the County health insurance plan for cost savings.

Sam Haddad, County employee from Duluth, said Teamsters are firm in their resolve to help control the costs of health insurance.

Kalie Thaler, County employee from Duluth, said AFSCME and the Teamsters are working together on the issue of health insurance.

Sharla Gardner, County employee from Duluth, said there has been little progress on health insurance issues and a cooperative effort from all parties is necessary.

Dennis Frazier, County employee from Zim, said many County employees do not make a lot of money and affordable and accessible health care is very important.

Marsh Stenerson, AFSCME, requested the Board allow employees to partner with management to solve health care issues. Many of the recommendations recently presented to the City of Duluth by a citizen panel are applicable to the County. Use of outside experts to review the County plan and close scrutiny of organizations with solid health care practices were also suggested by Mr. Stenerson as ways to help control rising health care costs.

Mike O'Donnell, Teamsters representative, said the Health Insurance Committee needs restructuring to add more clout. It is imperative that solutions are found and that costs/pain are shared by everyone.

Neil Anderson, Zim, expressed concern that a proposed wetland mitigation by Polymet, Inc., may increase flooding in some areas, creating a haven for mosquitoes and enhancing the spread of West

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Nile disease.

Commissioner Fink asked that Item No. 2 (Board Proceedings from December 20, 2005) be removed from the Consent Agenda because of an error in the minutes. Commissioner Fink also asked for correction of a clerical error in the January 24, 2006, minutes (Consent Agenda Item No. 5). At the request of Commissioner O'Neil, Item No. 18 (methamphetamine and heating assistance funding) was removed from the Consent Agenda for separate consideration. Alan Mitchell, County Attorney, noted the cartway petition submitted as part of Item No. 16 was potentially defective. Commissioner Kron, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve execution of an agreement with PolyMet Mining, Inc., for a wetland replacement plan associated with PolyMet's proposed mining operation at the idled LTV Plant in Hoyt Lakes. The resolution would also require the County to petition the courts for abandonment of certain ditches in the proposed mitigation area and seek special legislation for a conservation easement over the property. The following persons addressed the issue:

Dale Raavola, Floodwood, owns property just south of the proposed mitigation area and he expressed concern about flooding that may occur if ditches are filled.

Al Moline, Floodwood, said the proposal will destroy habitat and will flood properties to the south.

Dean Fries, Duluth, recently bought property in the area because it was not in a flood plain. The mitigation proposal, however, may change the status of his property.

Jim Dusek, Floodwood, asked the Board to proceed carefully before approving any plan that may destroy property. Mr. Dusek also asked who was currently doing excavation work on the forfeited property in question.

David Carmen, Duluth, said local residents know the area better than anyone. The mitigation plan is flawed and should be reformulated, according to Mr. Carmen.

Alan Mitchell, County Attorney, said the resolution as proposed does not require the matter to come back to the Board for final approval. The U. S. Army Corp. of Engineers, the Minnesota Department of Natural Resources and any court action brought by the County for ditch abandonment will afford the public opportunities to address the matter.

At 10:47 A.M. in the forenoon of Tuesday, February 7, 2006, Chair Nelson moved to recess the Board until 10:55 A.M. on February 7, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:57 A.M. on Tuesday, February 7, 2006, and the regular order of business resumed with all members present.

Discussion of the PolyMet proposal continued and the following addressed the issue:

Charles Andresen, Attorney representing PolyMet, agreed with Attorney Mitchell's assessment and said the PolyMet proposal will not go forward until all questions and problems are resolved. Safeguards will be in place including preparation of an Environmental Impact Statement (EIS).

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Mark Jacobson, Barr Engineering, explained hydrology of the area and said impacts on neighboring properties will be thoroughly analyzed.

Lengthy discussion ensued about oversight of the plan and protection of neighboring properties. Commissioner Fink, supported by Commissioner O'Neil, moved to delete the first resolved portion of the resolution authorizing execution of an agreement with PolyMet. County Attorney Mitchell said the amendment makes the resolution senseless and he advised the Board to pass the resolution as submitted because it does allow future review of the EIS by the Board. Commissioner Fink then withdrew his amendment. Commissioner Raukar then asked for a friendly amendment to dedicate all County revenues from the mitigation plan to the Ditch Fund. On advice of Attorney Mitchell, the amendment was withdrawn. The original resolution was approved; six yeas - one nay, Commissioner O'Neil. Resolution No. 78.

Commissioner Fink, supported by Commissioner Sweeney, moved to go to closed session for labor negotiation purposes; seven yeas - zero nays.

At 11:30 A.M. in the forenoon of Tuesday, February 7, 2006, Chair Nelson moved to recess the Board until 1:30 P.M. on February 7, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:37 P.M. on Tuesday, February 7, 2006, and the regular order of business resumed with all members present.

Damages and costs related to the granting of a cartway petition submitted by Dennis and Nancy Seline was discussed. The matter was tabled at the January 24, 2006, Board meeting. The original motion as amended was to grant the cartway and establish damages of \$17,500 plus County costs of \$2,145. An amendment proposed by Commissioner Raukar, supported by Commissioner Nelson, to raise damages to \$24,000 was back on the floor for discussion. Commissioner Raukar said the increase was justified because the value of the Seline property will rise once the cartway is in place. After further discussion, the amendment was approved; four yeas - three nays, Commissioners Fink, Kron and Forsman. The amended motion to approve the cartway and establish damages (Findings of Fact, Conclusions and Order) was approved; six yeas - one nay, Commissioner Fink. Resolution No. 79.

Consent Agenda Item No. 18 (funding for methamphetamine programs and home heating assistance) was then considered. Commissioner Raukar, supported by Commissioner Nelson, moved to approve \$200,000 funding from departmental budget reductions to support low income home heating assistance and treatment programs for methamphetamine abuse. The following persons addressed the issue:

Dana Frey, County Administrator, detailed how the budget reductions will affect departments.

Ann Busche, Director of Public Health and Human Services, explained programs already in place for heating assistance and methamphetamine abuse. The reduction to her department would amount to \$67,000.

Commissioner Kron, supported by Commissioner O'Neil, moved to amend the resolution by delaying funding determinations until after 2005 final fund balances are known. After lengthy discussion, the amendment was approved; five yeas - two nays, Commissioner Raukar and Chair Nelson. After further discussion, the amended motion was approved; four yeas - three nays, Commissioners Forsman, Raukar and Chair Nelson. Resolution No. 81.

Commissioner Fink, supported by Commissioner Kron, moved to rescind Resolution No. 338, adopted

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July 5, 2005, and transfer supervision of the Examiner of Titles to the Sixth Judicial District Court and the clerical support position to the County Recorder until July 1, 2006. County Attorney Mitchell explained circumstances surrounding the transfer and the need to pursue legislation to clarify the status of the Examiner of Titles position; seven yeas - zero nays.

A closed session that was to be requested for litigation purposes was not needed at this time and it was the consensus of the Board to remove the item from the agenda.

Item No. 2 from the Consent Agenda (Board proceedings from December 20) was tabled until February 28, 2006, upon motion of Commissioner Fink, supported by Commissioner Nelson; seven 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 tobacco products for the year 2006.-58513

Petition of Kevin Squillace et al for the establishment of a cartway 33 feet in width over the property of Michael E. Lambert to provide access to their properties.-58514

Planning Director submitting various plats for approval during 2006.-58515

County Auditor submitting applications for license to sell intoxicating liquor for the year 2006.-58516

County employees submitting letters encouraging management representatives on the St. Louis County Health Insurance Labor-Management Committee to advocate for a comprehensive examination of options capable of achieving cost efficiencies in our health insurance plan.-58517-D

Canister Site Operating Agreement between the County of St. Louis and the Bois Forte Band of Chippewa Indians for providing solid waste disposal services at the Nett Lake and Lake Vermilion canister sites.-06-153

Employee Safety & Development Training Contract between St. Louis County and Aligned Advantage for a *Make it Your Best Year and Gain a Fresh Start* session.-06-154

Agreement for Professional Services between the County of St. Louis and EPC Engineering & Testing for Alborn Communication Tower Site - Geotechnical Exploration.-06-155

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for a *Generations and the Effect in the Workplace* session.-06-156

Employee Safety & Development Training Contract between St. Louis County and Susan Mattis Turnham for a *GroupWise Introduction and GroupWise Intermediate* session.-06-157

Employee Safety & Development Training Contract between St. Louis County and Ann Harrington for a *Compassionate Communications: Tool and Techniques for Non-Violent Communications* session.-06-158

Employee Safety & Development Training Contract between St. Louis County and Monica Butche for a *Deaf People and Their Culture* session.-06-159

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Employee Safety & Development Training Contract between St. Louis County and Northeast Service Cooperative for *Access Intermediate - Forms; Access Advanced - Forms; Access Advanced - Macros; Dot Net Nuke; Excel Intermediate Data Analysis and Pivot Tables; PowerPoint Intermediate - Animations and Transitions; and Word Intermediate Forms* sessions. -06-160

Employee Safety & Development Training Contract between St. Louis County and Arrowhead Regional Development Commission for a *Medicare Part D* session. -06-161

Employee Safety & Development Training Contract between St. Louis County and American Red Cross for a *Adult CPR, Infant and Child CPR, and First Aid Training* sessions. -06-162

Agreement between the Town of Fayal and the County of St. Louis for Township Roads Overlay Project, County Project 3707 (low). -06-163

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 39-1300 (low), M.P. 79-1302, for Bituminous Reclamation, Plant Mixed Bituminous Surface, and Aggregate Shoulders. -06-164

Service Contract No. 4588 between the County of St. Louis and The G-Men, Inc., for Demolition Debris Roll-Off Container Haulage Service. -06-165

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and Rice Lake Township for the Town Park. -06-166

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and Cherry Township for adding a T-Ball field, fence and basketball court to the Recreation Complex. -06-167

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and Biwabik Township for the Recreation Center. -06-168

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Mountain Iron for ATV/OHM Trails. -06-169

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Biwabik for the East Range Soccer Club Fields. -06-170

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and St. Louis County Schools, Cotton School, for the School Playground. -06-171

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Virginia for Midway Playground Improvement. -06-172

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the Township of Breitung for Recreation Improvement. -06-173

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and City of Virginia for Olcott Park Fountain Renovation. -06-174

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Ely for Ely Igloo Snowmobile Trail Equipment. -06-175

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Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 62 through 77, 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 December 13, 2005, are hereby approved.  
Adopted February 7, 2006. No. 62

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 24, 2006, are hereby approved.  
Adopted February 7, 2006. No. 63

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 3, 2006, are hereby approved.  
Adopted February 7, 2006. No. 64

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 10, 2006, are hereby approved.  
Adopted February 7, 2006. No. 65

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. 58495, are hereby approved:

Real Estate - Robert Kitchen, \$38.58; Laura Baron, \$230.82; Samuel Brandenburger, \$433.56; Carmen Brown, \$183.32; Michael Curtis, \$213.60; Richard Kresal, \$229.66; Mauritz Mortenson, \$5,800.32; Kevin Myhre, \$116.80; Danny Opacich, \$492.70; Lance Snow, \$269.16; Cheryl Stavig, \$254.94; Garland Workman, \$114.90; Emily Atwater, \$302.80; Artis Ballard, \$1,075.46; Terrence Lamprecht, \$469.10; Mamie Loubek, \$564.44; Todd McGowan, \$297.26; Julie Moe-Linder, \$389.30; Richard Saarela, \$220.40; Travis Schwartz, \$251.60; Robert Stillwell, \$444.12; Jack Theivagt, \$237.24; David Larson, \$444.40; Loreen Martin, \$526.40.

Personal Property - Alice Monpas, \$159.92; William Reinke, \$197.82.  
Adopted February 7, 2006. No. 66

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 20, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 52, Department 12.  
Adopted February 7, 2006. No. 67

RESOLVED, that St. Louis County Board Resolution No. 500, dated October 11, 2005, is amended to correct the legal description for the non-exclusive roadway easement granted to Jule Foster and Johnson, Hopkins, and Canfield, LLC. The corrected legal description is as follows: A 66 foot wide easement for ingress, egress, and utility purposes over and across the southwest quarter of the northwest quarter of Section 21 and the southeast quarter of the northeast quarter, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, and the southwest quarter of the northwest quarter of section 20, Township 61 North, Range 13 West of the Fourth Principal Meridian, Saint Louis County, Minnesota, being 33.00 feet on each side of the following described centerline: Commencing at the east quarter corner of said Section 20; thence on an assigned azimuth of 73 degrees 38 minutes 04 seconds, 1154.2 feet to the centerline of the existing road and

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the actual point of beginning; thence continue along said centerline on an azimuth of 306 degrees 34 minutes 43 seconds, 141.0 feet; thence continue along said centerline on an azimuth of 293 degrees 32 minutes 36 seconds, 244.8 feet; thence continue along said centerline on an azimuth of 266 degrees 34 minutes 35 seconds, 171.5 feet; thence continue along said centerline on an azimuth of 255 degrees 23 minutes 35 seconds, 49.7 feet; thence continue along said centerline on an azimuth of 272 degrees 10 minutes 43 seconds, 661.7 feet; thence continue along said centerline on an azimuth of 290 degrees 04 minutes 17 seconds, 265.3 feet; thence continue along said centerline on an azimuth of 279 degrees 13 minutes 59 seconds, 246.4 feet; thence continue along said centerline on an azimuth of 280 degrees 05 minutes 51 seconds, 177.7 feet; thence continue along said centerline on an azimuth of 257 degrees 23 minutes 45 seconds, 197.6 feet; thence continue along said centerline on an azimuth of 264 degrees 45 minutes 45 seconds, 144.4 feet; thence continue along said centerline on an azimuth of 313 degrees 08 minutes 25 seconds, 261.0 feet; thence continue along said centerline on an azimuth of 266 degrees 06 minutes 35 seconds, 300.2 feet; thence continue along said centerline on an azimuth of 286 degrees 21 minutes 39 seconds, 136.1 feet; thence continue along said centerline on an azimuth of 338 degrees 07 minutes 03 seconds, 157.5 feet; thence continue along said centerline on an azimuth of 307 degrees 30 minutes 14 seconds, 129.9 feet; thence continue along said centerline on an azimuth of 271 degrees 44 minutes 08 seconds, 118.7 feet; thence continue along said centerline on an azimuth of 244 degrees 04 minutes 09 seconds, 145.2 feet; thence continue along said centerline on an azimuth of 273 degrees 12 minutes 56 seconds, 355.2 feet; thence continue along said centerline on an azimuth of 271 degrees 17 minutes 03 seconds, 267.2 feet; thence continue along said centerline on an azimuth of 237 degrees 08 minutes 39 seconds, 246.2 feet; thence continue along said centerline on an azimuth of 270 degrees 37 minutes 15 seconds, 443.7 feet; thence continue along said centerline on an azimuth of 299 degrees 47 minutes 22 seconds, 190.5 feet; thence continue along said centerline on an azimuth of 274 degrees 23 minutes 55 seconds, 125.0 feet; thence continue along said centerline on an azimuth of 249 degrees 44 minutes 57 seconds, 307.5 feet; thence continue along said centerline on an azimuth of 218 degrees 12 minutes 07 seconds, 515.3 feet; thence continue along said centerline on an azimuth of 264 degrees 14 minutes 14 seconds, 393.7 feet; thence continue along said centerline on an azimuth of 300 degrees 13 minutes 42 seconds, 352.2 feet; thence continue along said centerline on an azimuth of 286 degrees 24 minutes 30 seconds, 147 feet more or less to the west line of said southwest quarter of the northwest quarter of section 20 and there terminating; with the sidelines of said easement being lengthened or shortened to terminate on the respective landlines. Said easement is 6881 feet in length. Adopted February 7, 2006. No. 68

WHEREAS, the HPL is an invaluable and irreplaceable set of fragile historical documents that are seeing an ever increasing use by the general public; and  
WHEREAS, the creation of a digital version of the HPL will be of great service to the general public, and to County staff (Land Department, Surveyors, Health, & etc.); and  
WHEREAS, the funds necessary to reproduce the HPL in a digital form are available and earmarked in the Land Department's 2006 budget; and  
WHEREAS, Pro-West & Associates, Inc., is fully qualified to provide the services required and whose quote of \$36,450;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Director of Purchasing to execute a contract with Pro-West & Associates, Inc., subject to the approval of the County Attorney, to provide professional services to accomplish the scanning of the HPL and the creation of all necessary related computer data files, to bring the HPL to the County's web site as an on-line information resource, at their quote of \$36,450, and payable from Fund 240, Agency 241001, Object 629900 Professional Services.  
Adopted February 7, 2006. No. 69

WHEREAS, the St. Louis County Planning Commission held a public hearing on September 11, 2003, regarding the preliminary plat of Bobcat Ridge; and

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WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Bobcat Ridge; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Bobcat Ridge located in Sections 10 and 15, Township 65 North, Range 15 West (Town of Ellsburg).

Adopted February 7, 2006. No. 70

WHEREAS, the Public Works Department equipment budget includes purchase of a street sweeper to replace Unit Number 2226, a 1996 Tymco Model FHD; and

WHEREAS, the Elgin Pelican SE is available through the State of Minnesota from MacQueen Equipment, Inc., of Minneapolis, Minnesota; and

WHEREAS, the State contract pricing for the street sweeper equipped as necessary is \$130,250; and WHEREAS, the purchase will be subject to \$8,466.25 in Minnesota state sales tax, for a total cost to the County of \$138,716.25;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to MacQueen Equipment, Inc., for an Elgin Pelican SE street sweeper at the applicable State of Minnesota contract price for a total cost of \$138,716.25. Funding: Fund 200, Agency 202020, Object 664900.

Adopted February 7, 2006. No. 71

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, is hereby approved and the County Auditor is authorized to issue the licenses as follows; FURTHER RESOLVED, that County Board Resolution No. 627, adopted December 20, 2005, be rescinded;

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, but without pro-rated refund to the licenseholder:

Bois Forte Reservation Tribal Council, d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T06217.

Adopted February 7, 2006. No. 72

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, pull-tabs with dispensing device and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Chicagami (Camp Chicagami Association, non-profit) to operate out of Silverado Saloon, Unorganized Township 59-16, 7075 Highway 169, Virginia, MN 55792, renewal.

Adopted February 7, 2006. No. 73

RESOLVED, that a public hearing will be held at 9:35 A.M. on February 28, 2006, at the Hibbing City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Britt Bait & Liquor, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 60-18.

Adopted February 7, 2006. No. 74

RESOLVED, that a public hearing will be held at 9:40 A.M. on February 28, 2006, at the Hibbing City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc.,

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Embarrass Township.  
Adopted February 7, 2006. No. 75

WHEREAS, a petition was presented to the St. Louis County Board by Kevin Squillace et al (petitioners), the owners of land located in an unorganized township of St. Louis County (Township 66, Range 20) containing at least five acres, which tracts have no road access thereto except over the lands of others; and

WHEREAS, petitioners are seeking access to their property over an existing road (North Blackduck Road) which traverses the private property of Michael E. Lambert (respondent).

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes 164.02, Subdivision 2, a public hearing shall be held at 9:45 A.M. on Tuesday, February 28, 2006, at the Hibbing City Council Chambers in Hibbing, Minnesota, to hear the petition of Kevin Squillace et al regarding the establishment of a cartway 33 feet in width over the property of Michael E. Lambert to provide access to their properties.

RESOLVED FURTHER, that said petition is on file in the office of the County Auditor, identified as County Board File No. 58514.

Adopted February 7, 2006. No. 76

WHEREAS, Arrowhead Regional Corrections has requested St. Louis County invest the Designated Fund for Compensated Absences balance in order to earn interest; and

WHEREAS, by agreement, the County currently retains interest earned on ARC funds; and

WHEREAS, as required by prudent fiscal management, ARC has set forth upon a program to fully fund its compensated absences, resulting in a significant Designated Fund for Compensated Absences balance. This fund is currently pooled with other reserved St. Louis County monies and invested. The balance of this account, \$1,000,903 as of December 31, 2004, is now substantial enough to be split and invested separately from the pooled funds;

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 2006, the Auditor will invest the ARC Designated Fund for Compensated Absences in an investment portfolio separate from other pooled funds.

BE IT FURTHER RESOLVED, earnings will remain in the Compensated Absences Fund (Fund 925, Object 311033) thereby offsetting any required future contributions.

BE IT FURTHER RESOLVED, any future ARC cash flow shortages, which result in St. Louis County providing monies to ARC, incur interest charges at that period's current St. Louis County investment portfolio interest earnings rate until the cash shortage is alleviated.

Adopted February 7, 2006. No. 77

**BY COMMISSIONER SWEENEY:**

WHEREAS, St. Louis County currently manages certain tax forfeit real property located in the County which real property, hereinafter "Wetland Restoration Property", is located in Township 52 North, Range 20 West, and Township 53 North, Range 20 West; and

WHEREAS, said property contains completely drained wetlands and partially drained wetlands as defined by the Minnesota Wetlands Conservation Act; and

WHEREAS, PolyMet Mining, Inc., a Minnesota corporation (hereafter called "PolyMet") seeks to establish mining operations in St. Louis County and as part of such mining operations will disturb existing wetlands; and

WHEREAS, PolyMet, in order to comply with the Minnesota Wetlands Conservation Act, has proposed a wetlands replacement plan which includes restoration of wetlands located on the above tax forfeited property; and

WHEREAS, PolyMet seeks the County's agreement to allow PolyMet to conduct wetland restoration work on tax forfeited lands in order that PolyMet and St. Louis County may receive wetland restoration credits pursuant to the Act; and

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WHEREAS, the County acknowledges that PolyMet's restoration of the Wetlands Restoration Property will produce a significant benefit to the County and the State of Minnesota.

RESOLVED, the County Board hereby authorizes execution of an agreement with PolyMet Mining, Inc., said agreement conditioned on approval of PolyMet's wetland replacement plan by St. Louis County as described in the agreement in addition to approval pursuant to Minnesota Statute, Section 103G.222; compensation to St. Louis County as set forth in Exhibit D of the Agreement, to be deposited in the tax forfeited revenue account upon receipt; and approval of the Agreement by the County Attorney.

RESOLVED FURTHER, in accordance with the terms of the Agreement, the County shall pursue special legislation authorizing the County to record a conservation easement on tax forfeited land as part of PolyMet's wetlands replacement plan and shall petition the District Court for abandonment of the drainage system located on the Wetlands Restoration Property.

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney, Raukar, and Chair Nelson - 6  
Nays - Commissioner O'Neil - 1

Adopted February 7, 2006. No. 78

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board of Commissioners hereby approves and ratifies the Findings of Fact, Conclusions and Order in the matter of Dennis and Nancy Seline for establishing a cartway, on file in the office of the County Auditor, identified as County Board Document File No. 58509.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar, and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted February 7, 2006. No. 79

**BY COMMISSIONER FINK:**

WHEREAS, pursuant to Minnesota Statutes, Section 480.181, Subdivision 1, the St. Louis County Court Administrator and court employees became state employees effective July 1, 2005; and

WHEREAS, for approximately two years prior to that date, meetings were held to discuss the transition of these County employees to state status during which time the County was informed that several County employees working in the courts would not be transitioned to state employment, including the Examiner of Titles and the clerical support for that position; and

WHEREAS, the County was informed by various state court personnel that the County would have to make provisions for these employees, including the Examiner of Titles, and should do so in whatever manner the County felt appropriate; and

WHEREAS, the County Board, in accordance with the direction received from various state court personnel, adopted Resolution No. 338 transferring the supervision of the Examiner of Titles and the clerical position on July 5, 2005; and

WHEREAS, starting in August 2005, and culminating in a formal request dated January 12, 2006, the judges of the Sixth Judicial District requested that the supervision of the Examiner of Titles be placed with the courts consistent with Minnesota Statutes, Section 508.12; and

WHEREAS, St. Louis County has always believed that the position of Examiner of Titles should be a state employee and supervised by the courts; and

WHEREAS, St. Louis County opposes the concept that a County employee that the County has responsibility and liability for be supervised by someone other than a County manager; and

WHEREAS, it appears that legislation will be necessary to correct this anomaly in the law.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 338, adopted July 5, 2005, is hereby rescinded and that effective February 4, 2006, the supervision of the position of the Examiner of Titles shall be transferred to the Sixth Judicial District Court until July 1, 2006, and that the corresponding compensation for that position shall be transferred from Fund 100, Agency 113009, to a separate account to be established to pay the compensation for the Examiner of Titles.

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BE IT FURTHER RESOLVED, that effective February 4, 2006, the clerical position shall be transferred to the County Recorder until July 1, 2006, who shall be responsible for the supervision of the position and the County Recorder shall have the authority to provide support services as needed to the Examiner of Titles and that the corresponding compensation for the clerical position shall be transferred from Fund 100, Agency 113009, to Fund 100, Agency 121001 (Recorder).

BE IT FURTHER RESOLVED, that the St. Louis County Administrator, County Attorney, County Recorder and Inter-Governmental Relations Director shall draft and pursue legislation to correct the anomaly of a County employee being supervised by a non-County entity.

BE IT FURTHER RESOLVED, that this matter shall be returned to the County Board on June 6, 2006, for further review and action.

Adopted February 7, 2006. No. 80

**BY COMMISSIONER RAUKAR:**

WHEREAS, on December 13, 2005, the St. Louis County Board of Commissioners directed Administration to recommend reductions totaling \$200,000 from the levied fund and agencies within the 2006 expenditure budget to fund priorities for low-income home energy assistance and for a prevention and treatment program for methamphetamine abuse; and

WHEREAS, Administration has recommended that the reduction be allocated uniformly across all levy supported agencies;

NOW, THEREFORE, BE IT RESOLVED, that the budget allocation for all levy-supported agencies, other than for debt service or other mandated services, be proportionately reduced so as to reduce those expenditures by \$200,000;

RESOLVED FURTHER, that an amount equivalent to \$100,000 be set aside in an account for prevention and treatment of methamphetamine abuse and that an additional \$100,000 be set aside in an account for low-income home energy assistance with funding sources to be determined after 2005 final fund balances are known.

RESOLVED FURTHER, that Administration be directed to solicit proposals for the distribution of low-income home energy assistance from providers of such assistance within St. Louis County.

Yeas - Commissioners Fink, O'Neil, Kron and Sweeney - 4

Nays - Commissioners Forsman, Raukar and Chair Nelson - 3

Adopted February 7, 2006. No. 81

At 3:10 P.M. on Tuesday, February 7, 2006, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:

Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 14, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of February, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Marcus Hall, Public Works Director, presented the International Association of Right of Way Agents Employer of the Year Award for 2005 to the St. Louis County Board. Right of Way Agents Mark Hudson, John McKay, Steve Johnson and Mark Olson were present. Mark Hudson briefly described the history of County participation in the Association and said principles espoused by the group - including a focus on property owners' rights - form the basis of right of way agent dealings with property owners.

Sheriff Ross Litman presented a Volunteer Excellence Award to the St. Louis County Law Enforcement Chaplaincy for their fine work helping law enforcement personnel and victims during times of emotional distress. Sheriff Litman said the chaplaincy originated in 1988 and has assisted people through all recent local tragedies including the benzine spill, the Hibbing Airport and Senator Wellstone airplane crashes, the Katie Poirier murder, the shooting of Duluth Police Officer Gary Wilson and the disappearance of Leanne Warner.

Commissioner Kron reported on a recent meeting he attended with Commissioner Forsman, Commissioner Nelson and U. S. Representative James Oberstar concerning efforts to cope with rising use of methamphetamine. Representative Oberstar has authored a bill entitled Methamphetamine Eradication Act that will make federal funding available for local law enforcement and prevention programs.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Tom Friend, spoke to the Board about mail box safety and introduced a mailbox support he invented that he claimed was safe, easy to install and will "break away" if struck by a vehicle. Mr. Friend asked whom he should contact concerning County purchases of mailbox supports. Chair Nelson suggested Mr. Friend speak with Public Works Director Marcus Hall.

Steve Overom, Attorney representing the City of Hermantown, thanked the Board for selling forfeited land to Hermantown for a sewer trunkline and wetland mitigation (Item No. 4 from the Consent Agenda). Attorney Overom also underscored the professionalism of County Right of Way Agents and said the award presented earlier in the meeting was well deserved.

Jeff Brown, Executive Director, Minnesotans for Responsible Recreation, asked the Board to carefully weigh proposals the DNR will be presenting at the Committee of the Whole later this day concerning ATV trails in the Cloquet Valley Forest. A survey conducted by the County Land Department showed a majority of County residents favored "quiet" places for recreation. Mr. Brown promised to make available to the Board copies of a CD to be released soon that focuses on St. Louis County recreation.

Dana Frey, County Administrator, introduced Robert Krepps, Land Commissioner, who assumed his

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

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duties with St. Louis County on February 13, 2006. Mr. Krepps said he viewed his new position as a great opportunity.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve purchase of aerial photographs from the DNR 2005 Cartographic Aerial Photography Mission. County Administrator Frey, in response to a question from Commissioner Raukar, said there is no benefit to delaying the purchase until a CD is produced because it does not replace the actual photographs. Mark Reed, Deputy Land Commissioner, said photographs are copyrighted and reproductions would be limited to internal use. After further discussion, the purchase was approved; seven yeas - zero nays. Resolution No. 118.

Commissioner Fink said he went with new Land Commissioner Krepps to Two Harbors for a meeting concerning "roadless area" management plans by the U. S. Forest Service. Commissioner Forsman said he was unable to attend the meeting but his concerns were brought forward.

Commissioner Raukar clarified what the vote at the February 7 Board meeting concerning funding delays for the methamphetamine and heating assistance programs actually meant. Commissioner Sweeney noted other County funding sources for heating assistance and methamphetamine programs are in place and available.

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

Land Commissioner submitting applications for repurchases of tax forfeited property for the year 2006.-58518

Petition of Mark and Kristen Norrell for the establishment of a cartway two rods in width over the property of Dale and Ruth Cotton and the United States of America to provide access to Lot 5, Section 1, Township 61 North, Range 13 West.-58519-D

Land Commissioner submitting applications for special sales of tax forfeited lands for the year 2006.-58520

Sewage Subcommittee submitting minutes of their meetings for the year 2006.-58521

Tom Friend, Friend Innovation, regarding mail box safety and a mailbox support invention that is safe and easy to install.-58522

Jeff Brown, Executive Director, Minnesotans For Responsible Recreation, regarding *Protecting Quiet Places in St. Louis County*.-58523

Agreement for Professional Services between the County of St. Louis and Scalzo Architects for Property Management Office Relocation.-06-176

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and New Millenium Healthcare for Community Alternative Care Client No. 032.-06-177ss

Service Contract No. 4583 between the County of St. Louis and Holmes Recycling Services, Inc., for Appliance, Ballast and Scrap Metal Processing and Recycling services.-06-178

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Service Contract No. 4587 between the County of St. Louis and Waste Management for Canister Site Waste Haulage Service.-06-179

Agreement for Professional Services between the County of St. Louis and Judy Bernhardt to assist with 911 addressing during the implementation phase of the new CAD system.-06-180

State of Minnesota Income Contract through its Department of Natural Resources, Division of Forestry, and St. Louis County for providing Bare-Root Tree Seedlings.-06-181

Grant Application Approval Form from U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for providing a regional Computer Aided Dispatch Program to the Counties of Carlton, Cook, Lake, Koochiching and St. Louis.-06-182

Grant Application Approval Form from U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for providing a regional Computer Aided Dispatch Program to the Counties of Carlton, Cook, Lake, Koochiching and St. Louis.-06-183

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 62 through 77, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58494, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted February 14, 2006. No. 82

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 3, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 52, Department 12.

Adopted February 14, 2006. No. 83

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded a 2006 Natural Resources Block Grant in the amount of \$121,062 to St. Louis County for wetland, shoreland, and water plan purposes.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the 2006 Natural Resources Block Grant (NRBG) in the amount of \$121,062 and authorizes appropriate County officials to execute the grant agreement and documents related thereto;

RESOLVED FURTHER, the St. Louis County Board authorizes a local in-kind match of \$108,905 from the Planning Department budget funds and the 2006 County allocation to the Soil and Water Conservation Districts;

RESOLVED FURTHER, the Planning Department budget is amended to include receipt of \$121,062 from the Natural Resources Block Grant, with said funds to be deposited into Fund 100, Agency 109999, Grant 10902, Year 2006.

Adopted February 14, 2006. No. 84

WHEREAS, the City of Hermantown has offered to purchase the following described State tax forfeited parcel for sewer trunkline and wetland mitigation for the appraised price of \$12,180.00 plus fees;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Lot 5 and 6, Block 2, Beaver Creek, City of Hermantown, Parcel Code: 395-37-60, 70

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8, and 282.018, or any other statutes that require the withholding of State tax forfeited land from sale.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel to the City of Hermantown for the appraised value of \$12,180.00 plus the following fees: 3 Percent Assurance Fee of \$365.40, Deed Fee of \$25.00, Deed Tax of \$40.19, and a Recording Fee of \$66.00; for a total of \$12,676.59.

Adopted February 14, 2006. No. 85

WHEREAS, under the provisions of Minnesota Statutes, Section 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Jan Hinnenkamp has applied to repurchase the following parcel for Beverly VanWave:

City of Duluth: That part of Outlot F lying between Westerly line of 90th Avenue West and Westerly line of 89th Avenue West and Northerly of a line 100 feet Northerly of the Southerly line said Outlot F, Morgan Park of Duluth;

WHEREAS, Beverly VanWave was the owner of record at the time of forfeiture. Jan Hinnenkamp was the taxpayer of record at the time of forfeiture, and is eligible to repurchase this property; and WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW THEREFORE, BE IT RESOLVED, that the repurchase application of Jan Hinnenkamp, on file in County Board File No. 58518, shall be approved for the property described above and shall be subject to payment including taxes and assessments of \$12,643.87, repurchase application fee of \$114.00, deed tax of \$41.72, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$12,870.59.

Adopted February 14, 2006. No. 86

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments with the Minnesota Department of Transportation (MnDOT) and Norell on Real Property of Finlayson, MN, to perform appraisals for Right of Way acquisition needed to construct Maple Grove Road, Project S.P. 69-606-017, C. P. 8275, in Duluth and Hermantown, MN; and

BE IT FURTHER RESOLVED, that the County shall purchase the services of Norell on Real Property in an amount not to exceed \$9,200.00, payable from Fund 220, Agency 220169, Object 652700.

Adopted February 14, 2006. No. 87

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments with the Minnesota Department of Transportation (MnDOT) and Tom Turner and Associates of Ely, MN, to perform appraisals for Right of Way acquisition needed to construct Maple Grove Road, Project S.P. 69-606-017, C. P. 8275, in Duluth and Hermantown, MN; and

BE IT FURTHER RESOLVED, that the County shall purchase the services of Tom Turner and Associates in an amount not to exceed \$16,100.00, payable from Fund 220, Agency 220169, Object 652700.

Adopted February 14, 2006. No. 88

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments with the Minnesota Department of Transportation (MnDOT) and Ramsland & Vigen, Inc., Duluth, MN, to perform appraisals for Right of Way acquisition needed to construct Maple Grove Road, Project S.P. 69-606-017, C. P. 8275, in Duluth and Hermantown, MN; and

BE IT FURTHER RESOLVED, that the County shall purchase the services of Ramsland & Vigen, Inc., in an amount not to exceed \$50,000.00, payable from Fund 220, Agency 220169, Object 652700. Adopted February 14, 2006. No. 89

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 0.75 miles of County-State Aid Highway No. 6 (County Project 8275, S.P. 69-606-017) located within the City of Duluth and the City of Hermantown from Mall Drive to a point 500 feet east of Westberg Road; and WHEREAS, the improvement consists of widening and reconstructing said roadway as determined necessary to provide for the safety and convenience of the traveling public; and

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

NOW, THEREFORE, BE IT RESOLVED, that 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 Fund 200, Agency 203134, Objects 636500 and 637500.

Adopted February 14, 2006. No. 90

RESOLVED, that the Purchasing Director is hereby authorized to issue a purchase order for Cloud Cartographics, Inc., for the purchase of 2,000 each of North and South St. Louis County Plat Books (4,000 books) at the low bid price of \$88,000.00, payable from the Plat Book Revolving Account: Fund 710, Agency 710001, Object 640800.

FURTHER RESOLVED, that the sale prices for the books is authorized at \$42.00 (North) and \$32.00 (South), payable to Fund 710, Agency 710001, Object 640800.

Adopted February 14, 2006. No. 91

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

American Red Cross to operate out of Pequaywan Lake Inn, Unorganized Township 54-13, 8744 Pequaywan Lake Road, Duluth, MN 55803, New.

Adopted February 14, 2006. No. 92

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

VFW Post 8510 Auxiliary Hibbing to operate out of Bimbo's Octagon, French Township, 7626 County Road No. 5, Side Lake, MN 55719, Renewal.

Adopted February 14, 2006. No. 93

WHEREAS, the U.S. Department of Housing and Urban Development has awarded the 2005 Lead Hazard Reduction Demonstration Grant to the Counties of Hennepin, Ramsey and St. Louis and participating cities to assess and remove lead-based paint from single family and multi-family housing units; and

WHEREAS, Hennepin County will serve as the lead entity for this grant and is requiring a cooperation

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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agreement for participants to access grant funds; and  
WHEREAS, St. Louis County has available up to \$154,250 for residential lead reduction which will be administered in conjunction with area housing rehabilitation programs administered by Arrowhead Economic Opportunity Agency and other public housing agencies.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Planning Director and a representative of the County Attorney to execute the cooperation agreement on behalf of St. Louis County, along with all the necessary documents related thereto; and  
BE IT FURTHER RESOLVED, federal CDBG and HOME housing rehabilitation funds will be leveraged to meet 1:1 match requirements; and  
BE IT FURTHER RESOLVED, that grant payments for costs associated with developing the plan will be made from Fund 100, Agency 109002.  
Adopted February 14, 2006. No. 94

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;  
FURTHER RESOLVED, that said license is 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 license to a new owner, but without pro-rated refund of the license fees to the licenseholder;  
FURTHER RESOLVED, that County Board Resolution No. 631, adopted December 20, 2005, granting this license to S & C Koch Development, LLC, d/b/a Melgeorge's Elephant Lake Lodge, be rescinded;  
FURTHER RESOLVED, that said license is issued contingent upon Camp 5 Township approval;  
FURTHER RESOLVED, that said license be issued as follows and shall be effective through June 30, 2006:  
Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, On-Sale Intoxicating Liquor License No. CMB06101 and Sunday On-Sale Intoxicating Liquor License No. SUN06101.  
Adopted February 14, 2006. No. 95

WHEREAS, St. Louis County purchased the former Mesaba Clinic building and remodeling of the facility is scheduled for completion in February of 2006 to be occupied by County staff by March 1, 2006; and  
WHEREAS, cleaning of the facility is necessary commencing March 1, 2006; and  
WHEREAS, Cleaning Specialists Incorporated of Virginia, Minnesota, has proposed a contract agreement for cleaning services in the amount of \$2,870.18 monthly to provide cleaning services for the facility commencing March 1, 2006.  
NOW, THEREFORE, the Board authorizes the appropriate County officials to execute an agreement with Cleaning Specialists, Incorporated, P.O. Box 728, Virginia, Minnesota, to start on March 1, 2006, and terminate on August 31, 2006, for a total amount of \$17,221.08 to provide cleaning services at the former Mesaba Clinic building. Funds are available from Fund 100, Agency 128013.  
Adopted February 14, 2006. No. 96

WHEREAS, the State continues to contract with the Department of Public Health and Human Services for baseline CCR&R services and CCR&R Learning Continuum services; and  
WHEREAS, the State is in need of services to provide a framework for organizing and supporting the learning and professional development of child care providers and the State is in need of services to provide CCR&R baseline services; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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WHEREAS, the State has funding available for these services in the total amount of \$26,628; and WHEREAS, the contracts will provide funding for staff travel and administration;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the funding in the amount of \$21,628 for the period January 1, 2006, through June 30, 2007, and authorizes appropriate County officials to execute a contract with the Minnesota Department of Human Services for the Child Care Resource & Referral baseline services.  
RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby accepts the funding in the amount of \$5,000.00 for the period January 1, 2006, through June 30, 2006, and authorizes appropriate County officials to execute a contract with the Minnesota Department of Human Services for the Child Care Resource & Referral Learning Continuum services. These funds are included in the 2006 Budget approved by the Board.  
Adopted February 14, 2006. No. 97

WHEREAS, St. Louis County serves residents who would benefit from a low-cost hot meal at the Rainbow and Lincoln Park Centers; and  
WHEREAS, the City of Duluth has contracted with the Department of Public Health and Human Services to provide congregate meals at these locations for the past ten years; and  
WHEREAS, the Department wishes to renew this Agreement;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a contract between the Community Food Service and the City of Duluth for the period from January 1, 2006, through December 31, 2006, for the Congregate Meals Program, to be received into Fund 660, Agency 660001, Revenue 551301;  
RESOLVED FURTHER, that the City of Duluth will purchase meals for the Rainbow and Lincoln Park Senior Centers from the Community Food Service at the following rates:

- Noon meals at Rainbow Senior Center
  - Eligible persons \$4.77 per meal
  - Underage and ineligible guests \$5.18 per meal
- Noon and evening meals at Lincoln Park Senior Center  
(Includes a \$.30 per meal fee for dining room manager)
  - Eligible persons \$5.07 per meal
  - Underage and ineligible guests \$5.48 per meal

Adopted February 14, 2006. No. 98

WHEREAS, the Center for Alcohol and Drug Treatment provides Detoxification services and short-term primary Residential services for residents in their facility at 1402 E. Superior Street; and  
WHEREAS, the Community Food Service has been supporting these programs by providing pre-portioned noon and evening meals for both units at a reasonable cost since 2001; and  
WHEREAS, the Department of Public Health and Human Services wishes to renew this Agreement;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a contract whereby the Center for Alcohol and Drug Treatment will purchase noon and evening meals from the Community Food Service at the rate of \$5.85 per meal for the period January 1, 2006, through December 31, 2006.  
Adopted February 14, 2006. No. 99

WHEREAS, St. Louis County wants Child Intervention/Protection Services; and  
WHEREAS, the Department of Public Health and Human Services wants to contract with Lutheran Social Service to provide Child Intervention/Protection Services on behalf of the County; and  
WHEREAS, the Department wishes to add these Agreements.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Director of Public Health and Human Services to execute these Agreements with

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Lutheran Social Service for the time period of January 1, 2006, to December 31, 2006, and pay a maximum of \$40,000 for the LSS "Youth Empowerment Program - Duluth" and a maximum of \$20,000 for LSS "Positive Directions - Iron Range" from which to be paid: Fund/Agency 232008, Object 602000.

Adopted February 14, 2006. No. 100

WHEREAS, St. Louis County is committed to the protection of Public Health and the Environment; and

WHEREAS, failing septic systems are a threat to Public Health and the Environment; and

WHEREAS, the Individual Sewage Treatment Systems (ISTS) Loan Ordinance No. 49 was created by the St. Louis County Board of Commissioners to provide loans to correct failing septic systems within St. Louis County; and

WHEREAS, the Septic Loan Committee is an integral part of the Individual Sewage Treatment Systems Loan Program;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby appoints Wade Klingsporn, representing the St. Louis County Soil and Water Conservation District, to the St. Louis County Septic Loan Committee, effective February 7, 2006.

Adopted February 14, 2006. No. 101

WHEREAS, Pamela Roline desires to contract with Chris Jensen Health and Rehabilitation Center to provide clinical dietician services; and

WHEREAS, Chris Jensen Health and Rehabilitation Center requires Board approval of the contract with Pamela Roline;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Nursing Home Director to enter into a two-year contract with Pamela Roline for Clinical Dietitian Services at a cost of \$33.00 per hour for the period January 1, 2006, through December 31, 2007, payable from Fund 625, Agency 625013, Object 629900.

Adopted February 14, 2006. No. 102

WHEREAS, Laurie Arndt desires to contract with Chris Jensen Health and Rehabilitation Center to provide clinical dietician services; and

WHEREAS, Chris Jensen Health and Rehabilitation Center requires Board approval of the contract with Laurie Arndt;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Nursing Home Director to enter into a two-year contract with Laurie Arndt for Clinical Dietitian Services at a cost of \$33.00 per hour for the period January 1, 2006, through December 31, 2007, payable from Fund 625, Agency 625013, Object 629900.

Adopted February 14, 2006. No. 103

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes participation in the Joint Property Tax Study Group for 2006 and authorizes the expenditure of \$11,500 as St. Louis County's share for the Joint Property Tax Study Group for the period of January 1, 2006, through December 31, 2006, payable from Fund 100, Agency 105001, Object 629900.

Adopted February 14, 2006. No. 104

WHEREAS, the County requires the services of a consultant to assist with federal legislative and administrative matters; and

WHEREAS, Lockridge, Grindal & Nauen 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 2006.

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NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are authorized to enter into an agreement with Lockridge, Grindal & Nauen in 2006, for an amount not to exceed \$51,000.00;

RESOLVED FURTHER that this agreement be funded through the Inter-Governmental Affairs Division (Fund 100, Agency 105001, Object 629900).

Adopted February 14, 2006. No. 105

RESOLVED, that St. Louis County is authorized to execute an agreement with Lutheran Social Service for provision of the LifeWorks Employee Assistance Program, in the amount of \$30,488.00 for 2006 and \$30,952.00 for 2007, payable from Fund 01, Department 63.

RESOLVED FURTHER, that any service exceeding the contracted amount because of higher than anticipated utilization must be approved by the County Administrator and Civil Service/Personnel Director.

Adopted February 14, 2006. No. 106

RESOLVED, that the St. Louis County Board of Commissioners hereby establishes a public hearing for Tuesday, March 14, 2006, at 9:40 A.M. in the County Board Room, Second Floor, St. Louis County Courthouse, Duluth, MN, to consider the adoption of the St. Louis County Election Equipment Plan.

Adopted February 14, 2006. No. 107

WHEREAS, a petition was presented to the St. Louis County Board by the owner of Lot 5, Section 1, Township 61 North, Range 13 West, in St. Louis County containing more than 5 acres who have no access thereto except over the lands of others to connect the petitioner's land to a public road.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 164.08, Subdivision 2, a public hearing shall be held at 9:45 A.M. on March 14, 2006, in the City of Duluth at the St. Louis County Courthouse to hear the petition of Kristen M. Norrell and Mark E. Norrell regarding the establishment of a cartway two rods in width for the purpose of providing access to their property over the following properties:

1. The property of Christi A. Woodward and Mark Ringlever, the owners of the West 400 feet of the North 1,111.88 feet of Government Lot 2, Section 12, Township 61 North, Range 13 West, except an undivided 1/2 of the minerals, located in St. Louis County, Minnesota; and
2. The property of Dale L. Cotton and Ruth C. Cotton, the owners of Government Lot 2, Section 12, Township 61 North, Range 13 West, except that part of said Government Lot 2 lying Southerly of a line parallel with and distance to 1,111.88 feet Southerly from the North line of Lot 2, and except the West 400 feet of the North 1,111.88 feet of Government Lot 2, all in St. Louis County, Minnesota; and
3. The property of the United States of America, the owners of the SW 1/4 of SE 1/4 of Section 1, Township 61 North, Range 13 West, located in St. Louis County, Minnesota; and

RESOLVED FURTHER, that said petition is on file in the office of the County Auditor, identified as County Board Document File No. 58519.

Adopted February 14, 2006. No. 108

WHEREAS, the Town of Duluth initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on September 15, 2005, and November 17, 2005; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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County Board of Commissioners adopt the rezoning by amending Ordinance No. 46, zoning maps, and Ordinance No. 27, Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners shall hold a public hearing on Tuesday, March 14, 2006, at 9:50 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning portions of Township 51 North, Range 12 West, and Township 52 North, Range 12 West (Town of Duluth).

Adopted February 14, 2006. No. 109

RESOLVED, that a public hearing will be held at 9:35 A.M. on Tuesday, March 21, 2006, at the Morse Town Hall, Ely, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township.

Adopted February 14, 2006. No. 110

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS  
COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE AND PUBLIC SALE  
OF GENERAL OBLIGATION CAPITAL IMPROVEMENT CROSSOVER REFUNDING  
BONDS, SERIES 2006A**

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

Section 1. The 2001 Bonds. Under and pursuant to Minnesota Statutes, Section 373.40, Chapter 475, and Laws of Minnesota 2000, Chapter 490, Article 6, Section 21, the County previously issued its \$14,270,000 General Obligation Capital Improvement Bonds, Series 2001, dated May 1, 2001 (the "2001 Bonds") to fund capital improvements pursuant to an approved capital improvement plan.

Section 2. Authority. Under and pursuant to the provisions of Minnesota Statutes, Chapter 475 (the "Act") and Section 475.67, Subdivisions 1 through 3 and 13 of the Act, the County is authorized to issue and sell its general obligation bonds to refund obligations and the interest thereon before the due date of the obligations, if consistent with covenants made with the holders thereof, when determined by the County to be necessary or desirable for the reduction of debt service cost to the County or for the extension or adjustment of maturities in relation to the resources available for their payment.

Section 3. The Bonds. The Board hereby finds and determines that it is necessary and desirable that in order to reduce debt service costs the County issue, sell and deliver its General Obligation Capital Improvement Crossover Refunding Bonds, Series 2006A (the "Bonds"), in the approximate amount of \$7,925,000, to provide for the refunding of the 2010 through 2016 maturities of the 2001 Bonds and payment of the costs of issuance of the Bonds.

Section 4. Notice of Sale. The County's administrative staff is hereby authorized and directed to work with Northland Securities, Inc., financial advisor to the County, and Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel, to solicit bids and arrange for the sale of the Bonds in substantial compliance with the Notice of Sale attached hereto as Exhibit A. The bids shall be received by Northland Securities, Inc. until 11:00 a.m. central time on February 28, 2006, and consideration for the award of the Bonds will be by the Board at 2:00 p.m. central time on the same date.

Section 5. Repayment of Bonds. The form, specifications and provisions for repayment of the Bonds shall be set forth in a subsequent resolution of the Board.

Section 6. Consideration of Bids. The Board shall meet on February 28, 2006, in accordance with the Notice of Sale, to consider bids for the purchase of the Bonds and to take whatever actions are necessary for the acceptance or rejection of the bids.

Adopted February 14, 2006.

**EXHIBIT A**

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**NOTICE OF SALE**

\$7,925,000  
GENERAL OBLIGATION CAPITAL IMPROVEMENT CROSSOVER REFUNDING BONDS,  
SERIES 2006A  
ST. LOUIS COUNTY, MINNESOTA  
(Book-Entry Only)

NOTICE IS HEREBY GIVEN that these bonds will be offered for sale according to the following terms:

**TIME AND PLACE:** Proposals will be opened by the County Auditor, or designee, on Tuesday, February 28, 2006, at 11:00 A.M., Central Time, at the offices of Northland Securities, Inc., 45 South Seventh Street, Suite 2500, Minneapolis, Minnesota 55402. Consideration of the proposals for award of the sale will be by the County Board at its meeting on Tuesday, February 28, 2006, at 2:00 P.M., Central Time.

**SUBMISSION OF PROPOSALS:** Proposals may be:

- a) submitted to the office of Northland Securities, Inc.,
- b) faxed to Northland Securities, Inc. at (612) 851-5917,
- c) for proposals submitted prior to the sale, the final price and coupon rates may be submitted to Northland Securities, Inc. by telephone at (612) 851-5900, or
- d) be submitted electronically.

Notice is hereby given that electronic proposals will be received via PARITY™, in the manner described below, until 11:00 A.M., Central Time on February 28, 2006. Bids may be submitted electronically via PARITY™ pursuant to this Notice until 11:00 A.M., local time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY™ conflict with this Notice, the terms of this Notice shall control. For further information about PARITY™, potential bidders may contact Northland Securities, Inc. or I-deal® at 1359 Broadway, 2<sup>nd</sup> floor, New York, NY 10018, telephone (212) 849-5021.

Neither the Issuer nor Northland Securities, Inc. assumes any liability if there is a malfunction of PARITY™. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the County to purchase the Bonds regardless of the manner of the proposal submitted.

**BOOK-ENTRY SYSTEM:** The bonds will be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The bonds will be issued in fully registered form and one bond certificate, representing the aggregate principal amount of the bonds maturing in each year, will be registered in the name of Cede & Co.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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as nominee of Depository Trust Company (“DTC”), New York, New York, which will act as securities depository of the bonds.

Individual purchases of the bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the St. Louis County Auditor, Duluth, Minnesota (the “Paying Agent/Registrar”), to DTC, or its nominee as registered owner of the bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The successful proposal maker, as a condition of delivery of the bonds, will be required to deposit the bond certificates with DTC. The Issuer will pay reasonable and customary charges for the services of the Paying Agent/Registrar.

DATE OF ORIGINAL  
ISSUE OF BONDS:

March 1, 2006.

AUTHORITY/PURPOSE: The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475, as amended. Proceeds will be used to crossover refund \$7,795,000 of the \$11,285,000 outstanding of the \$14,270,000 General Obligation Capital Improvement Bonds, Series 2001, dated May 1, 2001. Maturities 2010 through 2016, inclusive, will be called for redemption on December 1, 2009 at a price of par plus accrued interest.

INTEREST PAYMENTS:

December 1, 2006, and semiannually thereafter on June 1 and December 1 to registered owners of the bonds appearing of record in the bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month.

MATURITIES:

December 1, inclusive, in each of the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2010	\$1,020,000	2014	\$1,165,000
2011	1,060,000	2015	1,210,000
2012	1,090,000	2016	1,255,000
2013	1,125,000		

Proposals for the bonds may contain a maturity schedule providing for any combination of serial bonds and term bonds, subject to mandatory redemption, so long as the amount of principal maturing or subject to mandatory redemption in each year conforms to the maturity schedule set forth above.

PRICING PARAMETERS/  
INTEREST RATES:

The dollar price of the callable maturities, 2015 through 2016, inclusive, shall not exceed a maximum price of 101.50. All rates

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must be in integral multiples of 1/20th or 1/8th of 1%. *Rates must be in level or ascending order.* No limitation is placed upon the number of rates which may be used. All bonds of the same maturity must bear a single uniform rate from date of issue to maturity.

**ADJUSTMENTS TO  
PRINCIPAL AMOUNT  
AFTER PROPOSALS:**

The Issuer may increase or decrease each maturity by no more than \$75,000, in increments of \$5,000, but the total adjustment to the issued will not exceed \$250,000. Such adjustments shall be made promptly after the sale and prior to award of bids by the Issuer and shall be in the sole discretion of the Issuer. The Issuer shall only make such adjustments in order to size the Bonds to so that the annual principal and interest payments are in order to size the issue in accordance with federal tax laws governing refundings.

The Successful Bidder may not withdraw or modify its bid once submitted to the Issuer for any reason, including post bond adjustment. Any adjustment shall be conclusive and shall be binding upon the Successful Bidder.

**REDEMPTION:**

Bonds are subject to redemption and prepayment at the option of the Issuer on December 1, 2014, (2015 through 2016 maturities), and on any date thereafter at par. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturity and the principal amounts within each maturity to be redeemed shall be determined by the Issuer and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar.

**CUSIP NUMBERS:**

If the bonds qualify for assignment of CUSIP numbers such numbers will be printed on the bonds, but neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the Successful Bidder thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the Successful Bidder.

**DELIVERY:**

Within forty days after award subject to approving legal opinion by Fryberger, Buchanan, Smith & Frederick, P.A., Bond Counsel. Legal opinion will be paid by the Issuer and delivery will be anywhere in the continental United States without cost to the Successful Bidder at DTC.

**TYPE OF PROPOSAL:**

Proposals of not less than \$7,845,750 (99.00%) and accrued interest on the principal sum of \$7,925,000 from date of original issue of the bonds to date of delivery must be filed with the undersigned prior to the time of sale. Proposals must be unconditional except as to

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legality. A certified or cashier's check (the "Deposit") in the amount of \$158,500, payable to the order of the County Auditor of the Issuer, or a Financial Surety Bond complying with the provisions below, must accompany each proposal, to be forfeited as liquidated damages if proposal maker fails to comply with accepted proposal. Proposals for the bonds should be delivered to Northland Securities, Inc. and addressed to:

Donald Dicklich, County Auditor  
St. Louis County  
100 North 5<sup>th</sup> Avenue W.  
Duluth, Minnesota 55802

If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the Issuer. Such bond must be submitted to Northland Securities, Inc. prior to the opening of the proposals. The Financial Surety Bond must identify each proposal maker whose Deposit is guaranteed by such Financial Surety Bond.

If the bonds are awarded to a proposal maker using a Financial Surety Bond, then that Successful Bidder is required to submit its Deposit to Northland Securities, Inc. in the form of a certified or cashier's check or wire transfer as instructed by Northland Securities, Inc. not later than 3:30 P.M., Central Time, on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the Issuer to satisfy the Deposit requirement. The Issuer will deposit the check of the Successful Bidder, the amount of which will be deducted at settlement and no interest will accrue to the Successful Bidder.

In the event the Successful Bidder fails to comply with the accepted proposal, said amount will be retained by the Issuer. No proposal can be withdrawn after the time set for receiving proposals unless the meeting of the Issuer scheduled for award of the bonds is adjourned, recessed, or continued to another date without award of the bonds having been made.

AWARD:

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The Issuer's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Bonds will be awarded by lot. The Issuer will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and (iii) reject any proposal which the Issuer determines to have failed to comply with the terms herein.

INFORMATION FROM  
SUCCESSFUL BIDDER:

The Successful Bidder will be required to provide, in a timely manner, certain information relating to the initial offering price of

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the bonds necessary to compute the yield on the bonds pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

OFFICIAL STATEMENT: The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the County with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefore, the County agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded copies of the Official Statement and the addendum or addenda.

CONTINUING DISCLOSURE: The Issuer will covenant in the resolution awarding the sale of the bonds and in a Continuing Disclosure Undertaking to provide, or cause to be provided, annual financial information, including audited financial statements of the Issuer, and notices of certain material events, as required by SEC Rule 15c2-12.

BANK QUALIFICATION: The Issuer will designate the bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Issuer reserves the right to reject any and all proposals, to waive informalities and to adjourn the sale.

Dated: February 14, 2006 BY ORDER OF THE COUNTY BOARD

/s/ Donald Dicklich  
County Auditor

Additional information may be obtained from:  
Northland Securities, Inc.  
45 South Seventh Street  
Suite 2500  
Minneapolis, Minnesota 55402  
Telephone No.: (612) 851-5900

\*The County reserves the right to increase or decrease the principal amount of the Bonds by an aggregate amount not to exceed \$250,000. Any such increase or decrease will be made in multiples of \$5,000 and no more than \$75,000 in any maturity. The dollar price of the callable maturities, 2015 through 2016, inclusive, shall not exceed a maximum price of 101.50.

Adopted February 14, 2006. No. 111

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Board Chair and the County Auditor to execute a Financial Advisor Agreement with Northland Securities, upon the approval of the agreement by the County Attorney.

Adopted February 14, 2006. No. 112

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RESOLVED, that the St. Louis County Board of Commissioners hereby appoints Commissioner Mike Forsman to serve a one year term as a non-voting member of the St. Louis County Historical Society, effective February 28, 2006.

Adopted February 14, 2006. No. 113

RESOLVED, the St. Louis County Board hereby appoints James Laumeyer to serve on the St. Louis County Grievance Board for the calendar year 2006.

Adopted February 14, 2006. No. 114

WHEREAS, St. Louis County serves as the 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 the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

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

Ice Trail - Everett Bay and Pike Bay  
(Vermilion Penguins Snowmobile Club)

Ice Trail - Portage Trails on Vermilion River  
(Cook Timberwolves Snowmobile Club)

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 Chairperson of the St. Louis County Board of Commissioners and/or County Auditor be 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 Chairperson of the St. Louis County Board of Commissioners and/or County Auditor are authorized to sign all easements, licenses, or other instruments associated with the trail, subject to the approval of the County Attorney.

RESOLVED FURTHER, that this resolution is contingent upon the Vermilion Penguins Snowmobile Club and Cook Timberwolves Snowmobile Club being individually named as an insureds on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails, and the club naming as additional insureds on said general liability policy, the landowners over whose lands the trails travel.

Adopted February 14, 2006. No. 115

WHEREAS, St. Louis County serves as the 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 the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, the PathBlazers Snowmobile Club of the Hibbing-Chisholm Communities will make application to the Minnesota Trail Assistance Program, and has requested that St. Louis County serve as the local government sponsor for the following snowmobile bridge construction proposal to be funded by the State of Minnesota Trail Assistance Program and the Federal Recreational Trails Program: A snowmobile bridge to be located over the Sturgeon River running parallel to the Highway No. 5 bridge near the Riverside Supper Club, Side Lake, Minnesota (Section 28 W 1/2 NW-NW S/L

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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0029 T/B 060 Range 21 N 1/2 of SW 1/4 of NE 1/4);  
NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor said bridge project at no cost to the County; and  
RESOLVED FURTHER, that the Chairperson of the St. Louis County Board of Commissioners and/or County Auditor be authorized to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for construction, maintenance, and administration of said bridge;  
RESOLVED FURTHER, that the location of the new bridge shall be subject to the approval of the County Engineer, with respect to the use of the existing right-of-way;  
RESOLVED FURTHER, that the Chairperson of the St. Louis County Board of Commissioners and/or County Auditor are authorized to sign all easements, licenses, or other instruments associated with the project, subject to the approval of the County Attorney.  
RESOLVED FURTHER, that this resolution is contingent upon the PathBlazers Snowmobile Club of Hibbing-Chisholm remaining individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails, and the club naming as additional insureds on said general liability policy, the landowners over whose lands the bridge may extend.  
Adopted February 14, 2006. No. 116

WHEREAS, housing programs have been under fire in recent years as they faced significant budget cuts to help solve the state's budget deficit; and  
WHEREAS, advocates have done a good job of defending against some of the deeper cuts, but any cut means lost ground in efforts to meet the housing needs of low-income Minnesotans, and therefore, a proactive strategy is needed to ensure that this trend is reversed; and  
WHEREAS, a policy proposal, introduced during the 2005 Legislative Session, would add a deed surcharge to the existing deed tax to generate the revenue for much-needed low-income housing assistance, and this surcharge could raise significant new resources for Minnesota's housing programs ranging from \$10 million to \$62 million per year depending on how the policy is structured; and  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby supports the statewide campaign to secure significant, new, and dedicated resources for housing and homelessness programs through the proposed surcharge on the current deed tax associated with the transfer of real property in the State of Minnesota.  
Adopted February 14, 2006. No. 117

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Land Department has the need for current County-wide, mapping quality, vertical aerial photography; and  
WHEREAS, that securing such aerial photography is absolutely fundamental in the practice of land management planning and decision-making; and  
WHEREAS, the cost for acquisition of this photo set is fair and reasonable, and only reflects the DNR's effort at appropriate cost-sharing; and  
WHEREAS, by its professional competence, the DNR has demonstrated it has the expertise to properly deliver an excellent product;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Director of Purchasing to issue a Purchase Order for 12,500 aerial photos of St. Louis County lands, from the Minnesota DNR's 2005 *Cartographic Aerial Photography* mission, on behalf of St. Louis County; and the Land Commissioner is authorized to pay for this from Fund 290, Agency 290001, Object 629900, for an amount not to exceed \$113,156.25.  
Unanimously adopted. February 14, 2006. No. 118

At 10:34 A.M. on Tuesday, February 14, 2006, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

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Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 28, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of February, 2006, at 9:40 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Raukar presented a Volunteer Excellence Award to Barbara Knoop for her exemplary volunteer work with Northern St. Louis County Habitat For Humanity. The Habitat for Humanity affiliate was established eleven years ago and has been responsible for construction of eighteen affordable and safe homes in County areas outside the City of Duluth. Ms. Knoop thanked the Board for the recognition and for supporting affordable housing.

As part of the County Sesquicentennial, a presentation was made and the following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, briefly framed the presentation and introduced speakers.

Robert Mars, President of the St. Louis County Historical Society, presented to the Board leather-bound copies of County Built on Iron: A Pictorial History of St. Louis County 1856-2006. Participation in the sesquicentennial celebrations is part of the mission of the Historical Society, according to Mr. Mars.

Bill Beck, author of County Built on Iron, said he thoroughly enjoyed writing the book although he did not view it as a definitive history.

Ken Buehler, Railroad Museum Director, said an exhibit has been prepared for a refurbished railcar that will make public tours throughout the County.

Commissioner Raukar displayed a time capsule entitled "Picture Yourself In History," which will be filled with pictures and other items depicting County life in 2006. The public is welcome to contribute appropriate items for deposit in either of two time capsules - one from northern and one from southern St. Louis County - which will be opened in fifty years.

Ellen Quinn, County Public Information Officer, introduced a photograph and logo that will be used for sesquicentennial events.

Commissioner Sweeney cut a cake decorated with the sesquicentennial photograph.

At 10:15 A.M. in the forenoon of Tuesday, February 28, 2006, Chair Nelson moved to recess the Board until 10:20 A.M. on February 28, 2006, in the City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 10:23 A.M. on Tuesday, February 28, 2006, and the regular order of business resumed with all members present.

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Commissioner Kron, supported by Commissioner Sweeney, moved to authorize acceptance of a Minnesota Department of Public Safety, Office of Justice Programs Grant, for the Boundary Waters Drug Task Force in the amount of \$100,000 and execution of necessary joint powers agreements. Sheriff Ross Litman described the various agencies involved, staffing and intergovernmental cooperation of the Task Force. Federal budget cuts proposed by President Bush make future grants uncertain at this point, according to Sheriff Litman. Commissioner Fink noted a recent Minnesota Supreme Court decision regarding liability and he suggested reworking the joint powers agreements to protect against increased liability claims. Alan Mitchell, County Attorney, said it would be difficult to draft new language at this time and suggested law enforcement gains may outweigh risks. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 145.

At 10:45 A.M., a public hearing was convened pursuant to County Board Resolution No. 74, adopted February 7, 2006, to consider granting an off-sale intoxicating liquor license to Britt Bait & Liquor, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 60-18. Alan Mitchell, County Attorney, advised the Board that: all required County departments reviewed the application and recommended granting the license; the Liquor Licensing Committee met with the applicant and, after discussing the propriety and location of the business, recommended approval; all required notices were given; and, the required insurance certificate submitted. Michael Summers, owner, was present and said he understood and would abide by state statutes and County Ordinance No. 28 (Liquor Ordinance.). No one else chose to address the issue.

At 10:53 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 139.

At 10:53 A.M., a public hearing was convened pursuant to County Board Resolution No. 75, adopted February 7, 2006, to consider granting an off-sale intoxicating liquor license to Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass Township. County Attorney Mitchell advised the Board that: all required County departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussing the location and propriety of the business, recommended approval; the Embarrass Town Board reviewed the application and recommended approval; all required notices were given; and, the required certificate of insurance submitted. Ray Rahkola, owner, was present and said he understood and would abide by state statutes and the provisions of County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 10:56 A.M., Commissioner Kron, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner O'Neil, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 140.

At 11:01 A.M., a public hearing was convened pursuant to County Board Resolution No. 76, adopted February 7, 2006, to consider a petition submitted by Kevin Squillace et al, for establishment of a cartway for access to his property located in Unorganized 66-20. The following persons addressed the issue:

Mark Olson, Public Works Right of Way Agent, said he investigated the petition and found no feasible alternate access routes exist except over the property of Michael Lambert. An appraisal ordered by the County established damages of \$63,100. St. Louis County incurred costs of \$1,360.

Scott Neff, Attorney for the petitioners, noted a distance calculation error in the original petition and described in detail the proposed cartway route, which also crosses federal, state, tax forfeited and

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other private lands. A separate appraisal done for the petitioners set damages at \$29,482 plus County costs. In response to concerns of County Attorney Mitchell, Attorney Neff said the other agencies/landowners have indicated willingness to grant access after the cartway is established and granting of the cartway could be made contingent on payment of all damages and petitioners securing easements/agreements with the other entities.

At 12:12 P.M., Chair Nelson suspended the cartway discussion until 1:50 P.M.

Commissioner Fink, supported by Commissioner O'Neil, moved to go to closed session for litigation purposes; seven yeas - zero nays.

At 12:14 P.M. in the afternoon of Tuesday, February 28, 2006, Chair Nelson moved to recess the Board for a closed session.

The Board reconvened at 1:55 P.M. on Tuesday, February 28, 2006, and the regular order of business resumed with all members present.

The cartway discussion resumed and the following addressed the issue:

Michael Lambert, affected landowner, said his family has owned the property for fifty years and they built and maintained the road that the proposed cartway would follow. Mr. Lambert feared the cartway would open the road to the public and he would suffer a significant loss of privacy.

Harry Nadolske, adjacent landowner, said he favored continued gating of the road even if a cartway is granted.

Philip Lambert, brother of the affected landowner, presented a brief history of the road proposed for the cartway and he asked if another route would be feasible.

Alan Mitchell, County Attorney, in response to a question from Commissioner Forsman, said it has been the County's position that once a cartway is granted the route becomes a public road.

At 2:20 P.M., Commissioner Kron, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner O'Neil, moved to grant the cartway and establish damages of \$63,100 plus County costs of \$1,360. Commissioner Forsman clarified his motion to indicate that loss of privacy was a major portion of the damage award. Commissioner Fink offered a friendly amendment - accepted by the makers - to make the cartway contingent on payment of all costs by petitioners and securing access through easements or agreements over remaining properties. Commissioner Sweeney moved to table the matter until March 14, but then withdrew the motion. Commissioner Sweeney then offered a friendly amendment - accepted by the makers - to establish damages of \$2,892 for the land, \$26,590 for road and \$30,000 for the loss of privacy, for a grand total of \$59,482 plus County costs. After further discussion, Commissioner Fink, supported by Commissioner Raukar, moved to table the matter, but the motion failed; three yeas - four nays, Commissioners Kron, Forsman, Sweeney and Chair Nelson. Commissioner Sweeney asked to call the question and the amended motion was approved; seven yeas - zero nays. Resolution No. 141.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Thomas A. Friend, Virginia, spoke to the Board about mail support safety and again offered a product he invented for County consideration.

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Commissioner Fink, supported by Commissioner O'Neil, moved to approve the minutes from the December 20, 2005, County Board meeting; four yeas - zero nays (Commissioners Kron, Sweeney and Raukar were temporarily away from the meeting). Resolution No. 142.

Commissioner Fink, supported by Commissioner Forsman, moved to suspend the rules to consider identifying state mandates for repeal or full funding; four yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to approve submission of the mandate list to the State Auditor. Dana Frey, County Administrator, explained the purpose of approving the listing. Commissioner Raukar offered a friendly amendment - accepted by the makers - to add language to the resolution clearly indicating the systematic shifting of costs to property taxpayers for obligations more appropriately paid for by the State. After further discussion the amended resolution was approved; six yeas - zero nays, with Commissioner Sweeney temporarily away from the meeting. Resolution No. 143.

Commissioner Fink, supported by Commissioner O'Neil, moved to suspend the rules to consider making an appointment to the Planning Commission; six yeas - zero nays. Commissioner Fink, supported by Commissioner Raukar, moved to approve the appointment of William Thomas Coombe, Fayal Township, to a three-year term on the Planning Commission; six yeas - zero nays. Resolution No. 144.

Commissioner Raukar, supported by Commissioner Fink, moved to approve issuance, sale and delivery of General Obligation Capital Improvement Crossover Refunding Bonds, Series 2006A, in the amount of \$7,845,000. County Administrator Frey said the refunding bonds are the end of process that will allow the County to realize significant savings. The County's bond rating remains at AA3, according to Administrator Frey. Donald Dicklich, County Auditor, said the favorable rating created a lot of investor interest and resulted in an interest rate that will save the County \$359,585 over the term of issuance. After brief discussion, the issuance, sale and delivery of the refunding bonds was approved; six yeas - zero nays. Resolution No. 146.

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 2006.-58524

Civil Service Director submitting Personnel Transactions for the year 2006.-58525

Monthly reports of the Sheriff for cash received and disbursed in the year 2006.-58526

Liquor Licensing Committee submitting minutes for the year 2006.-58527

Laura A. Johnson, Paralegal, Law Offices of Fryberger, Buchanan, Smith & Frederick, regarding General Obligation Temporary Disposal System Bonds, Series 2006A, Town of Alborn.-58528

Documentation from public hearing held on February 28, 2006, to consider the petition of Kevin Squillace et al for the establishment of a cartway 33 feet in width over the property of Michael E. Lambert in Unorganized Township 66, Range 20, to provide access to their properties.-58529-D

Documentation from public hearing held on February 28, 2006, to consider the granting of an Off-Sale Intoxicating Liquor License to Britt Bait & Liquor, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 60-18.-58530

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Documentation from public hearing held on February 28, 2006, to consider the granting of an Off-Sale Intoxicating Liquor License to Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass Township.-58531

Agreement for Economic Development Services between the County of St. Louis and the Duluth Seaway Port Authority.-06-184

Fifth Modification of Lease between the Hibbing Economic Development Authority and St. Louis County.-06-185

Agreement for Professional Services between the County of St. Louis and Northeast Technical Services, Inc., to explore and evaluate the extent and level of petrochemical contamination within the proposed area of impact for the reconstruction of Hoover Road (C-SAH 7) from C-SAH 103 to 9th Street North in Virginia.-06-186

Engineering Services Agreement between the County of St. Louis and Northeast Technical Services for geotechnical evaluation and south drainage ditch upgrade analysis at the regional landfill.-06-187

Service Contract No. 4586 between the County of St. Louis and Como Lube and Supplies, Inc., for Parts Cleaning Machine Services.-06-188

Amendment I to WIC Peer Breastfeeding Support Pilot Project Grant Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.-06-189

Addendum to Agreement for Professional Services between St. Louis County and American Engineering Testing, Inc., for geotechnical exploration program, Stoney Point Overlook.-06-190

St. Louis County Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Proctor for St. Rose School Playground.-06-191

Agreement for Professional Services between St. Louis County and Pro-West & Associates, Inc., for scanning of historical aerial photography.-06-192

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and New Dimensions for Community Alternative Care Client No. 023.-06-193ss

Grant Agreement between the Minnesota Organization on Fetal Alcohol Syndrome and St. Louis County Public Health and Human Services.-06-194ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Interim Healthcare of Lake Superior for Community Care Client No. 07.-06-195ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Lisa Brekke for Community Care Client No. 19.-06-196ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Deborah Rosengren for Community Care Client No. 19.-06-197ss

Agreement for Professional Services between St. Louis County and Brian Toivonen for Geographical

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Information Systems support and mapping for the 911 Communications Division. -06-198

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Office of Justice Programs, and the St. Louis County Sheriff's Office for Boundary Waters Drug Task Force Grant. -06-199

Purchase of Service Agreement, Contract No. 13925, between the St. Louis County Board of Commissioners and Northwood Children's Services for child residential services. -06-200ss

Addendum to Purchase Agreement, Contract No. 13882B, between the St. Louis County Board of Commissioners and Bluewater Residential Services, LLC, for adult foster care services. -06-201ss

Group Residential Housing Rate Agreement, Contract No. 50414, between the St. Louis County Board of Commissioners and Bluewater - High Street Apt. A. -06-202ss

Group Residential Housing Rate Agreement, Contract No. 50415, between the St. Louis County Board of Commissioners and Bluewater - High Street Apt. B. -06-203ss

Addendum to Purchase Agreement, Contract No. 13844B, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care services. -06-204ss

Addendum to Purchase Agreement, Contract No. 13844C, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care services. -06-205ss

Addendum to Purchase Agreement, Contract No. 13844D, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care services. -06-206ss

Group Residential Housing Rate Agreement, Contract No. 50401, between the St. Louis County Board of Commissioners and Stepping Stones for Living - Deerwood. -06-207ss

Group Residential Housing Rate Agreement, Contract No. 50413, between the St. Louis County Board of Commissioners and Stepping Stones for Living - Ugstad. -06-208ss

Addendum to Purchase Agreement, Contract No. 13794B, between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc., for adult foster care services. -06-209ss

Addendum to Purchase Agreement, Contract No. 13794C, between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc., for adult foster care services. -06-210ss

Group Residential Housing Rate Agreement, Contract No. 50409, between the St. Louis County Board of Commissioners and Peace of Mind - Redbud. -06-211ss

Road Maintenance Agreement between St. Louis County and Cedar Valley Township. -06-212

St. Louis County Land Department Training Contract between St. Louis County and Allison & Associates to provide consultation in supervisory management matters. -06-213

Upon motion of Commissioner Kron, supported by Commissioner Fink, Resolutions No. 119 through 138, as submitted to this Board on the Consent Agenda were unanimously adopted as follows with Commissioners O'Neil, Sweeney and Raukar out of the room:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 3,965,782.35
184	Extension Service	43,953.44
200	Public Works	2,535,257.80
230	Social Services	3,984,703.79
240	Forfeited Tax	258,254.41
250	St. Louis County HRA	9,545.96
600	Solid Waste Authorities	416,803.95
625	Chris Jensen Health & Rehab.	1,162,657.54
650	Laundry	88,137.93
660	Community Food Services	61,709.22
670	Supervised Living Facilities	39,804.01
700	Printing	13,723.11
715	County Garage	73,832.48
750	Management Information Systems	282,533.16
760	Telecommunications	21,649.30
925	Arrowhead Regional Corrections	1,249,391.85
955	Community Health Services	28,860.55
989	Regional Railroad Authority	<u>81,271.98</u>
		\$14,317,872.83

Adopted February 28, 2006. No. 119

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. 58495, are hereby approved:

Real Estate - Danny Buttler, \$1,168.34; City of Ely, \$3,733.24; Donald Dicklich, C. Forfeiture; Shawn Lien, \$368.92; Barbara Matschke, \$212.68; Bonnie Miller, \$516.80; Kurtis Pierson, \$191.20; Jason Solberg, \$605.16; James Makowsky, \$851.96.

Adopted February 28, 2006. No. 120

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 17, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 28, 2006. No. 121

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. 58524:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S0716;

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James Oluf Saugestad, d/b/a Melrude Pub, Ellsburg Township, Permit No. S0713;

Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S0715;

Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar and Grill, Cherry Township, Permit No. S0719.

Adopted February 28, 2006. No. 122

WHEREAS, the St. Louis County Board of Commissioners has allocated \$120,000 from the Environmental Trust Fund for 2006 to be divided equally between the North and South Soil & Water Conservation Districts; and

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded a 2006 Natural Resources Block Grant (NRBG) in the amount of \$121,062 to St. Louis County for wetland, shoreland, and water plan purposes; and

WHEREAS, the North and South Soil and Water Conservation Districts provide professional services to land owners for wetland, shoreland and water management.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes appropriate County officials to execute agreements between St. Louis County and the following entities:

South St. Louis County Soil and Water Conservation District

Technical assistance to land owners (Environmental Trust)	\$ 60,000.00
Wetlands, shoreland and water management (NRBG-pass through)	\$ 10,237.00
Wetland Conservation Act administration (NRBG)	\$ 10,000.00
Water Management Plan implementation (NRBG)	<u>\$ 5,328.50</u>
Subtotal	\$ 85,565.50

North St. Louis County Soil and Water Conservation District

Technical assistance to land owners (Environmental Trust)	\$ 60,000.00
Wetlands, shoreland and water management (NRBG-pass through)	\$ 10,237.00
Wetland Conservation Act administration (NRBG)	\$ 10,000.00
Wetland Technical Advisory Committee agendas and minutes (NRBG)	\$ 2,000.00
Water Management Plan implementation (NRBG)	<u>\$ 5,328.50</u>
Subtotal	\$ 87,565.50

Adopted February 28, 2006. No. 123

WHEREAS, on July 12, 2005, the County Board approved Resolution No. 349 allowing the Duluth Economic Development Authority (DEDA) to purchase approximately 77 acres of tax forfeit property for a development project in conjunction with Dan and Ted Stocke (Trinity Development Group); and WHEREAS, DEDA requests to purchase the property under a land sale contract with ten percent down payment of \$125,510.00 plus fees; and

WHEREAS, the approval of this resolution will expedite the sale of the property to the development group;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the St. Louis County Land Department to enter into a land sale contract with the Duluth Economic Development Authority (DEDA) for the purchase of a 77 acre parcel of land, which was approved for sale by County Board Resolution No. 349, on July 12, 2005, for \$1,255,100.00, with a 10 percent down payment of \$125,510.00 plus recording fees of \$192.00 and a 3 percent assurance fee of \$37,653.00, for a total down payment of \$163,355.00, on or before May 25, 2006.

BE IT FURTHER RESOLVED, that the balance of the contract, \$1,129,590.00, plus recording fee of \$192.00, deed tax of \$4,141.83, and deed fee of \$25.00, for a total of \$1,133,948.83 be paid within 45 days of DEDA receiving the recorded contract.

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Adopted February 28, 2006. No. 124

WHEREAS, St. Louis County is committed to protecting the environment; and  
WHEREAS, the St. Louis County Land Department has developed an Environmental Management System under the International Standards Organization (ISO) 14001 standard to meet the objectives of the Sustainable Forestry Initiative (SFI) program; and  
WHEREAS, third party certification of ISO 14001 and the SFI standard will verify that St. Louis County is achieving the SFI objectives on State tax forfeited trust lands;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes entering into an agreement with Quality Management Institute (QMI), Cleveland, OH, to provide 2005-2009 SFI Registration Services for the next five years at \$1,225 per auditor day, for a total of \$33,952, plus out of pocket expenses (airfare, lodging, meals) each year at cost, payable from Fund 290, Agency 290001, Object 629900.

Adopted February 28, 2006. No. 125

WHEREAS, Minnesota Statutes 282.01, Subdivision 7, requires that a tax forfeited land sale must continue until the County Board orders a reappraisal or withdraws any or all parcels from sale.  
WHEREAS, the Land Department is in the process of securing legal access to a tax forfeited parcel currently available for purchase, and has requested that the parcel be withdrawn from sale until access is secured. This parcel is legally described as: SW 1/4 of SW 1/4 of Section 27 and NW 1/4 of NW 1/4 except E'ly 250 feet and except S'ly 250 feet lying W. of E'ly 475 feet and except S'ly 250 feet of W'ly 75 feet of E'ly 325 feet and except S'ly 250 feet of W'ly 75 feet of E'ly 400 feet and except W'ly 75 feet of E'ly 475 feet of S'ly 250 feet of Section 34, Township 58 North, Range 17 West.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board withdraws the above described tax forfeited parcel from the Available Lands List until legal access to the parcel is obtained.

Adopted February 28, 2006. No. 126

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with Lake County, whereby Lake County will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3708, Striping 2006. The funds received from Lake County will be receipted into Fund 200, Agency 201041.

Adopted February 28, 2006. No. 127

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Babbitt (City), whereby the City will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3708, Striping 2006. The funds received from the City of Babbitt will be receipted into Fund 200, Agency 201041.

Adopted February 28, 2006. No. 128

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Eveleth (City), whereby the City will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3708, Striping 2006. The funds received from the City of Eveleth will be receipted into Fund 200, Agency 201041.

Adopted February 28, 2006. No. 129

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of White (Township), whereby the Township will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3708, Striping 2006. The funds received from the Town of White will be receipted into Fund 200, Agency 201041.

Adopted February 28, 2006. No. 130

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RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Babbitt (City), whereby the City will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3706, Crack Sealing 2006. The funds received from this program will be received into Fund 200, Agency 201037.  
Adopted February 28, 2006. No. 131

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Eveleth (City), whereby the City will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3706, Crack Sealing 2006. The funds received from the City of Eveleth will be received into Fund 200, Agency 201037.  
Adopted February 28, 2006. No. 132

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Fredenberg (Township), whereby the Township will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3706, Crack Sealing 2006. The funds received from the Town of Fredenberg will be received into Fund 200, Agency 201037.  
Adopted February 28, 2006. No. 133

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of White (Township), whereby the Township will pay its local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as M.P. 3706, Crack Sealing 2006. The funds received from the Town of White will be received into Fund 200, Agency 201037.  
Adopted February 28, 2006. No. 134

WHEREAS, the Public Works Department equipment budget includes the purchase of four (4) road patcher trailers for the second, fifth, sixth and seventh highway districts; and  
WHEREAS, the least costly model with a three yard capacity is the Stepp SPH-3.0 produced by Stepp Mfg. Co., Inc., of North Branch, Minnesota; and  
WHEREAS, the Stepp model is available through a State of Minnesota contract; and  
WHEREAS, the purchase price for the Stepp SPH-3.0 equipped as needed is \$19,160; and  
WHEREAS, the total price of four (4) units will be \$76,640 and the applicable State of Minnesota sales tax will be \$4,981.60 for a total cost to the county of \$81,621.60; and  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Stepp Mfg. Co., of North Branch, Minnesota, for the purchase of four (4) Stepp SPH-3.0 pothole patch trailers, payable from Fund 200, Agency 202020, Object 664900.  
Adopted February 28, 2006. No. 135

WHEREAS, the Public Works Department equipment budget includes replacement of two motor graders, Unit No. 3273, a 1992 Dresser and No. 7211, a 1996 Galion at the Third and Seventh Highway Districts, respectively; and  
WHEREAS, State of Minnesota "with trade-in" contract pricing was requested from the two area vendors offering motor graders acceptable to the Public Works Department, Nortrax and Ziegler, Inc., both of Duluth; and  
WHEREAS, the lease costly motor graders available are the John Deere 770D for Division 3 and a John Deere 772D for Division 7 as proposed by Nortrax with the state contract available through RDO Equipment Company; and  
WHEREAS, the purchase price of the Division Three four-wheel drive 770D is \$152,454 and the purchase price for the Division 7 six-wheel drive 772D is \$182,587; and  
WHEREAS, the purchase will be subject to a \$21,777.67 State of Minnesota sales tax for a total cost

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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to the County of \$356,818.67; and  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Nortrax of Duluth, utilizing RDO Equipment Company's State of Minnesota contract for the purchase of a John Deere 770D motor grader and a John Deere 772D motor grader, payable from Fund 200, Agency 202020, Object 666400.  
Adopted February 28, 2006. No. 136

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheels), on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:  
Am Vets Post No. 12 to operate out of The Thirsty Moose, Cherry Township, 10550 Highway 37, Hibbing, MN 55746, New.  
Adopted February 28, 2006. No. 137

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply with the City of Duluth for the 2006 Bureau of Justice Assistance, Justice Assistance Grant Program, in the amount of \$40,489.00;  
RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to enter into a Memorandum of Understanding with the City of Duluth in regards to the 2006 Justice Assistance Grant Program, whereby St. Louis County will receive \$17,000 of the total grant amount and will contribute \$2,500 to the Drug Court Program, \$2,500 to the First Witness Program, and the remaining \$12,000 will be used to purchase portable radios;  
RESOLVED FURTHER, that funds will be made payable to Fund 100, Agency 129999, Grant 12915, Year 2006.  
Adopted February 28, 2006. No. 138

**BY COMMISSIONER FORSMAN:**

WHEREAS, Britt Bait & Liquor, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 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 28, 2006, at or about 9:35 A.M. in the Hibbing City Council Chambers, 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 Britt Bait & Liquor 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 OFSL0617) shall be issued to Britt Bait & Liquor, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 60-18;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2006;  
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. February 28, 2006. No. 139

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WHEREAS, Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass 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 February 28, 2006, at or about 9:40 A.M. in the Hibbing City Council Chambers, 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 Cold Country Liquor, 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 OFSL0618) shall be issued to Cold Country Liquor, Inc., d/b/a Cold Country Liquor, Inc., Embarrass Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2006;

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. February 28, 2006. No. 140

RESOLVED, that the St. Louis County Board of Commissioners hereby directs staff to prepare Findings of Fact, Conclusion and Order granting the cartway petition submitted by Kevin Squillace et al for access to the property of petitioners.

RESOLVED FURTHER, that payment of the following shall be part of the order:

Damages to the affected landowner:	\$ 2,892.00	- land
(Michael E. Lambert)	26,590.00	- road
	30,000.00	- compensation for loss of privacy
Costs incurred by St. Louis County:	\$ 1,360.00	
Total costs and damages:	\$60,842.00	

RESOLVED FURTHER, that the order granting the cartway shall be contingent on petitioners securing easements and/or agreements allowing access across federal, state, tax forfeited and private properties as necessary to make a completed route between petitioners' properties and Highway 53 and compliance with all other provisions of law.

Unanimously adopted. February 28, 2006. No. 141

**BY COMMISSIONER FINK:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 20, 2005, are hereby approved.

Yeas - Commissioners Fink, O'Neil, Forsman, and Chair Nelson - 4

Nays - None

Out of Room - Commissioners Kron, Sweeney, and Raukar - 3

Adopted February 28, 2006. No. 142

Upon motion of Commissioner Fink, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 143 which was not on the agenda.

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**BY COMMISSIONER FINK:**

WHEREAS, on behalf of the taxpayers of St. Louis County, the St. Louis County Board of Commissioners continually seeks ways to keep the cost of county government as cost effective as possible; and

WHEREAS, the cost of St. Louis County government is significantly affected by mandates from the State of Minnesota; and

WHEREAS, the Minnesota State Legislature in 2005 passed legislation (M.S. 6.79) which allows local governments to file resolutions with the State Auditor which either object to particular state mandates or make recommendations for reforming particular state mandates; and

WHEREAS, the State Auditor has encouraged local governments to submit mandate reform proposals to her office and has expressed a willingness to partner with local governments in achieving those reforms;

WHEREAS, the State of Minnesota has been involved in the systematic shifting of costs to County property taxpayers for obligations which are rightly the responsibility of the State.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby submits to the State Auditor a certified copy of this resolution and the list of mandates, along with statute citations and comments, as candidates for repeal;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners requests that the State Auditor take any measures available to aid the repeal of these mandates.

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Raukar, and Chair Nelson - 6

Nays - None

Out of Room - Commissioner Sweeney - 1

Adopted February 28, 2006. No. 143

Upon motion of Commissioner Fink, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 144 which was not on the agenda.

**BY COMMISSIONER NELSON:**

RESOLVED, that the St. Louis County Board of Commissioners hereby appoints the following individual to the Planning Commission:

William Thomas Coombe, At Large, term ending December 31, 2008

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Raukar, and Chair Nelson - 6

Nays - None

Out of Room - Commissioner Sweeney - 1

Adopted February 28, 2006. No. 144

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept a 2006 Minnesota Department of Public Safety - Office of Justice Programs Grant for the Boundary Waters Drug Task Force in the amount of \$100,000.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign any associated contract documents.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign any necessary Joint Powers Agreements to continue the operations of the task force.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate County staff to expend these funds in compliance with the terms of the grant contract.

RESOLVED FURTHER, that funds will be made payable to and expenditures authorized from Fund 100, Agency 129999, Grant 12901, Year 2006.

Unanimously adopted. February 28, 2006. No. 145

**BY COMMISSIONER RAUKAR:**

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

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**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
ST. LOUIS COUNTY, MINNESOTA, PROVIDING FOR THE  
ISSUANCE, SALE AND DELIVERY OF \$7,845,000 GENERAL  
OBLIGATION CAPITAL IMPROVEMENT CROSSOVER REFUNDING  
BONDS, SERIES 2006A; ESTABLISHING THE TERMS AND  
CONDITIONS THEREFOR; DIRECTING THEIR EXECUTION AND  
DELIVERY; CREATING A DEBT SERVICE FUND THEREFOR; AND  
AWARDING THE SALE THEREOF**

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

Section 1. Bond Purpose, Authorization and Award.

1.01 Pursuant to Minnesota Statutes, Section 373.40, Minnesota Statutes, Chapter 475, and Laws of Minnesota 2000, Chapter 490, Article 6, Section 21 (collectively the "Act"), the County previously issued \$14,270,000 General Obligation Capital Improvement Bonds, Series 2001, dated May 1, 2001 (the "2001 Bonds") as authorized by a Resolution adopted by the Board on April 24, 2001 (the "2001 Resolution"). The 2001 Bonds were issued to finance capital improvements under the County's capital improvement plan for the years 2001 through 2006 (the "Plan"). The Plan was approved by the Board on January 9, 2001, and by the Minnesota Department of Trade and Economic Development by letter dated January 23, 2001.

1.02 Under and pursuant to the provisions of the Act and, specifically, Section 475.67, Subdivisions 1 through 3 and 13 of the Act, the County is authorized to issue and sell its general obligation bonds to refund certain maturities of the 2001 Bonds in advance of their scheduled maturities, if consistent with covenants made with the holders thereof, when determined by the County to be necessary or desirable for the reduction of debt service cost to the County or for the extension or adjustment of maturities in relation to the resources available for their payment.

1.03 The Board hereby finds and determines that it is necessary and desirable that in order to reduce debt service costs the County issue, sell and deliver its General Obligation Capital Improvement Crossover Refunding Bonds, Series 2006A (the "Bonds"), in the amount of \$7,845,000, to provide for the refunding of the 2010 through 2016 maturities of the 2001 Bonds, of which \$7,795,000 in principal amount will be outstanding and subject to redemption and prepayment on December 1, 2009 (the "Refunded Bonds"). (December 1, 2009 is herein referred to as the "Redemption Date.")

1.04 Northland Securities, Inc., financial consultant to the County, has given notification as required by the Act to at least five firms determined by Northland Securities, Inc. to be prospective bidders on the Bonds at least two days (omitting Saturdays, Sundays, and legal holidays) before the date set for receipt of bids on the Bonds.

1.05 Northland Securities, Inc., as authorized by the County, has solicited offers for the purchase of the Bonds, the most favorable of which is an offer from SunTrust Capital Markets, Inc. of Atlanta, Georgia (the "Purchaser"), to purchase the Bonds at a cash price of \$7,878,483.73, plus accrued interest on the total principal amount from March 1, 2006, to the date of delivery upon the terms and conditions hereafter specified in this Resolution. The Board, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair and the County Auditor are authorized and directed to execute on the part of the County a contract for the sale of the Bonds in accordance with the Purchaser's proposal, and to acknowledge receipt of the check given for the security of the proposal, if any.

Section 2. Terms of the Bonds.

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2.01 The Bonds shall be dated March 1, 2006, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall bear interest at the annual rates indicated below and shall mature on December 1 in the following respective years and amounts:

<b>Year</b>	<b>Amount</b>	<b>Interest Rate</b>
2010	\$1,005,000	3.75%
2011	1,045,000	3.75%
2012	1,080,000	3.75%
2013	1,115,000	3.75%
2014	1,155,000	3.75%
2015	1,200,000	3.75%
2016	1,245,000	3.75%

The maturities of the Bonds, together with the maturities of all other outstanding general obligation bonds of the County, meet the requirements of Section 475.54 of the Act.

2.02 The Bonds maturing in the years 2010 through 2014 shall not be subject to redemption and prepayment before maturity, but those maturing in the year 2015 and in subsequent years shall each be subject to redemption and prepayment at the option of the County on December 1, 2014, and on any date thereafter, in whole or in part, in such order of maturities as selected by the County. If less than all the Bonds of a maturity are called for redemption, the County will notify The Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at price equal to the principal amount thereof plus accrued interest to the redemption date. Prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed, at the address shown on the registration books of the Bond Registrar. If applicable, notice shall be given in accordance with the terms of the Representation Letter described in Section 2.06A hereof.

2.03 The Bonds shall bear interest at the annual rates stated therefor in Section 2.01. The interest shall be payable semiannually on June 1 and December 1 in each year (each herein referred to as an "Interest Payment Date") commencing on December 1, 2006. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

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

B. The County Auditor is authorized to obtain a copy of the proposed approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A. of Duluth, Minnesota, which is to be

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complete and cause the opinion to be attached to each Bond, together with a certificate to be signed by the manual or facsimile signature of the County Auditor in substantially the form set forth in Section 3.01, but only if the opinion is not manually executed. The County Auditor is authorized and directed to execute the certificate in the name of the County upon receipt of the opinion, if required by the preceding sentence, and to file the opinion in the County offices.

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

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

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

C. Additional matters with respect to, among other things, notices, consents and approvals by bondholders and payments on the Bonds are set forth in the Representation Letter.

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

B. Upon surrender for transfer of any Bond at the principal corporate office of the Bond Registrar, the County shall execute and the Bond Registrar shall authenticate and deliver, in the names(s) of the designated transferee(s), one or more new bonds of a like aggregate principal amount, as requested by the transferor.

C. At the option of the registered owners, the Bonds may be exchanged for other Bonds of any authorized denomination, of a like aggregate principal amount, maturing upon the same date, upon surrender of the Bonds to be exchanged at the principal corporate office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the County shall execute and the Bond Registrar shall authenticate and deliver the Bonds which the registered owner making the exchange is entitled to receive.

D. All Bonds surrendered upon the exchange provided for in this Resolution shall be promptly cancelled by the Bond Registrar and thereafter disposed of as directed by the Board.

E. All Bonds issued in exchange for or upon transfer of the Bonds shall be valid obligations of the County evidencing the same debt and entitled to the same benefits under this Resolution as the Bonds surrendered for such exchange or transfer.

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F. Every Bond presented for a transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the County and the Bond Registrar, duly executed by the registered owner thereof or the owner's attorney duly authorized in writing.

G. The County may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of the Bonds, other than exchange expressly provided in this Resolution to be made, without expense or without charge to the registered owner.

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

I. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Bond Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not more than 60 and not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Bond Registrar. Failure to give notice by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds not affected by such defect or failure. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.08 Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all of the rights to interest, accrued and unpaid and to accrue, which are carried by such other Bond. Each Bond shall be dated by the Bond Registrar as of the date of its authentication or manual execution, as the case may be. The County and the Bond Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption or to make any such exchange or transfer of the Bonds during the 15 days next preceding the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of the Bonds.

2.09 The County and the Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and interest on such Bond and for all other purposes whatsoever, whether or not such Bond be overdue, and neither the County nor the Bond Registrar shall be affected by notice to the contrary.

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

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

Section 3. Form of the Bonds.

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

UNITED STATES OF AMERICA  
STATE OF MINNESOTA

ST. LOUIS COUNTY

GENERAL OBLIGATION CAPITAL IMPROVEMENT  
CROSSOVER REFUNDING BOND, SERIES 2006A

R-\_\_ \$ \_\_\_\_\_

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	December 1, ____	March 1, 2006	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

St. Louis County, Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest on said principal amount to the registered owner hereof from March 1, 2006, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until the principal amount is paid or discharged, said interest being at the interest rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (each referred to herein as an "Interest Payment Date") commencing on December 1, 2006. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor bond registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due.

This Bond is one of a series issued by the County in the aggregate amount of \$7,845,000, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, denomination and interest rate, pursuant to: (i) the authority contained in Minnesota Statutes, Chapter 475, Section 475.67, Subdivisions 1 through 3 and 13 and all other laws thereunto enabling; and (ii) an authorizing

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resolution adopted by the governing body of the County on February 28, 2006 (the "Resolution"), for the purpose of providing money to refund in advance of maturity the outstanding principal amount of certain general obligation bonds of the County. The debt service on the Bonds is payable through December 1, 2009 (the "Redemption Date"), solely out of the Escrow Account in the County's 2006 General Obligation Capital Improvement Crossover Refunding Bonds Debt Service Fund and after the Redemption Date from ad valorem taxes levied upon all of the taxable property within the territory of the County. Reference is hereby made to the Resolution for a full statement of rights and powers thereby conferred.

This Bond constitutes a general obligation of the County, and to provide monies for the prompt and full payment of the principal and interest when the same become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

The Bonds of this series maturing in the years 2010 through 2014 are not subject to redemption before maturity, but those maturing in the year 2015 and in subsequent years are each subject to redemption and prepayment at the option of the County on December 1, 2014, and on any date thereafter, in whole or in part, in such order of maturities as selected by the County, and by lot as to the Bonds maturing in the same year, at a price equal to the principal amount plus accrued interest to the redemption date. Not more than 60 days and not less than 30 days before the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed. No defect or failure in such mailed notice shall affect the validity of the proceedings for redemption of any Bond not affected by such defect or failure. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the County shall deliver or cause to be delivered to the registered owner of such Bond a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

The Bonds of this series have been designated by the County as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

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

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

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or statutory limitation.

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

Date of Execution: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
County Auditor

\_\_\_\_\_  
Chair

Bond Counsel Opinion

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

\_\_\_\_\_  
County Auditor

REGISTRATION CERTIFICATE

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

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
3/ __/06	Cede & Co. c/o The Depository Trust Company 55 Water Street New York, NY 10041 Federal Taxpayer I.D. No.: 13-2555119	_____

ASSIGNMENT

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

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
Social Security or Other

\_\_\_\_\_  
Identifying Number of Assignee

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

Dated: \_\_\_\_\_

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

Signature Guaranteed:

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

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

Section 4. Escrow Agreement; Escrow Agent.

4.01 U.S. Bank National Association of St. Paul, Minnesota, which is a suitable financial institution within the State of Minnesota whose deposits are insured by the Federal Deposit Insurance Corporation whose combined capital and surplus is not less than \$500,000, is hereby designated escrow agent (the "Escrow Agent") with respect to the Bonds.

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

Section 5. Covenants; Accounts and Tax Levies.

5.01 A. Debt Service Fund. For the convenience and proper administration of the monies to be borrowed and repaid on the Bonds and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the 2006 General Obligation Capital Improvement Crossover Refunding Bonds Debt Service Fund (the "Debt Service Fund") to be administered and maintained by the County Auditor as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Debt Service Fund shall be maintained in the manner herein specified until all of the Bonds and interest thereon have been fully paid. There shall be maintained in the Debt Service Fund two separate accounts, to be designated the Escrow Account and the Debt Service Account.

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B. Debt Service Account. To the Debt Service Account there is hereby pledged and irrevocably appropriated and there shall be credited: (i) any balance remitted to the County upon termination of the Escrow Agreement; (ii) any balance remaining on the Redemption Date in the General Obligation Capital Improvement Bonds, Series 2001 Debt Service Fund created in the 2001 Resolution after the Redemption Date; (iii) all investment earnings on funds in the Debt Service Account; (iv) accrued interest, if any, received from the Purchaser upon delivery of the Bonds to the extent not required to fund the Escrow Account (the "Accrued Interest"); (v) any amount of additional interest permitted by Section 475.56 of the Act paid by the Purchaser (the "Additional Interest"), to the extent not required to fund the Escrow Account; (vi) all taxes pledged to repayment of the 2001 Bonds collected after the Redemption Date which levies shall not be cancelled except as permitted by Section 475.61, Subdivision 3 of the Act; (vii) any taxes levied to pay the principal and interest on the Bonds; (viii) any and all other monies which are properly available and are appropriated by the County to the Debt Service Account; and (ix) all investment earnings on funds in the Debt Service Account.

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

C. Escrow Account.

(i) To the Escrow Account there is hereby pledged and irrevocably appropriated and there shall be credited: (a) the proceeds of the Bonds received from the Purchaser which are not appropriated to the Debt Service Account or are not to be used for payment of costs of issuance of the Bonds; (b) Accrued Interest; (c) Additional Interest [amounts referenced in clauses (a), (b) and (c) are herein referred to as the "Proceeds"]; (d) funds of the County in an amount sufficient to meet the requirements of the Escrow Account (the "Funds"); and (e) investment earnings on such monies referenced in clauses (a), (b), (c) and (d), for the payment and redemption on the Redemption Date of the Refunded Bonds and for payment of the interest to become due on the Bonds through the Redemption Date.

(ii) The Escrow Account shall be maintained with the Escrow Agent pursuant to the Escrow Agreement and this Resolution. The Escrow Account shall be invested in accordance with the Act, the Escrow Agreement and this Section, in securities specified in Section 475.67, Subdivision 8 of the Act or in an investment contract or similar agreement with a bank or insurance company meeting the requirements of Minnesota Statutes, Section 118A.05, Subdivision 5, which investments will provide sufficient funds together with any cash or other funds retained in the Escrow Account to pay when due the interest to accrue on each Bond to and including the Redemption Date, and to pay on the Redemption Date, the principal amount of each of the Refunded Bonds then outstanding.

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

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

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shall be deposited in the Debt Service Account.

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

D. The Construction Fund created in the 2001 Resolution is hereby terminated and any monies remaining therein shall be transferred to the Debt Service Fund established therein.

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

Levy Year	Collection Year	Tax Levy
2009	2010	\$1,364,147
2010	2011	\$1,366,575
2011	2012	\$1,362,179
2012	2013	\$1,356,404
2013	2014	\$1,354,500
2014	2015	\$1,356,272
2015	2016	\$1,356,272

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

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

**Section 6. Refunding; Findings; Redemption of Refunded Bonds.**

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

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

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C. The proceeds of the 2001 Bonds have been fully expended for the governmental purposes for which such bonds were issued.

6.02 A. The County Auditor or his designee is hereby authorized and directed to provide, in a timely manner, to (i) each nationally recognized municipal securities information repository or to the Municipal Securities Rulemaking Board and (ii) the appropriate state information depository, notice of the occurrence of a material event with respect to the 2001 Bonds, in accordance with the provisions of Section 7 of the 2001 Resolution.

B. The Refunded Bonds shall be redeemed and prepaid in accordance with: (i) their terms; (ii) with the terms and conditions set forth in the form of Notice of Call for Redemption attached to the Escrow Agreement; and (iii) with the terms and conditions of the Representation Letter, all of which terms and conditions are hereby approved and incorporated herein by reference.

Section 7. Defeasance.

7.01 When all Bonds and all interest thereon have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this Resolution to the holders of the Bonds shall cease, except that the pledge of the full faith and credit of the County for the prompt and full payment of the principal of and interest on the Bonds shall remain in full force and effect. The County may discharge all Bonds which are due on any date by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with an escrow agent a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The County may also at any time discharge and cause defeasance of the Bonds in their entirety by complying with the provisions of Section 475.67 of the Act, except that the funds deposited in escrow in accordance with said provisions may (to the extent permitted by law) but need not be, in whole or in part, proceeds of bonds as therein provided, without the consent of any bondholders.

Section 8. Certificate of Proceedings.

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

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

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

8.04 In the event of the absence or disability of the Chair or the County Auditor or, such officers or members of the Board as in the opinion of the County's attorney may act in their behalf shall, without further act or authorization, execute and deliver the Certificates, and do all things and execute

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all instruments and documents required to be done or executed by such absent or disabled officers.

Section 9. Tax Covenants.

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

9.02 No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations. In addition, the proceeds of the Bonds and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

9.03 A. The Board covenants and certifies to and for the benefit of the owners of the Bonds that no use will be made of the proceeds of the Bonds, which will cause the Bonds to be arbitrage bonds within the meaning of Section 148(a) of the Code and the Treasury Regulations promulgated thereunder. Pursuant to such covenant, the Board hereby agrees to comply throughout the term of the issue of the Bonds with the requirements of Section 148 of the Code and any Treasury Regulations promulgated thereunder; to this end, the Board shall:

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

(2) make, or cause to be made as of the end of each Bond Year, the annual determinations of the amount, if any, of excess arbitrage required to be paid to the United States by the County (hereinafter, the "Rebate Amount");

(3) pay, or cause to be paid, to the United States at least once every five Bond Years the amount, if any, which is required to be paid to the United States, including the last installment which shall be made no later than 60 days after the day on which the Bonds are paid in full;

(4) not invest, or permit to be invested, "gross proceeds" in any acquired non-purpose obligations so as to deflect arbitrage otherwise payable to the United States as a "prohibited payment"

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to a third party;

(5) retain all records of the annual determinations of the foregoing amounts until six years after the Bonds have been fully paid; and

(6) in order to comply with the foregoing paragraph, the Board shall determine the Rebate Amount within 30 days after the close of each Bond Year and upon payment in full of the Bonds; upon each such determination, the Board shall deposit in the Rebate Fund the Rebate Amount so determined; the Board shall separately account for the earnings from the investment of the Rebate Amount and such earnings shall become part of the Rebate Amount.

B. For purposes of this Section, "Bond Year" shall mean the 12-month period beginning on the date of issuance of the Bonds or such other 12-month period designated by the Board which is permitted by the Code or any Treasury Regulation promulgated thereunder.

9.04 In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the County hereby makes the following factual statements and representations:

A. the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

B. the County hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

C. the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the County (and all entities whose obligations will be aggregated with those of the County during the calendar year in which the Bonds are being issued will not exceed \$10,000,000; and

D. not more than \$10,000,000 of obligations issued by the County during the calendar year in which the Bonds are being issued have been designated for purposes of Section 265(b)(3) of the Code.

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

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Raukar, and Chair Nelson - 6

Nays - None

Out of Room - Commissioner Sweeney - 1

Adopted February 28, 2006. No. 146

At 3:42 P.M. on Tuesday, February 28, 2006, upon motion of Commissioner Kron, supported by Commissioner Fink, the Board of County Commissioners adjourned.

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Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**MARCH, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON MARCH 14, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of March, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

The Volunteer Excellence Award, normally presented at the beginning of each meeting, was delayed until 1:00 P.M.

Commissioner Forsman noted March 14 was township election day - an example of grassroots democracy.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and the following chose to do so:

Bobbi Bogart, Solway Township resident, expressed concern about a massive outdoor Christmas display called Bentleyville and its occasionally negative impact on access for residents of Crosby Road. Commissioner Sweeney said a petition from area residents has been submitted to the Sheriff and Public Works and a solution needs to be found.

At 9:45 A.M., a public hearing was convened pursuant to County Board Resolution No. 55, adopted January 24, 2006, to consider naming a point of land on Lake Kabetogama as Nelson Point. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, described the petition request and also introduced a letter from Kent Lokkesmoe, Department of Natural Resources Waters, explaining the DNR's positions on naming geographic areas. Deputy Administrator Eckenberg also submitted an e-mail from Tim Watson, Kabetogama resident opposed to the naming, and a response from the petitioners to the Watson e-mail. The Town of Kabetogama did not respond to notification of a public hearing.

Greg Gilbert, Attorney representing the petitioners, said the Nelson family has a long recreational history on the point and all legal requirements for a name change have been followed.

Commissioner Fink, supported by Commissioner Forsman, moved to continue the hearing for one week to allow Kabetogama an opportunity to respond to the naming proposal. After further discussion, Commissioner Sweeney offered a friendly amendment - accepted by the makers - to continue the hearing until the April 25, 2006, meeting in the Gilbert City Hall; seven yeas - zero nays.

At 10:30 A.M., a public hearing was convened pursuant to County Board Resolution No. 107, adopted

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February 14, 2006, to consider adoption of the St. Louis County Election Equipment Plan as required by the federal Help America Vote Act (HAVA) and state legislation. Donald Dicklich, County Auditor, explained the purpose and legal requirements for adopting a plan, which will provide federal funding to purchase assistive voting equipment for all polling places in 2006. In addition, funding has been set aside for other HAVA- compliant purposes such as purchase of optical scan counters in certain circumstances and operational costs for the assistive equipment, according to Auditor Dicklich. No one else chose to address the issue.

At 10:55 A.M., Commissioner Kron, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. After some discussion about future costs to townships, Commissioner Sweeney, supported by Commissioner Kron, moved to approve adoption of the plan; seven yeas - zero nays. Resolution No. 165.

A public hearing to consider a cartway petition submitted by Mark E. and Kristen M. Norrell, scheduled for 9:45 A.M., was removed from the agenda by consensus of Board members. Due to confusion about the hearing date and a subsequent failure to give proper notices, Alan Mitchell, County Attorney, said the matter will be rescheduled for the April 25, 2006, meeting at Gilbert City Hall.

At 11:07 A.M. in the forenoon of Tuesday, March 14, 2006, Chair Nelson moved to recess the Board until 11:12 A.M. on March 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:15 A.M. on Tuesday, March 14, 2006, and the regular order of business resumed with all members present.

At 11:15 A.M., a public hearing was convened pursuant to County Board Resolution 109, adopted February 14, 2006, to consider rezoning portions of Township 51, Range 12 West, and Township 52, Range 12 West (Town of Duluth). The following persons addressed the issue:

Barbara Hayden, Planning Director, said the Town of Duluth has administered their own zoning for thirty years and she described the process used to arrive at the current request to have the County approve rezoning that is less restrictive in certain areas than current County standards.

Stephen Dahl, Town of Duluth Supervisor, said this has been a long process with extensive public input.

Wayne Dahlberg, Town of Duluth Zoning Administrator, said more than one hundred meetings have been conducted.

James Munger, Duluth Township resident, said he generally supports the new comprehensive plan except for those areas that are being considered for rezoning. Zoning the areas as industrial may allow construction of certain types of businesses that residents oppose. Mr. Munger suggested the matter should be decided by township referendum.

Gary Berggren, Duluth Township resident, said he has concerns about the industrial zoning and he asked the Board to send the matter back to the Town for further discussion.

Susan Berggren, Duluth Township resident, urged the Board to take no action on the matter because of the need for more discussion and a proper review of the requested rezoning.

At 11:50 A.M., Commissioner O'Neil, supported by Commissioner Kron, moved to close the public hearing; seven yeas - zero nays. Commissioner Fink, supported by Commissioner O'Neil, moved to

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send the matter back to the Planning Commission to allow the Berggrens an opportunity to be heard. Sue Lawson, Chair of the Town of Duluth Planning Commission, in response to Commissioner questions, said the Berggren's requests were considered during formulation of the comprehensive plan. After lengthy discussion, the motion to refer the matter back to the Town of Duluth failed; two yeas - five nays, Commissioners Kron, Forsman, Sweeney, Raukar and Chair Nelson. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the rezoning request.

At 12:27 P.M. in the afternoon of Tuesday, March 14, 2006, Chair Nelson moved to recess the Board until 1:30 P.M. on March 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:50 P.M. on Tuesday, March 14, 2006, and the regular order of business resumed with all members present.

Discussion resumed on the Town of Duluth rezoning request. Planning Director Hayden, in response to a question from Commissioner Fink, said language in the resolution was simplified because of the length of the legal description. After further discussion, the rezoning was approved; seven yeas - zero nays. Resolution No. 166.

Commissioner Sweeney presented a Volunteer Excellence Award to Carmen Orman, Canosia Township, for her unflagging efforts on behalf of Canosia Township and the surrounding area. Ms. Orman has been a township supervisor for 25 years, served on the Planning and Zoning Board for 15 years and has been instrumental in development of the Pike Lake and Caribou Lake Wastewater Plans. Tony Orman accepted the award on behalf of his mother who was unable to attend the ceremony due to health reasons.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to authorize execution of contracts with PRT USA, Inc., Dryden, Ontario, Canada, and Pineland Forest Nursery, Hadashville, Manitoba, Canada, for provision of various types of containerized seedlings for Spring 2007, 2008 and 2009 delivery. Commissioner Fink offered a friendly amendment - not accepted by the makers - to award the entire contract to PRT USA as more cost effective. Commissioner Fink then formally offered the amendment but it died without support. Chair Nelson said it was important that the Board and County personnel understand that local businesses must be supported; six yeas - one nay, Chair Nelson. Resolution No. 167.

Commissioner Forsman, supported by Commissioner Raukar, moved to award the contract for M.P. 3706 (striping) to Fahrner Asphalt Sealers, Inc., Plover, WI, on their low bid of \$148,413.83, which was 19% above the engineer's estimate; seven yeas - zero nays. Resolution No. 168.

Commissioner O'Neil, supported by Commissioner Kron, moved to authorize an agreement with Arrowhead Regional Development Commission to research and analyze the feasibility of a county-based purchasing arrangement for health care coverage. Commissioner Fink said St. Louis County may not be a good candidate for county-based purchasing and he objected to use of General Fund dollars to pay for the study. After brief discussion, the resolution was approved; six yeas - one nay, Commissioner Fink. Resolution No. 169.

Commissioner Fink, supported by Commissioner O'Neil, moved to request the state legislature to pass a statewide smoking ban for bars, restaurants and other public places. The following persons addressed the issue:

Dr. Bill Simpson, Duluth, explained some of the dangers of second hand smoke and he urged the Board to adopt the resolution.

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Reverend Fred Lund, Duluth, noted the recent passing of Dana Reeve, a non smoker who died of lung cancer, and related the tale of one of his parishioners who feared she may have contracted lung cancer as a result of her late husband's smoking. If the state fails to act this year, Reverend Lund urged the Board to enact a county ordinance.

Joan Linskie, Duluth, is employed as a professional server and she encouraged the Board to support safe working sites by passing the resolution.

Cheryl Bisping, Virginia, representing a smoke-free coalition from the Iron Range, said youth strongly support local smoking bans.

Pat McKone, American Lung Association, said her organization will partner with all groups to support a smoking ban. Recent polls show a majority of Minnesotans favor a statewide smoking ban.

Commissioner Nelson offered a friendly amendment - accepted by the makers - to reinsert the phrase "or severely restricting" into the resolved portion of the resolution. The phrase was deleted from the resolution at the February 28 Committee of the Whole. Commissioner O'Neil, citing the tobacco industry's canny use of loopholes, objected to reinserting the language and removed his support from the resolution. Commissioner Raukar said insertion of the words may lead to a unanimous vote and he supported the amended resolution. Commissioner Kron, supported by Commissioner O'Neil, moved to amend the resolution by deleting "or severely restricting". After lengthy discussion, the amendment failed; three yeas - four nays, Commissioners Fink, Forsman, Raukar and Chair Nelson. Commissioner Kron, supported by Commissioner O'Neil, moved to amend the resolution by adding a second resolved that would commit St. Louis County to pursue a smoking ban ordinance if the legislature fails to act in 2006. After discussion about whether the amendment should be offered as a separate resolution, Commissioner Kron withdrew his motion. The smoking ban resolution as amended was then approved; six yeas - one nay, Commissioner O'Neil. Resolution No. 170.

Commissioner Fink, supported by Commissioner Forsman, moved to approve settlement of litigation in the matter of Michael James vs. St. Louis County; seven yeas - zero nays. Resolution No. 171.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve changes to the 9-1-1 Emergency Communications System User Board bylaws. Commissioner Nelson offered a friendly amendment - not accepted by the makers - to add language to the bylaws prohibiting any User Board member who is an employee of 9-1-1 from voting on any matters. Commissioner Nelson, supported by Commissioner Fink, formally moved to add the language to the bylaws. Commissioner Raukar, supported by Commissioner O'Neil, moved to table the matter to allow time for the proposed change to be discussed by the user board. Commissioner Raukar then withdrew his motion to allow further discussion by the Board. Sheriff Ross Litman said he did not have any objection to 9-1-1 employees serving and voting on the user board. Commissioner Fink, supported by Commissioner Raukar, moved to table the matter. After Sheriff Litman indicated he wanted the issue resolved, the tabling motion failed; two yeas - five nays, Commissioners O'Neil, Kron, Forsman, Sweeney and Chair Nelson. The amendment to add language to the bylaws was approved; four yeas - three nays, Commissioners O'Neil, Kron and Sweeney. The amended motion was then approved; four yeas - three nays, Commissioners O'Neil, Kron and Sweeney. Resolution No. 172.

Commissioner Kron, supported by Commissioner Sweeney, moved to approve a joint powers agreement with member agencies comprising the Lake Superior Drug and Gang Task Force; seven yeas - zero nays. Resolution No. 173.

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

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meeting:

Documentation from the public hearing held on March 14, 2006, to consider the St. Louis County Election Equipment Plan.-58532-D

Revised St. Louis County 9-1-1 Emergency Communications System User Board Resolution and By-Laws.-58533

Highway Engineer submitting award of bids for county construction projects for the year 2006.-58534

Barry D. Lesar, Inspector of Mines, submitting the Annual Report of the Inspector of Mines for 2005.-58535-D

Documentation from the public hearing held on March 14, 2006, to consider rezoning portions of Township 51 North, Range 12 West, and Township 52 North, Range 12 West (Town of Duluth).-58536-D

Persons residing on Crosby Road regarding their concerns about a massive outdoor Christmas display called Bentleyville and its occasional negative impact on access for residents.-58537

Documentation from public hearing held on March 14, 2006, to consider naming a point of land in Lake Kabetogama identified as the South 1/2 of the NE 1/4, Section 20, Township 69, Range 21, with adjacent water area of Peterson Bay as "Nelson Point".-58538

Contract between the County of St. Louis and Lockridge Grindal Nauen, P.L.L.P., for consultant to assist in federal legislative and administrative matters.-06-214

Addendum to Purchase Agreement, Contract No. 13077D, between the St. Louis County Board of Commissioners and UDAC, Inc. (MA MR/RC Waiver), for adult day training and habilitation services.-06-215ss

Addendum to Purchase Agreement, Contract No. 13076D, between the St. Louis County Board of Commissioners and UDAC, Inc. (CCSA), for adult day training and habilitation services.-06-216ss

Addendum to Purchase Agreement, Contract No. 13483C, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (SILS), for semi-independent living services. -06-217ss

Addendum to Purchase Agreement, Contract No. 13618B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Respite Care.-06-218ss

Addendum to Purchase Agreement, Contract No. 13225D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - MA MR/RC Waiver Supported Employment.-06-219ss

Addendum to Purchase Agreement, Contract No. 13328D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Crest House I.-06-220ss

Addendum to Purchase Agreement, Contract No. 13329E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Gearhart I for SLS for adults.-06-221ss

Addendum to Purchase Agreement, Contract No. 13842A, between the St. Louis County Board of

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Commissioners and Innovative Living, Inc. - Gearhart II for SLS for children.-06-222ss

Addendum to Purchase Agreement, Contract No. 13786B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown II for SLS for adults.-06-223ss

Addendum to Purchase Agreement, Contract No. 13815A, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown III for SLS for adults.-06-224ss

Addendum to Purchase Agreement, Contract No. 13331C, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hibbing (SLS) for SLS for adults.-06-225ss

Addendum to Purchase Agreement, Contract No. 13332D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Highland for SLS for adults.-06-226ss

Addendum to Purchase Agreement, Contract No. 13333E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson for SLS for adults.-06-227ss

Addendum to Purchase Agreement, Contract No. 13779B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson II for SLS for adults.-06-228ss

Addendum to Purchase Agreement, Contract No. 13334E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - West I for SLS for adults.-06-229ss

Addendum to Purchase Agreement, Contract No. 13319D, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 1, for SLS for adults.-06-230ss

Addendum to Purchase Agreement, Contract No. 13320D, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 2, for SLS for adults.-06-231ss

Addendum to Purchase Agreement, Contract No. 13321D, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 3, for SLS for adults.-06-232ss

Addendum to Purchase Agreement, Contract No. 13881A, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 4, for SLS for adults.-06-233ss

Addendum to Purchase Agreement, Contract No. 13323D, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 5, for SLS for adults.-06-234ss

Addendum to Purchase Agreement, Contract No. 13611D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Horizons II for SLS for adults.-06-235ss

Addendum to Purchase Agreement, Contract No. 13248E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Kingston for SLS for adults.-06-236ss

Addendum to Purchase Agreement, Contract No. 13599D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Linden for SLS for adults.-06-237ss

Addendum to Purchase Agreement, Contract No. 13250E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Nova Home for SLS for adults.-06-238ss

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Addendum to Purchase Agreement, Contract No. 13251E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Orion Home for SLS for adults.-06-239ss

Addendum to Purchase Agreement, Contract No. 13252D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Phoenix for SLS for children.-06-240ss

Addendum to Purchase Agreement, Contract No. 13253E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Quest Home for SLS for adults.-06-241ss

Addendum to Purchase Agreement, Contract No. 13254E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Rosewood for SLS for adults.-06-242ss

Addendum to Purchase Agreement, Contract No. 13255E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Taurus for SLS for adults.-06-243ss

Addendum to Purchase Agreement, Contract No. 13625C, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Utah Home for SLS for adults.-06-244ss

Addendum to Purchase Agreement, Contract No. 13247D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - In Home Family Support.-06-245ss

Addendum to Purchase Agreement, Contract No. 13249D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Respite Care.-06-246ss

Addendum to Purchase Agreement, Contract No. 13256D, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich for SLS for adults. -06-247ss

Addendum to Purchase Agreement, Contract No. 13257D, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar for SLS for adults.-06-248ss

Addendum to Purchase Agreement, Contract No. 13258D, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central for SLS for adults. -06-249ss

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Addendum to Purchase Agreement, Contract No. 13435D, between the St. Louis County Board of Commissioners and Lee Foster Care Home III for SLS for adults.-[06-417ss](#)

Addendum to Purchase Agreement, Contract No. 13339D, between the St. Louis County Board of Commissioners and Lee Foster Care Home Respite Care.-[06-418ss](#)

Purchase of Service Agreement, Contract No. 13930, between the St. Louis County Board of Commissioners and Lee Adult Foster Care Home IV.-[06-419ss](#)

Addendum to Purchase Agreement, Contract No. 13316D, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, Inc., for in-home family support and respite.-[06-420ss](#)

Addendum to Purchase Agreement, Contract No. 13309D, between the St. Louis County Board of Commissioners and William and Terry Johnson Foster Home for SLS for adults.-[06-421ss](#)

Addendum to Purchase Agreement, Contract No. 13231D, between the St. Louis County Board of Commissioners and Lakewind, Inc., for SLS for adults.-[06-422ss](#)

Grant Agreement, Contract No. 20611, between the St. Louis County Board of Commissioners and Life House for transition services.-[06-423ss](#)

Purchase of Service Agreement, Contract No. 13912, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for consolidated chemical dependency treatment services.-[06-424ss](#)

Grant Agreement, Contract No. 20657, between the St. Louis County Board of Commissioners and Range Mental Health Center for integrative services for adults.-[06-425ss](#)

Purchase of Service, Contract No. 13914, between the St. Louis County Board of Commissioners and Range Mental Health Center for targeted case management for adults.-[06-426ss](#)

Purchase of Service Agreement, Contract No. 13911, between the St. Louis County Board of

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Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc., for consolidated chemical dependency treatment services.-06-427ss

Purchase of Service Agreement, Contract No. 13910, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for consolidated chemical dependency treatment services.-06-428ss

Purchase of Service Agreement, Contract No. 13901, between the St. Louis County Board of Commissioners and Makalu, Inc., d/b/a Fresh Start, for intensive residential treatment services.-06-429ss

Purchase of Service Agreement, Contract No. 13900, between the St. Louis County Board of Commissioners and Arrowhead House, Inc., for intensive residential treatment services.-06-430ss

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, through its Solid Waste Department, and the City of Eveleth.-06-431

Upon motion of Commissioner Kron, supported by Commissioner O'Neil, Resolutions No. 147 through 164, 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 7, 2006, are hereby approved.  
Adopted March 14, 2006. No. 147

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 14, 2006, are hereby approved.  
Adopted March 14, 2006. No. 148

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. 58495, are hereby approved:  
Real Estate - Gregory Stefanich, \$10.94; Jeff Thompson, \$164.52.  
Adopted March 14, 2006. No. 149

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 3, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.  
Adopted March 14, 2006. No. 150

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. 58524:

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club, Morse Township, Permit No. BC071;

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James Paul Butchart, d/b/a Fall Inn Tavern, Rice Lake Township, Permit No. S072;

Michael James Grubb, d/b/a Hitching Post, Gnesen Township, Permit No. S076;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S0718;

Kathryn Pauline Brown, d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, Permit No. S0717;

Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township, Permit No. S0712.

Adopted March 14, 2006. No. 151

WHEREAS, Region III Adult Mental Health Initiative (Region III) has State Operated Services staff assigned to Bridge House to provide Adult Rehabilitation Mental Health Services (ARMHS) in the Counties of Lake, Cook, Koochiching, Itasca, St. Louis, and Carlton to individuals who are seriously mentally ill or serious and persistently mentally ill and are at risk of inpatient hospitalization, but not residing at Bridge House; and

WHEREAS, Bridge House, under certification by St. Louis County, is a certified ARMHS provider, qualified and willing to provide ARMHS services; and

WHEREAS, the Region III AMHI is in need of billing services for the Bridge House staff when they are engaged in providing ARMHS services; and

WHEREAS, the Region III AMHI is also in need of an agent to disburse funds generated to provide additional community services for persons with serious and persistent mental illness; and

WHEREAS, the Department of Public Health and Human Services is a certified ARMHS provider, qualified and willing to provide billing services; and

WHEREAS, the Department and Region III have had a contract for a year authorizing the Department to provide billing services for the State for the ARMHS services provided by Bridge House, to receive the Medical Assistance (MA) payments for those Bridge House services, and to disburse on behalf of the Region III AMHI funds received for those services; and

WHEREAS, the Department wishes to renew this Agreement through CY 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a contract between the Board and Region III Adult Mental Health Initiative of State Operated Services for the period from January 1, 2006, through December 31, 2007, for the Department of Public Health and Human Services to act as fiscal agent for ARMHS services provided by Bridge House and to charge the Region III Adult Mental Health Initiative a fee of ten percent of billings for such services.

RESOLVED FURTHER, the Department will be allowed to disburse the Medical Assistance revenues received for ARMHS services provided by Bridge House to Region III Adult Mental Health Initiative upon receipt, after withholding ten percent of the revenues to cover the administrative costs to the Board in Fund 230, Agency 230999, Object 527400.

Adopted March 14, 2006. No. 152

WHEREAS, Sprint Communications Company, L.P., is a local exchange carrier with authority to provide telephone service in the Biwabik, Buhl, Virginia and Chisholm area, including 9-1-1 telephone service; and

WHEREAS, a 9-1-1 Agreement between Sprint Communications Company, L.P., St. Louis County and the State of Minnesota is required to reflect Sprint Communications Company, L.P.'s, participation in the County's 911 Plan and specify costs associated with interconnections to the County's 9-1-1 system; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby

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authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to approve the 9-1-1 Agreement with the State of Minnesota and Sprint Communications Company, L.P., which identifies Sprint Communications Company, L.P., as a 9-1-1 telephone service provider in St. Louis County and specifies costs associated with interconnection to the County's 9-1-1 system to be paid by the State of Minnesota, Department of Administration.

Adopted March 14, 2006. No. 153

WHEREAS, MCImetro Access Transmission Services, L.L.C., is a local exchange carrier with authority to provide telephone service in the Duluth, Proctor and Pike Lake area, including 9-1-1 telephone service; and

WHEREAS, a 9-1-1 Agreement between MCImetro Access Transmission Services, L.L.C., St. Louis County and the State of Minnesota is required to reflect MCImetro Access Transmission Services, L.L.C.'s, participation in the County's 911 Plan and specify costs associated with interconnections to the County's 9-1-1 system; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the Board and County Auditor, with approval by the County Attorney, to approve the 9-1-1 Agreement with the State of Minnesota and MCImetro Access Transmission Services, L.L.C., which identifies MCImetro Access Transmission Services, L.L.C., as a 9-1-1 telephone service provider in St. Louis County and specifies costs associated with interconnection to the County's 9-1-1 system to be paid by the State of Minnesota, Department of Administration.

Adopted March 14, 2006. No. 154

WHEREAS, the Town of Solway initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on August 11, 2005, and failed to approve the rezoning request on a tie vote; and

WHEREAS, Commissioner Sweeney has asked that the rezoning request be considered by the County Board following a public hearing.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, April 4, 2006, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning the W 1/2 of the W 1/2, Township 50 North, Range 16 West (Town of Solway).

Adopted March 14, 2006. No. 155

RESOLVED, that the St. Louis County Board of Commissioners hereby approves and ratifies the Findings of Fact, Conclusions and Order in the matter of the Cartway Petition of Petitioners Kevin Squillace, et al., over the property of Michael E. Lambert on file in the office of the County Auditor, identified as County Board Document File No. 58529.

Adopted March 14, 2006. No. 156

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

M.P. 5-1291 (low), County Project 1291, located at C.R. 5 from C-SAH 16 (W. Townline Road) to T.H. #37 near Hibbing, MN; length 1.5 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 5-1292, County Project No. 1292, located at C.R. 5 from C.R. 750 (Oja Road) to C-SAH 27 (Zim Road) near Hibbing, MN; length 4.0 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 92-1294, County Project No. 1294, located at C.R. 92 from C-SAH 5 to C-SAH 25 near Hibbing, MN; length 4.8 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering.

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WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., February 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,499,241.88

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 contract with the Contractor for the above listed project: payable from:

M.P. 5-1291(low): Fund 200, Agency 203151, Object 652800 \$224,613.60

M.P. 5-1292: Fund 200, Agency 203152, Object 652800 \$583,713.74

M.P. 92-1294: Fund 200, Agency 203153, Object 652800 \$690,914.54

Adopted March 14, 2006. No. 157

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

M.P. 51-1012 (low), County Project 1012, located at C.R. 51 from C.R. 823 (Graff Road) to T.H. #73 near Floodwood, MN; length 2.4 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 140-1013, County Project No. 1013, located at C.R. 140 from C-SAH 51 to T.H. #73 near Floodwood, MN; length 0.4 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., February 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Materials, LLC d/b/a Northland Bituminous	4843 Rice Lake Road Duluth, MN 55803	\$416,802.48

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 contract with the Contractor for the above listed project: payable from:

M.P. 5-1012(low): Fund 200, Agency 203079, Object 652800 \$363,016.90

M.P. 140-1013: Fund 200, Agency 203081, Object 652800 \$53,785.58

Adopted March 14, 2006. No. 158

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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WHEREAS, bids have been received by the County Auditor for the following project: M.P. 43-1004, County Project 1004, located at C.R. 43 from C-SAH 50 (Ryan Road) to C-SAH 42 (Homestead Road) near Duluth, MN; length 4.1 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., February 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Materials, LLC d/b/a Northland Bituminous	4843 Rice Lake Road Duluth, MN 55803	\$574,744.90

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 contract with the Contractor for the above listed project; payable from Fund 200, Agency 203078, Object 652800.  
Adopted March 14, 2006. No. 159

WHEREAS, bids have been received by the County Auditor for the following combined project: M.P. 905-1482(low), County Project 1482, located at C.R. 905 from T.H. 53 to DWP RR Tracks in Gheen, MN; length 1.2 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 7075-1303, County Project 1303, located at T.R. 7075 from C.R. 905 to 1.2 mi. east of T.H. 53 near Gheen, MN; length 0.3 mi. consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., February 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$297,304.20

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 contract with the Contractor for the above listed project; payable from:

M.P. 905-1482(low): Fund 200, Agency 203076, Object 652800	\$254,063.00
M.P. 7075-1303: Fund 210, Agency 210023, Object 652800	\$43,241.20

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Adopted March 14, 2006. No. 160

RESOLVED, the St. Louis County Board of Commissioners hereby appoints the following individuals to the Community Development Block Grant Advisory Board:

Jackie L. Monahan-Junek	Ely, term ending December 31, 2008
Darlene D. Koski	Hermantown, term ending December 31, 2008
David Danz, Stan Hendrickson and Marlise R. Riffel	At Large, terms ending December 31, 2008

Adopted March 14, 2006. No. 161

WHEREAS, the City of Biwabik has offered to purchase the following described State tax forfeited parcels for future economic, recreational and residential uses for the appraised value of \$76,150.00 plus fees:

1. Undivided .663 percent interest in SE 1/4 of NW 1/4, Section 2, Township 58 North, Range 16 West  
015-0060-00210, 211, 215, 216, 217
2. Undivided .663 percent interest in SW 1/4 of NE 1/4, Section 2, Township 58 North, Range 16 West  
015-0060-00200, 202, 205, 206, 207
3. Undivided .515 percent interest in NE 1/4 of SE 1/4, Section 2, Township 58 North, Range 16 West  
015-0060-00236, 239, 331, 332, 333
4. Undivided .50 percent interest in Northerly 230 feet of SE 1/4 of SE 1/4, Section 2, Township 58 North, Range 16 West  
015-0060-00131, 136, 137, 138

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8, and 282.018, or any other statutes that require the withholding of State tax forfeited land from sale; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized government subdivision;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcels to the City of Biwabik for the appraised value of \$76,150.00 plus the following fees: 3 Percent Assurance Fee of \$2,284.50, Deed Fee of \$25.00, Deed Tax of \$251.30, and a Recording Fee of \$46.00; for a total of \$78,756.80.

Adopted March 14, 2006. No. 162

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Grand Lake whereby the Township will pay the project cost with Minnesota Department of Natural Resources State Park Road Account funds (or Township funds should any overages occur) as listed in the Schedule of Prices in the Proposal/Plan Package for the project listed as S.A.P. 69-600-036, C.P. 3701, and will pay the County an amount not to exceed \$27,250.00 for design and \$13,125.00 for engineering inspection services. The funds received from the Town of Grand Lake will be receipted into Fund 220, Agency 220102.

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Adopted March 14, 2006. No. 163

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Rice Lake whereby the Township will pay the local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as S.A.P. 69-634-009, C.P. 8123. The funds received from the Town of Rice Lake will be receipted into Fund 220, Agency 220157.

Adopted March 14, 2006. No. 164

**BY COMMISSIONER SWEENEY:**

WHEREAS, the federal Help America Vote Act of 2002 (HAVA) requires each polling place to be equipped with an accessible voting system for individuals with disabilities for all federal elections beginning in 2006; and

WHEREAS, St. Louis County will receive \$1,298,928.92 from federal HAVA funding allocated to the State of Minnesota for distribution to counties for purchase of voting equipment and payment of associated operating costs as permitted by HAVA; and

WHEREAS, the County, in conjunction with city, town and school district election officials, has prepared the St. Louis County Election Equipment Plan as required by law; and

WHEREAS, St. Louis County will make application for an additional grant of \$60,000 from an election grant fund made available under Minnesota Laws 2005, Chapter 162, Section 34, Subdivision 2, for the purpose of assisting with purchase of optical scan vote counters for election jurisdictions that requested this equipment under the St. Louis County Election Equipment Plan (\$3,000 maximum per precinct x 20 precincts that have requested optical scan equipment); and

WHEREAS, a public hearing was conducted by the St. Louis County Board of Commissioners, pursuant to Minnesota Laws 2005, Chapter 162, Section 35, on Tuesday, March 14, 2006, in the St. Louis County Board Room, Second Floor, Courthouse, Duluth, MN, to receive public input on the proposed St. Louis County Election Equipment Plan and all interested parties and the public were given an opportunity to address the County Board relative to the Election Equipment Plan.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby adopts the St. Louis County Election Equipment Plan, a copy of which is contained in County Board Document File No. 58532.

RESOLVED FURTHER, that the County Auditor and the Chair of the County Board are hereby authorized to execute grant applications and agreements with the State of Minnesota for \$1,298,928.92 HAVA funding and for an additional \$60,000 grant under Minnesota Laws 2005, Chapter 162, Section 34, Subdivision 2, subject to review and approval by the County Attorney.

RESOLVED FURTHER, staff is directed to prepare and execute agreements necessary to comply with HAVA and Minnesota Laws 2005, Chapter 162, Section 34, Subdivision 2.

RESOLVED FURTHER, funds will be made payable to and expenditures authorized from Fund 100, Agency 127999, Grant 12701, Year 2006.

Unanimously adopted. March 14, 2006. No. 165

WHEREAS, the Town of Duluth administers its own zoning as authorized by Minnesota State Statute and St. Louis County ordinances; and

WHEREAS, the Town of Duluth, after a lengthy public process, has adopted a revised comprehensive land use plan and zoning map; and

WHEREAS, the Town of Duluth has identified twelve areas which are less restrictive than the current zoning standards adopted by St. Louis County; and

WHEREAS, the St. Louis County Planning Commission held public hearings on the proposed rezoning on September 15, 2005, and November 17, 2005; and

WHEREAS, the St. Louis County Planning Commission recommends that the St. Louis County Board of Commissioners adopt the revised rezoning by amending Ordinance No. 46, zoning maps, and

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Ordinance No. 27, Land Use Plan; and  
WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the Town of Duluth and all testimony, written and verbal, as presented;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners affirms the St. Louis County Planning Commission recommendations; and  
RESOLVED FURTHER, that Section Three of the St. Louis County Ordinance No. 27 is hereby amended by removing Area M referenced in the zoning map from Concept Area 2, Moderate Density Residential, and designating it Concept Area 4, Commercial; and  
RESOLVED FURTHER, the zoning maps for Township 51 North, Range 12 West, and Township 52 North, Range 12 West, Town of Duluth, contained in St. Louis County Ordinance No. 46 are hereby amended as indicated on the zoning map; and  
RESOLVED FURTHER, the effective date for the amendments to Ordinance No. 27 and Ordinance No. 46 shall be May 1, 2006.  
Unanimously adopted. March 14, 2006. No. 166

WHEREAS, the St. Louis County Director of Purchasing solicited bids to furnish and deliver Containerized Tree Seedlings for planting on tax forfeited land in the years 2007, 2008 and 2009; and  
WHEREAS, the bid offering was divided into ten Sections with the award of bid going to the low bidder of each Section; and  
WHEREAS, PRT USA, Inc., submitted the low bid for Sections 1, 2, 3, 5, 6, 7, 9 and 10, in the amount of \$273,541.00;  
WHEREAS, Pineland Forest Nursery submitted the low bid for Sections 4 and 8 in the amount of \$4,037.20;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to execute a contract with PRT USA, Inc., of Dryden, Ontario, Canada, to furnish and deliver 2,213,000 containerized tree seedlings for delivery in spring 2007, 2008 and 2009, in accordance with the specifications of Bid No. 4609, and subject to approval of the County Attorney, at their low specification bid price of \$273,541.00, payable from: Fund 290 Forest Resources, Agency 290001 Memorial Forest Fund.  
RESOLVED FURTHER, the St. Louis County Director of Purchasing is hereby authorized to execute a contract with Pineland Forest Nursery, Hadashville, Manitoba, Canada, to furnish and deliver 30,000 containerized tree seedlings for delivery in spring 2007, 2008 and 2009, in accordance with the specifications of Bid No. 4609 and subject to approval of the County Attorney at their low specification bid price of \$4,037.20, payable from: Fund 290 Forest Resources, Agency 290001 Memorial Forest Fund.  
Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney and Raukar - 6  
Nays - Chair Nelson - 1  
Adopted March 14, 2006. No. 167

**BY COMMISSIONER FORSMAN:**

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3706, Crack Sealing Project, County Project No. 3706, located at various locations consisting of Crack Sealing Bituminous Roadways;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., February 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

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<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, Inc.	P.O. Box 95 Plover, WI 54467	\$148,413.83

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 contract with the Contractor for the above listed project, payable from Fund 200, Agency 201037, Object 653300.

Unanimously adopted. March 14, 2006. No. 168

**BY COMMISSIONER O'NEIL:**

WHEREAS, the Human Services Directors and elected officials from the Region 3 Counties of Aitkin, Carlton, Cook, Lake, Koochiching, Pine, and St. Louis have been exploring the potential for developing County Based Purchasing (CBP) capabilities in the Arrowhead Region; and

WHEREAS, County Based Purchasing is basically a county, or group of counties, that is acting as a health plan and would provide health care coverage for residents enrolled in Medical Assistance, General Assistance Medical Care or the Minnesota Care Program; and

WHEREAS, based upon initial interest expressed by those counties of the Arrowhead Region, it would be desirable to proceed with a multi-phased approach to determine the feasibility and functionality of the development of a County Based Purchasing entity;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize the Director of Public Health and Human Services to enter into an agreement with the Arrowhead Regional Development Commission to research and analyze the feasibility and risks, by county, of participating in a County Based Purchasing arrangement. The cost to St. Louis County for the completion of Phase I of this project will be \$4,257.00, payable from Fund 100, Agency 104001, Object 629900.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted March 14, 2006. No. 169

**BY COMMISSIONER FINK:**

WHEREAS, the State of Minnesota has an Indoor Air Quality Act for public buildings which creates a base-line, uniform, air quality standard across the State; and

WHEREAS, the Minnesota Legislature is the appropriate venue to create a uniform standard for indoor air quality for all public places; and

WHEREAS, the 2005 Minnesota Legislature failed to take action on a statewide smoking ban in indoor public places; and

WHEREAS, the mountain of evidence continues to grow about the astronomical "costs" of the negative impact of second-hand smoke on individuals, including, an estimated \$1 billion annual loss in productivity of Minnesota workers due to smoking related illnesses; and

WHEREAS, numerous cities and counties across our state have passed a wide variety of local ordinances aimed at preventing the ill effects of second hand smoke in bars and restaurants; and, these "laboratories of democracy" have provided more than enough models for which a statewide law would prove feasible and workable; and

WHEREAS, the State of Minnesota currently is collecting in excess of \$800 million biannually from the taxation of tobacco products, yet fails to adequately assist local governments in their attempts to address the overall public health costs of the state's negligence in allowing this harmful product to be imposed upon unprotected citizens and employees of bars and restaurants; and

WHEREAS, the continued absence of a uniform statewide law further restricting or prohibiting the use of tobacco in bars and restaurants has resulted in an oftentimes confusing and unmanageable patchwork of local ordinances where citizens, travelers and local economies alike have to navigate a

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very unlevel playing field;

THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby requests that the 2006 Minnesota Legislature finally pass a statewide law banning or severely restricting smoking in bars and restaurants and other public places.

Yeas - Commissioners Fink, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner O'Neil - 1

Adopted March 14, 2006. No. 170

WHEREAS, there is presently pending a lawsuit filed by Michael James against St. Louis County employees Eric Anderson and Paul Nordvall and against St. Louis County in which Mr. James alleges violations of his constitutional rights under 42 U.S.C. §§ 1983 and 1988; and

WHEREAS, there is presently pending a cross-claim filed by Eric Anderson against St. Louis County in which Mr. Anderson is alleging a duty to defend and indemnify him and violations of the Minnesota Data Practices Act; and

WHEREAS, after investigation of the facts relevant to this matter, the St. Louis County Attorney has recommended that the matter be settled as to any and all claims against St. Louis County and Paul Nordvall on the terms set forth hereafter; and

WHEREAS, claimant Michael James will accept payment of \$36,500.00 as settlement of his claims against Eric Anderson, Paul Nordvall and St. Louis County; and

WHEREAS, Eric Anderson has agreed to contribute \$1,500.00 toward a full and final settlement of the claims in this matter, as well as to dismiss his claims against the County; and

WHEREAS, each party shall be responsible for his/its own attorneys fees; and

WHEREAS, St. Louis County and Paul Nordvall make no admissions of liability.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the matter be settled upon the following terms:

1. That the sum of Thirty-five Thousand and 00/100s Dollars (\$35,000.00) is authorized in full and final settlement of any and all claims arising out of, in consequence of, or on account of the injuries and incidents alleged by Michael James to have occurred at the Hibbing jail on or about January 11 and 12, 2002.
2. That total payment of the aforementioned \$35,000.00, payable from Fund 720, be made to the firm of Palmer, Cody & O'Dea, L.L.C., pursuant to a Settlement Agreement and Release by all parties, approved by the St. Louis County Attorney.

Unanimously adopted. March 14, 2006. No. 171

**BY COMMISSIONER NELSON:**

WHEREAS, the St. Louis County 9-1-1 Emergency Communications System User Board was created in 1986; and

WHEREAS, any changes to Resolution No. 49 or Exhibit "A" must be approved by the County Board of Commissioners; and

WHEREAS, the St. Louis County 9-1-1 Emergency Communications System User Board voted to adopt changes to the User Board's Resolution and Bylaws;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the changes to the St. Louis County 9-1-1 Emergency Communications System User Board Resolution and By-Laws, identified as County Board File No. 58533.

Yeas - Commissioners Fink, Forsman, Raukar and Chair Nelson - 4

Nays - Commissioners O'Neil, Kron and Sweeney - 3

Adopted March 14, 2006. No. 172

**BY COMMISSIONER KRON:**

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WHEREAS, the Lake Superior Drug and Gang Task Force was established in 1991 to unify area law enforcement agencies in their effort to investigate, apprehend, and prosecute drug and gang offenders; and

WHEREAS, the St. Louis County Board of Commissioners, St. Louis County Sheriff, and St. Louis County Attorney desire to continue their participation in this Task Force and support this regionalized effort to reduce gang and drug activity;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the Sheriff, County Attorney, and appropriate County officials to enter into a Joint Powers Agreement with members agencies comprising of the Lake Superior Drug and Gang Task Force; and RESOLVED FURTHER, the Joint Powers Agreement shall be approved by the County Attorney as to its form and execution.

Unanimously adopted. March 14, 2006. No. 173

At 3:50 P.M. on Tuesday, March 14, 2006, upon motion of Commissioner Kron, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MARCH 21, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 21st day of March, 2006, at 9:30 A.M. in the Morse Town Hall, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Forsman presented a Volunteer Excellence Award to the Ely Garden Club for their more than thirty years of service beautifying the city. Liz Schendel, President of the Ely Garden Club, along with other members who were present, accepted the award.

Chair Nelson 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 9:38 A.M., a public hearing was convened pursuant to County Board Resolution No. 110, adopted February 14, 2006, to consider granting an off-sale intoxicating liquor license to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township. Alan Mitchell, County Attorney, advised the Board that: all necessary County departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussing the location and propriety of the business, recommended approval; the Town of Camp 5 reviewed the application and recommended approval; all required notices were given; and, the required insurance certificate submitted. Carla and Steve Koch, owners of the establishment, were present and said they understood and would abide by provisions of Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:45 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar moved to approve granting the off-sale intoxicating licenses; seven yeas - zero nays. Resolution No. 196.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve conveyance of tax forfeited land to the City of Duluth to upgrade and perpetuate a drainage structure at the intersection of Trinity Road and Anderson Road; seven yeas - zero nays. Resolution No. 197.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to reallocate the position of Occupational Safety and Health Coordinator to an Industrial Hygienist position in the Employee Safety and Development Department. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, presented a brief history of the position and described the reallocation as a "win-win" for the County.

Joe Austin, Director of Employee Safety, said the reallocation will equalize staff levels and enhance the department's mission because an Industrial Hygienist is qualified to conduct numerous safety testings that an Occupational Safety and Health Coordinator is unqualified to do. The enhanced testing should result in lower injury costs for the County.

After brief discussion, the reallocation was approved; seven yeas - zero nays. Resolution No. 198.

Commissioner Fink, supported by Commissioner Raukar, moved to approve reallocation of a 0.5 FTE

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(full time equivalent) Information Specialist II position from the Sheriff's Office to Employee Safety and Development; seven yeas - zero nays. Resolution No. 219.

Commissioner Fink, supported by Commissioner Sweeney, moved to establish a closed session for litigation purposes at the conclusion of all County Board and Committee of the Whole business; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Kron, moved to suspend the rules to consider acceptance of the Health Care Supervisors' Bargaining Unit Agreement; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the agreements. Steven Fecker, Attorney and County Labor Negotiator, said the contract calls for a 2% pay raise beginning October 1, 2005, which coincides with a legislative rate increase for health care facilities. The contract also contains a "me-too" clause regarding health insurance premiums for single persons that is based on what the Civil Service Basic Unit agrees to accept. The bargaining agreement must be submitted to the State of Minnesota by March 31, 2006. The agreement was then approved; seven yeas - zero nays. Resolution No. 201.

Commissioner Fink, supported by Commissioner Sweeney, moved to suspend the rules to consider acceptance of the Health Care Basic Bargaining Agreement for 2006; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the agreement. Attorney Fecker said provisions are the same as the Supervisor's agreement; seven yeas - zero nays. Resolution No. 202.

Commissioner Sweeney, supported by Commissioner Forsman, moved to suspend the rules to consider suspending Consumption and Display of Intoxicating Liquor (set-up) Permit and On/Off Sale 3.2% malt liquor license issued to Sportsman's Last Chance, Inc., Portage Township, for an alleged liquor license violation (selling/serving intoxicating liquor on-sale without a proper license); seven yeas - zero nays. Alan Mitchell, County Attorney, said owners of the establishment, Daniel and Geraldine Hoffman, have agreed to a recommendation from the Liquor Licensing Committee for a ten-day suspension and have requested the suspension begin April 17 to coincide with remodeling necessary to upgrade the establishment to a restaurant with an on-sale intoxicating liquor license. Commissioner Sweeney, supported by Commissioner Raukar, moved to approve the suspension beginning April 17. Commissioner Nelson offered a friendly amendment - not accepted by the makers - to have the suspension begin April 7. Commissioner Nelson formally offered the amendment but the motion died without support. Commissioner Fink was concerned the agreement sets a precedent for disposition of liquor license violations and said a public hearing was more appropriate. After further discussion, the ten-day suspension was then approved; six yeas - one nay, Commissioner Fink. Resolution No. 200.

Chair Nelson distributed copies of a budget reallocation proposal to fund \$200,000 for methamphetamine and heating assistance programs. Deputy Administrator Eckenberg said end of year fund balances are insufficient to cover the entire \$200,000. Donald Dicklich, County Auditor, said he will have fund balances available for the next Board meeting. Commissioner Sweeney noted Arrowhead Economic Opportunity Agency (AEOA) is out of heating assistance funds and it is important to find a revenue source to support a heating program.

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

County Attorney submitting monthly litigation/claims reports for year 2006. -58539

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Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-120 regarding sale of State tax forfeited property to private adjoining owners.-58540

Civil Service Director submitting specifications for various classifications for the year 2006.-58541

Documentation from public hearing held on March 21, 2006, to consider granting an Off-Sale Intoxicating Liquor License to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township.-58542

Health Care Supervisors' Bargaining Unit Agreement for 2006.-06-432

Health Care Basic Bargaining Unit Agreement for 2006.-06-433

Agreement for Professional Services between the County of St. Louis and Golder Associates, Inc., for geotechnical engineering services for two areas along Becks Road.-06-434

Addendum to Parking Space Lease between the County of St. Louis and Kegler's, Inc., d/b/a The Incline Station Bowling Center.-06-435

Addendum to Purchase Agreement, Contract No. 13837E, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.-06-436ss

Addendum to Purchase Agreement, Contract No. 13837D, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.-06-437ss

Group Residential Housing Rate Agreement, Contract No. 50430, between the St. Louis County Board of Commissioners and TBI Residential and Community Services No. 26.-06-438ss

Group Residential Housing Rate Agreement, Contract No. 50421, between the St. Louis County Board of Commissioners and TBI Residential and Community Services No. 25.-06-439ss

Addendum to Purchase Agreement, Contract No. 13750A, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Respite Care.-06-440ss

Addendum to Purchase Agreement, Contract No. 13405C, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Basswood Child SLS.-06-441ss

Addendum to Purchase Agreement, Contract No. 13237E, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - II.-06-442ss

Addendum to Purchase Agreement, Contract No. 13236E, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - I.-06-443ss

Group Residential Housing Rate Agreement, Contract No. 50443, between the St. Louis County Board of Commissioners and Trillium Services, Inc.-06-444ss

Addendum to Purchase Agreement, Contract No. 12552D, between the St. Louis County Board of Commissioners and Trillium Services, Inc.-06-445ss

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Group Residential Housing Rate Agreement, Contract No. 50417, between the St. Louis County Board of Commissioners and Woodhill Homes Woodland.-06-446ss

Addendum to Purchase Agreement, Contract No. 13836A, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care services and out-of-home respite services.-06-447ss

Addendum to Purchase Agreement, Contract No. 13667B, between the St. Louis County Board of Commissioners and TLC Home Care.-06-448ss

Addendum to Purchase Agreement, Contract No. 13631B, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home.-06-449ss

Addendum to Purchase Agreement, Contract No. 13230D, between the St. Louis County Board of Commissioners and Tuominen Adult Foster Home.-06-450ss

Addendum to Purchase Agreement, Contract No. 13746A, between the St. Louis County Board of Commissioners and UDAC, Inc. - Supported Employment (MA MR/RC Waiver).-06-451ss

Addendum to Purchase Agreement, Contract No. 13769A, between the St. Louis County Board of Commissioners and Welter Adult Foster Home.-06-452ss

Addendum to Purchase Agreement, Contract No. 13234D, between the St. Louis County Board of Commissioners and Carole Wick for respite care services.-06-453ss

Addendum to Purchase Agreement, Contract No. 13271D, between the St. Louis County Board of Commissioners and Woodsvew Home for SLS for adults.-06-454ss

Addendum to Purchase Agreement, Contract No. 13326D, between the St. Louis County Board of Commissioners and Worry - Free Respite.-06-455ss

Amendment No. 1 to Contract No. 4336 for Service Agreement for Hibbing Transfer Station Operations and Haulage between the County of St. Louis and Kangas Excavating, Inc.-06-456

Memorandum of Understanding between the City of Duluth, Minnesota, and St. Louis County, Minnesota, regarding the 2005 Byrne Justice Assistance Grant Program Award.-06-457

Agreement for Professional Nursing Services between St. Louis County, through its Department of Public Health and Human Services, and Transitional Senior Housing for Community Alternative Care Client No. 11.-06-458ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Christy Martin for Community Alternative Care Client No. 19.-06-459ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Colleen Etta Norlander for Community Alternative Care Client No. 19.-06-460ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Barbara Kutsi for Community Alternative Care Client No. 19.-06-

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Agreement for Professional Services between St. Louis County and the North St. Louis County Soil and Water Conservation District.-06-462

Agreement for Professional Services between St. Louis County and the South St. Louis County Soil and Water Conservation District.-06-463

Agreement for Clinical Public Health Experience between the County of St. Louis, through its Department of Public Health and Human Services, and University of Wisconsin - Stout, Food and Nutrition Department.-06-464

Upon motion of Commissioner Kron, supported by Commissioner Forsman, Resolutions No. 174 through 195, 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 28, 2006, are hereby approved.

Adopted March 21, 2006. No. 174

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. 58495, are hereby approved:

Real Estate - Darilyn Lane, \$570.66.

Personal Property - Ron Magariner, \$38.40.

Adopted March 21, 2006. No. 175

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. 58524;

FURTHER RESOLVED, that said permit is approved contingent on Health Department approval:

Barbara Boisjolie, d/b/a Jerry's Place, Unorganized Township 63-19, Permit No. S077.

Adopted March 21, 2006. No. 176

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. 58524:

Vernon Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, Permit No. S0711.

Adopted March 21, 2006. No. 177

WHEREAS, open burning of garbage harms the environmental quality of the region and threatens the safety of residents; and

WHEREAS, the Minnesota Department of Natural Resources Firewise Program will provide a one-

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time grant of \$4,275.00 to St. Louis County in order to facilitate billboard production and posting on the negative effects of open burning of garbage;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Solid Waste Department to enter into an agreement with the Minnesota Department of Natural Resources under which the State will provide the County with \$4,725.00 in grant funding for billboard advertising, with matching funds from Solid Waste Fund 600, Agency 601003, Recycling.  
Adopted March 21, 2006. No. 178

WHEREAS, the Land Department's current low boy trailer is in need of replacement; and  
WHEREAS, the purchase of this item is in the 2006 budget; and  
WHEREAS, this item is needed for the continued efficiency of the Land Department Resource Development Crew; and

WHEREAS, the Hydraulic Detachable Gooseneck Trailer is available on a State of Minnesota contract with Ziegler, Inc., Duluth, MN, for \$50,488, plus \$3,281.72 State of Minnesota sales tax, for a total of \$53,769.72;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the purchase of one (1) Hydraulic Detachable Gooseneck Trailer from Ziegler, Inc., Duluth, MN, for a total cost of \$53,769.72. Funding for this purchase is payable from Fund 240, Agency 241006, Object 666400 Heavy Equipment.  
Adopted March 21, 2006. No. 179

WHEREAS, the Aurora Housing and Redevelopment Authority (HRA) has offered to purchase the following described State tax forfeited parcels for the appraised price of \$450.00 plus fees for the public purpose of residential housing development:

Lot 14, Block 9, Aurora First Division, Subject to Increment Financing, Parcel Code: 100-20-1760

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel to the Aurora Housing and Redevelopment Authority for the appraised value of \$450.00 plus the following fees: 3% Assurance Fee of \$13.50, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$46.00; for a total of \$536.15.

Adopted March 21, 2006. No. 180

WHEREAS, the Aurora Housing and Redevelopment Authority (HRA) has offered to purchase the following described State tax forfeited parcels for the appraised price of \$5,040.00 plus fees for the public purpose of residential housing development:

Lot 0010, Block 001, Holland Addition, City of Aurora, Parcel Code: 100-42-00100;

Lot 11, Ex E 40 ft., Block 001, Holland Addition, City of Aurora, Parcel Code: 100-42-00110;

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State Tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota

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Statutes, Section 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel to the Aurora Housing and Redevelopment Authority for the appraised value of \$5,040.00 plus the following fees: 3% Assurance Fee of \$151.20, Deed Fee of \$25.00, Deed Tax of \$16.63, and Recording Fee of \$46.00, for a total of \$5,278.83;

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at next public auction tax forfeited land described above if Aurora HRA does not purchase said land.

Adopted March 21, 2006. No. 181

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendations of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as:

Lot 1, Block A, Endion Division of Duluth

Parcel Code: 10-1420-10

Lot 2, Block A, Endion Division of Duluth

Parcel Code: 10-1420-20

W 1/2 Lot 3, Block A, Endion Division of Duluth

Parcel Code: 10-1420-30

E 1/2 Lot 3, Block A, Endion Division of Duluth

Parcel Code: 10-1420-40

WHEREAS, the purpose of acquiring this property is for extension of the City of Duluth's Lakewalk; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey tax forfeited land described above to the City of Duluth for the following authorized public use of a public trail;

RESOLVED FURTHER, the St. Louis County Board approves the free conveyance of the above described State tax forfeited parcels to the City of Duluth for an Appraisal Fee of \$150.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$46.00, for a total of \$222.65.

Adopted March 21, 2006. No. 182

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as:

Lots 1 thru 4, Block E including part of vacated 24th Avenue East and Water Street adjacent except part Northwesterly of a line commencing at the most Westerly corner of Block 1, Langelliers Rearrangement of Block D, Endion Division of Duluth, thence Southeasterly along the Southwesterly line of Block 1, 231.00 feet to the beginning of said line thence deflect 66 degrees 14 minutes 31 seconds to the left in a Northeasterly direction 116.25 feet thence deflect 29 degrees 28 minutes 14 seconds to the left in a Northeasterly direction 81.76 feet thence deflect 5 degrees 38 minutes 54

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seconds to the right in a Northeasterly direction 37.37 feet thence deflect 37 degrees 02 minutes 21 seconds to the left in a Northerly direction 111.21 feet thence deflect 31 degrees 20 minutes 34 seconds to the right in a Northeasterly direction 108.11 feet thence deflect 28 degrees 12 minutes 09 seconds to the left in a Northerly direction 54.98 feet to the Southwesterly line of Lot 1, Block E, Endion Division of Duluth thence deflect 00 degrees 15 minutes 13 seconds to the left in a Northerly direction 120.94 feet thence deflect 15 degrees 16 minutes 46 seconds to the right in a Northerly direction 52.86 feet thence deflect 11 degrees 08 minutes 27 seconds to the right in a Northeasterly direction 50.47 feet thence deflect 10 degrees 39 minutes 58 seconds to the left in a Northerly direction 52.71 feet thence deflect 06 degrees 04 minutes 03 seconds to the left in a Northerly direction 34.00 feet thence deflect 16 degrees 22 minutes 48 seconds to the left in a Northerly direction 58.31 feet to the most Northerly corner of Lot 6, Block E, Endion Division of Duluth and there terminating. Parcel Code: 10-1440-10;

Lot 7, Block E, including part of vacated Water Street adjacent, Endion Division of Duluth. Parcel Code: 10-1440-70;

Lot 9, Block 1, Endion Division of Duluth. Parcel Code: 10-1440-170;

WHEREAS, the purpose of acquiring this property is for extension of the City of Duluth's Lakewalk; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey tax forfeited land described above to the City of Duluth for the authorized public use of a public trail;

RESOLVED FURTHER, the St. Louis County Board approves the free conveyance of the above described State tax forfeited parcels to the City of Duluth for an Appraisal Fee of \$150.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$46.00; for a total of \$222.65.

Adopted March 21, 2006. No. 183

WHEREAS, the Duluth Economic Development Authority (DEDA) has offered to purchase the following described State tax forfeited parcels for the appraised price of \$14,200.00 plus fees for the public purpose of residential housing development:

Lots 5, 6 and 7, subject to Increment Financing, Block 186, West Duluth Seventh Division;

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel to DEDA for the appraised value of \$14,200.00 plus the following fees: 3% Assurance Fee of \$426.00, Deed Fee of \$25.00, Deed Tax of \$46.86, and Recording Fee of \$46.00; for a total of \$14,743.86;

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction tax forfeited land described above if DEDA does not purchase said land.

Adopted March 21, 2006. No. 184

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. 58540; and

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WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, these parcels cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; and

WHEREAS, it has been determined that the highest and best use of the land can be achieved by adding them to adjoining parcels; and

WHEREAS, these parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the parcels identified in County Board File No. 58540, and the County Auditor is hereby authorized to offer said lands at private sale, to the adjacent property owners, to encourage return of the land to the tax rolls;

RESOLVED FURTHER, if parcels do not sell at adjoining owner sales, they will go to public auction. Adopted March 21, 2006. No. 185

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 1.87 miles of County-State Aid Highway No. 16 (County Project 9572, S.A.P. 69-616-038) in Unorganized Township 56-17 from Trunk Highway 53 to a point 600 feet west of County Road 389 (Clyde Road); and

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

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

WHEREAS, a right of way plat would be beneficial for acquisition purposes and for future reference.

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.

RESOLVED FURTHER, that the County Board of Commissioners hereby authorizes the Public Works Department to prepare a right of way acquisition plat for the reconstruction of County-State Aid Highway No. 16 from Trunk Highway 53 to a point 600 feet west of County Road 389 (Clyde Road), said plat to be named " St. Louis County Highway Right of Way Plat No. 26", and record said plat for future reference.

Adopted March 21, 2006. No. 186

WHEREAS, the St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional JOBZ application for subzones throughout St. Louis County; and

WHEREAS, the Minnesota Department of Employment and Economic Development approved the Northeast Minnesota Regional JOBZ application for 4,031 acres, including 450 acres in Mountain Iron; and

WHEREAS, the City of Mountain Iron wishes to reallocate acres from an approved subzone to a new subzone; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones and for subzone boundaries to be amended with the approval of all taxing authorities;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to the proposed amendment to subzones within the City of Mountain Iron as follows:

- Mountain Iron Northeast Enterprise subzone #76 - remove .84 acres

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- Mountain Iron new subzone #XX - create new subzone with .84 acres along Highways 53 and 169 for XMG International  
Adopted March 21, 2006. No. 187

WHEREAS, the St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional JOBZ application for subzones throughout St. Louis County; and  
WHEREAS, the Minnesota Department of Employment and Economic Development approved the Northeast Minnesota Regional JOBZ application for 4,031 acres, including 95.78 acres in the Duluth Seaway Port Authority Airpark subzone number 97; and

WHEREAS, the Duluth Seaway Port Authority wishes to reallocate 1.6 acres from Lot 1, Block 4, Second Addition of Airpark, to a 1.6 acre site immediately south of Lot 23, Block 4, Second Addition of Airpark, in the area currently designated as Outlot B; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones and for subzone boundaries to be amended with the approval of all taxing authorities;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to the proposed amendment to subzone number 97 within the Duluth Seaway Port Authority Airpark subzone as follows:

- Remove 1.6 acres from Lot 1, Block 4, Second Addition of Airpark
- Add 1.6 acres to site immediately south of Lot 23, Block 4, Second Addition of Airpark, in the area currently designated as Outlot B

Adopted March 21, 2006. No. 188

RESOLVED, that the required signatories are hereby authorized to execute the Letter of Understanding which details the scope and basis of the 2005 proposed audit of St. Louis County by the State Auditor's Office.

Adopted March 21, 2006. No. 189

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel), on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organizations:

CC Riders Snowmobile Club to operate out of the following:

Boondocks-Forbes, LLC, Clinton Township, 8707 Townline Road, Forbes, MN 55738, Renewal;

Dawghouse Bar & Grill, Northland Township, 7283 Highway 53, Canyon, MN 55717, Renewal;

El Toro Lounge, Cotton Township, 9105 Highway 53, Cotton, MN 55724, Renewal;

Saugy's Melrude Pub, Ellsburg Township, 1763 Melrude Road (a/k/a Co. Rd. 59), Melrude, MN 55766, Renewal;

Timber's Edge, Unorganized Township 56-17, 7672 Wilson Road, Eveleth, MN 55734, Renewal.

Adopted March 21, 2006. No. 190

WHEREAS, Detoxification and Hold Services in St. Louis County protect individuals and the community by: (1) safely withdrawing people from mood-altering substances; (2) protecting clients and others in the community; (3) improving their level of functioning; (4) providing assessment services, medical care, interventive counseling, and appropriate referrals; and (5) supporting their ability to protect and provide for themselves; and

WHEREAS, St. Louis County has supported Detoxification and Hold services from the Center for

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Alcohol and Drug Treatment in Duluth and Range Mental Health Center in Virginia with County funds for over ten years; and

WHEREAS, the Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Grant Agreements with the following providers of Detoxification and Hold services for the period January 1, 2006, through December 31, 2006, such contracts to be paid from Fund 230, Agency 232006, Object 606000:

<u>Provider</u>	<u>Grant Amount</u>
Center for Alcohol and Drug Treatment	\$ 1,326,500.00
Range Mental Health Center	\$ 359,903.00

Adopted March 21, 2006. No. 191

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby changes the locations for two future Board of Commissioners meetings which were previously scheduled for the Hibbing City Council Chambers as follows:

May 23, 2006	Relocate to the Fair Building, 107 West 7th Avenue, Floodwood, MN
July 25, 2006	Relocate to the Chisholm City Hall, Council Chambers, 316 West Lake Street, Chisholm, MN

FURTHER RESOLVED, that the County Auditor is directed to make all necessary publications of this change in accordance with applicable laws of notification.

Adopted March 21, 2006. No. 192

WHEREAS, it is the policy of the State of Minnesota to promote safe and useable waterways within the state; and

WHEREAS, the State provides grants for sheriff services to carry out this policy; and

WHEREAS, the St. Louis County Sheriff's Office provides boat and water safety in the county;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to accept the Minnesota Department of Natural Resources 2006 Boat and Water Safety Grant, in the amount of \$100,371 for the period January 1, 2006, through June 30, 2007;

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign all related documents;

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract;

RESOLVED FURTHER, that funds will be made payable to and expenditures authorized from: Fund 100, Agency 130999, Grant 13001, Year 2006.

Adopted March 21, 2006. No. 193

WHEREAS, a petition was presented to the St. Louis County Board by the owner of Lot 5, Section 1, Township 61 North, Range 13 West, in St. Louis County containing more than 5 acres who have no access thereto except over the lands of others to connect the petitioner's land to a public road.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 164.08, Subdivision 2, a public hearing shall be held at 9:40 A.M. on April 25, 2006, in the City of Gilbert at the Gilbert City Hall, to hear the petition of Kristen M. Norrell and Mark E. Norrell regarding the establishment of a cartway two rods in width for the purpose of providing access to their property over the following properties:

1. The property of Christi A. Woodward and Mark Ringlever, the owners of the West 400 feet of the North 1,111.88 feet of Government Lot 2, Section 12, Township 61 North, Range 13 West,

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except an undivided 1/2 of the minerals, located in St. Louis County, Minnesota; and

2. The property of Dale L. Cotton and Ruth C. Cotton, the owners of Government Lot 2, Section 12, Township 61 North, Range 13 West, except that part of said Government Lot 2 lying Southerly of a line parallel with and distance to 1,111.88 feet Southerly from the North line of Lot 2, and except the West 400 feet of the North 1,111.88 feet of Government Lot 2, all in St. Louis County, Minnesota; and
3. The property of the United States of America, the owners of the SW 1/4 of SE 1/4 of Section 1, Township 61 North, Range 13 West, located in St. Louis County, Minnesota; and

RESOLVED FURTHER, that said petition is on file in the office of the County Auditor, identified as County Board Document File No. 58519.  
Adopted March 21, 2006. No. 194

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3708, Highway Maintenance Striping 2006, St. Louis County, Lake County, and others, C.P. 3708, located at various sites throughout St. Louis and Lake Counties consisting of Paint Pavement Markings - Yellow and Paint Pavement Markings - White.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 6, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Traffic Marking Service, Inc.	621 Division St. E. Maple Lake, MN 55358	\$377,682.49

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 contract with the Contractor for the above listed project; payable from Fund 200, Agency 201041, Object 651800.  
Adopted March 21, 2006. No. 195

**BY COMMISSIONER FORSMAN:**

WHEREAS, Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 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 March 21, 2006, at or about 9:35 A.M. in the Morse Town Hall, Ely, 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 Melgeorge's Elephant Lake Lodge 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

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recommended approval of the application; and  
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB06101) shall be issued to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township;  
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2006;  
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. March 21, 2006. No. 196

**BY COMMISSIONER SWEENEY:**

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and  
WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as: Except Southerly 233 feet of Westerly 150 feet except highway right of way and except that part shown as Parcel 256 on Minnesota Department of Transportation Right of Way Plat No. 69-66. Parcel Code: 10-125-210;

WHEREAS, the purpose of acquiring this property is to upgrade and perpetuate a drainage structure over Miller Creek;  
NOW, THEREFORE, BE IT RESOLVED, that the County Board recommends that the Commissioner of Revenue convey the above described tax forfeited land to the City of Duluth for the authorized public use;  
RESOLVED FURTHER, that the St. Louis County Board approves the free conveyance of the above described State tax forfeited parcels to the City of Duluth for an Appraisal Fee of \$150.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$46.00, for a total of \$222.65.  
Unanimously adopted. March 21, 2006. No. 197

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes current funding for the position of Occupational Safety and Health Coordinator (Pay Grade 20) be reapportioned to staff an Industrial Hygienist position (Pay Grade B24) in the Division of Employee Safety and Development; and  
RESOLVED FURTHER, that the Division of Employee Safety and Development budget (Fund 01, Agency 114, Org. Admn) be changed accordingly to reflect the change in pay grade.  
Unanimously adopted. March 21, 2006. No. 198

**BY COMMISSIONER FINK:**

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes that a 0.5 FTE Information Specialist II position (Pay Grade 12, \$22,493 including salary and benefits) be reallocated from the 2006 Sheriff's Office personnel budget to Administration, Employee Safety & Development Division; and  
RESOLVED FURTHER, that the Division of Employee Safety and Development budget (Fund 100, Agency 139001) be increased accordingly to reflect the increased position allocation, and the Sheriff's Office personnel budget (Fund 100, Agency 129003) be decreased accordingly.  
Unanimously adopted. March 21, 2006. No. 199

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 200 which was not on the agenda.

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**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Liquor Licensing Committee met on March 8, 2006, to consider recommending action to be taken by the County Board as a result of an alleged liquor license violation (selling/serving on-sale intoxicating liquor without a proper license) against Daniel and Geraldine Hoffman, d/b/a Sportsman's Last Chance, Inc.; and

WHEREAS, the Liquor Licensing Committee determined that a ten-day suspension would be appropriate and recommended that the County Attorney's Office propose a ten-day suspension offer to Sportsman's Last Chance, Inc.; and

WHEREAS, Daniel and Geraldine Hoffman have agreed to accept the proposal if approved by the County Board;

NOW, THEREFORE, BE IT RESOLVED, that necessary officials are authorized to execute an agreement suspending Consumption and Display of Intoxicating Liquor (Set-Up) Permit No. S0612 and On/Off-Sale 3.2 Percent Malt Liquor License No. B0645, issued to Daniel and Geraldine Hoffman, d/b/a Sportsman's Last Chance, Inc., Portage Township, for ten calendar days beginning April 17, 2006.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted March 21, 2006. No. 200

Upon motion of Commissioner Fink, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 201 which was not on the agenda.

**BY COMMISSIONER FINK:**

RESOLVED, that the 2006 Health Care Supervisors' Bargaining Unit Agreement, a copy of which is on file in Contract File No. 06-432, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Unanimously adopted. March 21, 2006. No. 201

Upon motion of Commissioner Fink, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 202 which was not on the agenda.

**BY COMMISSIONER FINK:**

RESOLVED, that the 2006 Health Care Basic Bargaining Unit Agreement, a copy of which is on file in Contract File No. 06-433, is hereby approved, and the appropriate County officials are authorized to execute said contract.

Unanimously adopted. March 21, 2006. No. 202

At 10:39 A.M. on Tuesday, March 21, 2006, upon motion of Commissioner Kron, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:

Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**APRIL, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 4, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of April, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Kron presented Volunteer Excellence Awards to Guy Perfetti and Joe Perfetti, residents of Duluth's Lincoln Park District who have accumulated more than 104 years of volunteer service with thirty different organizations for the betterment of their neighborhood. Joe Perfetti thanked the Board for the recognition and acknowledged the efforts of everyone who has contributed to the success of Lincoln Park volunteer projects.

Chair Nelson 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 9:50 A.M., a public hearing was convened pursuant to County Board Resolution No. 155, adopted March 14, 2006, to consider amending County Ordinance No. 46 (County Zoning Maps) by rezoning portions of Section 17, Township 50 North, Range 16 West (Town of Solway). The following persons addressed the issue:

Barbara Hayden, Planning Director, explained the rezoning request which will allow for nine-acre lots rather than 35 acre lots. The new zoning designation would be the same as other portions of Section 17.

Ron Gajewski, Solway Town Board Supervisor, said Solway passed a resolution supporting the request.

Cindy Whiting, owner of the property to be rezoned, said the new designation will allow her the same opportunities adjacent landowners already have while maintaining the rural setting of the area. A river running through the property will be protected by existing set back regulations.

Ron Erickson, Solway resident, said the nine-acre restriction is consistent with adjacent areas and will not result in dense development.

Sara Whiting, Solway resident, said this is a fairness issue and is not intended to harm the Town of Solway in any way.

Sherry Daeda, Solway resident, said an advisory committee voted not to accept the proposed rezoning because it conflicts with the comprehensive plan for Solway. Ms. Daeda said the request was made

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for economic reasons and she urged the Board to retain the status quo.

James Ziells, Solway resident, said development resulting from the rezoning will put a strain on roads and other infrastructure in the area.

Brian Gaus, Solway resident, said development based on rezoning will have a negative impact on the environment and subsequent lot sales will amount to "windfall profits" for the current owners.

Regena Merritt, Clerk of the Town of Solway, said the town does not do their own planning and zoning and the advisory committee was established to consider requests but has no official capacity to make decisions. Proper procedures were followed by the town board in making the rezoning request to the County Board.

Dana Frey, County Administrator, read into the record a letter from Walter Mattson, landowner whose property would also be subject to the rezoning, and he had no objections to the request.

At 10:53 A.M., Commissioner Fink, supported by Commissioner Raukar, moved to close the public hearing; seven yeas - zero nays.

At 10:54 A.M. in the forenoon of Tuesday, April 4, 2006, Chair Nelson moved to recess the Board until 11:00 A.M. on April 4, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:01 A.M. on Tuesday, April 4, 2006, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the amending Ordinance No. 46, County Zoning Maps, to reflect the rezoning request. After further discussion, the rezoning was approved; seven yeas - zero nays. Resolution No. 217.

Commissioner Fink, supported by Commissioner Raukar, moved to go into closed session for labor negotiations at 11:12 A.M.; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to go into closed session for litigation immediately at the conclusion of the closed session for labor negotiations; seven yeas - zero nays.

At 11:12 A.M. in the forenoon of Tuesday, April 4, 2006, Chair Nelson moved to recess the Board until 1:00 P.M. on April 4, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:09 P.M. on Tuesday, April 4, 2006, and the regular order of business resumed with all members present except Commissioners O'Neil and Raukar.

Commissioner Fink, supported by Commissioner Kron, moved to suspend the rules to consider support for a list of mandates on local counties submitted by the Association of Minnesota Counties (AMC) that should be reformed or eliminated. The mandate list will be posted on the State Auditor website; seven yeas - zero nays. Alan Mitchell, County Attorney, asked the Board to delete from the list a proposal to eliminate the right of elected officials other than County Commissioners to appeal their budgets in District Court. Commissioner Sweeney offered elimination of the proposal as a friendly amendment - accepted by the makers. Commissioner Raukar asked for a division of the question as follows:

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- 1) Support for a list of mandate reforms; seven yeas - zero nays. Resolution No. 219;
- 2) Elimination from the list of a "maintenance of effort" provision for library systems; five yeas - two nays, Commissioner Fink and Chair Nelson. (Eliminated from the list);
- 3) Elimination from the list of a proposal to allow cremation in lieu of burial and elimination of funeral services; two yeas - five nays, Commissioners Fink, Kron, Forsman, Sweeney and Chair Nelson. (Remains on the list)

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve a resolution transferring \$100,000 from the Environmental Trust Fund to the Septic Loan Fund. The following persons addressed the issue:

Dana Frey, County Administrator, in response to a question from Commissioner Sweeney, said the principal will remain intact with this transfer if interest earned this year is taken into consideration.

Donald Dicklich, County Auditor, said the transfer will go into a separate fund to track usage and facilitate transfer back to the Environmental Trust Fund if necessary.

Alan Mitchell, County Attorney, said there will be administrative costs for any loans granted from these funds and any return or reimbursement must be made to the originating fund.

After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 218.

Chair Nelson congratulated Commissioner Fink on his selection as vice-chair of the Governor's task force dealing with electronic real estate recording.

Commissioner O'Neil noted the "Empty Bowl" event at the Depot for the Second Harvest Food Shelf and said there was still time to participate.

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

Labor/Management Health Insurance Committee submitting agendas and minutes of their meetings in the year 2006.-58543

Chad B. Sterle, Dimich, Swanson & Sterle, submitting cartway petition for access to landlocked property on the Itasca/St. Louis County line in the SE 1/4 of NE 1/4, Section 36, Township 59, Range 22.-58544-D

Laurence J. Klun, Klun Law Firm, submitting cartway petition on behalf of Lynn and onna Rogers for access to their property located in Government Lot 8, Section 30, Township 61 North, Range 13 West.-58545-D

Dana Frey, County Administrator, submitting Board Letter No. 06-151 regarding resolution submitting the Association of Minnesota Counties List of State Mandates for Repeal or Reform.-58546

Documentation from public hearing held on April 4, 2006, to consider rezoning the W 1/4 of the W 1/4, Township 50 North, Range 16 West (Town of Solway).-58547-D

Agreement for Employee Assistance Services between the County of St. Louis, Arrowhead Regional Corrections, and Lifeworks Employee Resource.-06-465

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Agreement for Professional Services between the County of St. Louis and LHB Engineers & Architects for Chris Jensen Campus Heating Investigation.-06-466

State of Minnesota Board of Water and Soil Resources 2006 Natural Resources Block Grant Agreement with St. Louis County.-06-467

Agreement between the Town of Rice Lake and the County of St. Louis for S.A.P. 69-634-09 (C.P. 8123) for sanitary sewer crossings.-06-468

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Service Department, and Care Givers Network for Community Alternative Care Client No. 028.-06-469ss

Agreement for Professional Nursing Services between St. Louis County, through its Department of Public Health and Human Service, and Care Givers Network for Community Alternative Care Client No. 023.-06-470ss

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 5-1291 (low), M.P. 5-1292 and M.P. 92-1294 for Bituminous Reclamation, Plant Mixed Bituminous Surface and Aggregate Shoulders.-06-471

Lake Superior Drug and Gang Task Force Joint Powers Agreement between the County of St. Louis, City of Duluth, City of Hermantown, and the City of Superior.-06-472

Employee Safety and Development Training Contract between St. Louis County and Pat Grahek for a *Compulsive Gambling* session.-06-473

Employee Safety and Development Training Contract between St. Louis County and Jean Hammink for a *Using Emotional Intelligence to Manage Up, Down, In and Out* session.-06-474

Purchase of Service Agreement, Contract No. 13801, between the St. Louis County Board of Commissioners and Mesabi Academy of Kids Peace, Inc., for children's residential services.-06-475ss

Agreement between the County of St. Louis and Cloud Cartographics, Inc., for plat books.-06-476

Agreement for Professional Services between St. Louis County and Engineering Partners Company, LLC., for geotechnical exploration program evaluation along the Southwest side of Schelin Lake and the North side of C-SAH 47 (Swan Lake Road).-06-477

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for geotechnical exploration program evaluation on the subsurface conditions for the proposed replacement of Bridge No. 409, C-SAH 44, over Indian Creek.-06-478

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for geotechnical exploration program evaluation on the subsurface conditions for the proposed replacement of Bridge No. 336, C-SAH 88, over the Burntside River.-06-479

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 203 through 216, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 14, 2006, are hereby approved.  
Adopted April 4, 2006. No. 203

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 21, 2006, are hereby approved.  
Adopted April 4, 2006. No. 204

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,451,418.25
184	Extension Service	24,848.73
200	Public Works	2,665,216.16
230	Social Services	4,174,876.56
240	Forfeited Tax	329,526.47
250	St. Louis County HRA	42,616.30
600	Solid Waste Authorities	355,635.16
625	Chris Jensen Health & Rehab.	1,009,510.99
650	Laundry	83,739.68
660	Community Food Services	110,580.22
670	Supervised Living Facilities	48,629.27
700	Printing	10,444.47
715	County Garage	74,171.34
750	Management Information Systems	337,413.83
760	Telecommunications	179,489.35
925	Arrowhead Regional Corrections	1,204,934.98
955	Community Health Services	24,378.62
989	Regional Railroad Authority	<u>260,099.70</u>
		\$15,387,530.08

Adopted April 4, 2006. No. 205

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. 58495, are hereby approved:

Real Estate - Carmen Brown, \$183.62; Richard Kresal, \$1,067.46; Lance Snow, \$280.24; Cheryl Stavig, \$245.76; Emily Atwater, \$110.40; Artis Ballard, \$497.50; Julie Moe-Linder, \$201.60; Richard Saarela, \$174.80; Nicola Giancola, \$293.30.

Adopted April 4, 2006. No. 206

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 17, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 4, 2006. No. 207

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

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RESOLVED, that the County of St. Louis enter into Agreement No. 84043 with Canadian National Railway and the Commissioner of Transportation for crossing improvements at the intersection of County Road (CR) 694 (Seville Road) between County-State Aid Highway (C-SAH) 98 (Canosia Road) and C.R. 223 (Munger Shaw Road) northwest of Hermantown, MN, identified as S.P. 69-00173, C.P. 69-598-031, C.P. 8278, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be ten percent of the total estimated project cost of \$134,600.00 or \$13,460.00, payable from Fund 200, Agency 203129. Adopted April 4, 2006. No. 208

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 4.5 miles of County-State Aid Highway No. 47 (County Project 8258, S.A.P. 69-647-08) in Alborn and New Independence Townships (Townships 52-18, 17) from Trunk Highway 53 to a point 1000 feet west of County Road No. 7 (Stoney Brook Road); and

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

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

WHEREAS, a right of way plat would be beneficial for acquisition purposes and for future reference;

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; and

RESOLVED FURTHER, that the County Board of Commissioners hereby authorizes the Public Works Department to prepare a right of way acquisition plat for the reconstruction of County-State Aid Highway No. 47 from Trunk Highway 53 to a point 1000 feet west of County Road No. 7 (Stoney Brook Road), and said plat recorded for future reference.

Adopted April 4, 2006. No. 209

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 5.23 miles of County-State Aid Highway (C-SAH) No. 16 (County Project 9270, S.P. 69-616-043) in Unorganized Township 56-16 and 56-17 from a point 600 feet west of County Road 389 (Clyde Road) to a point 300 feet west of C-SAH 108 (Lost Lake Road); and

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

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

WHEREAS, the following parcels in St. Louis County Highway Right of Way Plat No. 24 cannot be acquired through negotiation and direct purchase:

Parcel 7 - James H. Ferrell, Judith A. Ferrell and Jason P. Ferrell

Parcel 25 & 26 - Kyle R. Maki and Tammy Jo Adams

Parcel 30 - Unknown heirs of John Hobrle

Parcel 72 & 73 - Joseph J. Johnson and Alesha Y. Johnson

NOW, THEREFORE, BE IT RESOLVED, that under the authority granted by Minnesota Statute 163.02, Subdivision 2, and Minnesota Statute 163.11, the St. Louis County Board of Commissioners hereby authorizes the County Attorney to proceed under Minnesota Statutes, Chapter 117, to acquire the necessary right of way through eminent domain proceedings.

Adopted April 4, 2006. No. 210

WHEREAS, the County has prepared a plan for the construction of Bridge 69J47 to be constructed

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

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on Township Road 7953 (Williams Road) in the Town of Great Scott; and  
WHEREAS, the Project (State Aid Project 69-599-024, County Project 9586) will be funded by the Minnesota Department of Transportation Town Bridge Account, less a \$10,000 local share to be split equally (\$5,000 each) between St. Louis County and the Town of Great Scott;  
NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the Town of Great Scott whereby the County will provide engineering and construction services for construction of Bridge 69J47 on Township Road 7953 using Minnesota Department of Transportation Town Bridge Account Funds;  
RESOLVED FURTHER, St. Louis County will pay a \$5,000 share of the project payable from Fund 200, Agency 203117;  
RESOLVED FURTHER, the Town of Great Scott will pay its local share of \$5,000 to be receipted into Fund 220, Agency 220133.  
Adopted April 4, 2006. No. 211

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Sexual Assault Program of Northern St. Louis County to operate out of Britt Lounge, Unorganized Township 60-18, 7301 Highway 53, Britt, MN 55701, Renewal.  
Adopted April 4, 2006. No. 212

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

American Legion Post 480 to conduct off-site gambling on July 22, 2006 (pull-tabs), at Northwoods Riders Motorcycle Clubhouse, 12646 South Willow River Road, Greaney, MN 55771, Unorganized Township 63-21.  
Adopted April 4, 2006. No. 213

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for a 2006 State of Minnesota, Emergency Management Performance Grant (EMPG).  
Adopted April 4, 2006. No. 214

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 25-1272 located on C-SAH 25 from T.H. 169 to C-SAH 125 in Kinney, MN, length 2.7 miles consisting of Bituminous Reclamation, Mill Bituminous Surface, Bituminous Surfacing and Aggregate Shouldering.  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 20, 2006, 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 responsible 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, subject to proper authorization of the contract.

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ST. LOUIS COUNTY, MINNESOTA**

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<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$565,762.56

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 contract with the Contractor for the above listed project, payable from Fund 200, Agency 203087, Object 652800.  
Adopted April 4, 2006. No. 215

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-732-003, County Project 9295, located on C-SAH 132 from T.H. 37 to T.H. 53 in Fayal, MN, length 4.0 miles, consisting of Mill Bituminous Surface, Culvert Replacement, Bituminous Surfacing and Aggregate Shouldering.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 20, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,272,406.71

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 contract with the Contractor for the above listed project, payable from Fund 200, Agency 220155, Object 652700.  
Adopted April 4, 2006. No. 216

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Town of Solway initiated a rezoning for the W 1/2 of the W 1/2, Section 17, Township 50 North, Range 16 West; and

WHEREAS, the Planning Department recommended approval of rezoning for the SW 1/4 of the NW 1/4, the NW 1/4 of the SW 1/4, and the SW 1/4 of the SW 1/4, all in Section 17, Township 50 North, Range 16 West; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on April 4, 2006; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony, written and verbal, as presented.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance No. 46, County Zoning Maps, from FAM-1 to FAM-3 for the SW 1/4 of the NW 1/4, the NW 1/4 of the SW 1/4, and the SW 1/4 of the SW 1/4, all in Section 17, Township 50 North, Range 16 West;

RESOLVED FURTHER, the effective date for the above referenced amendment to Ordinance No. 46 shall be May 19, 2006.

Unanimously adopted. April 4, 2006. No. 217

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

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WHEREAS, the Individual Sewage Treatment Systems Loan Ordinance was enacted by the County Board of Commissioners on September 2, 1997; and

WHEREAS, this Septic Loan Program has assisted property owners with the financing to bring into compliance their septic system that was determined to be an imminent public health threat, a failing system, or a non-conforming system; and

WHEREAS, it has been determined that it would be beneficial to increase the funding available for loan;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the transfer of \$100,000 from the Environmental Trust Fund, Fund 500, Agency 500001, Object 695100, into a new Environmental Septic Loan Program, Fund 281 (Environmental Septic Loan Fund).

Unanimously adopted. April 4, 2006. No. 218

Upon motion of Commissioner Fink, supported by Commissioner Kron, the rules were suspended to adopt Resolution No. 219 which was not on the agenda.

**BY COMMISSIONER FINK:**

WHEREAS, on behalf of the taxpayers of St. Louis County, the St. Louis County Board of Commissioners continually seeks ways to keep the cost of county government as cost effective as possible; and

WHEREAS, the cost of St. Louis County government is significantly affected by mandates from the State of Minnesota; and

WHEREAS, the Minnesota State Legislature in 2005 passed legislation (M.S. 6.79) which allows local governments to file resolutions with the State Auditor which either object to particular state mandates or make recommendations for reforming particular state mandates; and

WHEREAS, the State Auditor has encouraged local governments to submit mandate reform proposals to her office and has expressed a willingness to partner with local governments in achieving those reforms; and

WHEREAS, the State of Minnesota has been involved in the systematic shifting of costs to County property taxpayers for obligations which are rightly the responsibility of the State;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby submits to the State Auditor a certified copy of this resolution and an amended list of mandates, all of which have been approved by the Association of Minnesota Counties (AMC), along with statute citations and comments, as candidates for repeal.

RESOLVED FURTHER, the St. Louis County Board of Commissioners requests that the State Auditor take any measures available to aid the repeal of these mandates.

Unanimously adopted. April 4, 2006. No. 219

At 2:06 P.M. on Tuesday, April 4, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:

Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 11, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of April, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Alan Mitchell, County Attorney, presented a Volunteer Excellence Award to members of the Program To Aid Victims of Sexual Assault (PAVSA) who have provided thirty-one years of invaluable service to sexual assault victims. A crisis line is staffed twenty-four hours per day, seven days per week. Other victim assistance is rendered through counseling, education, support groups and advocacy programs - all services free of charge. Beth Olson, PAVSA Coordinator, said the award and financial support from the County is appreciated and she invited Commissioners to participate in "Take Back The Night Rally" on April 27 at Washington Center.

Chair Nelson proclaimed the week of April 9 through 15 as St. Louis County Public Safety Telecommunicators Week. Chair Nelson and Commissioner Kron, Chair of Public Safety and Corrections, presented the proclamation to Sheriff Ross Litman and Lt. Kevin Kivisto.

Sheriff Litman then presented 9-1-1 Lifesaver Awards to the following persons:

Kashay Sheff, age 7, whose coolheaded action calling 9-1-1 on the afternoon of February 4, 2005, saved the life of her grandfather, Jack Sheff, who had suffered a heart attack.

Janice Makowski, 9-1-1 Dispatcher, who gave cardiopulmonary resuscitation (CPR) instructions to a woman whose 2-year old daughter fell into a lake and was not breathing. Deputy David Lovaas was first on the scene and continued to administer CPR until the child was transported to the hospital.

Jason Dickinson, Virginia Fire Department, and Jim Herman, St. Louis County Volunteer Rescue Squad, who performed a rappel rescue of two men stranded on a cliff facing.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Chair Nelson apologized for inappropriate language used at the April 4 Committee of the Whole meeting.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve purchase of three 2006 Dodge Chargers with police packages from Elk River Ford/Dodge of Elk River, MN, at the state contact price of \$61,464 (emergency vehicles are exempt from state sales tax); seven yeas - zero nays. Resolution No. 246.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve funding of \$100,000 for methamphetamine use prevention programs. Dana Frey, County Administrator, said funding will be from current cash flow and savings realized throughout the year will, hopefully, be sufficient to cover the cost. Commissioner Fink expressed concern because this was not a budgeted expense and a particular funding source has not been identified. After further discussion, the grant was approved;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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six yeas - one nay, Commissioner Fink. Resolution No. 247.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve grant funding of up to \$100,000 to Arrowhead Economic Opportunity Agency (AEOA) for distribution to eligible County residents who need heating assistance. Administrator Frey said funding will be from current cash flow. Alan Mitchell, County Attorney, in response to a question from Commissioner Fink, said the resolution was worded specifically to allow unused funds to be returned to St. Louis County. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 248.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve an adjustment in the compensation scale for the Planning Director from U25 to U28 of the Management Compensation Plan.

At 11:02 A.M. in the forenoon of Tuesday, April 11, 2006, Chair Nelson moved to recess the Board until 11:07 A.M. on April 11, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:10 A.M. on Tuesday, April 11, 2006, and the regular order of business resumed with all members present.

Discussion of the compensation scale for the Planning Director resumed. The following persons addressed the issue:

Dana Frey, County Administrator, said compensation reviews are requested when a management position is being filled or if duties/responsibilities have changed. In this case, the Planning Director position has taken on additional responsibilities so Fox/Lawson and Associates, an independent compensation consulting firm, were asked to review the compensation package.

Dick Griffith, Assistant Civil Service Director, said Fox/Lawson and Associates have been used by the County for a number of years and are recognized worldwide for their expertise. Commissioner Forsman said it was difficult justifying a \$14,000 pay increase during tight budget times and granting the adjustment will further exacerbate the pay differential between management and employees. Commissioner Raukar urged the Board to take a balanced approach. After lengthy discussion, Commissioner Sweeney, supported by Commissioner Kron, moved to call the question; four yeas - three nays, Commissioners Fink, Raukar and Chair Nelson. The pay adjustment was then approved; six yeas - one nay, Commissioner Forsman. Resolution No. 249.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve settlement of litigation in the matter of Taylor vs. St. Louis County; seven yeas - zero nays. Resolution No. 250.

At 11:45 A.M., Commissioner Sweeney left the County Board meeting.

Commissioner Kron said he attended a meeting with Commissioner O'Neil regarding avian bird flu pandemic. St. Louis County is working on both local and regional plans in the event an outbreak occurs. Commissioner O'Neil applauded the work of Public Health in preparing for a possible pandemic.

At 11:50 A.M., Commissioner Forsman left the meeting.

Commissioner Fink, responding to earlier actions by the Board to call the question concerning Planning Director compensation, asked the Chair to consider a policy whereby makers of a motion have the last opportunity to address the issue before a question is called. Chair Nelson said it is his

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policy to allow everyone an opportunity to address an issue.

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

County Auditor submitting lists of tax forfeited property declared in default during the year 2006.-58548

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-164 regarding reclassification of State tax forfeited land (non-conservation).-58549

Employee Safety & Development Training Contract between St. Louis County and Carla Tichy for a *Natural Health* session.-06-480

Employee Safety & Development Training Contract between St. Louis County and NESC for *Access Introduction, Access Intermediate Queries, Access Intermediate Tables, Access Advanced Switchboard, Dot Net Nuke Administrator, Dot Net Nuke Content Manager, Word Intermediate - Envelopes, Labels, and Shortcuts, and Word Intermediate - Formatting* sessions. -06-481

Employee Safety & Development Training Contract between the St. Louis County and NESC for *Adobe Acrobat Conversion and Security, Adobe Acrobat Forms, Excel Introduction, Excel Intermediate Charts, Excel Intermediate Functions and Formulas, GroupWise Introduction, and GroupWise Intermediate*.-06-482

Grant Agreement between the County of St. Louis and The Northspan Group for marketing of communities for economic development.-06-483

State of Minnesota Assistive Voting System Grant Application and Agreement between the Secretary of State and the St. Louis County Auditor provided by the Help America Vote Act. -06-484

Service Contract No. 4596 between the County of St. Louis and Kangas Excavating, Inc., for On-Call Demolition services.-06-485

Addendum to Purchase Agreement, Contract No. 13891B, between the St. Louis County Board of Commissioners and Diamond Willow Assisted Living, LLC, for assisted living plus services.-06-486ss

Addendum to Purchase Agreement, Contract No. 13891C, between the St. Louis County Board of Commissioners and Diamond Willow Assisted Living, LLC, for assisted living plus services.-06-487ss

Group Residential Housing Rate Agreement, Contract No. 50435, between the St. Louis County Board of Commissioners and Diamond Willow - 921/Heritage Cottage.-06-488ss

Group Residential Housing Rate Agreement, Contract No. 50434, between the St. Louis County Board of Commissioners and Diamond Willow - 923/Lake Superior Cottage.-06-489ss

Group Residential Housing Rate Agreement, Contract No. 50437, between the St. Louis County Board of Commissioners and Westview Arrowhead.-06-490ss

Group Residential Housing Rate Agreement, Contract No. 50440, between the St. Louis County Board of Commissioners and Westview Northland.-06-491ss

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Group Residential Housing Rate Agreement, Contract No. 50439, between the St. Louis County Board of Commissioners and Westview Portage.-06-492ss

Group Residential Housing Rate Agreement, Contract No. 50438, between the St. Louis County Board of Commissioners and Westview Grand.-06-493ss

Addendum to Purchase Agreement, Contract No. 13899A, between the St. Louis County Board of Commissioners and Home Care Service Options of Duluth for home care services.-06-494ss

Purchase of Service Agreement, Contract No. 13899, between the St. Louis County Board of Commissioners and Home Care Service Options of Duluth.-06-495ss

Purchase of Service Agreement, Contract No. 13929, between the St. Louis County Board of Commissioners and A & E Homes, Inc., for SLS for adults.-06-496ss

Purchase of Service Agreement, Contract No. 13939, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc., for child foster care and out-of-home respite services.-06-497ss

Grant Agreement, Contract No. 20659, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for MFIP Integrated Services. -06-498ss

Purchase of Service Agreement, Contract No. 13945, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels for home delivered meals.-06-499ss

Purchase of Service Agreement, Contract No. 13944, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.-06-500ss

Addendum to Purchase Agreement, Contract No. 13831B, between the St. Louis County Board of Commissioners and TL Care Services, LLC, d/b/a Westview Services for adult foster care.-06-501ss

Addendum to Purchase Agreement, Contract No. 13340D, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), for semi-independent living services.-06-502ss

Group Residential Housing Rate Agreement, Contract No. 50426, between the St. Louis County Board of Commissioners and Lee Adult Foster Care (Home IV).-06-503ss

Group Residential Housing Rate Agreement, Contract No. 50451, between the St. Louis County Board of Commissioners and Homes, Inc. (Men's House Apartment).-06-504ss

Addendum to Purchase Agreement, Contract No. 13427E, between the St. Louis County Board of Commissioners and Capstone Services, Inc. - Kingswood for SLS for adults.-06-505ss

Addendum to Purchase Agreement, Contract No. 13879A, between the St. Louis County Board of Commissioners and Heritage Haven, Inc., for assisted living plus services.-06-506ss

Group Residential Housing Rate Agreement, Contract No. 50441, between the St. Louis County Board of Commissioners and Peterson Adult Foster Home.-06-507ss

Addendum to Purchase Agreement, Contract No. 13325D, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Commissioners and Peterson Adult Foster Home.-06-508ss

Addendum to Purchase Agreement, Contract No. 13353D, between the St. Louis County Board of Commissioners and Macor Adult Foster Home I.-06-509ss

Addendum to Purchase Agreement, Contract No. 13355D, between the St. Louis County Board of Commissioners and Seeland Adult Foster Home.-06-510ss

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 203 through 216, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

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. 58495, are hereby approved:

Real Estate - Christine Strub, \$1,388.10; Robert Englund, \$390.30; Stephen Dahlgren, \$454.38; Julie Moe-Linder, \$56.50; Paul Simonson, \$919.96; Ellen Abare, \$209.42; Curtis Ramey, \$406.08; Kathleen Rennan, \$273.24; Mark Olson, \$281.42.

Personal Property - Todd Seeley, \$94.42.

Adopted April 11, 2006. No. 220

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 31, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 11, 2006. No. 221

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;

FURTHER RESOLVED, that said license is 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 license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective May 1, 2006, through June 30, 2006:

Oveson KAB-CON, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, On-Sale Intoxicating Liquor License No. ON0628 and Sunday On-Sale Intoxicating Liquor License No. ONS0628 (previously held Seasonal On-Sale/Sunday On-Sale Intoxicating Liquor Licenses).

Adopted April 11, 2006. No. 222

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Floodwood Preserve on July 8, 2004, November 18, 2004, July 14, 2005, and November 10, 2005; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Floodwood Preserve; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Planning Commission. The County Attorney and County Surveyor have approved the plat; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Floodwood Preserve located in Government Lots 4 - 6, Township 54 North, Range 21 West (Town of Cedar Valley).  
Adopted April 11, 2006. No. 223

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Luna Lake Retreat on August 18, 2005, and September 15, 2005; and WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Luna Lake Retreat; and  
WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Luna Lake Retreat located in Sections 13 and 24, Township 60 North, Range 12 West (Town of French).  
Adopted April 11, 2006. No. 224

RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statutes, Section 282.04, Subdivision 1(d), is hereby authorized to offer at public sale to the highest responsible bidder, a lease of State tax forfeited land described as Government Lot 4, Section 7, Township 57 North, Range 19 West (DuPont Pit), for the purpose of removing a maximum of fifty thousand (50,000) cubic yards and a minimum of thirty thousand (30,000) cubic yards loose volume measure of gravel. This lease will be made available at public sale, at the minimum appraised price of \$1.00 per cubic yard loose volume measure of gravel to be removed. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 30,000 cubic yards, plus \$50.00 administration fee, \$6.00 publication fee, and a refundable reclamation deposit of \$5,000.00, for a minimum total cost of \$35,056.00 due at the time of award and subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material lease;  
RESOLVED FURTHER, quantities will be determined by records and information supplied by the St. Louis County Public Works Department;  
RESOLVED FURTHER, said sale will be held at 9:30 A.M., April 24, 2006, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.  
Adopted April 11, 2006. No. 225

RESOLVED, that St. Louis County Board Resolution No. 603, dated December 13, 2005, is amended to correct the total fee payment for a utility easement crossing State tax forfeited land granted to Lake County Power. The adjusted fee is as follows: \$19,797.00 appraised value, \$200.00 administration fee, and \$46.00 recording fee; for a total of \$20,043.00.  
Adopted April 11, 2006. No. 226

WHEREAS, the properties described below are currently dedicated in Memorial Forest status:

**Central Lakes Memorial Forest**

**Tract 1**

Part of N'ly 300 ft of unplatted part of Lot 8 lying E of a line 500 ft W'ly of 1/4 line and W of extended E'ly line of Lot 11, Nelson's Stone Lake Lots, Township 56 North, Range 17 West, Section 31, Town of Northland. Parcel Code: 690-10-5165.

**Tract 2**

Lot 14, Michael's Beach, Township 55 North, Range 17 West, Section 6, Town of Ellsburg. Parcel Code: 320-0010-00140.

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**Tract 3**

S 1/2 of S 1/2 of SW 1/4 of SW 1/4, Township 55 North, Range 19 West, Section 6, Town of Lavell.  
Parcel Code: 420-0010-01270.

**Pelican Lake Memorial Forest**

**Tract 4**

That part of N 400 ft of SW 1/4 of SE 1/4 lying E'ly of centerline of hwy and running N'ly and S'ly through a pt 550 ft E of NW corner except R.R. R.O.W. and except hwy R.O.W. and except part lying N'ly and E'ly of hwy, Township 65 North, Range 20 West, Section 24, Town of Leiding.  
Parcel Code: 425-40-4034.

**Tract 5**

That part of Lot 12 lying East of Hwy No. 53 except 0.91 acres for hwy, Township 65 North, Range 19 West, Section 30, Town of Leiding. Parcel Code: 425-0020-04395.

**Lake Vermilion Memorial Forest**

**Tract 6**

W'ly 330 ft of E'ly 660 ft of N'ly 660 ft of NE 1/4 of NE 1/4, Township 60 North, Range 14 West, Section 13, Township of Waasa. Parcel Code: 565-10-1901.

**Tract 7**

SW 1/4 of NW 1/4, Township 60 North, Range 14 West, Section 4, Township of Waasa. Parcel Code: 565-10-510.

**Tract 8**

Lots 1 - 36, Block 1; Lots 1 - 32, Block 2; Lots 1 - 24, Block 3; Lots 1 - 24, Block 4; Lots 1 - 32, Block 5; Lots 1 - 34, Block 6; Lots 1 - 33, Block 7; Lots 1 - 32, Lot 8; Lots 1 - 32, Block 9, Lots 1 - 32, Block 10; Lots 1 - 32, Block 11; Lots 1 - 32, Block 12, Outlot A, Township 61 North, Range 15 West, Section 4, Townsite of Walsh. Parcel Codes: 410-30-10, 370, 690, 930, 1250, 1570, 1910, 2240, 2560, 2880, 3200, 3520, 3840.

**Tract 9**

Former RY R/W across SW 1/4 of NW 1/4, Township 61 North, Range 15 West, Section 4. Parcel Code: 410-10-552.

**Tract 10**

Lots 1 - 8, Inc., Block 9, AND Lots 13 thru 16, Inc., Block 9, AND all of Lots 7 thru 13, Lot 14 except part of W'ly of E'ly R/W line on County Road No. 128 lying S'ly of N'ly 40 ft and the N'ly 40 ft of Lots 15 AND 16, Inc., pt of vac Poplar St adj Lots 12 and 13, Block 10, AND Lots 5 - 7, Block 5, and Lot 11, Block 5, Township 62 North, Range 14 West, Section 22, Town of Eagles Nest. Parcel Code: 317-80-540, 550, 560, 600, 990, 1110, 1210.

**Tract 11**

N 1/2 of SE 1/4, Township 61 North, Range 15 West, Section 6, Town of Kugler. Parcel Code: 410-0010-00970.

**Lake Upham Memorial Forest**

**Tract 12**

SE 1/4 of NE 1/4, Township 53 North, Range 18 West, Section 18, Town of Meadowlands. Parcel Code: 440-0020-02650.

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**Whiteface Memorial Forest**

**Tract 13**

NE 1/4 of SE 1/4, Township 56 North, Range 16 West, Section 8, Unorganized. Parcel Code: 676-0010-01370.

**Tract 14**

E 1/2 of SE 1/4 of NE 1/4, Township 56 North, Range 16 West, Section 8, Unorganized. Parcel Code: 676-0010-01270.

WHEREAS, these parcels are more suitable for private ownership than they are for forest management;

NOW, THEREFORE, BE IT RESOLVED, that the above described parcels are withdrawn from Memorial Forest status pursuant to Minnesota Statutes 459.06.

Adopted April 11, 2006. No. 227

WHEREAS, contracts for the purchase or repurchase of State tax forfeited land, described as County Board File No. 58548, are in default for non-payment of taxes or installment payments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the County Board does hereby approve the cancellation of said contracts for purchase or repurchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58548, according to the provisions of Minnesota Statute 282.01, Subdivision 5, and Minnesota Statute 282.40, and according to the procedures of Minnesota Statute 559.21.

Adopted April 11, 2006. No. 228

WHEREAS, the Land Department has reviewed a request from the Reservoir Riders Snowmobile Club for a grant-in-aid snowmobile trail easement across State tax forfeited land; and

WHEREAS, the easement will not conflict with public use of land;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by authority vested in him by Minnesota Statutes 282.04, Subdivision 4, is hereby authorized to grant a recreational trail easement to the Reservoir Riders Snowmobile Club described as follows:

A perpetual non-exclusive easement for ingress and egress 20.00 feet in width over, under, and across the southeast quarter of the southeaster quarter of Section 21, Township 52 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 10.00 feet on each side of the centerline described as follows: Commencing at the southeast corner of said Section 21; thence northerly on the east line of said southeast quarter of the southeast quarter on an assigned azimuth of 359 degrees 44 minutes 21 seconds, where 0 degrees equals North, a distance of 10.0 feet to the point of beginning of said easement; thence westerly and parallel to the south line of said southeast quarter of the southeast quarter at an azimuth of 266 degrees 50 minutes 30 seconds a distance of 65.00 feet; thence at an azimuth of 299 degrees 00 minutes 00 seconds a distance of 315.00 feet to a tangential curve, concave to the south, with a radius of 820.57 feet and an arc distance of 192.10 feet to the point of intersection with a spur easement that will be addressed below; thence continuing on the previous curve an arc distance of 638.55 feet; thence at an azimuth of 241 degrees 00 minutes 00 seconds a distance of 218 feet more or less to the west line of said southeast quarter of the southeast quarter and thereby terminating this portion; thence beginning at the intersection of the aforementioned spur and at an azimuth of 195 degrees 35 minutes 13 seconds and tangent to the previous curve a distance of 187.56 feet; thence at an azimuth of 184 degrees 00 minutes 00 seconds a distance of 83.0 feet more or less to the south line of said southeast quarter of the southeast quarter and thereby terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines.

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This easement in whole is 1690 feet in length and contains 0.77 acres more or less. The granting of this easement is conditioned upon payment of \$1,000.00 land use fee, \$157.00 timber damages, \$150.00 administration fee, and \$46.00 recording fee; for a total cost of \$1,353.00.

Adopted April 11, 2006. No. 229

WHEREAS, the St. Louis County Director of Purchasing solicited bids for ground applied broadcast application of herbicides on State tax forfeited lands for the year 2006; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the low bid in the amount of \$207,508.50;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to execute a contract with Future Forests, Inc., of Askov, MN, for the chemical site preparation of 26 sites totaling 999.5 acres and the chemical release of 10 sites totaling 620 acres, during summer of 2006, in accordance with the specifications of Bid No. 4613 and subject to approval of the County Attorney, at their low specification bid price of \$207,508.50, payable from Fund 290, Agency 290003.

Adopted April 11, 2006. No. 230

WHEREAS, the St. Louis County Director of Purchasing solicited bids for mechanical site scarification by disc trenching on State tax forfeited lands for the year 2006; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only bid in the amount of \$39,448.00;

WHEREAS, the bid submitted was lower than estimated and lower than bids awarded in previous year disc trenching contracts;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to execute a contract with Future Forests, Inc., of Askov, MN, for the mechanical site scarification by disc trench of 21 sites totaling 706 acres, during fall of 2006, in accordance with the specifications of Bid No. 4615 and subject to approval of the County Attorney, at their low specification bid price of \$39,448.00, payable from Fund 290, Agency 290003.

Adopted April 11, 2006. No. 231

WHEREAS, pursuant to Minnesota Statutes 94.341 to 94.349, inclusive, a land exchange proposal has been submitted to the County Board of St. Louis County, State of Minnesota, for certain lands owned by Bill Huberty; and

WHEREAS, this proposed exchange has been reviewed by the St. Louis County Land Department to determine the suitability of lands for exchange; and

WHEREAS, the lands acquired by the St. Louis County Land Department will consolidate State tax forfeited ownership and increase timber management opportunities for the benefit of the taxpayers of St. Louis County; and

WHEREAS, the joint proposal is to exchange the following described lands being and lying in St. Louis County, Minnesota, to-wit:

OFFERED LANDS (Bill Huberty) - 40 ACRES

NE 1/4 of the NE 1/4, Section 23, Township 53 North, Range 18 West

STATE TAX FORFEITED LANDS (CLASS "B") - 40 ACRES

SE 1/4 of the NE 1/4, Section 14, Township 53 North, Range 18 West

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners has determined that State tax forfeited lands described as the SE 1/4 of the NE 1/4, Section 14, Township 53 North, Range 18 West; and Bill Huberty lands described as the NE 1/4 of the NE 1/4, Section 23, Township 53 North, Range 18 West, are suitable for exchange as recommended by the Land

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Department.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Land Department to conduct an appraisal of all lands involved in the proposed land exchange.

Adopted April 11, 2006. No. 232

WHEREAS, the Land Department has reviewed a request of Max Ivancic for a non-exclusive road access easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to the individual's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes, Section 282.04, Subdivision 4a, is hereby authorized to grant a non-exclusive easement for roadway purposes to Max Ivancic.

The description of the easement is:

An easement for ingress and egress, 66.0 feet in width, 33.0 feet on each side of the centerline described as follows: Commencing at the quarter corner common to Sections 10 and 11, Township 57 North, Range 18 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence southerly on the line common to said sections which has an assigned bearing of S 2 degrees 26 minutes 01 seconds E a distance of 430.00 feet; thence easterly and perpendicular to the previous line a distance of 84.21 feet to the centerline of County Road No. 7 and the actual point of beginning of this easement; thence on an existing road where all succeeding courses will follow said centerline at a bearing of S 47 degrees 51 minutes 22 seconds W a distance of 109.47 feet to said line common to Sections 10 and 11; thence S 5 degrees 00 minutes 00 seconds E a distance of 810.0 feet through the northeast quarter of the southeast quarter of Section 10 and the northwest quarter of the southwest quarter of Section 11; thence S 17 degrees 00 minutes 00 seconds W a distance of 110.0 feet; thence S 46 degrees 00 minutes 00 seconds W a distance of 160.0 feet into the southeast quarter of the southeast quarter of Section 10; thence S 63 degrees 00 minutes 00 seconds W a distance of 550.0 feet; thence S 32 degrees 00 minutes 00 seconds W a distance of 100.0 feet; thence S 23 degrees 00 minutes 00 seconds W a distance of 150 feet more or less to the north line of the south half of the southeast quarter of the southeast quarter of said Section 10 and thereby terminating. This easement contains 3.0 acres more or less.

Granting of this easement is conditioned on payment of \$2,700.00 land use fee, \$300.00 administration fee, and \$46.00 recording fee, for a total of \$3,046.00.

Adopted April 11, 2006. No. 233

WHEREAS, the following described parcels forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; 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 Land Department has recommended that the parcels described in County Board File No. 58549 be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land; 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, said parcels of land described in County Board File No. 58549 are located inside the boundaries of a municipality or town, and Minnesota Statutes, Section 282.01, provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, reclassification and sale of said parcels will be deemed approved if the County Board

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does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the Clerk of the Municipality or Town in which the parcels are located;

NOW, THEREFORE, BE IT RESOLVED, that the State tax forfeited parcels described in County Board File No. 58549 be reclassified as non-conservation and offered for sale at Public Auction or Adjoining Owner Sales and that the request for approval of the reclassification be transmitted by the St. Louis County Land Department to the Clerk of the Municipality or Town in which the parcels are located.

Adopted April 11, 2006. No. 234

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments with the City of Duluth for the reconstruction of County-State Aid Highway 37, Snively Boulevard, from County-State Aid Highway 9 (Woodland Avenue) to Glenwood Street in Duluth, Minnesota, whereby the City will approve the "Road Plan", pay the "City of Duluth Non-Participating" local share items listed in the Estimated Quantities in the Plan, and provide all the necessary construction engineering and inspection for utility items contained in the Plan. The City portion will be receipted into Fund 220, Agency 220158.

Adopted April 11, 2006. No. 235

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Crane Lake Voyageur Snomobile Club to operate out of the following:  
Trails End Resort, Portage Township, 6310 Crane Lake Road, Buyck, MN 55771, Renewal;

Voyagaire Lodge, Crane Lake Township, 7576 Gold Coast Road, Crane Lake, MN 55725, Renewal.  
Adopted April 11, 2006. No. 236

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Voyageur Trail Society, Inc., to operate out of the following:  
Trails End Resort, Portage Township, 6310 Crane Lake Road, Buyck, MN 55771, New;

Voyagaire Lodge, Crane Lake Township, 7576 Gold Coast Road, Crane Lake, MN 55725, New.  
Adopted April 11, 2006. No. 237

WHEREAS, the FY 2006 *Action Plan* was submitted on November 14, 2005, to the U.S. Department of Housing and Urban Development for the FY 2006 Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME), and Community Development Block Grant (CDBG) Programs; and WHEREAS, the U.S. Department of Housing and Urban Development has approved the *St. Louis County FY 2006 Action Plan* and has allocated St. Louis County \$106,833 for the ESG Program, \$693,617 for the HOME Program, and \$2,496,405 for the CDBG Program; and

WHEREAS, the St. Louis County Board of Commissioners approved the FY 2006 Community Development Block Grant (CDBG) Program awards to 29 communities and agencies totaling \$2.275 million by Board Resolution No. 612 on December 13, 2005; and

WHEREAS, the advisory committee for the Emergency Shelter Grant Program recommends FY 2006

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funding of \$103,790 for 7 nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and WHEREAS, \$125,000 of program income is included in the HOME Program 2006 budget for home ownership assistance and the advisory board for the Northeast Minnesota HOME Consortium recommends HOME funding of \$750,390 for priority housing activities identified in the Consolidated Plan in the five-county region.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners accepts the 2006 HUD grants and authorizes the County Planning Director to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the program and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development.

RESOLVED FURTHER, grant funds will be allocated as follows:

\$ 106,833	ESG Grant to Fund 173
\$ 693,617	HOME Grant to Fund 270
\$2,496,405	CDBG Grant to Fund 260

RESOLVED FURTHER, the St. Louis County Board of Commissioners allocates 2006 projects and authorizes the Planning Director and a representative of the County Attorney to execute agreements for approved projects and that disbursements related to the CDBG subrecipient agreements be made from CDBG Fund 260, ESG agreements from ESG Fund 173, and HOME agreements from HOME Fund 270 as follows:

<u>Project #</u>	<u>Amount</u>	<u>Project Name - CDBG Fund 260</u>
200601	50,000	AEOA Home Ownership Assistance Program
200602	650,000	AEOA Single Family Housing Rehab
200603	50,000	Northeast Entrepreneur Microenterprise
200605	80,000	Aurora Water/Sewer Improvements
200606	125,000	Breitung Water/Sewer Improvements
200607	105,000	Chisholm Water/Sewer Improvements
200608	121,000	Cook Storm Sewer Improvements
200609	100,000	Ely Community Center Improvements
200610	100,000	Eveleth Sewer Improvements
200611	92,500	Hibbing Sewer Improvements
200612	25,000	Leonidas Water/Sewer Improvements
200613	25,000	McKinley Community Center ADA Improvements
200614	20,000	Orr Water Improvements
200615	134,500	Proctor Water/Sewer Improvements
200616	32,000	St. Louis County 4-H Camp Preservation
200617	25,000	Tower Sewer Improvements
200618	40,000	Virginia Street Reconstruction
200619	38,000	AEOA Homeless Shelter
200620	10,000	AEOA Raising Our Children's Kids (ROCK)
200621	45,000	Legal Aid Housing Counseling & Information
200622	20,000	Life House - Proctor House
200623	14,000	Project SOAR Career Development
200624	35,000	Range Transitional Housing
200625	22,000	Range Women's Advocates Children's Program
200626	13,000	Salvation Army - Hibbing Melting Pot Meals
200627	15,000	Salvation Army - Northern St. Louis County Money Management

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200628	15,000	Salvation Army - Virginia Supper Club
200629	23,000	Sexual Assault Youth Outreach Services
200630	50,000	AEOA - Energy Assistance Set-Aside

<b><u>Agency - ESG Fund 173</u></b>	<b><u>Amount</u></b>
Arrowhead Economic Opportunity Agency	\$ 33,316
Legal Aid Service of NE Minnesota	\$ 12,078
Life House	\$ 12,728
Range Transitional Housing	\$ 25,916
Salvation Army - Duluth	\$ 1,896
Salvation Army - Hibbing	\$ 8,928
Salvation Army - Virginia	\$ 8,928

<b><u>Agency - HOME Fund 270</u></b>	<b><u>Amount</u></b>
<u>Arrowhead Economic Opportunity Agency</u>	
Home Ownership Assistance	\$320,000
CHDO Set Aside Activities	131,931
CHDO Operating	<u>23,538</u>
	\$475,469

<b><u>KOOTASCA Community Action, Inc.</u></b>	
Home Ownership Assistance	\$175,000
CHDO Set Aside Activities	131,931
CHDO Operating	<u>10,575</u>
	\$274,921

Adopted April 11, 2006. No. 238

RESOLVED, that the St. Louis County Board of Commissioners approves the purchase of service agreement between Lake County Human Services and the St. Louis County Department of Public Health and Human Services for the provision of WIC dietician services from January 1, 2006, through December 31, 2006, payable to: Fund 230, Agency 233999, Grant 23302, Year 2005.  
Adopted April 11, 2006. No. 239

WHEREAS, the St. Louis County Board of Commissioners has approved the development and completion of a county-wide digital GIS parcel layer through the support of the "Land Records Management Plan" in Resolution No. 2005-427; and  
WHEREAS, St. Louis County has conducted an extensive procurement process and selected Pro-West & Associates, Inc., to create the County's GIS digital parcel layer by demonstrating comprehensive technical skills and overall lower costs to design the geodatabase model, research data, collect survey control, and develop parcels than competing vendors; and  
WHEREAS, Pro-West & Associates, Inc., has received favorable performance evaluations in developing the County's GIS geodatabase parcel layer for the pilot project of Rice Lake Township under the Minnesota's Lake Superior Coastal Grant Program; and  
WHEREAS, as part of the 2005 and 2006 budget process, the County Board approved funding \$250,000 from the tax forfeited land proceeds Economic Development Fund and \$350,000 from the Recorder's Technology Fund to develop the GIS parcel layer.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Planning Director and representative of the County Attorney to negotiate a contract with Pro-West & Associates, Inc., to continue the development of the digital GIS parcel layer with a renewal option as additional funding becomes available.  
RESOLVED FURTHER, that the appropriate County officials are authorized to execute agreements

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and related documents;

RESOLVED FURTHER, that said funds will be appropriated and disbursed from Fund 178, Agency 178001 (2006), and Fund 100, Agency 121003.

Adopted April 11, 2006. No. 240

WHEREAS, bids have been received by the County Auditor for the following combined projects:  
M.P. 6712-3707 (low), County Project 3707, located on T.R. 6712 from 0.5 mi. E of T.H. 53 to T.H. 53 in Fayal, MN, length 0.5 miles consisting of Mill Bituminous Surface, Bituminous Surfacing and Aggregate Shouldering;

M.P. 6722-3712, County Project No. 3712, located on T.R. 6722 from C-SAH 132 to 615 feet N in Fayal, MN, length 0.12 miles consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6723-3713, County Project No. 3713, located on T.R. 6723 from 1,060 feet W of T.H. 53 to T.H. 53 in Fayal, MN, length 0.2 miles consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6738-3714, County Project No. 3714, located on T.R. 6738 from T.H. 53 to 0.54 mi. W of T.H. 53 in Fayal, MN, length 0.54 miles consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6741-3715, County Project No. 3715, located on T.R. 6741 from C.R. 629 to 525 feet NE of C.R. 629 in Fayal, MN, length 0.1 miles consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6747-3716, County Project No. 3716, located on T.R. 6747 from 568 feet N of T.R. 6746 to 708 feet N of T.R. 6746 in Fayal, MN, length 0.03 miles consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6756-3717, County Project 3717, located on T.R. 6756 from N of C.R. 950 to 720 feet N of C.R. 950 in Fayal, MN, length 0.14 miles consisting of Bituminous Surfacing and Aggregate Shouldering.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 20, 2006, 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, the funding for these projects are from Fayal Township funds; and

WHEREAS, Fayal Township has reviewed the bids and determined that since the low bidder's amount was over the engineer's estimate by an unacceptable amount (26.26%), that the bids shall be rejected; and

WHEREAS, in the judgment of this Board it is for the best interest of St. Louis County to reject the bids on behalf of Fayal Township;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, that they hereby reject the bids on the above projects.

Adopted April 11, 2006. No. 241

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-030-010, County Project No. 8292, located on Various County-State Aid Highways in Southern St. Louis County consisting of Steel Plate Beam Guardrail.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M.,

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March 27, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
H & R Construction Co.	P.O. Box 756 Dalton, MN 56324	\$93,173.49

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 contract with the Contractor for the above listed project, payable from Fund 220, Agency 220125, Object 652700.

Adopted April 11, 2006. No. 242

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and any amendments approved by the County Attorney's Office with MRO Software Bedford, MA, whereby the County will purchase the services of MRO Software for software, implementation, training and maintenance services for Fleet Maintenance and Cost Accounting Software, identified as Maximo Version 5.2. The estimated total cost of the software and services is \$500,946.77, payable from MIS Fund 750, Agency 751028.

Adopted April 11, 2006. No. 243

WHEREAS, a well planned and well funded Minnesota transportation system is essential to the flow of goods and people throughout the state; and

WHEREAS, large state population growth is putting great amounts of stress on all Minnesota roads and affecting the safety of our citizens; and

WHEREAS, transportation infrastructure is necessary for the economic growth of Minnesota cities, both rural and metro; and

WHEREAS, in 2005, 70 percent of motor vehicle fatalities occurred in rural Minnesota; and

WHEREAS, the Minnesota Legislature passed a constitutional amendment that gives 100 percent of Motor Vehicle Sales Tax (MVST) revenue to transportation; and

WHEREAS, the current proposed constitutional amendment guarantees 40 percent of the MVST revenue to transit but guarantees no revenue to highway funding; and

WHEREAS, the MVST revenue is not guarantee to be distributed through the Highway User Tax Distribution Fund and therefore, all revenue from the 60 percent highway guideline could be used to meet the transit and highway needs of major metro area projects; and

WHEREAS, Greater Minnesota may receive no additional highway funding through this constitutional amendment unless the language of the amendment is changed to guarantee that 60 percent of MVST revenue be distributed through the Highway User Tax Distribution Fund; and

WHEREAS, the proposed constitutional amendment is ambiguous and misleading and will make the public less apt to vote for it, endangering the success of the entire amendment; and

WHEREAS, it was the understanding of most legislators that the language of the proposed constitutional amendment contained a 60 percent guarantee of funding to highways through the Highway User Tax Distribution Fund;

WHEREAS, it is necessary that the constitutional amendment meet all transportation needs of the state and adequately protect the transportation needs of Greater Minnesota;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby

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supports:

1. Dedicating all MVST revenue for transportation.
2. Changing the proposed constitutional amendment in the 2006 legislative session so that 60 percent of the MVST revenue is distributed for roads through the Highway User Tax Distribution Fund and 40 percent is dedicated for transit.
3. A bill in the 2006 legislative session that would require by law that, if the MVST constitutional amendment is approved by the voters, 60 percent of MVST revenues be distributed through the Highway Users Tax Distribution Fund and 40 percent of MVST revenue be used for transit. Metro transit should be allocated 36 percent of MVST revenue with four percent allocated to Greater Minnesota transit.

RESOLVED FURTHER, the St. Louis County Board reaffirms County Board Resolution No. 98, adopted February 22, 2005, which supports the Association of Minnesota Counties (AMC) comprehensive transportation package approved by AMC on December 13, 2004. Adopted April 11, 2006. No. 244

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Jim Hofsommer to represent the St. Louis County Association of Township Officers with term ending December 31, 2008. Adopted April 11, 2006. No. 245

**BY COMMISSIONER RAUKAR:**

WHEREAS, the St. Louis County Director of Purchasing solicited bids for 2006 Dodge Chargers with Police Package for the Sheriff's Department in November of 2005; and  
WHEREAS, the vehicles were purchased from Elk River Ford/Dodge utilizing the State of Minnesota Contract in the amount of \$61,464.00 for three vehicles; and  
WHEREAS, the State of Minnesota Contract is still in effect and the Sheriff's Department requires three additional units;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to purchase three (3) 2006 Dodge Chargers with Police Package from Elk River Ford/Dodge of Elk River, Minnesota, in the amount of \$61,464.00 utilizing the State of Minnesota Contract; payable from Fund 100, Agency 129000. Unanimously adopted. April 11, 2006. No. 246

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the transfer of \$100,000 from Fund 100, Object 311200 (Fund Balance), to Fund 100, Agency 104001 (Administration), Object 629900 (Other Professional), for the purpose of providing the County's Methamphetamine Subcommittee with funding for program support for methamphetamine education. Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6  
Nays - Commissioner Fink - 1  
Adopted April 11, 2006. No. 247

WHEREAS, fuel costs have risen dramatically in the last year; and  
WHEREAS, fuel assistance has not increased on the state and federal levels; and  
WHEREAS, many St. Louis County residents could have financial difficulty heating their homes in 2006; and  
WHEREAS, St. Louis County Commissioners believe St. Louis County should provide heating assistance from County funds; and  
WHEREAS, Minnesota Statutes, Section 375.18, Subdivision 15, authorizes the County Board to appropriate funds to community action agencies designated under Minnesota Statutes, Section

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119A.375 to be spent for the authorized purposes of this agency; and  
WHEREAS, Arrowhead Economic Opportunity Agency is one such designated community action agency with an authorized purpose of providing heating assistance in St. Louis County;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Chair of the County Board and the County Administrator to execute a Grant Agreement, granting up to \$100,000 or actual allowable expenses, whichever is less, to Arrowhead Economic Opportunity Agency to be distributed to eligible St. Louis County residents who need heating assistance.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the transfer of \$100,000 from Fund 100, Object 311200 (Fund Balance), to Fund 100, Agency 104001 (Administration), Object 629900 (Other Professional).

Unanimously adopted. April 11, 2006. No. 248

**BY COMMISSIONER SWEENEY:**

WHEREAS, the County Board has added major functions to the County Planning Department since its creation in 1995 and increased the nature and scope of responsibilities assigned to the Director of the Department; and

WHEREAS, after conducting a compensation/market analysis on the revised Planning Director position description adopted in Resolution No. 591, dated November 22, 2005, the compensation consultant Fox/Lawson and Associates has recommended an adjustment to the salary scale for this position;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves adjustment of the Planning Director salary scale to U28 on the Management Compensation Plan, effective April 1, 2006.

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Forsman - 1

Adopted April 11, 2006. No. 249

**BY COMMISSIONER FINK:**

WHEREAS, there is presently pending in the Minnesota Sixth Judicial District Court a lawsuit filed by Constance Taylor against St. Louis County in which Ms. Taylor alleges negligence by a St. Louis County snowplow operator; and

WHEREAS, after investigation of the facts relevant to the this matter, combined with a successful completion of mediation, the St. Louis County Attorney has recommended that the matter be settled as to any and all claims against St. Louis County on the terms set forth hereafter; and

WHEREAS, claimant Constance Taylor will accept payment of \$17,500.00 as settlement of her claims against St. Louis County; and

WHEREAS, each party shall be responsible for her/its own attorney fees and mediation costs; and

WHEREAS, St. Louis County makes no admissions of liability.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the matter be settled upon the following terms:

1. That the sum of Seventeen Thousand Five Hundred and 00/100s Dollars (\$17,500.000) is authorized in full and final settlement of any and all claims arising out of, in consequence of, or on account of the accident involving Constance Taylor on January 22, 1998.
2. That total payment of the aforementioned \$17,500.00 be made to "Knudson, Gee & Torvinen, S.C., Trust Account" pursuant to a dismissal of the pending lawsuit between Ms. Taylor and St. Louis County and release of her claims, as approved by the St. Louis County Attorney, payable from Fund 720.

Unanimously adopted. April 11, 2006. No. 250

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At 11:51 A.M. on Tuesday, April 11, 2006, upon motion of Commissioner Kron, supported by Commissioner Fink, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 25, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of April, 2006, at 9:35 A.M. in the City Hall, Gilbert, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 6. Absent: Commissioner Fink - 1.

Donald Dicklich, County Auditor, presented a Volunteer Excellence Award to the Range Trail Committee, a volunteer group established in 1974 to construct and maintain the Laurentian Snowmobile Trail. Bob "Smiley" Detloff, President of the Range Trail Committee, accepted the award and credited all the volunteers for the excellent condition of the trail which provides a safe and enjoyable experience for snowmobilers.

Bob Garrity, Mayor, welcomed the County Board to the City of Gilbert.

Marine Corporal Scott Hirsch, who led the Pledge of Allegiance at the beginning of the Board meeting and recently returned from Ramadi, Iraq, briefly described some of his duties while serving in the Mideast. Corporal Hirsch said he was interested in pursuing a career in law enforcement.

At 9:35 A.M., a public hearing was reconvened to consider naming a point of land located on Lake Kabetogama (Peterson Bay) as Nelson Point. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, distributed copies of letters sent to the Town of Kabetogama seeking input on the naming of the point. Kabetogama did not offer any comments, concerns or recommendations regarding the matter.

Greg Gilbert, representing the petitioner, was present to answer any questions.

Amy Loiselle, Department of Natural Resources (DNR), said the petition appears to be in order and the DNR has no objection to the name change.

At 10:04 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; six yeas - zero nays. Commissioner Forsman, supported by Commissioner Kron, moved to approve the name change; six yeas - zero nays. Resolution No. 265.

A public hearing scheduled for 9:40 A.M. to consider a cartway petition submitted by Kristen M. Norell and Mark E. Norrell to allow access to their property was removed from the agenda by consensus because the parties involved had apparently reached agreement. Alan Mitchell, County Attorney, said he received a letter from Charles Andresen, Attorney representing the Norrells, indicating their intent to withdraw the petition. The petitioners could, however, resubmit the petition if unresolved boundary issues are not settled satisfactorily. Commissioner Forsman said even though the petition could be resubmitted, a final agreement appears promising.

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

Cartway petition on behalf of Lynn and Donna Rogers for access to their property located in Government Lot 8, Section 30, Township 61 North, Range 13 West. -58550

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Documentation regarding the Program for Aid to Victims of Sexual Assault.-58551

Updated by-laws for the St. Louis County 9-1-1- Emergency Communications System User Board.-58552

Richard W. Ball, Executive Director, Housing and Redevelopment Authority of Duluth, regarding the proposed establishment of the Lake Superior View Tax Increment Financing District.-58553

Agreement for Professional Services between the County of St. Louis and Scalzo Architects to design and oversee remodeling of two public restrooms to meet ADA compliance at the Chris Jensen facility.-06-511

Agreement for Professional Services between the County of St. Louis and SJA Architects to prepare a space plan for the Corrections and Attorney offices at the Virginia Courthouse and Clinic building.-06-512

Agreement for Professional Services between the County of St. Louis and SJA Architects for plans to upgrade the County Board Room and Committee Room.-06-513

Agreement for Professional Services between the County of St. Louis and SJA Architects to provide space planning services for the move of the Purchasing Department into the Government Services Center Building.-06-514

Agreement for Professional Services between the County of St. Louis and Ayres Associates to prepare the design and bidding documents for the Virginia Courthouse Parking Lot Rehabilitation Project.-06-515

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., to provide design services and project management for the deck replacement project on the main lodge of the 4-H Camp.-06-516

Project Contract No. 4609 between the County of St. Louis and Pineland Forest Nursery for Containerized Tree Seedlings in Sections 4 and 8, spring 2007 (spring 2008 and spring 2009).-06-517

Contract between the County of St. Louis and Fahrner Asphalt Sealers, Inc., for M.P. 3706 for Crack Sealing.-06-518

Agreement for Services between the County of St. Louis, through the Department of Public Health and Human Services, and Lake Superior Community Health Center for sexually transmitted disease services.-06-519ss

Agreement between the County of St. Louis and the Town of Fredenberg for crack sealing on various paved town roads and County highways under the St. Louis County Crack Sealing Plan (M.P. 3706).-06-520

Agreement between the County of St. Louis and the Town of White for crack sealing on various paved town roads and County highways under the St. Louis County Crack Sealing Plan (M.P. 3706).-06-521

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous for M.P. 51-1012 (low), M.P. 140-1013 for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering.-06-522

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Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for M.P. 43-1004 for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering.-06-523

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for M.P. 905-1482 (low), for Bituminous Pavement Reclamation, Aggregate Base, Bituminous Surfacing and Aggregate Shouldering, and M.P. 7075-1303 for Bituminous Pavement Reclamation and Bituminous Surfacing.-06-524

Agreement between St. Louis County and Geraldine Marie Hoffman and Daniel David Hoffman, owners and operators of Sportsman's Last Chance Bar, for suspension of their on and off sale 3.2 percent malt liquor license and consumption and display permit for ten days for violation of Minnesota Statutes, Section 340A, and St. Louis County Ordinance No. 28.-06-525

Grant in Aid Agreement between the State of Minnesota, acting through its Commissioner of Natural Resources, and St. Louis County for the Vermilion Ice Trail East and West.-06-526

Addendum to Purchase Agreement, Contract No. 13614C, between the St. Louis County Board of Commissioners and Employment Links (MA MR/RC Waiver Supported Employment).-06-527ss

Addendum to Purchase Agreement, Contract No. 13196D, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - MA MR/RC Waiver In-Home Family Support Services.-06-528ss

Addendum to Purchase Agreement, Contract No. 13197D, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Respite Care Services (MA MR/RC Waiver).-06-529ss

Addendum to Purchase Agreement, Contract No. 13194E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Chester Creek.-06-530ss

Addendum to Purchase Agreement, Contract No. 13193E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Hunter's Park.-06-531ss

Addendum to Purchase Agreement, Contract No. 13816A, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Jefferson.-06-532ss

Addendum to Purchase Agreement, Contract No. 13315E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Morley Park.-06-533ss

Addendum to Purchase Agreement, Contract No. 13195E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Piedmont.-06-534ss

Addendum to Purchase Agreement, Contract No. 13192E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Westbrook.-06-535ss

Purchase of Services Contract No. 20649 between St. Louis County and The Salvation Army for providing specific services.-06-536ss

Amendment No. 1 to Grant No. 434564 between the Social Services Department and the State of Minnesota for providing a framework for organizing and supporting the learning and professional

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development for child care providers.-06-537ss

Addendum to Purchase Agreement, Contract No. 13633B, between the St. Louis County Board of Commissioners and Goodwill Industries Vocational Enterprises, Inc.-06-538ss

Purchase of Service Agreement, Contract No. 13955, between the St. Louis County Board of Commissioners and Human Development Center for Mental Health - Targeted Case Management for Children.-06-539ss

Grant Agreement, Contract No. 20663, between the St. Louis County Board of Commissioners and the Human Development Center for an Adolescent Services Grant "Strong Families".-06-540ss

Contract No. 13938 between the St. Louis County Board of Commissioners and Human Development Center for Assertive Community Treatment - Team South for a team approach to reduce hospitalization time for clients with severe mental illness and improve their ability to live in the community.-06-541ss

Purchase of Service Agreement, Contract No. 13936, between the St. Louis County Board of Commissioners and AMBER, Inc., d/b/a Merritt House for Intensive Residential Treatment Services.-06-542ss

Grant Agreement, Contract No. 20664, between the St. Louis County Board of Commissioners and Lutheran Social Services for adolescent life skills training.-06-543ss

Purchase of Service Agreement, Contract No. 13935, between the St. Louis County Board of Commissioners and Bois Forte Reservation for Family Outreach Services for Native American families.-06-544ss

Purchase of Service Agreement, Contract No. 13949, between the St. Louis County Board of Commissioners and Fond du Lac Foster Care Licensing and Placement Agency.-06-545ss

Purchase of Service Agreement, Contract No. 13909, between the St. Louis County Board of Commissioners and Duluth Bethel Society to provide chemical dependency treatment services under the Consolidated Chemical Dependency Treatment Fund.-06-546ss

Wetlands Restoration Agreement between St. Louis County and Poly Met Mining, Inc.-06-547

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services, and Care Givers Network for Community Alternative Care Client No. 031.-06-548ss

Grant Contract between the St. Louis County Solid Waste Department and State of Minnesota, Firewise Community Grant Program.-06-549

Addendum to Purchase Agreement, Contract No. 13357D, between the St. Louis County Board of Commissioners and Trillium Works! (Supported Employment).-06-550ss

Addendum to Purchase Agreement, Contract No. 13360D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - SLS adults and children.-06-551ss

Addendum to Purchase Agreement, Contract No. 13361E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Selfridge.-06-552ss

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Addendum of Purchase Agreement, Contract No. 13367D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey III.-[06-553ss](#)

Addendum to Purchase Agreement, Contract No. 13368D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey II.-[06-554ss](#)

Addendum to Purchase Agreement, Contract No. 13369E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey I.-[06-555ss](#)

Addendum to Purchase Agreement, Contract No. 13509D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood II.-[06-556ss](#)

Addendum to Purchase Agreement, Contract No. 13371E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood I.-[06-557ss](#)

Addendum to Purchase Agreement, Contract No. 13370E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Mitchell I.-[06-558ss](#)

Addendum to Purchase Agreement, Contract No. 13373E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Oakley.-[06-559ss](#)

Addendum to Purchase Agreement, Contract No. 13773B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - McKinley.-[06-560ss](#)

Addendum to Purchase Agreement, Contract No. 13610D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - London Road.-[06-561ss](#)

Addendum to Purchase Agreement, Contract No. 13650C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Jackson Estates.-[06-562ss](#)

Addendum to Purchase Agreement, Contract No. 13775B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ivanhoe.-[06-563ss](#)

Addendum to Purchase Agreement, Contract No. 13628C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Isanti.-[06-564ss](#)

Addendum to Purchase Agreement, Contract No. 13506D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Hunters Park.-[06-565ss](#)

Addendum to Purchase Agreement, Contract No. 13363E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland I.-[06-566ss](#)

Addendum to Purchase Agreement, Contract No. 13374D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Faribault.-[06-567ss](#)

Addendum to Purchase Agreement, Contract No. 13774B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Crosley.-[06-568ss](#)

Addendum to Purchase Agreement, Contract No. 13770A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Anderson Road.-[06-569ss](#)

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Addendum to Purchase Agreement, Contract No. 13359D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Respite Care.-06-570ss

Addendum to Purchase Agreement, Contract No. 13358D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - In-Home Family Support Services.-06-571ss

Purchase of Services Agreement, Contract No. 13931, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Swan Lake to provide medical assistance MR/RC home and community-based waived services to persons with mental retardation.-06-572ss

Purchase of Services Contract No. 20631 between St. Louis County and AEOA - Lives in Transition for the purchase of social services.-06-573ss

Purchase of Services Contract No. 20645 between St. Louis County and Duluth Family Visitation Center - Minnesota Program Development for the purchase of social services.-06-574ss

Purchase of Services Contract No. 20646 between St. Louis County and Program for Aid to Victims of Sexual Assault, Inc. (PAVSA), for the purchase of social services.-06-575ss

Annual County Boat and Water Safety Grant Agreement between the St. Louis County Sheriff's Department and the State of Minnesota.-06-576

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Barbara Kaas for Community Alternative Care Client No. 019.-06-577

Amendment No. 1 Supplement to original Northland Office Building Contract between St. Louis County Property Management and Cleaning Specialist, Inc., for janitorial service at the Hibbing Courthouse Annex Building.-06-578

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 251 through 264, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

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. 58495, are hereby approved:

Real Estate - Joseph Knoblauch, \$485.00; Darilyn Lane, \$277.54; Sheila Burr, \$242.40; Michael Dobra, \$266.64; Nicola Giancola, \$281.40; Michael Granley, \$428.24; Robert Hendrickson, \$89.62; Joseph Knoblauch, \$460.60; David Korich, \$290.04; Michael Lockhart, \$813.54, William Lynch, \$548.68; Llake McCorison, \$717.40; Linda Mirkovich, \$271.60; Susannah Morse, \$282.48; Curtis Ramey, \$268.78; Barney Revier, \$252.42; James Schramek, \$249.74; Gabrielle Taylor, \$150.40; Renee Vruno, \$514.70; Michael Kalis, \$292.60; Shana Klindt, \$346.44; Kevin Lahti, \$488.82; Gary Larson, \$1,095.28; Jerry Wheeler, \$558.32.

Adopted April 25, 2006. No. 251

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. 58503, are hereby approved and the County Auditor shall issue checks in the following

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amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,188,068.39
184	Extension Service	107,863.64
200	Public Works	2,802,891.14
230	Social Services	5,391,032.10
240	Forfeited Tax	335,118.05
250	St. Louis County HRA	5,458.07
600	Solid Waste Authorities	418,455.73
625	Chris Jensen Health & Rehab.	1,457,959.05
650	Laundry	84,831.20
660	Community Food Services	102,100.24
670	Supervised Living Facilities	47,060.31
700	Printing	13,701.42
715	County Garage	139,529.54
750	Management Information Systems	334,377.74
760	Telecommunications	122,545.92
925	Arrowhead Regional Corrections	1,299,197.49
955	Community Health Services	107,059.19
989	Regional Railroad Authority	<u>264,579.43</u>
		\$ 17,221,828.65

Adopted April 25, 2006. No. 252

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 14, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 25, 2006. No. 253

WHEREAS, the St. Louis County Board approved the petition of Kevin Squillace et al for a cartway to access their properties by Resolution No. 141, adopted of February 28, 2006; and

WHEREAS, the cartway approval is contingent upon the petitioners acquiring an easement across land owned by the State of Minnesota; and

WHEREAS, the State of Minnesota will not grant easements to private individuals, but only to units of government;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby agrees to accept the easement for the North Blackduck Cartway from the State of Minnesota on behalf of Kevin Squillace et al.

Adopted April 25, 2006. No. 254

WHEREAS, the Land Department has reviewed a request of Rodby N. Booth for a non-exclusive road access easement across State Tax Forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to the individual's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subd. 4a, is hereby authorized to grant a non-exclusive easement for roadway purposes to Rodby N. Booth. The description of the easement is: A 33.00 foot wide easement for driveway purposes lying over under and across that part of the Southeast Quarter of Section 23, Township 52 North, Range 13 West of the Fourth Principal Meridian, St. Louis County,

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Minnesota, the centerline of said easement is described as follows:

Commencing at the South Quarter corner of said Section 23; thence on an assumed bearing of North 89 degrees 59 minutes 26 seconds East, along the south line of said Section 23, a distance of 26.45 feet to the point of beginning of said centerline to be described; thence North 03 degrees 03 minutes 58 seconds East, a distance of 763.14 feet; thence northwesterly, a distance of 660.83 feet, along a tangential curve, concave to the west, having a central angle of 18 degrees, 01 minutes 47 seconds and a radius of 2100.00 feet to the east line of the Northeast Quarter of the Southwest Quarter of said Section 23 and there terminating.

The sidelines of said easement are to be prolonged or shortened to terminate on said east line of the Northeast Quarter of the Southwest Quarter and the northerly right of way line of Pioneer Road.

Granting of this easement is conditioned on payment of \$1,771.20 land use fee, \$250.00 administration fee, and \$46.00 recording fee, for a total of \$2,067.20, to be deposited into Fund 240.

Adopted April 25, 2006. No. 255

WHEREAS, the Public Works Department establishes weight restrictions on county roads during the spring thaw in order to prevent road damage; and

WHEREAS, the Sheriff's Office provides the enforcement of these road weight restrictions; and

WHEREAS, Public Works benefits from this enforcement which helps protect county roads from damage;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an agreement between the Public Works Department and the Sheriff's Office whereby Public Works agrees to reimburse the Sheriff's Office \$10,000 per year for the next five years as its share of the equipment and operation costs associated with enforcing county road weight restrictions.

RESOLVED FURTHER, that this reimbursement will be paid from Public Works, Fund 200, Agency 200008, Object 629900, to the Sheriff's Department, Fund 100, Agency 129003, Revenue 583101.

Adopted April 25, 2006. No. 256

WHEREAS, it is the intent of the State of Minnesota to promote boating safety on waterways within the state; and

WHEREAS, the State makes available supplementary funding for sheriff services to carry out additional boating enforcement during high use times; and

WHEREAS, the St. Louis County Sheriff's Office can provide the additional boating enforcement in the county;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to apply for and accept the 2006 Federal Boating Safety Supplement Grant through the State of Minnesota Department of Natural Resources, in the amount of \$10,000 for the period May 12, 2006 through September 4, 2006.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign all related documents.

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract.

RESOLVED FURTHER, that funds will be made payable to, and expenditures authorized from Fund 100, Agency 129999, Grant 12919, Year 2006.

Adopted April 25, 2006. No. 257

WHEREAS, the Town of Clinton initiated a rezoning; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed rezoning on March 9, 2006; and

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WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning by amending Ordinance 46, zoning maps; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, May 23, 2006, at 9:35 a.m., Fair Building, 107 West 7th Avenue, Floodwood, Minnesota, to consider rezoning the Easterly 550 feet of the Southerly 200 feet of the Northerly 800 feet of the SE 1/4 of the NE 1/4, Section 24, T.57N., R.18W.(Town of Clinton). Adopted April 25, 2006. No. 258

WHEREAS, a petition was presented to the St. Louis County Board by the owner of Government Lot 8, Section 30, Township 61 North, Range 13 West of the Fourth Principal Meridian, St. Louis County, Minnesota, containing more than 5 acres who have no access thereto except over the lands of others to connect the petitioner's land to a public road; NOW, THEREFORE BE IT RESOLVED, that pursuant to Minn. Stat., Sec. 164.08, Subd. 2, a public hearing shall be held at 9:35 a.m. on May 9, 2006, in the City of Duluth at the St. Louis County Courthouse, to hear the petition of Lynn Rogers and Donna Rogers regarding the establishment of a cartway 2 rods in width, for the purpose of providing access to their property over the properties of individuals listed in the petition found in Board File No. 58550. Adopted April 25, 2006. No. 259

WHEREAS, on November 5, 2005, the U.S. Fish and Wildlife Service filed a plan in the Federal Register for designation of critical habitat for the Canadian Lynx; and WHEREAS, the proposal for St. Louis County include lands located east and north of Hwy 53, including approximately 465,000 acres of State tax forfeited lands; and WHEREAS, U.S. Forest Service lands on the Superior National Forest have been excluded from the critical habitat designation based on the current forest plan and its consideration of Lynx habitat management; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board shall provide comments prior to April 30, 2006 regarding concerns about the impact of the proposed Canadian Lynx Critical Habitat designation on management of State tax-forfeited lands; RESOLVED FURTHER, that the Land Commissioner is hereby authorized to prepare a comment letter to the U.S. Fish and Wildlife Service for County Board Chair signature; RESOLVED FURTHER, that the Land Commissioner is hereby authorized to seek exclusion of State tax forfeited lands through Section 4(b) of the Endangered Species Act if the Canadian Lynx Critical Habitat designation is formalized and implemented. Adopted April 25, 2006. No. 260

WHEREAS, St. Louis County determined a need to review the means for generating time and explore the option of automating staff schedules in certain departments and divisions; and WHEREAS, a joint task force was established which researched, reviewed, and recommended a system solution which will meet the County's time management needs; and WHEREAS, it was determined that the time management solution presented by the High Line Corporation would be pursued; and WHEREAS, the Auditor's, Civil Service/Personnel, Public Works and Management Information Systems Departments wish to participate in the conversion from existing time keeping systems to a new time management system fully-integrated with the High Line Personality human resources/payroll system; NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into agreement with the High Line Corporation, a provider of human resources/payroll systems, to purchase and implement a time scheduling/time management system. Funds payable in the amount of \$100,000 from Fund 750 (MIS), Org 751001 (MIS Capital), Object 634800 (Software);

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FURTHER RESOLVED, that the MIS Department is authorized to pay ongoing annual maintenance and support costs to High Line Corporation at the current agreed upon rate up to \$15,000 per year through 2010 and then at the appropriate annual rate for subsequent years for the life of the County's use of the software. Ongoing annual maintenance to be budgeted and paid from the MIS Operating budget Fund 750, Org. 750001 (MIS Capital), Object 634800.

Adopted April 25, 2006. No. 261

RESOLVED, that Resolution No. 208 adopted April 4, 2006, is hereby rescinded; and RESOLVED FURTHER, that the County of St. Louis enter into Agreement No. 84043 with Duluth Winnipeg and Pacific Railway and the Commissioner of Transportation for crossing improvements at the intersection of County Road (CR) 694 (Seville Road), between County State Aid Highway (CSAH) 98 (Canosia Road) and CR 223 (Munger Shaw Road) northwest of Hermantown, MN., identified as S.P. 69-00173, SP 69-598-031, CP 8278, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be 10% of the total estimated project cost of \$134,600.00, or \$13,460.00 payable from Fund 200, Agency 203129.

Adopted April 25, 2006. No. 262

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 seasonal intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;

FURTHER RESOLVED, that said licenses are approved contingent upon license holder paying real estate or personal property taxes when due:

FURTHER RESOLVED, that if named license holder 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 fee to the license holder;

FURTHER RESOLVED, that said licenses shall be effective through October 31, 2006:

Nelson's Resort, Inc., d/b/a Nelson's Resort, Inc., Crane Lake Township, Seasonal On-Sale Intoxicating Liquor License No. SE069 and Seasonal Sunday On-Sale Intoxicating Liquor License No. SES069, change of officers.

Adopted April 25, 2006. No. 263

RESOLVED, that the appraisal reports for the sale of timber, to be offered at SEALED BID TIMBER AUCTION, Tracts 1 through 28 (totaling \$1,248,645.12) as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted April 25, 2006. No. 264

**BY COMMISSIONER FORSMAN:**

WHEREAS, the St. Louis County Board has received a petition signed by at least 15 legal voters, who are residents of St. Louis County, requesting the naming of a point in Lake Kabetogama identified as the South 1/2 of the NE 1/4 of Section 20, Township 69, Range 21 (Kabetogama Township), as "Nelson Point"; and

WHEREAS, the petition states the reason for the name designation is in respect to Mr. Leroy G. Nelson who built a cabin on nearby "State Point" in 1935 and would use the unnamed point as a place for recreation for his family during summers spent on the lake; and

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WHEREAS, Minnesota Department of Natural Resources (DNR) has indicated that there is no known name for the point in the DNR records, and is supportive of this action by the County Board, and WHEREAS, Minnesota Statutes require that the County Board conduct a public hearing on any request for the naming or renaming of state geographic features and waterways; and

WHEREAS, a public hearing on the matter of naming Nelson Point was conducted by the St. Louis Board of Commissioners on March 14, 2006, at 9:35 A.M. in the St. Louis County Courthouse, Duluth, MN;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the naming of a point of land in Lake Kabetogama, identified as the South 1/2 of the NE1/4 of Section 20, Township 69, Range 21 (Kabetogama Township), with adjacent water area of Peterson Bay, as "Nelson Point", and directs the County Auditor to notify the Commissioner of the Minnesota Department of Natural Resources of this action.

Unanimously adopted. April 25, 2006. No. 265

At 10:10 A.M. on Tuesday, April 25, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**MAY, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON MAY 2, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of May, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Fink presented a Volunteer Excellence Award to Lorelei Louks, Duluth, in recognition of her years of neighborhood volunteer work in the Central Hillside area of Duluth, particularly in the area of tenants' rights. Commissioner O'Neil said he has worked along side Ms. Louks for five years and as a result of her tireless efforts there has been tremendous progress made in rental unit safety and enforcement of building codes in Duluth. Ms. Louks thanked the Board for the award and assistance with housing issues over the years.

Chair Nelson 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 the request of Commissioner Raukar, Item No. 9 of the Consent Agenda (approval of repurchase of tax forfeited land by the previous owner - Michael Zganjar) was removed for separate consideration under Environment and Natural Resources Committee. Commissioner Kron, supported by Commissioner Sweeney, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize budgetary and staff changes to Property Management for provision of janitorial services at the newly opened Hibbing Annex. Dana Frey, County Administrator, explained the funding source. Tony Mancuso, Property Manager, in response to questions from Commissioner Fink, outlined various costs and expenses related to provision of cleaning services. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 289.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve bylaw changes for the St. Louis County Extension Committee; seven yeas - zero nays. Resolution No. 290.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to adopt a policy for submission of cartway petitions. Commissioner Fink asked if specific language should be added specifying that any portion of the \$4,000 deposit remaining after payment of County expenses should be returned to the petitioner. Commissioner Fink offered a friendly amendment - not accepted by the makers - adding language to the policy allowing Commissioners to question witnesses as they appear rather than at the end of all testimony. Commissioner Fink, supported by Commissioner Raukar, moved to formally amend the policy. Alan Mitchell, County Attorney, said language as drafted was intended

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to permit each party a chance to present their case prior to any questioning. Commissioner Kron suggested it is unfair to have Commissioners questioning witnesses before the other side has a chance to present their case. Commissioner Sweeney said the Board acts more like a jury in cartway matters and should listen to arguments rather than cross examine witnesses. Commissioner Raukar withdrew his support and the motion died. Commissioner Nelson offered a friendly amendment - not accepted by the makers - to add language suggested by Attorney Mitchell that would return any funds not expended from the deposit to the petitioner. Commissioner Nelson, supported by Commissioner Forsman, moved to add the reimbursement language. After brief discussion, the amendment was approved; five yeas - two nays, Commissioners Kron and Sweeney. The amended policy was then adopted; seven yeas - zero nays. Resolution No. 291.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve repurchase of tax forfeited land by the previous owner - Zganjar. Commissioner Raukar, supported by Commissioner Forsman, moved to table the matter until the May 9 County Board meeting; seven yeas - zero nays.

Commissioner Raukar said he attended a recent meeting in Ramsey County as representative of the Regional Railroad Authority regarding establishment of a "Rush Line" railroad corridor between Duluth and the metro-area. Commissioner Raukar said local participation is needed in the feasibility study (Phase I).

Commissioner O'Neil invited everyone to attend dedication of the new Indian Village at the 4-H Camp at Lake Eshquagama.

Commissioner Kron offered condolences to families of victims of a recent multiple drowning on Fish Lake near Duluth. Commissioner Kron also praised search efforts of the Sheriff's Rescue Squad. Commissioner Sweeney urged everyone to use floatation devices when venturing out on the water.

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

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-195 regarding reclassification of December 19, 2005, Forfeitures (Non-Conservation and Conservation).-58554

Revised by-laws of the St. Louis County Extension Committee.-58555

Amended County Board Policy Pertaining to Cartway Procedures.-58556

Phil Hebl, Embarrass, regarding his request for a cartway to gain access to his property located in the SE 1/4 of SE 1/4, Section 6, Township 60 North, Range 13 West.-58557

State of Minnesota Office of the State Auditor confirming their understanding of the audit conducted for St. Louis County for the year ended December 31, 2005.-06-579

Agreement for Engineering Services between the County of St. Louis and Northland Consulting Engineers, L.L.P., to design and prepare construction documents for a two-tier observation tower for the Regional Landfill.-06-580

Service Contract No. 4614 between the County of St. Louis and Central Scrap Metal Processing, Inc., for the purchase of collection and proper disposal of spent lead acid battery services.-06-581

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Employee Safety and Development Training Contract between St. Louis County and Jim Laumeayer for *Increase Feedback, Increase Productivity: The Key to High Performance* sessions.–06-582

Employee Safety and Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for *Ethics in the Workplace* session.–06-583

Employee Safety and Development Training Contract between St. Louis County and Pamela McLeod for *Increase Feedback, Increase Productivity: The Key to High Performance* sessions.–06-584

Employee Safety and Development Training Contract between St. Louis County and Keenan Consulting, L.L.C., for a *Team Building* session at Chris Jensen Medical Care Facility.–06-585

Addendum to Agreement between St. Louis County and Applied Insights North extending original agreement.–06-586

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 266 through 288, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58494, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted May 2, 2006. No. 266

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. 58504, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 - Leander Club, Unorganized Township 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0623, for July 1, 2006 (rain date July 2, 2006).

Adopted May 2, 2006. No. 267

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. 58495, are hereby approved:

Real Estate - Jean Babin, \$276.36; Margaret Davis, \$286.98; Jack Grew, \$302.64; Benjamin Hautajarvi, \$303.18; Yancy Lemore, \$235.60; Ryan Miller, \$261.88; David Stafsholt, \$300.22; Timothy Wasbotten, \$259.18; Curtis Balaski, \$1,158.94; Michael Bosselager, \$671.04; Patricia Haithcock, \$502.70; Matthew Rolfe, \$1,158.48; Shirley Spolar, \$666.88; Roger Rudolph, \$1,264.18; Yasemin Sencer, \$499.84; Cliffs Mining Services, \$1,706.96.

Adopted May 2, 2006. No. 268

RESOLVED, that the St. Louis County Board of Commissioners hereby approves a contract with the Arrowhead Interfaith Council for chaplaincy services at the County Jail.

RESOLVED FURTHER, that the \$13,240 contract amount be payable from Fund 100, 137002, Object 629900.

Adopted May 2, 2006. No. 269

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WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Southwest Shores on July 8, 2004; and  
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Southwest Shores; and  
WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Southwest Shores located in Section 14, Township 62 North, Range 12 West (Town of Morse).  
Adopted May 2, 2006. No. 270

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Echo Shores on May 19, 2005, and July 14, 2005; and  
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Echo Shores; and  
WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Echo Shores located in Government Lot 4, Section 30, Township 64 North, Range 12 West (Unorganized).  
Adopted May 2, 2006. No. 271

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Brevator Estates on September 18, 2003; and  
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Brevator Estates; and  
WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Brevator Estates located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4, Section 36, Township 50 North, Range 17 West (Town of Brevator).  
Adopted May 2, 2006. No. 272

WHEREAS, all parcels described in County Board File No. 58554, forfeited to the State of Minnesota on December 19, 2005, for nonpayment of real estate taxes; and  
WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for nonpayment of real estate taxes shall be classified as "conservation" or "nonconservation" as required by Minnesota Statutes 282.01, Subdivision 1; and  
WHEREAS, the Land Department has recommended that the parcels described in County Board File No. 58554 be classified as non-conservation or conservation, after considering the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; the peculiar suitability or desirability for particular uses; and the suitability of the forest resources on the land for multiple use and sustained yield management; and  
WHEREAS, said parcels of land are located inside the boundaries of a municipality, and Minnesota Statutes, Section 282.01, provides that notice of the classification or reclassification and sale of lands situated within a municipality must be transmitted to the governing body of the municipality; and  
WHEREAS, classification of the parcels described in County Board File No. 58554 will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval of the classification within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns which the parcels are located.

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NOW, THEREFORE, BE IT RESOLVED, that all State tax forfeited parcels described in County Board File No. 58554 be classified as non-conservation or conservation and that the requests for approval of the classification be transmitted by the Land Department to the Clerks of the Municipalities or Towns in which the parcels are located.

Adopted May 2, 2006. No. 273

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Eugene Boerboom of Lincoln, MO, has applied to repurchase the following parcel: S 1/2 of SW 1/4 and all of SE 1/4 and NE 1/4 of the SW 1/4, Section 9, Township 55 North, Range 19 West. Parcel Codes: 420-10-1430 and 420-10-1410.

WHEREAS, Eugene Boerboom was the owner of record at the time of forfeiture and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Eugene Boerboom, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$3,030.33, repurchase application fee of \$228.00, deed tax of \$10.37, deed fee of \$50.00, and recording fee of \$92.00; for a total of \$3,410.70 to be deposited into Fund 240.

Adopted May 2, 2006. No. 274

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 as described in County Board File No. 58496, have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale.

WHEREAS, the classification and sale of these lands has been approved by the government subdivision in which they are located.

WHEREAS, the Commissioner of Natural Resources has approved the sale of said lands, as required by Minnesota Statutes, Section 282.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at a public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy, and in a manner provided for by law on Thursday, June 8, 2006, at 10:00 A.M. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240.

Adopted May 2, 2006. No. 275

WHEREAS, the Minnesota Department of Transportation (MN/DOT) wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

WHEREAS, occasionally opportunities arise for local governments to provide services to MN/DOT; and

WHEREAS, St. Louis County and MN/DOT wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that MN/DOT having the ability to write work orders against a master contract would provide the greatest flexibility; and

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County enter into a Master Contract with

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MN/DOT and the proper County Officials are hereby authorized to execute such contracts and any amendments approved by the County Attorney's Office thereto.

FURTHER RESOLVED, the St. Louis County Public Works Director/Highway Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work orders contracts will provide for payment of the County by MN/DOT and the county engineer may execute such work order contracts on behalf of the County with further approval by the Board.

Adopted May 2, 2006. No. 276

RESOLVED, that St. Louis County indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of and from any and all claims, demands, actions, or causes of action arising out of or by reason of granting a variance on C-SAH 25 (S.P. 69-00170, S.P. 69-624-019, C.P. 9299) in any other manner than in accordance with Minnesota Rule 8820.9920 note (e) to allow the two horizontal curves at stations 1+40.64 and 3+17.45 to be constructed at a design speed of 20 mph and further agrees to defend at the County's sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance.

Adopted May 2, 2006. No. 277

WHEREAS, the State of Minnesota, St. Louis County, and the City of Cook have developed plans for the improvement of railroad crossings within the City of Cook on County Road 948; and

WHEREAS, additional highway right of way is required for the reconstruction; and

WHEREAS, certain tax forfeited property adjoins 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 St. Louis County Board hereby authorizes the County Auditor to grant the necessary right of way easements for highway purposes over the following parcels.

RESOLVED FURTHER, that the Public Works Department will pay any timber damages.

Adopted May 2, 2006. No. 278

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and any amendments approved by the County Attorney's Office with the City of Cook for work on County-State Aid Highway (C-SAH) 24 (Second Street SE), County Road 948 (Johnson Road), and Park Road in Cook, MN, whereby the City will approve the "Road Plans", and perform other duties as defined in the agreement. The C-SAH 24 portion, S.P. 69-624-019, S.P. 69-00170, C.P. 9299, is funded by Federal Funds (90%), with the remainder from State Aid Funds (10%), through Fund 220, Agency 220139. The City Street (Park Road) Project, S.P. 69-00171, C.P. 9303, will be funded by Federal Funds (100%), through Fund 220, Agency 220142. The County Road 948 Project, S.P. 69-00172, C.P. 9300, will be funded by Federal Funds (100%), through Fund 200, Agency 2030130. Adopted May 2, 2006. No. 279

RESOLVED, that the appropriate County officials are hereby authorized to sign an agreement, and approve any amendments approved by the County Attorney's Office with the City of Cook for the reconstruction of County-State Aid Highway (C-SAH) 24 and C-SAH 124, from Trunk Highway 53 to C-SAH 25 in Cook, MN, whereby the City will approve the "Road Plan", pay the "City of Cook Non-Participating" local share items listed in the Estimated Quantities in the Plan. The funds from the City for Project S.A.P. 69-624-18, C.P. 9292, will be receipted into Fund 220, Agency 220181, and funds from the City for Project S.A.P. 69-724-03, C.P. 9317, will be receipted into Fund 220, Agency 220192.

Adopted May 2, 2006. No. 280

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RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement, and approve any amendments approved by the County Attorney's Office with the City of Virginia for the reconstruction of County-State Aid Highway (C-SAH) 7 (Hoover Road), from C-SAH 103 to 9th Street North in Virginia, MN, whereby the City will approve the "Road Plan" and pay the City "Non-Participating" local share items listed in the Estimated Quantities in the Plan. The funds from the City for Project S.P. 69-607-40 will be received into Fund 220, Agency 220154.  
Adopted May 2, 2006. No. 281

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement, and approve any amendments approved by the County Attorney's Office, with the City of Hibbing and the Hibbing Public Utilities Commission (HPUC) for the reconstruction of County-State Aid Highway (C-SAH) 63, from C-SAH 79 to 5th Avenue West in Hibbing, MN, whereby the City and the HPUC will approve the "Road Plan", the HPUC pay the "HPUC Non-Participating" local share items listed in the Estimated Quantities in the Plan. The funds from the HPUC for Project S.A.P. 69-663-12 will be received into Fund 220, Agency 220109.  
Adopted May 2, 2006. No. 282

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement, and approve any amendments approved by the County Attorney's Office with MN/DOT and the Cities of Duluth and Hermantown for the reconstruction of:

- A) T.H. 53 (MN/DOT and Hermantown Project), S.P. 6916-95;
- B) C-SAH 1 - Cirrus Drive (St. Louis County and Hermantown Project), S.P. 69-601-001, C.P. 8293;
- C) MSAS 199 (City of Duluth Project), S.P. 118-199-002, C.P. 3702.

The funds for S.P. 6916-95 will be administered by MN/DOT.

The funds for construction of S.P. 69-601-001 will be administered by St. Louis County (Federal 80% and State Aid Funds 20%) through Fund 220, Agency 220103. It is anticipated that the right of way costs for S.P. 69-601-001 will be funded by Community Development Block Grant Funds and St. Louis County Economic Development Funds through Fund 200, Agency 203168.

The funds for S.P. 118-199-002 will be administered by the City of Duluth.  
Adopted May 2, 2006. No. 283

WHEREAS, St. Louis County is the lead entity and fiscal agent of the five-county Northeast Minnesota HOME Consortium made up 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 provision of safe, quality, and affordable rental housing for low-income households is identified in the Consolidated Plan as a critical component of a comprehensive housing strategy; and WHEREAS, the Consortium desires to award \$160,000 of HOME funds to the Itasca County Housing and Redevelopment Authority to carry out its development of the WilderNest Apartments Housing Project;

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 a HOME agreement between St. Louis County and the Itasca County Housing and Redevelopment Authority in the amount of \$160,000.

RESOLVED FURTHER, disbursements relative to the above HOME Agreements will be made from

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Fund 270, HOME Program.  
Adopted May 2, 2006. No. 284

WHEREAS, the County Public Health & Human Services Department lease at 222 East Superior Street, Duluth, Minnesota, expired on September 30, 2005; and  
WHEREAS, the Department is relocating the Health Division staff to the Arvig Building and the Government Services center to increase operational efficiency; and  
WHEREAS, the County does not have adequate parking adjacent to the newly relocated Health Division staff and other County staff in the downtown Duluth area;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the appropriate County officials to execute a ten-year lease agreement with Oneida Realty Company, 1605 Alworth Building, Duluth, Minnesota, for the lease of up to 40 parking spaces at 4th Avenue West and Michigan Street, Duluth, Minnesota. The parking rate will be \$40 per month, per space, payable from payroll deduction. The term of this agreement will commence March 1, 2006, and continue through April 30, 2016, with possible rate increases of not more than \$5.00 per space on May 1, 2009, and again on March 1, 2012. Funds for this lease will be paid by individual employees desiring to use the parking facility per the terms of the agreement and will be directed through the Parking Fund (Fund 100, Agency 128010).  
Adopted May 2, 2006. No. 285

RESOLVED, that a public hearing will be held at 9:35 A.M. on June 6, 2006, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering amendments to St. Louis County Ordinance No. 28, which provides rules and regulations governing county liquor licenses.  
Adopted May 2, 2006. No. 286

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-637-018, County Project No. 8290, located at C-SAH 37 from Glenwood Avenue to approximately 1235 feet South of C-SAH 10 in Duluth, MN, length 1.6 mile consisting of Bituminous Reclamation, Mill Bituminous Surface, Aggregate Base, Bituminous Surfacing and Aggregate Shouldering;  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 24, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$544,402.75

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 220, Agency 220193, Object 652700.  
Adopted May 2, 2006. No. 287

WHEREAS, the Public Works Department equipment budget includes replacement of ten tandem trucks for snow and ice control and gravel hauling; and  
WHEREAS, the Purchasing and Public Works Departments presented specifications and requested

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State of Minnesota contract pricing from the two heavy truck vendors with warranty service available within St. Louis County; and

WHEREAS, Astleford International Trucks of Minneapolis, MN, and Twin City Mack and Volvo Trucks of Roseville, MN, provided State contract pricing for models consistent with the Department's needs; and

WHEREAS, Astleford International Trucks provided the lowest state contract purchase price of \$351,390 for five International model 7600 tandem trucks; and

WHEREAS, the Public Works Department will also select five Mack Granite model CV713 trucks at a purchase price of \$371,744 from Twin City Mack and Volvo Trucks to compare with the International 7600; and

WHEREAS, the purchases will be subject to State of Minnesota sales taxes of \$22,840.35 for a five International 7600s and \$24,163.36 for the five Mack Granite CV713s for a total cost to the County of \$770,137.71; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue purchase orders to Astleford International Trucks of Minneapolis, MN, for the purchase of five International 7600 tandem truck chassis and to Twin City Mack and Volvo Trucks of Roseville, MN, for the purchase of five Mack Granite CV713 tandem truck chassis, payable from Fund 200, Agency 202020, Object 666300.

Adopted May 2, 2006. No. 288

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County purchased the former Mesaba Clinic Building in 2001; and

WHEREAS, the newly named "Hibbing Annex" facility has been remodeled and County staff are now occupying the facility as of March 1, 2006; and

WHEREAS, St. Louis County has contracted with Cleaning Specialists Incorporated of Virginia, Minnesota, to provide cleaning services for the facility for a minimum of six months beginning March 1, 2006; and

WHEREAS, the County Board of Commissioners has requested that county staff be hired to provide cleaning services for the facility.

NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the following budgetary and staff changes to the Property Management Department's 2006 budget, payable from Fund 400, Agency 400012:

		<u>2006 Budget</u>
<u>Property Management - Hibbing Annex</u>		
Fund 100, Agency 128013	Add 2.5 Janitors	\$ 28,870
Object 610100 Salaries - Regular	(September-December 2006)	
Fund 100, Agency 128013		\$ 15,000
Object 641200 Custodial Supplies		
<u>Property Management - Hibbing Courthouse</u>		
Fund 100, Agency 128004	Add 0.5 Janitor	\$ 5,774
Object 610100 Salaries - Regular	(September-December 2006)	
Unanimously adopted. May 2, 2006. <u>No. 289</u>		

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board of Commissioners approves the revised by-laws of the St. Louis County Extension Committee, a copy of which is contained in County Board File No. 58555. Unanimously adopted. May 2, 2006. No. 290

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RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the County Board Policy pertaining to Cartway Procedures, as amended, a copy of which is contained in County Board File No. 58556.

Unanimously adopted. May 2, 2006. No. 291

At 10:50 A.M. on Tuesday, May 2, 2006, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MAY 9, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of May, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner O'Neil presented a Volunteer Excellence Award to youth and staff from Life House in Duluth for their work creating a Martin Luther King video based on his philosophy of peace and understanding. The video will be submitted for consideration for a Youth Oscar. Jeff Woolverton, Life House Staff, invited Commissioners to attend a preview showing of the video when final editing is complete.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Susan Phillips, Duluth and owner of property on Half Moon Lake, urged the Board to reconsider any plans to purchase property on Highway 53 for use as a public access to Half Moon Lake located in the Town of Fayal. Ms. Phillips expressed concern the landing would become an overcrowded tourist attraction and destroy the pristine beauty of the lake.

Commissioner O'Neil, supported by Commissioner Forsman, moved to remove from the agenda a public hearing scheduled for 9:35 A.M. to consider a cartway petition submitted by Lynn Rogers and Donna Rogers for access to their property. Alan Mitchell, County Attorney, said all required notices had not been given and the attorney for the petitioner has asked the Board to reschedule the hearing for the June 27 meeting in Ely; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve repurchase by Michael Zganyer of tax forfeited property located in the Town of Biwabik. The matter was tabled at the May 2, 2006, County Board meeting. Ted Troolin, Solid Waste Director, said there has been substantial progress on environmental issues associated with the property and his department has no objection to the repurchase; seven yeas - zero nays. Resolution No. 312.

At the request of the St. Louis County Sheriff, Commissioner Kron, supported by Commissioner Sweeney, moved to table until the May 23 Board meeting, a resolution authorizing the Sheriff to increase his staff complement by one full time Information Specialist II; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Raukar, moved to suspend the rules to consider going into closed session for litigation purposes; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to go to a closed session immediately at the conclusion of the regular Board meeting; seven yeas - zero nays.

Commissioner Kron noted a Law Enforcement Prayer Breakfast scheduled for May 18 at the Holiday Inn in Duluth and Maritime Day at the Port of Duluth on May 19.

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

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Dana Frey, County Administrator, and Marcus J. Hall, Public Works Director/Highway Engineer, submitting Board Letter No. 06-224 and Exhibit regarding Controlled Access Relocation - Highway No. 4 (Durfee request).-58558

Dana Frey, County Administrator, and Marcus J. Hall, Public Works Director/Highway Engineer, submitting Board Letter No. 06-225 and Exhibit regarding Controlled Access Relocation - Highway No. 4 (Haller request).-58559

Facility Inspection Report issued by the Minnesota Department of Corrections for the Biennial Inspection of the St. Louis County Jail.-58560

Susan M. Phillips, Eveleth, requesting that the County Board reconsider any plans to purchase property on Highway 53 for use as a public access to Half Moon Lake in Fayal Township.-58561

Purchase of Service Agreement, Contract No. 13906, between the St. Louis County Board of Commissioners and Capstone Services, Inc. - Respite Care.-06-587ss

Purchase of Service Agreement, Contract No. 13903, between the St. Louis County Board of Commissioners and Capstone Services, Inc. (SLS Foster Support).-06-588ss

Purchase of Service Agreement, Contract No. 13941, between the St. Louis County Board of Commissioners and EBI, Inc., for adult foster care services.-06-589ss

Agreement between the City of Duluth and the County of St. Louis for improvements to a portion of County-State Aid Highway No. 37 (Snively Road).-06-590

Project Contract No. 4613 between the County of St. Louis and Future Forests, Inc., for Broadcast Application of Herbicides for Tree Plantation Site Preparation.-06-591

Professional and Technical Services Contract between the State of Minnesota, acting through its Commissioner of Transportation, City of Duluth, and Ramsland & Vigen Real Estate Appraisers for Trunk Highway No. 53 (Mall Area Appraisals).-06-592

Professional and Technical Services Contract between the State of Minnesota, acting through its Commissioner of Transportation, City of Duluth, and Norell on Real Property for Trunk Highway No. 53 (Mall Area Appraisals).-06-593

Professional and Technical Services Contract between the State of Minnesota, acting through its Commissioner of Transportation, City of Duluth, and Tom Turner and Associates for Trunk Highway No. 53 (Mall Area Appraisal).-06-594

Purchase of Service Agreement, Contract No. 13926, between the St. Louis County Board of Commissioners and Woodland Hills for child residential services.-06-595ss

Agreement for Professional Services between the County of St. Louis and Community Growth Initiative for subdivision ordinance revision.-06-596

Grant Agreement, Contract No. 20622, between the St. Louis County Board of Commissioners and Range Mental Health Center for sub-acute detoxification and hold services. -06-597ss

Grant Agreement, Contract No. 20624, between the St. Louis County Board of Commissioners and

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Range Mental Health Center, Inc., for adult mental health initiative flex fund grant.-06-598ss

Grant Agreement, Contract No. 20670, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for community support programs.-06-599ss

Grant Agreement, Contract No. 20671, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for PATH state homeless grant.-06-600ss

Cooperative Agreement, Contract No. 13963, between the St. Louis County Board of Commissioners and Range Mental Health Center for targeted case management - children.-06-601ss

Agreement, Contract No. 13898, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Arrowhead Center, Inc., and Occupational Development Center, Inc., for ACT Team North.-06-602ss

Grant Agreement, Contract No. 20623, between the St. Louis County Board of Commissioners and Human Development Center for adult mental health initiative flex fund grant. -06-603ss

Grant Agreement, Contract No. 20626, between the St. Louis County Board of Commissioners and Human Development Center for community support programs.-06-604ss

Grant Agreement, Contract No. 20669, between the St. Louis County Board of Commissioners and Human Development Center for PATH state homeless grant.-06-605ss

Grant Agreement, Contract No. 20656, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for food support employment and training services.-06-606ss

Grant Agreement, Contract No. 20632, between the St. Louis County Board of Commissioners and the City of Duluth for food support employment and training services.-06-607ss

Project Contract No. 4609 between the County of St. Louis and Pacific Regeneration Technologies, Inc., for containerized tree seedlings for spring 2007 (spring 2008 and spring 2009).-06-608

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and Arrowhead Center, Inc., for Northland Fetal Alcohol Spectrum Disorders Connection Services.-06-609ss

Agreement for Professional Services between the County of St. Louis, through its Land Department, and Quality Management Institute for SFI Registration Services.-06-610

Contract between the County of St. Louis and H & R Construction Company for Steel Plate Beam Guardrail on S.A.P. 69-030-010, C.P. 8292.-06-611

Contract between the County of St. Louis and Ulland Brothers, Inc., for Mill Bituminous Surface, Culvert Replacement, Plant Mixed Bituminous Surfacing and Aggregate Shouldering on S.A.P. 69-732-003, C.P. 9295.-06-612

Contract between the County of St. Louis and Ulland Brothers, Inc., for Bituminous Pavement Reclamation, Mill Bituminous Pavement Surface, Plant Mixed Bituminous Surface and Aggregate Shoulders on M.P. 25-1272.-06-613

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Agreement between the County of St. Louis and Great Scott Township for the reconstruction of County Bridge No. 627 on Township Road 7953 (Williams Road).-06-614

Contract between the County of St. Louis and Traffic Marking Service for Highway Maintenance Striping on M.P. 3708 (Striping 2006).-06-615

Grant Agreement, Contract No. 20625, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for adult mental health initiative flex fund grant.-06-616ss

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and Range Mental Health Center, Inc., for Northland Fetal Alcohol Spectrum Disorders Connection Services.-06-617ss

Agreement for Services between the County of St. Louis, through its Department of Public Health and Human Services, and Lake Superior Community Health Center for STD diagnosis and treatment services.-06-618ss

Agreement for Implementation of 9-1-1 Telephone System between the Minnesota Department of Public Safety, County of St. Louis and MCImetro Access Transmission Services, LLC.-06-619

Agreement for Implementation of 9-1-1 Telephone System between the Minnesota Department of Public Safety, County of St. Louis and Sprint Communications Company, L.P.-06-620

Addendum to Purchase Agreement, Contract No. 13814A, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, d/b/a Arrowhead Meals on Wheels.-06-621ss

Purchase of Service Agreement, Contract No. 13946, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, d/b/a Arrowhead Meals on Wheels.-06-622ss

Agreement for 2005 Establishing Participation in Northern Counties Land Use Coordinating Board between the Counties of Aitkin, Cook, Koochiching, Lake, Lake of the Woods, Marshall, Pennington, Roseau, and St. Louis.-06-623

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 292 through 311, 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 4, 2006, are hereby approved.

Adopted May 9, 2006. No. 292

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 11, 2006, are hereby approved.

Adopted May 9, 2006. No. 293

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.

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58495, are hereby approved:

Real Estate - E. Marlene Bagstad, \$198.96; Pamela Boben, \$53.58; Wendy Koepp, \$243.78; Larry Kubiak, \$52.16; Bre Legutka, \$184.00; Esther Linden, \$50.72; Leslie Peterson, \$53.58; Salvation Army, \$5,151.08; Daniel Schober, \$1,416.00; James Shogren, \$157.18; John Swierc, \$283.60; Mark Welinski, \$372.80; Greg Whitlock, \$144.34.

Adopted May 9, 2006. No. 294

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 28, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 9, 2006. No. 295

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated refund to the licenseholders:

Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township, Tobacco Products License No. T06219, new;

Susan M. Piontek-Kopic, d/b/a Piontek's Minnows & Munchies, Fine Lakes Township, Tobacco Products License No. T06167, renewal.

Adopted May 9, 2006. No. 296

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;

FURTHER RESOLVED, that said license is approved contingent upon Health Department approval and 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 fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2006:

Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township, On-Sale Intoxicating Liquor License No. CMB06102 and Sunday On-Sale Intoxicating License No. SUN06102, new.

Adopted May 9, 2006. No. 297

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 temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;

FURTHER RESOLVED, that said license is approved contingent upon Grand Lake Township approval and amendments to St. Louis County Ordinance No. 28:

Lake Superior Brewing Company, LLC, Temporary On-Sale Intoxicating Liquor License No. TL064,

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for June 10 and 11, 2006. Event is Old World Renaissance Faire, Grand Lake Township, north end of McGregor Road, off Highway 7, Twig (Kenneth Harnell property).

Adopted May 9, 2006. No. 298

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township, to sell/serve outside the designated serving area of the County Liquor License for the date of June 3, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.

Adopted May 9, 2006. No. 299

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. 58504; 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 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 the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Curtis Convenience Stores, Inc., d/b/a Superamerica, Cotton Township, Off-Sale 3.2 Percent Malt Liquor License No. B079, formerly known as Cotton Food-N-Fuel.

Adopted May 9, 2006. No. 300

WHEREAS, the Land Department is in need of a Tractor Loader/Backhoe for road maintenance; and WHEREAS, the equipment is required for the continued efficiency of the Land Department Resource Development Crew; and

WHEREAS, the purchase of this item is in the 2006 budget; and

WHEREAS, the Purchasing Department prepared bid specifications and solicited bids through DemandStar; and

WHEREAS, the low bid meeting the specifications was submitted by Ziegler, Inc., Duluth, Minnesota, in the amount of \$74,333.00, plus \$4,831.65 State of Minnesota sales tax, for a total of \$79,164.65;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Director of Purchasing to purchase one (1) Caterpillar 420D Tractor Loader/Backhoe from Ziegler, Inc., for a total cost of \$79,164.65. Funding for this purchase is payable from Fund 240 - Forfeited Tax Fund, Agency 241006, Object 666400 Heavy Equipment.

Adopted May 9, 2006. No. 301

WHEREAS, the City of Meadowlands has offered to purchase the following described State tax forfeited land for the appraised value of \$2,550.00 plus fees for the public purpose of water and sewer extension: Lots 6, 7 & 8, Block 12, Meadowlands Rearrangement, Parcel Codes: 165-10-1260, 1280;

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said lands have been classified as non-conservation lands pursuant to Minnesota Statute 282.01; and

WHEREAS, said lands have not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited lands to the City of Meadowlands for the appraised value of \$2,550.00 plus the following fees: 3% assurance fee of \$8.42, deed fee of \$25.00, deed tax of \$25.00, and recording fee of \$46.00; for a total of \$2,654.42 to be deposited into Fund 240 - Forfeited Tax Fund; RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction State tax forfeited lands described above if the City of Meadowlands does not purchase said lands. Adopted May 9, 2006. No. 302

WHEREAS, the Duluth Housing and Redevelopment Authority (HRA) has offered to purchase the following described State tax forfeited land for the appraised price of \$18,500.00 plus fees for public purpose: E 2/5 of E 1/2 of NW 1/4 of SE 1/4 of SW 1/4 EX E 33 FT of S 1/2 for RD & EX S 250 FT. Parcel Code: 10-2720-140;

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said land has been classified as non-conservation lands pursuant to Minnesota Statute 282.01; and

WHEREAS, said land has not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited lands to the Duluth Housing and Redevelopment Authority (HRA) for the appraised value of \$18,500.00 plus the following fees: 3% assurance fee of \$555.00, deed fee of \$25.00, deed tax of \$61.05, and recording fee of \$46.00; for a total of \$19,187.05 to be deposited into Fund 240 - Forfeited Tax Fund;

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction State tax forfeited lands described above if the Duluth Housing and Redevelopment Authority (HRA) does not purchase said lands.

Adopted May 9, 2006. No. 303

WHEREAS, the Land Department has reviewed a request of Bruce Kainz and Mark Larson for a non-exclusive road access easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to the individuals' property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4a, is hereby authorized to grant Bruce Kainz and Mark Larson, a non-exclusive easement for roadway purposes described as: Easement for ingress and egress in the NW 1/4 of the NW 1/4, Section 15, Township 59 North, Range 15 West, St. Louis County, Minnesota.

All that part of the NW 1/4 of the NW 1/4, Section 15, Township 59 North, Range 15 West, St. Louis County, Minnesota, lying within 33 feet of the following described centerline: Commencing at the Northwest corner of said Section 15; thence N 89 degrees 09 minutes 20 seconds E, along the North line of said NW 1/4 of the NW 1/4, a distance of 731.84 feet, to the centerline of State Highway No. 135; thence S 32 degrees 22 minutes 27 seconds E, along said centerline, a distance of 151.89 feet, to the point of beginning; thence S 43 degrees 41 minutes 30 seconds W, a distance of 67.55 feet, to a tangential curve, concave to the Southeast; thence Southwesterly, along said curve, with a delta angle of 11 degrees 29 minutes 25 seconds and a radius of 150.00 feet, a distance of 30.08 feet; thence S 32 degrees 12 minutes 05 seconds W, a distance of 65.89 feet, to a tangential curve, concave to the North; thence Westerly, along said curve, with a delta angle of 82 degrees 41 minutes 29 seconds and a radius of 20.00 feet, a distance of 28.86 feet; thence N 65 degrees 06 minutes 25 seconds W, a

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distance of 146.02 feet, to a tangential curve, concave to the South; thence Westerly, along said curve, with a delta angle of 16 degrees 22 minutes 05 seconds and a radius of 75.00 feet, a distance of 21.42 feet; thence N 81 degrees 28 minutes 30 seconds W, a distance of 55.06 feet, to a tangential curve, concave to the Northeast; thence Northwesterly, along said curve, with a delta angle of 21 degrees 55 minutes 10 seconds and a radius of 75.00 feet, a distance of 28.69 feet; thence N 59 degrees 33 minutes 20 seconds W, a distance of 336.32 feet, to the North line of said NW 1/4 of the NW 1/4 and there terminating. The right of way lines are extended to and truncated by the North line of said NW 1/4 of the NW 1/4.

Granting of this easement is conditioned upon payment of \$720.00 land use fee, \$400.00 administration fee and \$46.00 recording fee, for a total of \$1,166.00, to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted May 9, 2006. No. 304

WHEREAS, the Local Road Research Board (LRRB), sponsored cooperatively by the State of Minnesota Department of Transportation (MN/DOT) and the University of Minnesota Center for Transportation Studies (CTS), is distributing funds allotted for local applied research projects for the improvement of transportation in Minnesota; and

WHEREAS, the St. Louis County Public Works Department has a project proposal for the improvement of storm pond water quality which fits the criteria for funding by said LRRB and its Local Operational Research Assistance Program; and

WHEREAS, St. Louis County shall purchase materials from Fund 200, Agency 201013;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Public Works Director to apply for a grant through the LRRB, sponsored cooperatively by MN/DOT and the University of Minnesota, in the amount of \$3,175.00 to implement and monitor storm pond aerators at the Pike Lake facility, and to accept the grant if allocated, and reimburse Fund 200, Agency 201013, with grant proceeds.

RESOLVED FURTHER, that the Public Works Director/Highway Engineer is authorized to sign all related documents upon approval by the County Attorney.

Adopted May 9, 2006. No. 305

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a four-mile segment of County-State Aid Highway (C-SAH) No. 4 within Rice Lake and Gnesen Townships. Controlled access was acquired along with additional right of way in connection with this project by easement, dated September 3, 1971, recorded in Register of Deeds Office as Document No. 129704; and

WHEREAS, James Durfee, the property owner of the West 1/2 of the NW 1/4 of SW 1/4 and the N 1/2 of the West 1/2 of the SW 1/4 of the SW 1/4 of Section 32, Township 52 North, Range 14, has requested a relocation of an existing legal access point; and

WHEREAS, the Department of Public Works has reviewed the request and has determined the relocation of the entrance (description identified in County Board File No. 58558) is acceptable in the new location.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Public Works Director to approve the relocation of said entrance opening.

Adopted May 9, 2006. No. 306

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a four-mile segment of County-State Aid Highway (C-SAH) No. 4 within Rice Lake and Gnesen Townships. Controlled access was acquired along with additional right of way in connection with this project by County Board Resolution No. 555, adopted November 23rd, 1970, recorded in Register of Deeds Office as Document No. 350422; and

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WHEREAS, Jason Haller, the property owner of the SE 1/4 of the SE 1/4 of Section 30, Township 52 North, Range 14, has requested a relocation of an existing legal access point; and  
WHEREAS, the Department of Public Works has reviewed the request and has determined the relocation of the entrance (description identified in County Board File No. 58559) is an improvement in road safety in the new location.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Public Works Director to approve the relocation of said entrance opening.  
Adopted May 9, 2006. No. 307

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a four-mile segment of County-State Aid Highway (C-SAH) No. 4 within Rice Lake and Gnesen Townships; and  
WHEREAS, controlled access was acquired without allowing for a legal entrance opening to the realigned C-SAH No. 4 within the SW 1/4 of SE 1/4 of Section 30, Township 52, Range 14; and  
WHEREAS, a temporary access was granted to the property owner in 1997; and  
WHEREAS, the property owner has requested a legal access opening, being the right of ingress to and egress from the above described lands onto C-SAH No. 4 (Rice Lake Road) described as follows: Beginning 100 feet South of the North line of said SW 1/4 of the SE 1/4, Section 30, Township 52, Range 14, and extending North 40 feet and there terminating; and  
WHEREAS, the Department of Public Works has reviewed the request and has determined that the permanent entrance opening is acceptable at the described location.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Public Works Director to approve the above described access location of said entrance opening.  
Adopted May 9, 2006. No. 308

RESOLVED, that the Director of Purchasing is hereby authorized to execute a contract with Univar USA, Inc., of St. Paul, MN, in accordance with the plans and specifications of Bid No. 4618, to Furnish and Apply 394,400 gallons of 38% Liquid Calcium Chloride, at their low specification bid of \$304,484.11, which includes \$18,583.55 of State of Minnesota sales tax based on both material and application cost being taxable, from Fund 200, Agency 201010, Object 653400 (Dust Control).  
Adopted May 9, 2006. No. 309

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3711 consisting of Crushing, Screening, and Stockpiling Aggregate, Class 5 (Mod.), Southern St. Louis County located at various sites in Southern St. Louis County; and  
WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 1, 2006, 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 responsible bidder.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby approves the award of contract on the above project to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Vogt Dirt Services	16733 - 500th St. Bemidji, MN 56601	\$272,054.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are hereby authorized to approve the Contractor's Performance Bonds and to execute the

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bonds and contracts with the Contractor for the above listed project; payable from Fund 200, Agency 201044.

Adopted May 9, 2006. No. 310

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-634-009, County Project No. 8123, located on C-SAH 34 (Howard Gnesen Road) from Arrowhead Road to C-SAH 9 (Martin Road), length 3.0 mile consisting of Reclamation, Mill Bituminous Surface, Centerline Culvert, Guardrail, Sanitary Sewer, Bituminous Surface, Aggregate Shoulders; and WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 1, 2006, 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 responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby approves the award of contract on the above project to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Materials, LLC d/b/a Northland Bituminous	4843 Rice Lake Road Duluth, MN 55803	\$962,201.58

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney 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 220, Agency 220157.

Adopted May 9, 2006. No. 311

**BY COMMISSIONER SWEENEY:**

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Michael Zganjar of Virginia, MN, has applied to repurchase the following parcel: WLY 525 FT of NW 1/4 of NE 1/4, Section 28, Township 58 North, Range 16 West. Parcel Code: 260-15-22;

WHEREAS, Michael Zganjar was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Michael Zganjar, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$965.28, repurchase application fee of \$114.00, deed tax of \$3.19, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$1,153.47 to be deposited into Fund 240.

Unanimously adopted. May 9, 2006. No. 312

At 9:55 A.M. on Tuesday, May 9, 2006, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

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Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MAY 23, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23th day of May, 2006, at 9:34 A.M. in the Floodwood Fair Building, 107 West 7th Street, Floodwood, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Jeffrey Kletscher, Mayor of Floodwood, welcomed the Board to the City of Floodwood.

Commissioner Raukar presented a Volunteer Excellence Award to Clothing, Etc., a group of volunteers from Floodwood who have established a nonprofit thrift shop for sale of donated clothing and other items at reasonable prices. More than \$5,000 raised by the thrift store has been donated to other worthy community projects in Floodwood.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Michael Clark, Chair of the Floodwood/Meadowlands Community Drug Task Force, said the citizens' task force was established in 2004 to combat growing problems associated with use of methamphetamine. The group has raised more than \$27,000 for school and community education programs and training a Floodwood policeman and his police dog. Mr. Clark asked the County to consider contributing methamphetamine use prevention funds to Floodwood to assist the task force.

Al Moline, Van Buren Township, expressed continuing concern about the proposed Polymet wetland mitigation plan that will fill ditches in the Floodwood area and could drastically affect area landowners. Commissioner Raukar said much work needs to be done before the Polymet mitigation plan is approved.

Julie Kinnear, Fine Lakes Township Clerk, asked why the Sheriff's Department was charging townships extra money to provide law enforcement services. Commissioner Sweeney said charges result from agreements with individual towns that desire more Sheriff patrols than would normally be provided.

At 10:07 A.M., a public hearing was convened pursuant to County Board Resolution No. 258, adopted April 25, 2006, to consider rezoning the Easterly 550 feet of the Southerly 200 feet of the Northerly 800 feet of the SE 1/4 of the NE 1/4, Section 24, Township 57 North, Range 18 West (Town of Clinton). Scott Smith, Planning Department, said the property in question is zoned industrial although it contains a residence. Changing the zoning to residential would make it easier for the landowner to obtain financing and rebuild if necessary. The Planning Commission approved the rezoning request. No one else chose to address the issue.

At 10:12 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 334.

Commissioner Raukar, supported by Commissioner Fink, moved to approve tax abatements because of overvaluations for eight parcels of land located in the City of Duluth. Barbara Russ, Assistant

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County Attorney, said five parcels owned by ICO of Duluth are contiguous and should have been assessed that way. Even though there is an abatement, values were increased by a much larger amount and ICO will still pay a higher tax bill than 2005, according to Attorney Russ.

Commissioner Raukar asked for a division of the question with the ICO parcels voted on separately from the other three residential properties. The five ICO abatements were approved; six yeas - one nay, Commissioner Forsman. After further discussion, Commissioner Raukar withdrew his motion to approve abatements for the remaining three parcels. Commissioner Fink, supported by Commissioner O'Neil, moved to grant the abatements. Commissioner Sweeney asked for a division of the question with each parcel voted separately. Votes were as follows:

Parcel 1: 10-2000-380, Branch Street; four yeas - three nays, Commissioners Forsman, Raukar and Chair Nelson

Parcel 2: 10-390-240, Willow Street; seven yeas - zero nays.

Parcel 3: 10-790-18960, Kingston Street; three yeas - four nays, Commissioners Forsman, Sweeney, Raukar and Chair Nelson

Resolution No. 336.

Commissioner Kron, supported by Commissioner Sweeney, moved to authorize an increase of one full time Information Specialist II in the Sheriff's Records Division. Sheriff Ross Litman explained the need and said a one-half Deputy position is being eliminated to make the addition levy neutral. After further discussion, the position was authorized; seven yeas - zero nays. Resolution No. 337.

Commissioner Fink, supported by Commissioner O'Neil, moved to suspend the rules to consider granting a closing date extension from May 25 to "on or before June 23, 2006" for sale of forfeited land to the Duluth Economic Development Authority (DEDA) for use as a housing development on Trinity Road; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Fink, moved to approve the extension. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said the extension was needed to correct an error in the title description. Although extension will be through June 23, it is not expected to take that long to revise the legal description.

Ted Stocke, Duluth and developer of the housing project, explained the deed and funding mechanisms and the need for the extension.

Barbara Russ, Assistant County Attorney, clarified that a ten-year contract will be recorded but a deed will not be available until the property is paid in full. The description error occurred in the original forfeiture description.

Commissioner Sweeney amended her motion to require payment in full no later than ten days after the closing. After further discussion, Commissioner Sweeney withdrew her amendment and original motion extending the closing date was approved; seven yeas - zero nays. Resolution No. 337.

Chair Nelson noted a ground breaking and barn raising for a Children's Barn at the North St. Louis County Fairgrounds.

Commissioner Fink provided a synopsis of the 2006 Minnesota legislative session and said the Association of Minnesota Counties (AMC) will hold a meeting in Silver Bay on June 2, 2006.

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Chair Nelson distributed a map of Northeast Regional Corrections property being considered for use by the Caribou Lake Wastewater Board as part of a proposed sewer system. Commissioner Sweeney said other Arrowhead Regional Corrections counties have asked for a County Board position on a sale or lease of the land by mid-June and she suggested discussing the item at Committee of the Whole for referral to the June 6 Board meeting.

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

Alan L. Mitchell, County Attorney, submitting recorded Restrictions and Covenants for Sargent Creek as authorized by County Board Resolution No. 680, adopted December 20, 2005. -58562

Michael Clark, Chair of the Floodwood/Meadowlands Community Drug Task Force, requesting the county to consider contributing methamphetamine use prevention funds to Floodwood. -58563

Al Moline, Van Buren Township, submitting map of the proposed Polymet wetland mitigation plan that will fill ditches in the Floodwood area and the affect on area landowners. -58564

Dana Frey, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 06-239 relative to amending Ordinance No. 46 - Zoning Maps for part of the SE 1/4 of the NE 1/4, Section 24, Township 57 North, Range 18 West (Town of Clinton). -58565

Memorandum of Intent with the University of Minnesota Extension Service Nutrition Education Program and St. Louis County for 2006. -06-624

Addendum to Purchase Agreement, Contract No. 13624C, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota - Westgate (MA MR/RC Waivered Services) for SLS for adults. -06-625ss

State of Minnesota Professional and Technical Services Master Contract through its Commissioner of Transportation and the St. Louis County Board. -06-626

Agreement between the City of Cook and the County of St. Louis for C-SAH 24 (Second Street Southeast), C.R. 948 (Johnson Road), C-SAH 25 (Vermilion Drive), Vermilion Blvd., Third Avenue South, Park Road. -06-627

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Portland Square Rec Area Playground. -06-628

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Central Hillside Basketball Court Repair. -06-629

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Memorial Community Recreation Center Playground. -06-630

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Lester/Amity Trail Bridge Replacement. -06-631

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Duluth for the Grant Recreation Center Playground Improvement. -06-632

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Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Hermantown for the Hermantown Trail Maintenance and Expansion Project.-06-633

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Hermantown for Let's Play Hermantown.-06-634

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the City of Proctor for the St. Rose School Playground.-06-635

Purchase of Service Agreement, Contract No. 13943, between the St. Louis County Board of Commissioners and the City of Duluth (Senior Dining Program) for home delivered meals.-06-636ss

Purchase of Service Agreement between the Lake County Human Services and St. Louis County Public Health and Human Services for providing Women, Infants and Children (WIC) Program services.-06-637ss

Consulting Services Agreement between the County of St. Louis and E/S Support Services to work with Constellation Justice System DAMION Shield information system.-06-638

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Life House - Proctor House.-06-639

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota.-06-640

Addendum to Purchase Agreement, Contract No. 13283E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Birchwood for SLS for adults.-06-641ss

Addendum to Purchase Agreement, Contract No. 13284D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Chester Park for SLS for adults.-06-642ss

Addendum to Purchase Agreement, Contract No. 13285D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Endion Park for SLS for adults.-06-643ss

Addendum to Purchase Agreement, Contract No. 13286E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Greysolon for SLS for adults.-06-644ss

Addendum to Purchase Agreement, Contract No. 13287D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - K & D for SLS for adults.-06-645ss

Addendum to Purchase Agreement, Contract No. 13288D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Kenwood for SLS for adults.-06-646ss

Addendum to Purchase Agreement, Contract No. 13289D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Lakeview for SLS for adults.-06-647ss

Addendum to Purchase Agreement, Contract No. 13290E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - London Road for SLS for adults.-06-648ss

Addendum to Purchase Agreement, Contract No. 13292D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Nuvo for SLS for adults.-06-649ss

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Addendum to Purchase Agreement, Contract No. 13507D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Oneida for SLS for adults.-[06-650ss](#)

Addendum to Purchase Agreement, Contract No. 13293E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Piedmont for SLS for adults.-[06-651ss](#)

Addendum to Purchase Agreement, Contract No. 13294D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Spirit Valley for SLS for adults.-[06-652ss](#)

Addendum to Purchase Agreement, Contract No. 13295D, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Springvale for SLS for adults.-[06-653ss](#)

Addendum to Purchase Agreement, Contract No. 13296E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Tuhkanen for SLS for adults.-[06-654ss](#)

Addendum to Purchase Agreement, Contract No. 13297E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Wallace for SLS for adults.-[06-655ss](#)

Purchase of Service Agreement, Contract No. 13956, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Respite Care.-[06-656ss](#)

Purchase of Service Agreement, Contract No. 13915, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - REM Apartment Support 1 (SLS Adult).-[06-657ss](#)

Addendum to Purchase Agreement, Contract No. 13270D, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home for SLS for adults.-[06-658ss](#)

Purchase of Service Agreement, Contract No. 13962, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ensign.-[06-659ss](#)

Group Residential Housing Rate Agreement, Contract No. 50448, between the St. Louis County Board of Commissioners and Teen Challenge Duluth Campus.-[06-660ss](#)

Group Residential Housing Rate Agreement, Contract No. 50458, between the St. Louis County Board of Commissioners and Trillium Services, Inc. (Ensign).-[06-661ss](#)

Group Residential Housing Rate Agreement, Contract No. 50450, between the St. Louis County Board of Commissioners and Woodhill Homes Cloquet.-[06-662ss](#)

Group Residential Housing Rate Agreement, Contract No. 50449, between the St. Louis County Board of Commissioners and Woodhill Homes Toledo.-[06-663ss](#)

Group Residential Housing Rate Agreement, Contract No. 50452, between the St. Louis County Board of Commissioners and Woodhill Homes Vermilion.-[06-664ss](#)

Group Residential Housing Rate Agreement, Contract No. 50453, between the St. Louis County Board of Commissioners and Woodhill Homes Woodland.-[06-665ss](#)

Group Residential Housing Rate Agreement, Contract No. 50447, between the St. Louis County Board of Commissioners and Diane Johnson.-[06-666ss](#)

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State of Minnesota Amendment No. 2 to License No. L-57 between St. Louis County and the Department of Administration, acting on behalf of the Department of Labor and Industry, for the use of two parking stalls in the Duluth Government Services Center parking ramp.-06-667

State of Minnesota Amendment No. 3 to Lease Agreement No. 11261 between St. Louis County and the Department of Administration, acting on behalf of the Department of Health, for office space on the seventh floor and storage on the first floor of the Duluth Government Services Center.-06-668

Agreement for Professional Services between St. Louis County and Northeast Services Cooperative for equipment and software.-06-669

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.-06-670

St. Louis County Community Development Grant Program FY 2006 between St. Louis County and City of Tower for sewer improvements.-06-671

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and the City of Proctor for water/sewer improvements.-06-672

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Cook for storm sewer improvements.-06-673

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Northeast Entrepreneur Fund.-06-674

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for homeless shelter. -06-675

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for Energy Assistance Set-Aside.-06-676

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for Raising Our Children's Kids (ROCK).-06-677

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for single family housing rehab.-06-678

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for Home Ownership Assistance Program.-06-679

Project Contract No. 4615 between the County of St. Louis County and Future Forests, Inc., for Mechanical Site Scarification by Disc Trenching.-06-680

Addendum to Purchase Agreement, Contract No. 13623C, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota - Southridge (MA MR/RC Waivered Services) for SLS for adults.-06-681ss

Addendum to Purchase Agreement, Contract No. 13622C, between the St. Louis County Board of

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Commissioners and Lutheran Social Services of Minnesota - Carlson (MA MR/RC Waivered Services) for SLS for adults.-06-682ss

Addendum to Purchase Agreement, Contract No. 13768A, between the St. Louis County Board of Commissioners and Welsh Adult Foster Care for SLS for adults.-06-683ss

Addendum to Purchase Agreement, Contract No. 13327D, between the St. Louis County Board of Commissioners and Nora Renne Adult Foster Home for SLS for adults.-06-684ss

Purchase of Service Agreement, Contract No. 13958, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for SLS for adults.-06-685ss

Grant Agreement, Contract No. 20661, between the St. Louis County Board of Commissioners and Minnesota Chippewa Tribe for Minnesota Family Investment Program Employment Services.-06-686ss

Purchase of Service Agreement, Contract No. 13948, between the St. Louis County Board of Commissioners and Range Center, Inc., for non-residential services.-06-687ss

Purchase of Service Agreement, Contract No. 13927, between the St. Louis County Board of Commissioners and Cole Schneider - Possibilities Plus - Vinland for SLS for children and adults.-06-688ss

Addendum to Purchase Agreement, Contract No. 13238D, between the St. Louis County Board of Commissioners and Northern Network East State Operated Community Support Services - MR/RC Waiver (Crisis/Respite).-06-689ss

Addendum to Purchase Agreement, Contract No. 13239E, between the St. Louis County Board of Commissioners and Minnesota State Operated Community Services (MSOCS) North East (NE) MA MR/RC Waiver SLS Programs.-06-690ss

Addendum to Purchase Agreement, Contract No. 13069D, between the St. Louis County Board of Commissioners and Minnesota State Operated Community Services (MSOCS) - MA MR/RC Waiver DT&H Programs.-06-691ss

Addendum to Purchase Agreement, Contract No. 13240D, between the St. Louis County Board of Commissioners and Minnesota State Operated Community Services (MSOCS) - MA MR/RC Waiver Supported Employment Services.-06-692ss

Purchase of Service Agreement, Contract No. 13940, between the St. Louis County Board of Commissioners and KC Companies of Tower, Inc., d/b/a Golden Horizons, for assisted living plus and out-of-home respite services.-06-693ss

Group Residential Housing Rate Agreement, Contract No. 50436, between the St. Louis County Board of Commissioners and Golden Horizons - Tower.-06-694ss

Purchase of Service Agreement, Contract No. 13917, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for Families First Family-Based Services.-06-695ss

Grant Agreement, Contract No. 20666, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee for Adolescent Services Grant. -06-696ss

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Addendum to Purchase Agreement, Contract No. 13232D, between the St. Louis County Board of Commissioners and Hermantown Residential Care for SLS for adults.-06-697ss

Group Residential Housing Rate Agreement, Contract No. 50461, between the St. Louis County Board of Commissioners and Focus on Living - 404.-06-698ss

Group Residential Housing Rate Agreement, Contract No. 50460, between the St. Louis County Board of Commissioners and Focus on Living - 402.-06-699ss

Group Residential Housing Rate Agreement, Contract No. 50455, between the St. Louis County Board of Commissioners and Heritage Haven II.-06-700ss

Purchase of Service Agreement, Contract No. 13965, between the St. Louis County Board of Commissioners and Heritage Haven, Inc., for assisted living plus services.-06-701ss

Addendum to Purchase Agreement, Contract No. 13965A, between the St. Louis County Board of Commissioners and Heritage Haven, Inc., for assisted living plus services.-06-702ss

Addendum to Purchase Agreement, Contract No. 13965B, between the St. Louis County Board of Commissioners and Heritage Haven, Inc., for assisted living plus services.-06-703ss

Purchase of Service Agreement, Contract No. 13928, between the St. Louis County Board of Commissioners and Jan Evans Adult Foster for SLS for adults.-06-704ss

Addendum to Purchase Agreement, Contract No. 13356D, between the St. Louis County Board of Commissioners and J.E. and Associates for specialist services (adult and child).-06-705ss

Group Residential Housing Rate Agreement, Contract No. 50456, between the St. Louis County Board of Commissioners and Hillside Homes I.-06-706ss

Group Residential Housing Rate Agreement, Contract No. 50457, between the St. Louis County Board of Commissioners and Hillside Homes II.-06-707ss

Group Residential Housing Rate Agreement, Contract No. 50459, between the St. Louis County Board of Commissioners and Hillside Homes West.-06-708ss

Addendum to Purchase Agreement, Contract No. 13966A, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc. , for assisted living plus services. -06-709ss

Purchase of Service Agreement, Contract No. 13966, between the St. Louis County Board of Commissioners and Hillside Homes of Duluth, Inc., for assisted living plus services. -06-710ss

Purchase of Service Agreement, Contract No. 13951, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for child residential services.-06-711ss

Purchase of Service Agreement, Contract No. 13952, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Range Youth Shelter) for group home residential/shelter service.-06-712ss

Purchase of Service Agreement, Contract No. 13950, between the St. Louis County Board of

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Commissioners and Lutheran Social Service of Minnesota (Bethany Foster Care Program).-06-713ss

Purchase of Service Agreement, Contract No. 13953, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Crisis Shelter Supervised Visitation Program) for parent/child supervised visitation services.-06-714ss

Purchase of Service Agreement, Contract No. 13954, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Family Resource Center Supervised Visitation Program).-06-715ss

Purchase of Service Agreement, Contract No. 13972, between the St. Louis County Board of Commissioners and Home Health of Hibbing, Inc., d/b/a HomeCare Specialists, for supplies and equipment.-06-716ss

Purchase of Service Agreement, Contract No. 13942, between the St. Louis County Board of Commissioners and Home Care Service Options of Duluth for home care services.-06-717ss

Purchase of Service Agreement, Contract No. 13959, between the St. Louis County Board of Commissioners and Lifeway Services, LLC, for crisis respite.-06-718ss

Purchase of Service Agreement, Contract No. 13957, between the St. Louis County Board of Commissioners and Claudette Lentz Adult Foster Home for SLS for adults.-06-719ss

Addendum to Purchase Agreement, Contract No. 13767B, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Hunter's Park for SLS for adults.-06-720ss

Addendum to Purchase Agreement, Contract No. 13862A, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Lester Park for SLS for children.-06-721ss

Addendum to Purchase Agreement, Contract No. 13861A, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Snelling Park for SLS for adults.-06-722ss

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and Range Transitional Housing, Inc.-06-723

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and The Salvation Army - Hibbing for Melting Pot Meals.-06-724

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Sexual Assault Program of Northern St. Louis County for Youth Outreach Services.-06-725

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Range Women's Advocates for Children's Program.-06-726

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota for counseling and information.-06-727

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Aurora for water/sewer improvements.-06-728

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St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Range Transitional Housing.-06-729

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and The Salvation Army - Duluth for Northern St. Louis County Money Management.-06-730

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Project Soar of Northeastern Minnesota for career development.-06-731

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and Town of Breitung for water/sewer improvements.-06-732

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and ARC Northland for Northland Fetal Alcohol Syndrome Connection.-06-733ss

Agreement No. 84043 between the County of St. Louis, the Duluth, Winnipeg and Pacific Railway, and the State of Minnesota, through its Commissioner of Transportation, for roadway modifications on the Seville Road (C.R. 694).-06-734

Fire Protection Services Agreement between the City of Babbitt and the County of St. Louis for Unorganized Township 61-12 and 61-13.-06-735

Fire Protection Services Agreement between the Bearville Township Volunteer Fire Department and the County of St. Louis for Unorganized Township 62-21.-06-736

Fire Protection Services Agreement between the City of Chisholm and the County of St. Louis for Unorganized Township 59-21.-06-737

Fire Protection Services Agreement between Colvin Township and the County of St. Louis for Unorganized Township 55-15.-06-738

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 63-17.-06-739

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 62-17.-06-740

Fire Protection Services Agreement and Amendment between the City of Ely and the County of St. Louis for Unorganized Townships 64-12 and 64-13.-06-741

Fire Protection Services Agreement between the Evergreen Volunteer Fire Department and the County of St. Louis for Unorganized Townships 60-19 and 60-20.-06-742

Fire Protection Services Agreement between the City of Floodwood and the County of St. Louis for Unorganized Township 52-21.-06-743

Fire Protection Services Agreement between French Township and the County of St. Louis for Unorganized Township 59-21.-06-744

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Fire Protection Services Agreement between the Gnesen Volunteer Fire Department and the County of St. Louis for Unorganized Township 53-15.-06-745

Fire Protection Services Agreement between the Greenwood Township Volunteer Fire Department and the County of St. Louis for Unorganized Township 63-15.-06-746

Fire Protection Services Agreement between the Lake Kabetogama Volunteer Fire Department and the County of St. Louis for Unorganized Townships 68-19, 69-19, 67-20, 68-20, 67-21 and 68-21.-06-747

Fire Protection Services Agreement between the Lakeland Volunteer Fire Department and the County of St. Louis for Unorganized Township 57-16.-06-748

Fire Protection Services Agreement between the Makinen Volunteer Fire Department and the County of St. Louis for Unorganized Township 56-16.-06-749

Fire Protection Services Agreement between the Northland Volunteer Fire Department and the County of St. Louis for Unorganized Township 53-16.-06-750

Fire Protection Services Agreement between the City of Orr and the County of St. Louis for Unorganized Townships 63-19 and 66-20.-06-751

Fire Protection Services Agreement between the Pequaywan Lake Volunteer Fire Department and the County of St. Louis for Unorganized Township 54-13.-06-752

Fire Protection Services Agreement between the Pike-Sandy-Britt Volunteer Fire Department and the County of St. Louis for Unorganized Townships 59-16 and 60-18.-06-753

Fire Protection Services Agreement between the Silica Volunteer Fire Department and the County of St. Louis for Unorganized Township 55-21.-06-754

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 313 through 333, 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 25, 2006, are hereby approved.

Adopted May 23, 2006. No. 313

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 2, 2006, are hereby approved.

Adopted May 23, 2006. No. 314

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 9, 2006, are hereby approved.

Adopted May 23, 2006. No. 315

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

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<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,330,820.05
184	Extension Service	51,966.43
200	Public Works	2,749,666.41
230	Social Services	5,585,289.34
240	Forfeited Tax	406,452.51
250	St. Louis County HRA	8,176.87
600	Solid Waste Authorities	300,806.75
625	Chris Jensen Health & Rehab.	1,098,066.87
650	Laundry	87,259.87
660	Community Food Services	91,323.59
670	Supervised Living Facilities	47,054.40
700	Printing	8,077.16
715	County Garage	98,878.80
750	Management Information Systems	473,207.89
760	Telecommunications	91,669.35
925	Arrowhead Regional Corrections	1,108,975.38
955	Community Health Services	70,624.37
989	Regional Railroad Authority	<u>148,020.53</u>
		\$16,756,336.57

Adopted May 23, 2006. No. 316

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. 58495, are hereby approved:

Real Estate - Gail Adams, \$513.50; Steven Demaris, \$20.42; Jill Engstad, \$251.88; Richard Harju, \$238.12; Wesley Hines, \$607.50; Karen Irving, \$216.34; James Larson, \$343.56; Robert Licari, \$424.42; Lucinda Swan, \$116.46; Dennis Albrecht, \$260.00; Robert Bantz, \$458.30; Jessica Beyer, \$279.08; Cheryl Blue, \$265.40; Kathleen Dallum, \$258.40; Susan Dunn, \$813.10; Lindsay Johnson, \$293.60; Robert Johnson, \$295.60; Bernice Kaye, \$617.66; Eric Krenz, \$582.84; Joanne Lafrenier, \$498.70; Brian Mattila, \$928.04; Adam McCracken, \$243.88; Timothy Nichols, \$255.04; Kerry Olsen, \$295.26; Melissa Pilla, \$290.86; Michael Pitoscia, \$580.88; Todd Stauffenecker, \$507.10; Antonio Vasquez, \$537.32; Corrie Volikaty, \$230.30; Nathan Wisheart, \$280.80; Lawrence Abrahamson, \$260.52; Joseph Adamiak, \$633.46; Shana Bugge, \$153.98; Sherri Johnson, \$280.52; Wayne Johnson, \$128.22; Scott McGregar, \$230.66; Chauncey McGregar, \$290.32; Robert Pietrusa, \$859.24; James Raiho, \$265.20; Julie Selenski, \$182.40; Adam Seppo, \$268.46; Raquel Schaefer, \$383.32.

Personal Property - David Greenfield, \$73.30.

Adopted May 23, 2006. No. 317

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 12, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 23, 2006. No. 318

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

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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approved, on file in the office of the County Auditor, identified as County Board File No. 58504;  
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 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 the license fee to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2006:

Jack L. Woehrle, d/b/a Birch Forest Lodge, Leiding Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B0679, new.  
Adopted May 23, 2006. No. 319

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, is hereby approved and the County Auditor is authorized to issue the licenses as follows;  
FURTHER RESOLVED, 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, but without pro-rated refund to the licenseholder:

Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township, Tobacco Products License No. T06210, transfer.  
Adopted May 23, 2006. No. 320

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;  
FURTHER RESOLVED, that said license is 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 license to a new owner, but without pro-rated refund of the license fees to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective May 23, 2006, through June 30, 2006:

Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township, On-Sale Intoxicating Liquor License No. CMB06103 and Sunday On-Sale Intoxicating Liquor License No. SUN06103, transfer.  
Adopted May 23, 2006. No. 321

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 4, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.  
Adopted May 23, 2006. No. 322

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 27, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.  
Adopted May 23, 2006. No. 323

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RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of September 10, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.

Adopted May 23, 2006. No. 324

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. 58504;

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 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 the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Nelson's Resort, Inc., d/b/a Nelson's Resort, Inc., Crane Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B0780, change of officers.

Adopted May 23, 2006. No. 325

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Wilbert, Inc., d/b/a Wilbert Café & El Toro Lounge, Cotton Township, to sell/serve outside the designated serving area of the County Liquor License for the date of August 5, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.

Adopted May 23, 2006. No. 326

RESOLVED, the Public Works Department equipment budget includes replacement of Unit No. 3301, a 1973 Ford 2110 tractor mower with No. 3304 a 74-inch Mott flail mower; and

WHEREAS, an All Surface Vehicle (ASV) RC-100 is available on the State of Minnesota contract through St. Joseph Equipment, Inc.; and

WHEREAS, the St. Joseph Equipment, Inc. of Hermantown's state contract price including a heated cab, 72-inch wide dirt bucket, brush guard, other necessary options and delivery is \$51,006; and

WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$3,315.39 for a total cost to the County of \$54,321.39;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to St. Joseph Equipment, Inc., for an ASV RC-100 as equipped, payable from Fund 200, Agency 202020, Object 666400.

Adopted May 23, 2006. No. 327

WHEREAS, the State of Minnesota has received funds from the Centers for Disease Control and Prevention to assess and enhance the capacity of the state and local health departments to respond to bio-terrorism, infectious diseases, and other threats to public health and has allocated said funds to Community Health Boards; and

WHEREAS, the Carlton, Cook, Lake and St. Louis Community Health Board wishes to contract with St. Louis County through August 31, 2006; and

WHEREAS, the Public Health and Human Services Department has been performing the requirements of the grant agreement and wishes to continue;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to sign the Public Health Preparedness and Response to

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Bioterrorism Grant Project Agreement with the Community Health Services Board in the amount of \$240,371.00 for the period from September 1, 2005, through August 31, 2006, payable to Fund 230, Agency 236999, Grant 23601.

Adopted May 23, 2006. No. 328

RESOLVED, that a public hearing will be held at 9:40 A.M. on June 6, 2006, at the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Foyal Township.

Adopted May 23, 2006. No. 329

RESOLVED, that a public hearing will be held at 9:45 A.M. on June 6, 2006, at the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township.

Adopted May 23, 2006. No. 330

WHEREAS, a petition was presented to the St. Louis County Board by the owner of Government Lot 8, Section 30, Township 61 North, Range 13 West of the Fourth Principal Meridian, St. Louis County, Minnesota, containing more than five acres who have no access thereto except over the lands of others to connect the petitioner's land to a public road;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 164.08, Subdivision 2, a public hearing shall be held at 9:35 A.M. on June 27, 2006, Semers Park Pavilion, Ely, Minnesota, to hear the petition of Lynn Rogers and Donna Rogers regarding the establishment of a cartway two rods in width, for the purpose of providing access to their property over the properties of individuals listed in the petition found in Document File No. 58545.

Adopted May 23, 2006. No. 331

WHEREAS, the County Extension Committee (CEC) has received a request from the University of Minnesota (UM) Extension Service Nutrition Education Program to approve a 2006 Memorandum of Intent (MOI) between the County and the UM Extension Service to continue the Nutrition Education Program for the 2006 calendar year; and

WHEREAS, the Extension Service's Nutrition Education Program is funded with a grant from the United States Department of Agriculture (USDA), and is secured by matching contributions of state, county, and local public funds, and these matches may consist of cash or in-kind support; and

WHEREAS, St. Louis County is being asked to agree to provide supporting documentation for approximately \$33,375 of in-kind support for the Nutrition Education Program in 2006;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves and authorizes the Chair of the Board to sign the Memorandum of Intent with the UM Extension Service Nutrition Education Program, Contract File No. 06-624, and agrees to provide documentation indicating an actual cost-share contribution (in-kind) of approximately \$33,375 for the period of January 1, 2006, through December 31, 2006.

Adopted May 23, 2006. No. 332

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3709 consisting of Crushing, Screening, and Stockpiling Aggregate, Class 5 (Mod.), Northern St. Louis County located at various sites in Northern St. Louis County.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 8, 2006, 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 responsible bidder.

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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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hoover Construction Company	302 S. Hoover Road P.O. Box 1007 Virginia, MN 55792	\$322,450.00

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 contract with the Contractor for the above listed project; payable from Fund 200, Agency 201042.

Adopted May 23, 2006. No. 333

**BY COMMISSIONER FINK:**

WHEREAS, the Town of Clinton initiated a rezoning for part of the SE 1/4 of the NE 1/4, Section 24, Township 57 North, Range 18 West; and

WHEREAS, the Planning Department recommended approval of rezoning for the Easterly 550 feet of the Southerly 200 feet of the Northerly 800 feet of the SE 1/4 of the NE 1/4, Section 24, Township 57 North, Range 18 West; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on May 23, 2006; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony, written and verbal, as presented;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance No. 46, County Zoning Maps, from IND-4 to MUNS-4 for the Easterly 550 feet of the Southerly 200 feet of the Northerly 800 feet of the SE 1/4 of the NE 1/4, Section 24, Township 57 North, Range 18 West;

RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance No. 46 shall be June 23, 2006.

Unanimously adopted. May 23, 2006. No. 334

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. 58495, are hereby approved:

Real Estate - ICO, \$8,866.86; Frank Pitoscia, \$367.96; Daniel Vodden, \$916.18.

Division of the Question:

ICO--

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Forsman - 1

Pitoscia--

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney - 4

Nays - Commissioners Forsman, Raukar and Chair Nelson - 3

Vodden--

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 7

Nays - None

Adopted May 23, 2006. No. 335

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**BY COMMISSIONER KRON:**

WHEREAS, the workload in the Record's Division of the Sheriff's Office has increased substantially; and

WHEREAS, a Civil Service position allocation study determined that the proposed duties are consistent with the Information Specialist II classification; and

WHEREAS, the position will be funded by utilizing funds from Permits to Carry to pay a significant portion of an Information Specialist I position in Duluth and eliminating a one-half FTE Deputy Sheriff position;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the increase of one (1) FTE, Information Specialist II position, in the Sheriff's Duluth Records Division and the reduction of one-half FTE Deputy Sheriff position.

Unanimously adopted. May 23, 2006. No. 336

Upon motion of Commissioner Fink, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 337 which was not on the agenda.

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Board has approved a sale of tax forfeit land to the Duluth Economic Development Authority (DEDA), Resolution No. 124, February 28, 2006; and

WHEREAS, Resolution No. 124 stipulated that the land sale contract with DEDA must be completed on or before May 25, 2006, however, the closing company has identified the need to correct the legal description in the sale agreement causing the closing date to be delayed past the May 25 date;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby amends Resolution No. 214, February 28, 2006, to reflect an alternate closing date "on or before June 23, 2006".

Unanimously adopted. May 23, 2006. No. 337

At 11:50 A.M. on Tuesday, May 23, 2006, upon motion of Commissioner Kron, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:

Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

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

**JUNE, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 6, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of June, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Kron presented a Volunteer Excellence Award along with a signed copy of the book Hometown Heroes to the Duluth Honor Guard, a group of military veterans who preside at veteran funerals and conduct flag etiquette courses. Durbin Keeney, Veterans' Outreach North, lauded the commitment of these soldiers who have been an integral part of local veterans' funerals and other military events for the past twenty-four years. Captain John Marshall accepted the award on behalf of the Guard and read a poem describing services provided.

Chair Nelson 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 9:50 A.M., a public hearing was convened pursuant to County Board Resolution No. 286, adopted May 2, 2006, to consider amendments to Ordinance No. 28 (Liquor Ordinance). The following persons addressed the issue:

Alan Mitchell, County Attorney, said the amendments were mostly housekeeping in nature designed to correct errors and conform with new state statutes. The St. Louis County Liquor Licensing Committee met and recommended approval of the amendments.

Don Hoag, Lake Superior Brewing Company, expressed support for the amendment to allow micro-breweries to be issued temporary on-sale licenses. Lake Superior Brewery intends to participate in the Renaissance Festival in Grand Lake on June 10 and 11 and needs adoption of the amendment to be eligible for a temporary license.

Barbara Russ, Assistant County Attorney, explained statutory provisions regarding issuance of temporary liquor licenses.

At 10:04 A.M., Commissioner Kron, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Kron, supported by Commissioner Sweeney, moved to approve amendments to Ordinance No. 28; seven yeas - zero nays. Resolution No. 353.

At 10:04 A.M., a public hearing was convened pursuant to County Board Resolution No. 329, adopted May 23, 2006, to consider granting an off-sale intoxicating liquor license to Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township. County Attorney Mitchell advised the Board that: all

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required County departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussion of Ordinance No. 28 and the location and propriety of the establishment, recommended approval; the Town of Fayal reviewed the application and recommended approval; all required notices were given; and, the necessary insurance certificate submitted. Erik Sundquist, owner, said he understood and would abide by the provisions of Ordinance No. 28 and state statutes. No one else addressed the issue.

At 10:14 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve granting the off-sale liquor license; seven yeas - zero nays. Resolution No. 354.

At 10:15 A.M., a public hearing was convened pursuant to County Board Resolution No. 330, adopted May 23, 2006, to consider granting an off-sale intoxicating liquor license to Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township. County Attorney Mitchell advised the Board that: all required County departments reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussion of the provisions of Ordinance No. 28 and the location and propriety of the establishment, recommended approval; the Town of Fredenberg reviewed the application and recommended approval; all required notices were given; and, the necessary insurance certificate submitted. Clay Nading, owner, said he understood and would abide by the provisions of Ordinance No. 28. No one else chose to address the issue.

At 10:20 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Raukar, moved to approve granting the off-sale liquor license; seven yeas - zero nays. Resolution No. 355.

At 10:21 A.M. in the forenoon of Tuesday, June 6, 2006, Chair Nelson moved to recess the Board until 10:26 A.M. on June 6, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:30 A.M. on Tuesday, June 6, 2006, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve sale of tax forfeited land located at 315 and 315 1/2 West Third Street in Duluth, to the Duluth Housing and Redevelopment Authority (HRA) for a total consideration of \$4,720.85. The HRA would convey the property to the Northern Communities Land Trust (NCLT) for construction of affordable housing. Lengthy discussion ensued concerning costs of razing two dilapidated structures on the property and whether or not the sale price was too low. After further discussion, the sale was approved; six yeas - one nay, Commissioner Fink. Resolution No. 356.

Commissioner Sweeney, supported by Commissioner Forsman, moved to remove from the agenda sale to the Duluth HRA of tax forfeited land located in Morgan Park. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said NCLT was not interested in the property at the appraised price so the Duluth HRA asked that the item be removed from the agenda.

Alan Mitchell, County Attorney, said the proposed resolution stipulates if the HRA does not accept or complete purchase of the property, the parcel will be offered for sale at a public auction.

Jeff Corey, NCLT, invited Commissioners to tour various NCLT housing projects in Duluth. Mr. Corey said a policy for sale of forfeited property for affordable housing might be a good idea.

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Commissioner Forsman withdrew his support of the motion. Commissioner Sweeney, supported by Commissioner Fink, made a motion to remove the item from the agenda and send it back to the Land Department for public auction; seven yeas - zero nays. Resolution No. 357.

Commissioner Raukar, supported by Commissioner O'Neil, moved to table until the June 27 meeting a proposal to loan cash flow funds to Chris Jensen Health and Rehabilitation Center on a revolving basis up to \$4.3 million. Dana Frey, County Administrator, said different options may be proposed and he asked Commissioners to submit any questions to Administration prior to the June 27 meeting; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize execution of five-year lease agreement with Legacy Restaurants, Inc., to provide food services in the Duluth Courthouse at a rental cost of \$200 per month. Tony Mancuso, Property Manager, said rent will cover electric utility costs. Chair Nelson expressed concern about subsidizing a private enterprise. After further discussion, the lease was approved; five yeas - two nays, Commissioner Forsman and Chair Nelson. Resolution No. 358.

Commissioner Sweeney, supported by Commissioner Kron, moved to recommend that Arrowhead Regional Corrections (ARC) Board approve a twenty-year lease of up to thirty-two acres located at the Northeast Regional Corrections Center (NERCC) to the Caribou Lake Wastewater Association for use as a wastewater facility. The following persons addressed the issue:

Gordon Butler, area resident, described the project and said the ARC recommended lease price of \$6 per month per household connection was too steep. The recently completed Pike Lake Wastewater System charges about \$ .77 per month for each household connection. In addition, each property owner on Caribou Lake using the facility will pay an assessment of \$23,000 over a twenty-year period.

Tom Kurtovich, Caribou Lake resident, said at least thirty-one acres are needed in the event of system failure.

David Austin, Project Manager, said if a larger pipe is used to accommodate future development it would not add significantly to the project's cost.

Lengthy discussion ensued. Commissioner Nelson offered a friendly amendment - accepted by the makers - to set the lease price at \$1 per year if pipes are properly sized to accommodate future development on Caribou Lake. Commissioner Fink questioned why the Board was discussing lease prices when ARC would be the entity doing the negotiating.

At 12:43 P.M. in the afternoon of Tuesday, June 6, 2006, Chair Nelson moved to recess the Board until 2:00 P.M. on June 6, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:05 P.M. on Tuesday, June 6, 2006, and the regular order of business resumed with all members present.

Discussion of the Caribou Lake Wastewater Project resumed. Commissioner Raukar offered a friendly amendment - accepted by the makers - to establish the lease price at \$1.00 per month per connection. After further discussion, the amended resolution was approved; five yeas - two nays, Commissioner Fink and Chair Nelson. Resolution No. 359.

Commissioner Fink, supported by Commissioner O'Neil, moved to approve extension of provisions

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of County Board Resolution No. 80, adopted February 7, 2006, regarding supervision of the Examiner of Titles position. County Attorney Mitchell said the extension could only go through the end of this year because a budget is not in place for 2007. Dana Frey, County Administrator, said state legislation may pass in 2007 to clarify Examiner of Titles supervision status; seven yeas - zero nays. Resolution No. 360.

Commissioner Fink distributed the 2006 AMC Legislative Session Summary and noted passage or non passage of legislation regarding eminent domain, e-waste, Clean Water Legacy Act, county-based-purchasing and methamphetamine use prevention funds.

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

Documentation from public hearing held on June 6, 2006, to consider to consider amendments to St. Louis County Ordinance No. 28 which provides rules and regulations governing county liquor licenses.-58566

Documentation from public hearing held on June 6, 2006, to consider granting an off-sale intoxicating liquor license to Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township.-58567

Documentation from public hearing held on June 6, 2006, to consider granting an off-sale intoxicating liquor license to Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township.-58568

Marilyn Y. Arro, Clerk, Van Buren Town Board, regarding Polymet Project proposal for wetlands replacement in Van Buren and Elmer Townships.-58569

Wylie and Jodi Johannessen, Marcia and Jason Haller, and Melissa Goodreau, Duluth, requesting the County to vacate a section of old Highway 4 which lies north of the Emerson Road. -58570

Craig Johnson, Northern Lights Sports, requesting St. Louis County to take a more aggressive approach on completing the County Road 138 realignment and paving project.-58571

Commissioner Dennis Fink submitting Association of Minnesota Counties "Legislative Session Summary - 2006".-58572

Commissioner Steve O'Neil submitting flyer entitled "Portraits of Home - Families in Search of Shelter in Greater Minnesota".-58573

Fire Protection Services Agreement between the Central Lakes Volunteer Fire Department and the County of St. Louis for Unorganized Township 56-17.-06-755

An Agreement establishing participation in Arrowhead Regional Corrections under the Community Corrections Act between the Counties of Cook, Carlton, Koochiching, Lake and St. Louis.-06-756

Purchase of Service Agreement, Contract No. 13970, between the St. Louis County Board of Commissioners and Gentiva Certified Healthcare Corporation, d/b/a Gentiva Health Services, for home care services.-06-757ss

Purchase of Service Agreement, Contract No. 13968, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for detox transportation services.-06-758ss

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Grant Agreement, Contract No. 50621, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment for sub-acute detoxification and hold services.-06-759ss

Contract No. 14016 between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for ACT Team South.-06-760ss

Purchase of Service Agreement, Contract No. 13980, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC, for non-residential services.-06-761ss

Purchase of Service Agreement, Contract No. 13908, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Consolidated Chemical Dependency Treatment Fund.-06-762ss

Purchase of Service Agreement, Contract No. 14003, between the St. Louis County Board of Commissioners and Solway Serenity Acres for assisted living plus services.-06-763ss

Purchase of Service Agreement, Contract No. 14001, between the St. Louis County Board of Commissioners and St. Ann's Residence for assisted living plus services.-06-764ss

Purchase of Service Agreement, Contract No. 13999, between the St. Louis County Board of Commissioners and Solstice Corporation, d/b/a Golden Oakes Residence, for assisted living plus services.-06-765ss

Purchase of Service Agreement, Contract No. 13994, between the St. Louis County Board of Commissioners and Edgewood Vista Senior Living, Inc., for assisted living plus services.-06-766ss

Purchase of Service Agreement, Contract No. 13984, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for residential care and out-of-home respite services.-06-767ss

Purchase of Service Agreement, Contract No. 13983, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for adult foster care and out-of-home respite services.-06-768ss

Purchase of Service Agreement, Contract No. 13982, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for non-residential services.-06-769ss

Purchase of Service Agreement between St. Louis County, through its Department of Health and Human Services, and Dennis R. Falk for Northland Fetal Alcohol Spectrum Disorder Connection.-06-770ss

Addendum to Purchase Agreement, Contract No. 13864A, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, d/b/a HealthLine HomeCare, for assisted living plus services.-06-771ss

Agreement for Professional Services between St. Louis County and The Design Group, Inc., for modification of software and electrical equipment used to operate the leachate collection and spray irrigation systems.-06-772

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and Life House, Inc.-06-773

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St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and St. Louis County Promotional Bureau for 4-H Camp Preservation. [-06-774](#)

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and The Salvation Army - Virginia for the Virginia Supper Club. [-06-775](#)

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Hibbing for Hibbing sewer improvements. [-06-776](#)

Agreement for Professional Services between St. Louis County and Braun Intertec Corporation for a geotechnical exploration for the proposed reconstruction of C-SAH 77 along the north side of Daisy Bay, Lake Vermilion. [-06-777](#)

Project Contract No. 4615 between the County of St. Louis and Future Forests, Inc., for mechanical site scarification by disc trenching. [-06-778](#)

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and Duluth Township for the Duluth Township Community Recreation Field. [-06-779](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for S.A.P. 69-637-018, C.P. 8290, for Milling, Reclamation, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering. [-06-780](#)

Lease Agreement between Infotel Investments, LLC, and St. Louis County for space in the Arvig Building, 325 West First Street, Duluth. [-06-781](#)

Employee Safety and Development Training Contract between St. Louis County and Monica Butche for a *Deaf People and Their Culture* session. [-06-782](#)

Purchase of Service Agreement, Contract No. 13997, between the St. Louis County Board of Commissioners and McCarthy Manor for assisted living plus services. [-06-783](#)

Purchase of Service Agreement, Contract No. 14002, between the St. Louis County Board of Commissioners and Salmi Homes, Inc., for assisted living plus services. [-06-784](#)

Purchase of Service Agreement, Contract No. 14012, between the St. Louis County Board of Commissioners and Arrowhead Senior Living Community, d/b/a St. Raphael's Health and Rehabilitation Center, for assisted living services and out-of-home respite services. [-06-785ss](#)

Purchase of Service Agreement, Contract No. 13995, between the St. Louis County Board of Commissioners and Garden House Estates, Ltd., for assisted living plus services. [-06-786ss](#)

Purchase of Service Agreement, Contract No. 13987, between the St. Louis County Board of Commissioners and Cook Hospital, d/b/a Daybreak Adult Day Services, for adult day care services. [-06-787ss](#)

Group Residential Housing Rate Agreement, Contract No. 50462, between the St. Louis County Board of Commissioners and Golden Oaks. [-06-788ss](#)

Addendum to Purchase Agreement, Contract No. 13999A, between the St. Louis County Board of Commissioners and Solstice Corporation, d/b/a Golden Oaks Residence, for assisted living plus

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services.-06-789ss

Purchase of Service Agreement, Contract No. 13961, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Positive Directions - Iron Range) for family community support services.-06-790ss

Purchase of Service Agreement, Contract No. 13960, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Youth Empowerment - Duluth) for family community support services.-06-791ss

Addendum to Purchase Agreement, Contract No. 13817C, between the St. Louis County Board of Commissioners and Northwood Children's Services for child foster care services.-06-792ss

Purchase of Services, Contract No. 20644, between St. Louis County and Life House for public service grant.-06-793ss

Addendum to Purchase Agreement, Contract No. 13342D, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - In Home Family Support.-06-794ss

Addendum to Purchase Agreement, Contract No. 13343E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Mountain Iron for SLS for adults.-06-795ss

Addendum to Purchase Agreement, Contract No. 13344E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Heritage for SLS for adults.-06-796ss

Addendum to Purchase Agreement, Contract No. 13345D, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass for SLS for adults.-06-797ss

Addendum to Purchase Agreement, Contract No. 13346D, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik for SLS for adults.-06-798ss

Addendum to Purchase Agreement, Contract No. 13347D, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora for SLS for adults.-06-799ss

Addendum to Purchase Agreement, Contract No. 13432C, between the St. Louis County Board of Commissioners and Matthew and Yvette Lange - Respite Care Services.-06-800ss

Group Residential Housing Rate Agreement, Contract No. 50464, between the St. Louis County Board of Commissioners and Community Connection - Gilead House.-06-801ss

Purchase of Service Agreement, Contract No. 14022, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care and out-of-home respite services.-06-802ss

Addendum to Purchase Agreement, Contract No. 13839D, between the St. Louis County Board of

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Commissioners and Community Connection of Minnesota, Inc., for adult foster care services.-06-803ss

Addendum to Purchase Agreement, Contract No. 13839C, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care services.-06-804ss

Group Residential Housing Rate Agreement, Contract No. 50454, between the St. Louis County Board of Commissioners and Community Connection - Anoka House.-06-805ss

Purchase of Service Agreement, Contract No. 14004, between the St. Louis County Board of Commissioners and Duluth Keystone, LLC, d/b/a Keystone Bluffs, for assisted living plus and out-of-home respite services.-06-806ss

Purchase of Service Agreement, Contract No. 14008, between the St. Louis County Board of Commissioners and Transitional Senior Housing for assisted living plus and out-of-home respite services.-06-807ss

Purchase of Service Agreement, Contract No. 14014, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus and out-of-home respite services.-06-808ss

Purchase of Service Agreement, Contract No. 14006, between the St. Louis County Board of Commissioners and Lakeside Manor, Inc., for assisted living plus and out-of-home respite services.-06-809ss

Purchase of Service Agreement, Contract No. 14005, between the St. Louis County Board of Commissioners and Innovative Living, Inc., d/b/a Innovative Assisted Living, for assisted living plus and out-of-home respite services.-06-810ss

Purchase of Service Agreement, Contract No. 14013, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, d/b/a Greenview Residence, for assisted living plus and out-of-home respite services.-06-811ss

Purchase of Service Agreement, Contract No. 13990, between the St. Louis County Board of Commissioners and St. Luke's Home Health Services, for home care services.-06-812ss

Purchase of Service Agreement, Contract No. 14018, between the St. Louis County Board of Commissioners and Health Care Alternatives, Inc., d/b/a Spectrum Community Health, Inc., for home care services.-06-813ss

Purchase of Service Agreement, Contract No. 14030, between the St. Louis County Board of Commissioners and Health Care Alternatives, Inc., d/b/a Spectrum Community Health, Inc., for assisted living plus and out-of-home respite services.-06-814ss

Purchase of Service Agreement, Contract No. 14017, between the St. Louis County Board of Commissioners and Trillium Works! Inc., for non-residential services.-06-815ss

Fund Transfer Agreement regarding LTV Steel Company, Inc., Bankruptcy Funds between the County of St. Louis, the Iron Range Resources, and the State of Minnesota Department of Revenue.-06-816

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Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 338 through 352, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58495, are hereby approved:

Real Estate - Kevin Eckman, \$496.30; Nick Hoff, \$543.10; Steven Kajala, \$586.78; Shannon Kangas, \$979.48; Catherine Lyons, \$398.98; Robert Niemi, \$538.70; Rudolph Voxland, \$610.70; Assessed Elsewhere, \$227.34; Marne Guthrie, \$263.50; Eric Hartley, \$275.02; Thomas Hoeft, \$290.94; Timothy Provinzino, \$139.84; Joseph Tannous, \$481.90; Darin Tyson, \$872.76; Bonita Verdugo, \$246.58; Scott Weisz, \$247.30.

Adopted June 6, 2006. No. 338

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 26, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 6, 2006. No. 339

RESOLVED, that pursuant to the provisions of Minnesota Statute, 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. 58504;

FURTHER RESOLVED, that said license is approved contingent upon Auditor receiving Canosia Township approval and the licenseholder paying real estate or personal property 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 the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

The Auto Club Group, d/b/a AAA Minnesota/Iowa, Canosia Township, On-Sale 3.2 Percent Malt Liquor License No. B071, formerly known as AAA Minnesota, d/b/a AAA Minnesota.

Adopted June 6, 2006. No. 340

RESOLVED, that pursuant to the provisions of Minnesota Statute, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 28, 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. 58504;

FURTHER RESOLVED, that said license is approved contingent upon Auditor receiving White Township approval and the licenseholder paying real estate or personal property 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 the license fee to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 184, White Township, Off-Sale 3.2 Percent Malt Liquor License No. B0726, change of officers.

Adopted June 6, 2006. No. 341

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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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;  
FURTHER RESOLVED, that said license is approved contingent upon Auditor receiving proof of liquor liability insurance and 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 fees to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Tanski Liquor Corporation, d/b/a Tanski's Ridgeview Lanes, Rice Lake Township, On-Sale Intoxicating Liquor License No. ON0729 and Sunday On-Sale Intoxicating Liquor License No. ONS0729, changing from Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses. Adopted June 6, 2006. No. 342

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;  
FURTHER RESOLVED, that said license is approved contingent upon Auditor receiving proof of liquor liability insurance and 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 fees to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Red Cloud, LLC, d/b/a The Harvest Moon Cooking Company, Beatty Township, Combination On/Off-Sale Intoxicating Liquor License No. CMB07104 and Sunday On-Sale Intoxicating Liquor License No. SUN07104, change of officers. Adopted June 6, 2006. No. 343

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Sabroski Division on October 10, 2005; and  
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Sabroski Division; and  
WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Sabroski Division located in Section 31, Township 52 North, Range 13 West (Town of Normanna).  
Adopted June 6, 2006. No. 344

RESOLVED, that the St. Louis County Board of Commissioners approves the Call Handling Agreement with Itasca County and authorizes the appropriate County officials to sign and execute the Agreement.  
Adopted June 6, 2006. No. 345

WHEREAS, the City of Buhl is requesting \$25,000 in Community Development Block Grant (CDBG) funding to construct an access road in the new South Industrial Park on city-owned property along U.S. Highway 169, an economic development project creating full-time employment opportunities;

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and

WHEREAS, Occupational Development Center, Inc. (ODC), proposes to construct a new facility in this new area and relocate the ODC Virginia and Hibbing divisions which provide custom wood product manufacturing creating an additional 20 full-time jobs; and

WHEREAS, funding is available through the CDBG economic development set-aside approved by County Board Resolution No. 586 in 2005; and

WHEREAS, the CDBG citizen advisory committee met on October 25, 2005, and recommended funding for the project;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves the \$25,000 grant to the City of Buhl, and authorizes the County Planning Director and a representative of the County Attorney to execute a grant agreement with the City of Buhl for \$25,000, payable from CDBG Fund 260.

Adopted June 6, 2006. No. 346

WHEREAS, St. Louis County is committed to providing waste disposal services to residents in the northern regions of the County; and

WHEREAS, since 1996, the County has been leasing the property located in the SW 1/4 of the SW 1/4 of Section 22, Township 60, Range 15, under the terms of an existing agreement; and

WHEREAS, it has been determined that it is the best interest of the County to provide to provide canister site to the residents in the area;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Solid Waste Department is authorized to enter into a five-year agreement with Embarrass Township to lease the above parcel to operate a solid waste canister site, with the agreement to expire on September 30, 2011. The cost of this lease will be \$300.00 per year, payable from Fund 600, Agency 603001.

Adopted June 6, 2006. No. 347

WHEREAS, the St. Louis County Land Department requests authorization to conduct an abandoned personal property auction for the purpose of removing property abandoned at 4902 Admiral Road, Mountain Iron, and 606 - 16th Street, Virginia, MN; and

WHEREAS, Minnesota Statute 282.04, Subdivision 2(d), authorizes the County Auditor, with the approval of the County Board, the authority to sell abandoned personal property; and

WHEREAS, the previous owners of the property were properly notified by posting of property or by mail;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to sell abandoned personal property at the above described state tax forfeited addresses.

Adopted June 6, 2006. No. 348

WHEREAS, pursuant to the dictates of Minnesota Statutes, Section 163.11, Subdivision 5A, a joint Arrowhead Township - St. Louis County hearing was held on December 27, 2005, in concurrence with County Board Resolution No. 581, adopted November 22, 2005; and

WHEREAS, the Town Board was heard and no other interested persons appeared;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 163.11, Subdivision 1, the St. Louis County Board of Commissioners does hereby revoke to Arrowhead Township a portion of County Road No. 845, Maki Road, beginning at the quarter corner between Sections 26 and 27, Township 51 North, Range 19 West, and running thence northerly to the St. Louis River.

RESOLVED FURTHER, that the Clerk of the County Board is directed to forward two certified copies of the resolution to Arrowhead Township officials.

Adopted June 6, 2006. No. 349

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3710

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consisting of Crushing, Screening, and Stockpiling Aggregate, Class 5 (Mod.), Central St. Louis County located at various sites in central St. Louis County.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 15, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Louis Leustek & Sons, Inc.	1715 E. Sheridan St. Ely, MN 55731	\$230,950.00

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 contract with the Contractor for the above listed project; payable from Fund 200, Agency 201043.

Adopted June 6, 2006. No. 350

WHEREAS, County Board Resolution No. 514, dated September 28, 2004, approved a settlement agreement between Paul Kent and St. Louis County which provided that a job description and salary grade for a classified position in the Public Works Department would be established.

RESOLVED, the St. Louis County Board hereby adopts the Wireless Communications Coordinator job classification and allocates it to the B23 Salary Grade on the Civil Service Basic Unit Pay Plan. Adopted June 6, 2006. No. 351

WHEREAS, Minnesota Statutes 274.13 requires that a County Board of Appeal and 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 Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and 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:

John Vigen, Duluth	(Commissioner District #1)
Lee Conradi, Duluth	(Commissioner District #2)
Kevin Doyle, Duluth	(Commissioner District #3)
Roger Skraba, Ely	(Commissioner District #4)
William Clements, Town of Rice Lake	(Commissioner District #5)
Dawn Cole, Town of Fayal	(Commissioner District #6)
Frank Bigelow, City of Hibbing	(Commissioner District #7)

to serve as the Special Board of Appeal and Equalization for Assessment Year 2006.

RESOLVED FURTHER, that the Special Board is:

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1. Delegated all powers and duties of the County Board of Appeal and 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.
3. Directed to hold at least one meeting day in the Duluth Court House and one day at the IRR Building in Eveleth.
4. To be compensated at the rate of \$125.00 per meeting day (payable from Assessor's Department, Object #635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current County rate (from Assessor's Department, Object #635500 - Non-employee travel).
5. Directed to convene at 10:00 A.M., June 15, 2006, in the County Board Room, Court House, Duluth, MN.

Adopted June 6, 2006. No. 352

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board hereby approves Ordinance No. 28, providing rules and regulations governing county liquor licenses, as found in County Board File No. 58566.

Unanimously adopted. June 6, 2006. No. 353

**BY COMMISSIONER SWEENEY:**

WHEREAS, Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal 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 June 6, 2006, 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 Bullfrog's Grill & Bar 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 CMB06102) shall be issued to Erik M. Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township;

FURTHER RESOLVED, that said liquor license shall be effective July 1, 2006, through June 30, 2007;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the license place of business, the County Board, at its discretion, may, after an investigation, transfer the license to new owner, but without prorated refund of license fee to the licenseholder.

Unanimously adopted. June 6, 2006. No. 354

WHEREAS, Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg 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 June 6, 2006, at or about 9:45 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 Blue Max Resort has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

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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 CMB06103) shall be issued to Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2006;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named licenseholder sells the license place of business, the County Board, at its discretion, may, after an investigation, transfer the license to new owner, but without pro-rated refund of license fee to the licenseholder.

Unanimously adopted. June 6, 2006. No. 355

WHEREAS, the Duluth Housing and Redevelopment Authority (HRA) has offered to purchase the following described State tax forfeited land for the appraised value of \$4,500.00 plus fees for a public purpose: Lot 55, including Lot 55, Block 31, Duluth Proper Third Division; Parcel Code 10-980-380; WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said land has been classified as non-conservation land pursuant to Minnesota Statute 282.01; and

WHEREAS, said land has not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited land to Duluth HRA for the appraised value of \$4,500.00 plus the following fees: 3% assurance fee of \$135.00, deed fee of \$25.00, deed tax of \$14.85, and recording fee of \$46.00; for a total of \$4,720.85 to be deposited into Fund 240 - Forfeited Tax Fund;

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction State tax forfeited land described above if Duluth HRA does not purchase said land.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted June 6, 2006. No. 356

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Duluth Housing and Redevelopment Authority has withdrawn a request to purchase the following described state tax forfeited lands:

Lot 5, except Southerly 20 feet, Auditor's Plat No. 19  
Parcel Code: 10-132-50

Lots 8, 9, 10, Auditor's Plat No. 19  
Parcel Code: 10-132-80

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor shall offer for sale the above described state tax forfeited properties at public auction.

Unanimously adopted. June 6, 2006. No. 357

**BY COMMISSIONER RAUKAR:**

WHEREAS, the former Duluth Courthouse coffee shop proprietor, Sandy Lee Gutsch, voluntarily ceased operations at the end of 2005; and

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WHEREAS, St. Louis County was approached by Legacy Restaurants, Inc., of Duluth, owned and operated by Michael Emerson, expressing an interest in taking over the coffee shop operations and has now offered to enter into an agreement, through negotiation, in an amount of \$200.00 per month, commencing on June 1, 2006, and continuing through May 31, 2011, with one additional five (5) year renewal option;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute a five-year lease agreement with one additional renewal option in the amount of \$200.00 per month with Legacy Restaurants, Inc. (Michael Emerson Owner/Operator) of 21 North 4th Avenue West, Duluth, MN 55802, to commence on June 1, 2006. Revenue funds will be directed to Fund 100, Agency 128002.

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney, and Raukar - 5

Nays - Commissioners Forsman and Chair Nelson - 2

Adopted June 6, 2006. No. 358

**BY COMMISSIONER SWEENEY:**

WHEREAS, Arrowhead Regional Corrections and the Town of Grand Lake, the Town of Canosia, and the Pike and Caribou Lakes Joint Powers Board have been negotiating a twenty-year lease agreement for property owned by Arrowhead Regional Corrections for use as a proposed wastewater treatment facility; and

WHEREAS, the Arrowhead Regional Corrections Board has asked the St. Louis County Board of Commissioners to review this matter and to make recommendations regarding a proposed lease; and WHEREAS, the St. Louis County Board has received substantial information pertinent to this matter.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board recommends that the Arrowhead Regional Corrections Board approve a twenty-year lease with the Town of Grand Lake, the Town of Canosia, and the Pike and Caribou Lakes Joint Powers Board for up to 32 acres located at the requested site and any necessary easements for a wastewater treatment project; and

RESOLVED FURTHER, the wastewater project and treatment facility should be of sufficient size to accommodate future development estimated at 24 connections; and

RESOLVED FURTHER, the St. Louis County Board recommends lease payments be established at the rate of \$1.00 per month per connection for the duration of the lease.

Yeas - Commissioners O'Neil, Kron, Forsman, Raukar and Sweeney - 5

Nays - Commissioner Fink and Chair Nelson - 2

Adopted June 6, 2006. No. 359

**BY COMMISSIONER FINK:**

WHEREAS, the St. Louis County Board of Commissioners approved Resolution No. 80, dated February 7, 2006, which addressed the funding and supervisory status of the Examiner of Titles and the County's support staff assigned to that function in the County Recorder's Office; and

WHEREAS, the matter was to be returned to the County Board for further review and action on June 6, 2006, to allow the State Legislature an opportunity to adopt proposed new language correcting the anomaly that currently exists in state legislation which requires a County employee to be supervised by a non-County entity; and

WHEREAS, the 2006 Legislature was focused on such time-consuming issues as creating a state bonding bill and funding sports stadiums, the proposed language change was not addressed and the current legislation still exists;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby extends the provisions of Resolution No. 80, dated February 7, 2006, through January 1, 2007.

Unanimously adopted. June 6, 2006. No. 360

At 2:45 P.M. on Tuesday, June 6, 2006, upon motion of Commissioner Raukar, supported by Commissioner Kron, the Board of County Commissioners adjourned.

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Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 13, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of June, 2006, 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, Steve O'Neil, Bill Kron, Peg Sweeney and Chair Keith Nelson - 5. Absent: Commissioners Mike Forsman and Steve Raukar - 2.

Sheriff Ross Litman presented Volunteer Excellence Awards to Patrick Schoen, Duluth, and Jerry Wiita, Duluth, for their volunteer work with inmates at the St. Louis County Jail who have chemical dependency problems. Mr. Schoen and Mr. Wiita have each provided more than twenty years of volunteer service at the jail.

Commissioner O'Neil asked for a moment of silence in honor of Donald O'Brien, an employee of Chris Jensen Health and Rehabilitation Center, who was brutally murdered June 9, 2006, near his home in Gary-New Duluth.

Commissioner Sweeney thanked the two volunteers honored earlier in the meeting.

Commissioner Fink, supported by Commissioner Sweeney, moved to authorize transfer of one Information Specialist II from Chris Jensen Health and Rehabilitation Center to Civil Service/Personnel to facilitate personnel/payroll transactions for the nursing facility. Chair Nelson said he would not support the transfer and compared it to putting a band aid on a broken leg; four yeas - one nay, Chair Nelson. Resolution No. 373.

Commissioner Fink, supported by Commissioner Sweeney, moved to schedule a closed session for labor negotiations for 11:00 A.M.; five yeas - zero nays.

Chair Nelson distributed pictures of the nearly completed Children's Barn being constructed at the North St. Louis County Fairgrounds in Chisholm.

Commissioner Sweeney noted on Thursday, June 22, 2006, the History Train commemorating the St. Louis County Sesquicentennial will have a Grand Opening in Proctor prior to its rail tour of the County.

Commissioner Kron said the Methamphetamine Task Force met recently and has begun working with the University of Minnesota, Duluth, to devise a marketing plan for methamphetamine education programs.

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

Remote Support and Stand-By Duty Supplemental Labor Agreement for the Communications Department.-06-817

Agreement for Professional Services for County Fee Land - Phase I between the County of St. Louis and David T. Johnson for assisting in development of policies and procedures for the possible sale of County fee lands.-06-818

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Purchase of Service Agreement, Contract No. 13981, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., for non-residential services.-06-819ss

Purchase of Service Agreement, Contract No. 13974, between the St. Louis County Board of Commissioners and Fairview Healthline Medical Supply for supplies and equipment.-06-820ss

Purchase of Service Agreement, Contract No. 13979, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, d/b/a HealthLine HomeCare.-06-821ss

Purchase of Service Agreement, Contract No. 13988, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services.-06-822ss

Purchase of Service Agreement, Contract No. 13969, between the St. Louis County Board of Commissioners and Focus on Living, Inc., for adult foster care and out-of-home respite services.-06-823ss

Purchase of Service Agreement, Contract No. 13989, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, d/b/a HomeCare Specialists.-06-824ss

Purchase of Service Agreement, Contract No. 13996, between the St. Louis County Board of Commissioners and Hughes Homes, Inc., for assisted living plus services.-06-825ss

Purchase of Service Agreement, Contract No. 14007, between the St. Louis County Board of Commissioners and The Lamb House, Inc., for assisted living plus and out-of-home services.-06-826ss

Purchase of Service Agreement, Contract No. 13971, between the St. Louis County Board of Commissioners and Lifeline Systems, Inc., for supplies and equipment.-06-827ss

Purchase of Service Agreement, Contract No. 13967, between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC, for home care services.-06-828ss

Purchase of Service Agreement, Contract No. 13998, between the St. Louis County Board of Commissioners and September House for assisted living plus services.-06-829ss

Purchase of Service Agreement, Contract No. 14000, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC.-06-830ss

Purchase of Service Agreement, Contract No. 14009, between the St. Louis County Board of Commissioners and Wesley Residence, Inc., for assisted living plus and out-of-home respite services.-06-831ss

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and The Salvation Army - Duluth.-06-832

St. Louis County Emergency Shelter Grant Program FY 2006 Agreement between St. Louis County and The Salvation Army - Hibbing.-06-833

Agreement for Placement of County Roll-Off Recycling Containers for Collection of Recyclable Materials between St. Louis County and the City of Gilbert (Sparta).-06-834

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Agreement for Professional Services between the County of St. Louis, by its Employee Safety and Development Division, and Onsite Medical Service, Inc., for employee audiometric testing.-06-835

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis, through its Auditor's Office, and the City of Virginia.-06-836

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 361 through 372, as submitted to this Board on the Consent Agenda were unanimously adopted as follows with Commissioners Forsman and Raukar absent:

**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 23, 2006, are hereby approved.

Adopted June 13, 2006. No. 361

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,327,111.75
184	Extension Service	53,339.92
200	Public Works	2,274,517.00
230	Social Services	6,584,919.18
240	Forfeited Tax	467,942.11
250	St. Louis County HRA	12,392.15
600	Solid Waste Authorities	449,885.66
625	Chris Jensen Health & Rehab.	1,301,239.77
650	Laundry	77,162.87
660	Community Food Services	85,787.93
670	Supervised Living Facilities	69,598.02
700	Printing	8,645.41
715	County Garage	246,877.05
750	Management Information Systems	316,198.01
760	Telecommunications	91,506.47
925	Arrowhead Regional Corrections	1,098,475.71
955	Community Health Services	65,008.57
989	Regional Railroad Authority	<u>289,991.09</u>
		\$ 17,820,598.67

Adopted June 13, 2006. No. 362

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. 58494, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted June 13, 2006. No. 363

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Webers Woods on July 21, 2005; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of

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Webers Woods; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners grants final approval to the plat of Webers Woods located in Government Lot 9, Section 31, Township 63 North, Range 15 West (Unorganized).

Adopted June 13, 2006. No. 364

WHEREAS, the Land Department has reviewed a request of Blaine Youngquist for a non-exclusive road access easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to the private property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes, Section 282.04, Subdivision 4a, is hereby authorized to grant a non-exclusive easement for roadway purposes to Blaine Youngquist. The description of the easement is:

A 33.00 foot wide perpetual easement for ingress, egress, and utility purposes over, under and across the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4), the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 14, Township 52 North, Range 12 West, St. Louis County, Minnesota, and whose centerline is described as follows: Commencing at the North Quarter corner of said Section 14, also being the northwest corner of said Northeast Quarter; thence easterly along the North line of said Northeast Quarter and along the south line of a 33 foot wide cartway which was established on December 11, 1980, via Document No. 323919, on an assumed bearing of North 89 degrees 31 minutes 43 seconds East, 1891.74 feet to the point of BEGINNING; thence leaving said cartway and proceeding in a southerly, southeasterly and southwesterly direction the following seventeen (17) courses and distances; 1) South 57 degrees 23 minutes 00 seconds East, 149 feet more or less to a point; 2) South 1 degree 52 minutes 24 seconds West, 226.57 feet; 3) South 23 degrees 17 minutes 27 seconds East, 581.82 feet; 4) South 7 degrees 11 minutes 21 seconds East, 308.82 feet; 5) South 39 degrees 00 minutes 47 seconds East, 82.62 feet; 6) South 29 degrees 30 minutes 18 seconds West, 152.53 feet; 7) South 52 degrees 40 minutes 31 seconds West, 67.49 feet; 8) South 12 degrees 31 minutes 59 seconds West, 90.53 feet; 9) South 25 degrees 39 minutes 10 seconds West 153.78 feet; 10) South 36 degrees 39 minutes 07 seconds West, 110.52 feet; 11) South 10 degrees 45 minutes 33 seconds West, 188.71 feet; 12) South 1 degree 14 minutes 50 seconds East, 132.88 feet; 13) South 26 degrees 35 minutes 45 seconds East, 321.88 feet; 14) South 13 degrees 37 minutes 52 seconds East, 140.70 feet; 15) South 33 degrees 38 minutes 09 seconds East, 78.30 feet; 16) South 55 degrees 07 minutes 45 seconds East, 261.84 feet; 17) South 58 degrees 31 minutes 40 seconds East, 173 feet more or less to where said centerline intersects the east line of said Section 14 and there terminating. Sidelines of said easement shall be shortened or prolonged to terminate at said east line of Section 14. Centerline length contains approximately 3221 linear feet.

Granting of this easement is conditioned upon payment of \$4,805.00 land use fee, \$75.00 timber damages, \$250.00 administration fee and \$46.00 recording fee; for a total of \$5,176.00, to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 13, 2006. No. 365

WHEREAS, the St. Louis County Public Works Department plans to reconstruct approximately .60 miles of County-State Aid Highway No. 24 and 124 within the City of Cook; and

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

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WHEREAS, in addition to 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 Fund 220, Agency 220181 and 220192, Objects 365 and 375.

Adopted June 13, 2006. No. 366

WHEREAS, the City of Cook, a municipal corporation of St. Louis County, Minnesota, hereinafter referred to as the "City", and the County of St. Louis, a duly organized county within the State of Minnesota, hereafter referred to as the "County" have jointly developed plans for these improvements; and

WHEREAS, the County has prepared a plan to make improvements to said portions of County-State Aid Highway No. 124 (River Street), identified further as State Aid Project No. 69-724-003, County Project No. 9317, in the City of Cook; and

WHEREAS, the County will be expending State Aid funds on these improvements; and

WHEREAS, the improvements at the locations provide geometry for diagonal parking and approval of the proposed construction of such as a County-State Aid project must therefore be conditioned upon certain parking restrictions;

NOW, THEREFORE, BE IT RESOLVED, that the County shall comply with any statute or rule hereafter adopted with respect to parking on C-SAH 124 (River Street) from Station 100+34.16 to Station 103+01.16 on both sides of the road centerline, and the City of Cook will ban the parking of motor vehicles according to the following conditions:

- (a) In front of a public or private driveway.
- (b) Within an intersection.
- (c) Within 10 feet of a fire hydrant.
- (d) On a crosswalk.
- (e) Within 20 feet of a crosswalk at an intersection.
- (f) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign-posted.
- (g) Within 30 feet of a stop sign.
- (h) Where prohibited by M.S. 169.34.

Adopted June 13, 2006. No. 367

RESOLVED, that pursuant to Minnesota Statutes, Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of St. Louis to accept, federal aid funds which may be made available for eligible transportation related projects.

RESOLVED FURTHER, the Chair of the County Board and the Auditor are hereby authorized 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 "Minnesota Department of Transportation Agreement No. 89713" for S.P. 69-090-016, C.P. 3621, a copy of which said agreement was before the County Board and which is made a part here of by reference. The additional County's share of the project cost shall be 20 percent of \$81,115.00 or \$16,223.00 for the project, payable from Fund 220, Agency 220006 (funds received from the St Louis and Lake Counties Regional Rail Authority). This agreement is a continuation of Agreement Number 84593.

Adopted June 13, 2006. No. 368

WHEREAS, the Public Works Department equipment budget includes replacement trucks with gross vehicle weights (GVW) 15,000 to 22,000 pounds; and

WHEREAS, the Public Works Department presented specifications to the Purchasing Department for preparation of Bid Number 4619; and

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WHEREAS, Luther Family Chevrolet of Duluth, MN, and Lundgren Motors, Inc., of Eveleth, MN, were the low bidders; and

WHEREAS, the purchase price for two 22,000 lb. GVW crew cab chassis from Luther Family Chevrolet will be \$87,648 and the purchase price for seven 15,000 to 17,500 lb. GVW cab and chassis units will be \$217,286.77; and

WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$19,820.76 for a total cost to the County of \$324,755.53;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue purchase orders to Luther Family Chevrolet in the amount of \$87,648 plus applicable taxes for the purchase of two (2) Chevrolet CC5500 crew cab chassis and Lundgren Motors, Inc., in the amount of \$217,286.77 plus applicable taxes for the purchase of two (2) 17,500 GVW Ford F-550 crew cab chassis, three (3) 15,000 GVW Ford F-450 crew cab chassis, one (1) 15,000 GVW Ford F-450 standard cab chassis and one (1) 15,000 GVW Ford F-450 4X4 standard cab chassis; payable from Fund 200, Agency 202020, Object 666300.

Adopted June 13, 2006. No. 369

WHEREAS, the Child and Teen Checkups (C&TC) Program is a comprehensive health care service available to children ages 0 to 21 who are eligible for Medical Assistance or Minnesota Care; and WHEREAS, the Minnesota Department of Human Services (DHS) contracted with the Carlton, Cook, Lake, St. Louis Community Health Board (CHB) to provide the administrative services for this program for the period January 1, 2006, through December 31, 2007; and

WHEREAS, St. Louis County and the Carlton, Cook, Lake, St. Louis CHB has contracted with St. Louis County for administrative services and desires to extend said contract for another year; and

WHEREAS, the St. Louis County Board previously approved a pilot program with local medical providers to conduct C&TC outreach services; and

WHEREAS, the Public Health and Human Services Department desires to expand outreach to St. Mary's/Duluth Clinic Health Systems Clinics in Ely, and PS Rudie Associates;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners approves the acceptance of \$405,825, which is already budgeted for 2006, for the contract between St. Louis County and the Carlton, Cook, Lake, St. Louis Community Health Board for the provision of Child and Teen Checkups administrative services and approves subcontracts between St. Louis County and St. Luke's Hospital for \$30,000 and St. Mary's/Duluth Clinic Health System for \$10,000 and PS Rudie Associates for \$10,000 from January 1, 2006, through December 31, 2006, payable from Fund 230, Agency 233999, Grant 23301. The appropriate county officials are authorized to execute these contracts.

Adopted June 13, 2006. No. 370

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

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

WHEREAS, the State of Minnesota wishes to contract with St. Louis County to serve as fiscal agent for the NE Minnesota Project to End Long-Term Homelessness; and

WHEREAS, Hearth Connection wishes to contract with St. Louis County to manage and administer the NE Minnesota Project to End Long-Term Homelessness;

NOW, THEREFORE, BE IT RESOLVED, that the appropriate St. Louis County officials are authorized to enter into a contract with the State of Minnesota to serve as fiscal agent for the NE Minnesota Project to End Long-Term Homelessness. St. Louis County accepts \$1,499,000 to support the project from May 1, 2006, to June 30, 2007.

RESOLVED FURTHER, that the appropriate St. Louis County officials are authorized to enter into

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a contract with Hearth Connection to manage and administer the NE Minnesota Project to End Long-Term Homelessness. St. Louis County will pay Hearth Connection based on invoices submitted for services performed from May 1, 2006, to June 30, 2007. Budget Reference: Revenue - Fund 230, Agency 232999; Expenditure - Fund 230, Agency 232005, Object 606800.

Adopted June 13, 2006. No. 371

RESOLVED, that the St. Louis County Board of Commissioners hereby approves the Remote Support and Stand-By Duty Supplemental Labor Agreement for the Communications Department, a copy of which is on file in Contract File No. 06-817, and the appropriate County officials are authorized to execute said contract; payable from Fund 100, Agency 136001.

Adopted June 13, 2006. No. 372

**BY COMMISSIONER FINK:**

WHEREAS, Chris Jensen Health and Rehabilitation Center is required by Minnesota Rule 4658.0130 to maintain a personnel record for all of its employees; and

WHEREAS, the duties associated with maintaining personnel records for Chris Jensen employees have been allocated to the Information Specialist II classification; and

WHEREAS, the Chris Jensen Personnel/Payroll support staff position is responsible for processing personnel/payroll transactions in accordance with Civil Service/Personnel policies and procedures, using the High Line human resources/payroll information system, and has a continuous working relationship with the Civil Service/Personnel Department support and professional staff in preparing and maintaining personnel and payroll records;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the decrease of one (1.0) FTE, Information Specialist II position from the 2006 Chris Jensen personnel budget (Fund 625, Agency 625019), and the increase of the Civil Service/Personnel Department personnel budget (Fund 100, Agency 123001) by one (1.0) FTE Information Specialist II.

Yeas - Commissioners Fink, O'Neil, Kron and Sweeney - 4

Nays - Chair Nelson - 1

Absent - Commissioners Forsman and Raukar - 2

Adopted June 13, 2006. No. 373

At 9:53 A.M. on Tuesday, June 13, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 27, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of June, 2006, at 9:35 A.M. in Semer's Park Pavilion, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Forsman presented a Volunteer Excellence Award to Walter and Faye Peters, Makinen, for volunteer work saving and protecting abandoned animals through their Contented Critters organization and the Spay and Neuter Aid Program (SNAP). The Peters have run Contented Critters - a "no kill" organization - since 1995.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Pat Henderson, Ely Area Development Association and Joint Powers Board, updated the Board on projects occurring in the Ely area including development of a \$4 million Highway 1 Corridor Plan.

At 9:50 A.M., a public hearing was convened pursuant to County Board Resolution No. 331, adopted May 23, 2006, to consider a petition submitted by Lynn and Donna Rogers regarding establishment of a cartway two rods in width for the purpose of providing access to their property located in Section 30, Unorganized Township 61 North, Range 13 West. The following persons addressed the issue:

Michael Dean, Assistant County Attorney, described the Rogers petition and said access exists but it is not legal access and it is less than two rods in width. At the request of Attorney Dean, all affected landowners present or their representative agreed that proper notice was served by the petitioner. An appraisal done for St. Louis County established damages of \$13,745 for all affected landowners. St. Louis County incurred costs of \$2,121.40 to be reimbursed by the petitioner (\$1,600 for the appraisal and \$521.40 for Public Works staff costs).

Mark Olson, Public Works Right of Way Agent, described the current access (Deweese Road) as a private, forest trail ranging from 12 to 15 feet in width.

Larry Klun, Attorney representing the petitioners, described the proposed .6 mile cartway and detailed the entire process undertaken by the petition. Petitioners intend to develop and sell lots that they own on Arthur Lake and a cartway width of two rods is necessary to comply with Public Works recommendations of access width for developments. Current access is not legal and does not conform to County recommendations, according to Attorney Klun.

Lynn Rogers, petitioner, said proceeds from the development will be used to pay for a proposed Bear Center to be established in the Ely area. The cartway is needed to make the property marketable.

At 10:45 A.M. in the forenoon of Tuesday, June 27, 2006, Chair Nelson moved to recess the Board until 10:50 A.M. on June 27, 2006, in Semer's Park Pavilion, Ely, Minnesota.

The Board reconvened at 10:50 A.M. on Tuesday, June 27, 2006, and the regular order of business resumed with all members present.

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Charles Andresen, Attorney representing three of the four groups of affected landowners (Aho Group, Kerntz Group and Wiermaa Group - he did not represent the Mackie Group), said if the cartway is granted he will ask for a continuance of the damage portion of the hearing to allow affected landowners time to submit an appraisal report that may differ significantly from the damage appraisal submitted by the County. An appraisal was not completed prior to the hearing because affected landowners were unsure if a cartway would be granted by the Board. The affected landowners are willing to allow continued access on Dewees Road but not an expansion needed for a large-scale development.

Roger Toikka, Aho Group, said landowners have no problem with allowing access but they do object to development of a full size public road through their properties.

Susan Milleville, Wiermaa Group, said an expanded cartway will destroy the serenity of the area. Ms. Milleville said development of a pristine area is not a proper method of fundraising for the Bear Center.

Shane Belehar, Mackie Group, said alternate access exists from the Pulkinen Road which is much wider and better maintained than the Dewees Road.

Gary Lamma, area resident, expressed concern about density on Arthur Lake if the development is allowed to proceed.

Wendy Johnson, Mackie Group, said she is the only affected landowner who lives year-round on Dewees Road.

Rod Aho, Aho Group, said the Dewees Road is a private road maintained by the families using it.

Duane Mackie, Mackie Group, said he does the actual maintenance on Dewees Road.

Wesley Crawford, Developer, said the Rogers' property will be developed into ten lots ranging from 4.5 acres to 17 acres in size - not all will contain lakeshore.

Marcus Hall, Public Works Director, said Public Works recommended a larger roadway because of the proposed development.

At 12:25 P.M. in the afternoon of Tuesday, June 27, 2006, Chair Nelson moved to recess the Board until 1:45 P.M. on June 27, 2006, in Semer's Park Pavilion, Ely, Minnesota.

The Board reconvened at 1:45 P.M. on Tuesday, June 27, 2006, and the regular order of business resumed with all members present.

Chair Nelson allowed Attorneys Andresen and Klun to quickly summarize their cases. Attorney Dean, in response to a Commissioner question, said the Board could grant the cartway and continue the public hearing portion related to setting damages for a later date.

At 1:52 P.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the portion of the hearing granting the cartway; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to grant the cartway along the petitioner's proposed route. After lengthy discussion, the cartway route as proposed was approved; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to continue the damage portion

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of the hearing until July 11. At the request of Attorney Andresen, the makers amended their motion to schedule the continuation for July 18 at 9:35 A.M.; seven yeas - zero nays.

At 3:45 P.M. in the afternoon of Tuesday, June 27, 2006, Chair Nelson moved to recess the Board until 3:50 P.M. on June 27, 2006, in Semer's Park Pavilion, Ely, Minnesota.

The Board reconvened at 3:50 A.M. on Tuesday, June 27, 2006, and the regular order of business resumed with all members present.

Commissioner Forsman, supported by Commissioner Kron, moved to award the contract for M.P. 6712-3707 (multiple projects in the Town of Fayal) to Ulland Brothers, Inc., Cloquet, MN, on their low bid of \$175,554.30, which was 4.34% above the engineer's estimate. Public Works Director Hall said the Town of Fayal has accepted the bid for the project, which includes no County funds; seven yeas - zero nays. Resolution No. 387.

Commissioner Forsman, supported by Commissioner Raukar, moved to suspend the rules to consider awarding the contract for S.P. 69-616-043 (C-SAH 16); seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to award the bid to KGM Contractors, Inc., Angora, MN, on their low bid of \$5,189,908.63. Director Hall noted the bid was 6.78% above the engineer's estimate; seven yeas - zero nays. Resolution No. 388.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize the Auditor to loan cash flow funds to Chris Jensen Health and Rehabilitation Center on a revolving basis up to \$4.3 million. The following persons addressed the issue:

Dana Frey, County Administrator, said while there have been dramatic improvements in the Chris Jensen financial picture, the facility still does not break even. Administrator Frey noted some of the initiatives being undertaken to improve the financial status of Chris Jensen.

Donald Dicklich, County Auditor, explained the \$4.3 million was a cumulative amount and he asked for an April 2007 deadline to allow time for his office to reconcile annual accounts.

Commissioner Raukar said if reimbursements from federal and state governments kept pace with increasing health care costs, these cash flow loans would be unnecessary. The resolution was then approved; seven yeas - zero nays. Resolution No. 388.

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

Addendum to Agreement for Services between the County of St. Louis and Arrowhead Regional Corrections and Arrowhead Interfaith Council for chaplaincy services at the County Jail.-06-837

Call Handling Agreement between the County of St. Louis, through its 9-1-1 Communications Department, and the County of Itasca.-06-838

Contract between the County of St. Louis and Louis Leustek & Sons, Inc., for M.P. 3710 - Crushing Central St. Louis County.-06-839

Agreement for Employee Assistance Services between the County of St. Louis, Arrowhead Regional Corrections, and LifeWorks Employee Resource.-06-840

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Agreement for Professional Services between the County of St. Louis and Ayres Associates for additional limited site investigation due to removal of an underground fuel tank at the Proctor Fairgrounds.-06-841

State of Minnesota Federal Boating Safety Supplement Grant Agreement between the Commissioner of Natural Resources, Bureau of Information and Education and the St. Louis County Sheriff's Department.-06-842

State of Minnesota Annual County Boat and Water Safety Grant Agreement between the Commissioner of Natural Resources, Bureau of Information and Education and the St. Louis County Sheriff's Department.-06-843

Contract between the County of St. Louis and Hoover Construction Company for M.P. 3709 - Crushing Northern St. Louis County.-06-844

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for S.A.P. 69-634-009, County Project 8123, for Reclamation, Mill Bituminous Surface, Centerline Culverts, Guardrail, Sanitary Sewer, Plant Mixed Bituminous Surface and Aggregate Shouldering.-06-845

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Kandi Nelson for Community Alternative Care Client No. 19.-06-846ss

Public Health Preparedness and Response to Bio-Terrorism Grant Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.-06-847

Parking Space Lease Agreement between Oneida Realty Company and the County of St. Louis for rental of up to forty parking spots in the Fourth Avenue West Auto Park, Duluth.-06-848

Professional Services Agreement between St. Louis County and Pro-West & Associates, Inc., to continue the development of a county-wide digital GIS parcel layer.-06-849

Purchase of Service Agreement, Contract No. 13943, between the St. Louis County Board of Commissioners and the City of Duluth (Senior Dining Program), for home delivered meals.-06-850ss

Group Residential Housing Rate Agreement, Contract No. 50445, between the St. Louis County Board of Commissioners and RSI - Endion East.-06-851ss

Group Residential Housing Rate Agreement, Contract No. 50446, between the St. Louis County Board of Commissioners and RSI - Endion West.-06-852ss

Purchase of Service Agreement, Contract No. 13976, between the St. Louis County Board of Commissioners and Caring Homes Individualized Learning and Development, LLC, for In-Home Family Support and Respite Care Services.-06-853ss

Purchase of Service Agreement, Contract No. 13991, between the St. Louis County Board of Commissioners and Northland AFC, Inc. - White Pine Trail (Carlton County) for SLS for adults.-06-854ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Bridget F. Seeland

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for adult foster care/respice care.-06-855ss

Purchase of Services, Contract No. 20648, between St. Louis County and Safe Haven Shelter for Battered Women for public service grant.-06-856ss

Project Contract, Contract No. 46211, between the County of St. Louis and Lenci Enterprises for construction of a deck at the 4-H Camp in Gilbert.-06-857

St. Louis County Land Department Service Contract with Pro-Lawn Landscaping for lawn and yard care on tax forfeited property in the Duluth area.-06-858

Agreement for Professional Services between the County of St. Louis, through its Land Department, and Cliff E. Crosby for real estate appraisals on State tax forfeited land.-06-859

Employee Safety & Development Training Contract between St. Louis County and NESCA for a *Access Training* session.-06-860

Employee Safety & Development Training Contract between St. Louis County and Barbara A. Larson for a *Office Ergonomic - Workstation Evaluation Training Including On-Site Reviews* session.-06-861

Complete Release and Settlement Agreement between Constance J. Taylor and the County of St. Louis.-06-862

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up Agreement between St. Louis County, through its Department of Public Health and Human Services, and St. Mary's/Duluth Clinic Health System (SMDC).-06-863ss

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up Agreement between St. Louis County, through its Department of Public Health and Human Services, and P.S. Rudie & Associates.-06-864ss

Upon motion of Commissioner Sweeney, supported by Commissioner Kron, Resolutions No. 374 through 386, 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 June 6, 2006, are hereby approved.

Adopted June 27, 2006. No. 374

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 13, 2006, are hereby approved.

Adopted June 27, 2006. No. 375

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 9, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 27, 2006. No. 376

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

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interest and costs; and

WHEREAS, UMLIC VP LLC of Charlotte, NC, has applied to repurchase the following parcel: BEG AT NW CORNER OF NW 1/4 OF NW 1/4 RUNNING THENCE E 208 1/2 FT THENCE SOUTH 208 1/2 FT THENCE W 208 1/2 FT THENCE N 208 1/2 FT TO POINT OF BEGINNING, SECTION 35, TOWNSHIP 57, RANGE 15. Parcel Code: 570-12-4950;

WHEREAS, UMLIC VP LLC was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of UMLIC VP, LLC, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$3,399.86, repurchase application fee of \$114.00, deed tax of \$11.15, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$3,596.01 to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 27, 2006. No. 377

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Burdette J. Berntson of Duluth, MN, has applied to repurchase the following parcel: N 1/2 of NW 1/4 Ex Hwy easement, Section 5, Township 50, Range 14; Parcel Code: 010-2710-01160;

WHEREAS, Burdette J. Berntson was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Burdette J. Berntson, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$3,703.26, repurchase application fee of \$114.00, deed tax of \$12.22, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$3,900.48 to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 27, 2006. No. 378

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Michele Greuling Warwas of Nashwauk, MN, has applied to repurchase the following parcel: Lots 12 and 13, Block 12, Roosevelt Addition to Hibbing; Parcel Code: 140-200-2980;

WHEREAS, Michele Greuling Warwas was heir to the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Michele Greuling Warwas, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$7,087.33, repurchase application fee of \$114.00, deed tax of \$23.39, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$7,295.72 to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 27, 2006. No. 379

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

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WHEREAS, Dale Johnson of Duluth, MN, has applied to repurchase the following parcel: Lot 5, Block 1, Spirit Valley Division Ex part lying NE'ly of a line which is the extension in a SE'ly direction of SW'ly lot line of Lot 21, Block 137, West Duluth 5th Division, subject to increment financing; Parcel Code: 010-4097-00050;

WHEREAS, Dale Johnson was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Dale Johnson, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,643.90, repurchase application fee of \$114.00, deed tax of \$8.72, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$2,837.62 to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 27, 2006. No. 380

WHEREAS, under the provisions of Minnesota Statute 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Carl A. Milovich of Hibbing, MN, has applied to repurchase the following parcel: Lots 17 through 20, Block 4, Missabe Addition to Hibbing; Parcel Code: 139-180-1130;

WHEREAS, Carl A. Milovich was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Carl A. Milovich, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,639.33, repurchase application fee of \$114.00, deed tax of \$8.71, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$2,833.04 to be deposited into Fund 240, Forfeited Tax Fund.

Adopted June 27, 2006. No. 381

WHEREAS, contracts for the purchase or repurchase of State tax forfeited land described as County Board File No. 58548, are in default for non-payment of taxes or installment payments; and

WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the County Board does hereby approve the cancellation of said contracts for purchase or repurchase of the State tax forfeited land which are in default and listed by the County Auditor in County Board File No. 58548, according to the provisions of Minnesota Statute 282.01, Subdivision 5, and Minnesota Statute 282.40, and according to the procedures of Minnesota Statute 559.21.

Adopted June 27, 2006. No. 382

WHEREAS, in conjunction with the Minnesota Department of Transportation (MNDOT), the St. Louis County Public Works Department plans to build 0.30 miles of County-State Aid Highway No. 1 (Cirrus Drive) (County Project 8293, S.P. 69-601-001) within the City of Hermantown; 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, certain lands are required for said construction, together with temporary construction easements; and

WHEREAS, Minnesota Department of Transportation will acquire the rights of way necessary for this project on behalf of St. Louis County;

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NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed to enter into an agreement with the Minnesota Department of Transportation authorizing MNDOT to acquire the rights of way necessary for this project on behalf of St. Louis County. Right of way acquisition is payable from Fund 220, Agency 220103, Objects 636500 and 637500.

Adopted June 27, 2006. No. 383

WHEREAS, in conjunction with the Minnesota Department of Transportation (MNDOT) and the City of Duluth, the St. Louis County Public Works Department plans to reconstruct 0.75 miles of County-State Aid Highway No. 6 (County Project 8275, S.P. 69-606-017) located within the City of Duluth and the City of Hermantown from 500 feet east of Westberg Road to the intersection of Mall Drive; and

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

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

WHEREAS, Minnesota Department of Transportation will acquire the rights of way necessary for this project on behalf of St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to proceed to enter into an agreement with the Minnesota Department of Transportation authorizing MNDOT to acquire the rights of way necessary for this project on behalf of St. Louis County. Right of way acquisition is payable from Fund 220, Agency 220169, Objects 636500 and 637500.

Adopted June 27, 2006. No. 384

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-637-017, County Project 8268, located on C-SAH 37 (Snively Road) from Woodland Avenue to Glenwood Street in Duluth, MN, length: 1.0 mile, consisting of Bituminous Removal, Bit. Base & Surface, Conc. Curb & Gutter, Storm Sewer, San. Sewer Repair;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 12, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$923,625.59

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 contract with the Contractor for the above listed project; payable from Fund 220, Agency 220158, Object 652700.

Adopted June 27, 2006. No. 385

WHEREAS, LTV Steel Mining Company, Inc. (LTV), filed for protection under Chapter 11 of the Bankruptcy Code on or about December 29, 2000; and

WHEREAS, the Bankruptcy Court has issued an Order allowing the Department of Revenue to off-set

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tax refunds due to LTV against tax liabilities owed by LTV to St. Louis County and Iron Range Resources (IRR); and

WHEREAS, the Minnesota Department of Revenue, after exercise of set-off of taxes and overpayments for taxes other than taconite production tax, has determined that their remained funds as of May 15, 2006, in the amount of \$1,448,606.03 that are available to be applied against LTV's obligations to pay delinquent taconite production tax; and

WHEREAS, the Department of Revenue has calculated that 50 percent of that amount should be distributed to the Tax Relief Fund administered by St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to execute an agreement between the Minnesota Department of Revenue and IRR that provides that \$724,303.02 plus interest accrued to date of transfer shall be transferred to St. Louis County for deposit into the Tax Relief Fund; and

RESOLVED FURTHER, that any lawful claims upon these funds so transferred will be repaid from said funds and that St. Louis County agrees, as a condition of receipt and retention of the amount so transferred, that upon receipt of a written request from the Commissioner of Revenue, St. Louis County will promptly refund and return to the Commissioner any or all of such distribution of the transfer amount as may be requested by the Commissioner to enable the Commissioner to pay such set-off funds subsequently required to be paid to any person with a lawful claim upon said funds; and RESOLVED FURTHER, that St. Louis County agrees that it will encumber and reserve within its accounts, for a period of one year from the date of the agreement, an amount of funds that is sufficient at all times to enable St. Louis County to make such refunds to the Commissioner. If the need to make such refunds should arise after expiration of such one-year period, St. Louis County will make such refunds from unencumbered funds.

Adopted June 27, 2006. No. 386

**BY COMMISSIONER FORSMAN:**

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

M.P. 6712-3707 (low), County Project 3707, located on T.R. 6712 from 0.5 mile E of T.H. 53 to T.H. 53 in Fayal, MN, length 0.5 mile, consisting of Mill Bituminous Surface, Bituminous Surfacing and Aggregate Shouldering;

M.P. 6722-3712, County Project No. 3712, located on T.R. 6722 from C-SAH 132 to 615 feet N in Fayal, MN, length 0.12 mile, consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6723-3713, County Project No. 3713, located on T. R. 6723 from 1,060 feet W of T.H. 53 to T.H. 53 in Fayal, MN, length 0.2 mile, consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6738-3714, County Project No. 3714, located on T.R. 6738 from T.H. 53 to 0.54 mile W of T.H. 53 in Fayal, MN, length 0.54 mile, consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6741-3715, County Project No. 3715, located on T.R. 6741 from C.R. 629 to 525 feet NE of C.R. 629 in Fayal, MN, length 0.1 mile, consisting of Bituminous Surfacing and Aggregate Shouldering;

M.P. 6747-3716, County Project No. 3716, located on T.R. 6747 from 568 feet N of T.R. 6746 to 708 feet N of T.R. 6746 in Fayal, MN, length 0.03 mile consisting of Bituminous Surfacing and Aggregate Shouldering;

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M.P. 6756-3717, County Project No. 3717, located on T.R. 6756, from N of C.R. 950 to 720 feet N of C.R. 950 in Fayal, MN, length 0.14 mile, consisting of Bituminous Surfacing and Aggregate Shouldering;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 12, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$175,554.30

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor and the County Attorney, on behalf of St. Louis County, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project; payable from:

M.P. 6712-3707 (low):	Fund 200, Agency 203169, Object 652800	\$68,044.05
M.P. 6722-3712:	Fund 200, Agency 203169, Object 652800	\$10,651.00
M.P. 6723-3713:	Fund 200, Agency 203169, Object 652800	\$20,311.50
M.P. 6738-3714:	Fund 200, Agency 203169, Object 652800	\$42,040.75
M.P. 6741-3715:	Fund 200, Agency 203169, Object 652800	\$12,096.75
M.P. 6747-3716:	Fund 200, Agency 203169, Object 652800	\$6,262.00
M.P. 6756-3717:	Fund 200, Agency 203169, Object 652800	\$16,148.25

Unanimously adopted. June 27, 2006. No. 387

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 388 which was not on the agenda.

**BY COMMISSIONER FORSMAN:**

WHEREAS, bids have been received by the County Auditor for the following project: S.P. 69-616-043, County Project 9270, located at C-SAH 16 from 0.13 mile west of C.R. 389 to 0.1 mile west of C-SAH 108 in Makinen, MN, length 5.2 miles, consisting of Bridges, Grading, Geofoam, Agg. Base, Bit. Reclamation and Bit. Surfacing;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., June 26, 2006, 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 responsible 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, subject to proper authorization of the contract, including the Minnesota Department of Transportation EEO Office. Fund 220, Agency 220144, Object 652700.

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

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<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$5,189,908.63

Unanimously adopted. June 27, 2006. No. 388

**BY COMMISSIONER RAUKAR:**

WHEREAS, Resolution No. 198, adopted April 12, 2005, authorized the Auditor to loan cash flow funds to Chris Jensen Health and Rehabilitation Center through the remainder of 2005; and WHEREAS, current financial projections indicate the facility will require additional loans; NOW, THEREFORE, BE IT RESOLVED, that the Auditor is authorized through April 2007 to loan cash flow funds under Minnesota Statutes 385.32 to the Chris Jensen Health and Rehabilitation Fund on a monthly revolving basis up to \$4,300,000 and shall monthly notify Administration and Commissioners of same.

Unanimously adopted. June 27, 2006. No. 389

At 3:17 P.M. on Tuesday, June 27, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**JULY, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON JULY 11, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of July, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Sweeney presented Volunteer Excellence Awards to Frank and Bonnie Siiro, Solway Township, for countless hours of volunteer service to many organizations including the South St. Louis County Fairgrounds. Mr. Siiro serves as Fair Board President and donates more than 1200 hours per year to help manage and maintain the fairgrounds. Ms. Siiro has been an active volunteer for many years and has been a fund raiser for various organizations. Two educational farm exhibits - "Farmer for The Day" and a milking cow - have been constructed by the Siiros, saving rental costs. Mr. Siiro thanked the Board for the award and invited everyone to attend the South St. Louis County Fair this year.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner Fink, supported by Commissioner Sweeney, moved to schedule for 11:30 A.M. a closed session for labor negotiations. At the request of Dana Frey, County Administrator, the makers amended the motion to set the time for 11:00 A.M.; seven yeas - zero nays.

Chair Nelson distributed copies to affected commissioners of polling place accessibility grant award letters for fourteen cities and towns in St. Louis County. Donald Dicklich, County Auditor, said St. Louis County received between \$56,000 and \$60,000 of the \$260,000 total grant funds available to communities statewide. Each jurisdiction that applied received most or all of the funds requested, according to Auditor Dicklich.

Commissioner Fink said he took a recent three-hour, educational tour of Lake Superior sponsored by the Sea Grant Program that provided valuable information about coastal conservation.

Commissioner O'Neil said there will be a Donald O'Brien Family Benefit held at the Buffalo House on July 28. Donald O'Brien was a county employee tragically murdered near his home in Gary-New Duluth.

Commissioner Nelson noted the recent construction of the 1400th home in Minnesota by Habitat for Humanity and a fund raising bicycle tour supporting the program.

Commissioner Fink said the recent Air Show in Duluth was a great success.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Commissioner Raukar said 90 miles of continuous trail is now available on the Mesabi Trail and it is becoming a destination for cyclists everywhere. Commissioner Raukar commented on a recent dinner he and other Commissioners had with U. S. Representative James Oberstar where passenger rail service between Duluth and the Twin Cities was discussed.

Commissioner Kron said a key for passenger rail service is acquisition of a rail transfer line through West Duluth that will significantly save travel time and also enhance heavy-lift cargo opportunities for the Seaway Port Authority of Duluth.

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

Peg Sweeney, Fifth District Commissioner, submitting information regarding the Volunteer Recognition Award given to Frank and Bonnie Siiro.-58575

Flyer for *Donald O'Brien Family Benefit* to be held on July 28, 2006, at 5:00 P.M. at the Buffalo House Junction.-58576

Group Residential Housing Rate Agreement, Contract No. 50465, between the St. Louis County Board of Commissioners and Range Center - Outlook.-06-865ss

Purchase of Service Agreement, Contract No. 14028, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for non-residential services.-06-866ss

Purchase of Service Agreement, Contract No. 14034, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc., for non-residential services.-06-867ss

Purchase of Service Agreement, Contract No. 14023, between the St. Louis County Board of Commissioners and Range Center, Inc., for adult foster care and out-of-home respite services.-06-868ss

Purchase of Service Agreement, Contract No. 14038, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for non-residential services.-06-869ss

Purchase of Service Agreement, Contract No. 14011, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, Inc, d/b/a Home Care Service Options of Duluth for assisted living (plus) and out-of-home respite services.-06-870ss

Purchase of Service Agreement, Contract No. 14027, between the St. Louis County Board of Commissioners and Employment Links, LLC, for non-residential services.-06-871ss

Grant Agreement, Contract No. 20665, between the St. Louis County Board of Commissioners and Lutheran Social Services for crisis nursery.-06-872ss

Purchase of Service Agreement, Contract No. 13993, between the St. Louis County Board of Commissioners and Diamond Willow Assisted Living, LLC, for assisted living (plus) services.-06-873ss

Group Residential Housing Rate Agreement, Contract No. 50463, between the St. Louis County Board of Commissioners and Diamond Willow - 919/World Traveler Cottage.-06-874ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Purchase of Service Agreement, Contract No. 14021, between the St. Louis County Board of Commissioners and Choice, Unlimited, for non-residential services.-06-875ss

Purchase of Service Agreement, Contract No. 13985, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC, d/b/a Home Instead Senior Care, for home care services.-06-876ss

Purchase of Service Agreement, Contract No. 13992, between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home for assisted living (plus) services. -06-877ss

Purchase of Service Agreement, Contract No. 14025, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc., for non-residential services.-06-878ss

Purchase of Service Agreement, Contract No. 14031, between the St. Louis County Board of Commissioners and Duluth Retirement, LLC, d/b/a Primrose of Duluth, for assisted living (plus) and out-of-home respite services.-06-879ss

Agreement for Professional Services between the County of St. Louis and SJA Architects for Chris Jensen Storage Building.-06-880

Agreement for Professional Services between the County of St. Louis and SJA Architects for Purchasing relocation to Government Services Center.-06-881

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, for Duluth Courthouse Parking Ramp Expansion Joint Replacement Project.-06-882

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, for Proctor Fairgrounds Horse Arena Repairs.-06-883

Service Contract No. 4626 between the County of St. Louis and The G-Men, Inc., for Compacted Solid Waste Roll-Off Haulage Service for the Soudan Transfer Station.-06-884

Project Contract between the County of St. Louis and Superior Jetting for cleaning of leachate pipe located at the Regional Landfill.-06-885

Purchase of Service Agreement, Contract No. 14032, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for assisted living (plus) services. -06-886ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Terese O'Malley and Vincent Lord for adult foster care and respite care.-06-887ss

Group Residential Housing Rate Agreement, Contract No. 50466, between the St. Louis County Board of Commissioners and Terese O'Malley and Vincent Lord - Our House.-06-888ss

Purchase of Service Agreement, Contract No. 14042, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care and out-of-home respite services.-06-889ss

Purchase of Service Agreement, Contract No. 13975, between the St. Louis County Board of Commissioners and Health Care Alternatives, Inc., d/b/a Spectrum Community Health, Inc., for supplies and equipment.-06-890ss

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Purchase of Service Agreement, Contract No. 14036, between the St. Louis County Board of Commissioners and St. Mary's Home Health for home care services.-06-891ss

Purchase of Service Agreement, Contract No. 14024, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for non-residential services.-06-892ss

Purchase of Service Agreement, Contract No. 14041, between the St. Louis County Board of Commissioners and Tender Loving Care of Duluth, Inc., for adult foster care services.-06-893ss

Purchase of Service Agreement, Contract No. 14046, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for adult foster care services.-06-894ss

Purchase of Service Agreement, Contract No. 14043, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care and out-of-home respite services.-06-895ss

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up Agreement between St. Louis County, through its Department of Public Health and Human Services, and St. Luke's, on behalf of Laurentian Medical Clinic, Denfeld Medical Center, Hibbing Family Medical Center, Miller Creek Medical Clinic and Mount Royal Medical Center.-06-896ss

Child and Teen Check-Up Contract between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.-06-897ss

Agreement between the Township of White and the County of St. Louis for M.P. 3708 - striping on various paved township streets and county highways.-06-898

Agreement between the City of Eveleth and the County of St. Louis for M.P. 3706 - crack sealing on various paved city streets and county highways.-06-899

Agreement between the City of Babbitt and the County of St. Louis for M.P. 3706 - crack sealing on various paved city streets and county highways.-06-900

Agreement between the County of Lake and the County of St. Louis for M.P. 3708 - striping on various paved streets and county highways.-06-901

State of Minnesota Agency Agreement No. 89713 between the Department of Transportation and St. Louis County for federal participation in preliminary engineering for S.P. 69-090-16, M.P. HPP MN49(105).-06-902

Agreement for Professional/Artistic Services between the County of St. Louis and David L. Aho Metalworking for Hibbing Annex Sculpture Project.-06-903

Addendum to Purchase Agreement, Contract No. 13430D, between the St. Louis County Board of Commissioners and Range Respite for respite care.-06-904ss

Purchase of Service Agreement, Contract No. 14019, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for home care services.-06-905ss

Agreement between the County of St. Louis and the City of Cook for improvements on portions of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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C-SAH 124 (River Street) and C-SAH 24 (Second Street).-06-906

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 391 through 404, 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 June 27, 2006, are hereby approved.

Adopted July 11, 2006. No. 391

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. 58495, are hereby approved:

Real Estate - Marion Delage, \$1,070.20; Redrick Akey, \$297.06; David Allen, \$178.18; Harry Anderson, \$255.58; Ryan Bauers, \$260.16; Thomas Bernd, \$460.62; Duane Bird, \$784.20; Jennifer Britton, \$553.02; Jay Boysen, \$260.80; Jorann Cady, \$602.00; Douglas Carter, \$832.68; Michael Chambers, \$837.60; Dennis Dagger, \$265.94; Chad Fuentes, \$151.12; William Gorman, \$887.78; Timothy Gosline, \$539.32; Scott Graden, \$1,095.00; David Green, \$192.94; Mark Gunderson, \$794.70; Arnold Gustafson, \$262.10; Thay Ha, \$608.24; Michael Hatfield, \$511.10; Peter Hawkins, \$158.02; Alice Hill, \$449.86; John Hussey, \$488.18; Robert Jackman, \$339.34; M.H. Jordan, Code Change; Andrew Jutila, \$264.76; Alice King, \$345.88; Arnold Korhonen, \$588.60; Sylvia Lehrke, \$516.02; Donald Lilyquist, \$259.00; James Lind, \$612.70; Mark Marchand, \$468.80; Pamela Marek, \$229.30; Terry Mireau, \$267.54; Marian Nagle, \$498.30; Robert Nelson, \$596.58; Northwood Childrens Services, \$2,828.36; Tony Oak, \$580.20; Robert Olson, Jr., \$353.94; Kyle Peterson, \$563.20; Larry Pierce, \$366.62; Krysta Priley, \$258.64; Timothy Rahn, \$269.80; Michael Rasmusson, \$255.20; Daniel Rautio, \$229.22; Scott Richard, \$2,075.14; James Richards, \$268.26; Ray Richards, \$565.62; Daniel Rosenlund, \$574.40; Karl Rother, \$431.10; Susan Seliga, \$275.56; Barry Fuchs, \$279.52; Kurt Shaw, \$238.12; Charlotte Shirley, \$196.50; Amelia Sloan, \$595.88; Angela Stocke, \$575.32; Victor Swan, \$516.50; Patricia Talarico, \$253.14; Harlan Tardy, \$552.94; Herbert Thesing, Jr., \$919.00; Tiauni Vonriedel, \$514.22; Sarah Wall, \$67.12; Patricia Wheeler, \$857.08; Cory Whiteird, \$277.20; Greg Whitlock, \$144.90; Joseph Wisocki, \$574.36; Jeremy Wroblewski, \$297.44; Angela Zavodnik, \$297.48.

Personal Property - Ronald Johnson, \$166.34; Robert Larson, \$27.44.

Adopted July 11, 2006. No. 392

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 23, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 11, 2006. No. 393

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Trails Echo Lake, LLC, d/b/a Trails End Resort, Portage Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 31, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516.

Adopted July 11, 2006. No. 394

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. 58504, is hereby approved

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

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and the County Auditor is authorized to issue the license to the applicant:

Grand Lake Volunteer Fire Department, Town of Grand Lake, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0624, for August 12, 2006.

Adopted July 11, 2006. No. 395

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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;

FURTHER RESOLVED, that said license is 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 license to a new owner, but without pro-rated refund of the license fees to the licenseholder;

FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township, On-Sale Intoxicating Liquor License No. CMB07105 and Sunday On-Sale Intoxicating Liquor License No. SUN07105, new.

Adopted July 11, 2006. No. 396

WHEREAS, pursuant to Minnesota Statute 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the Town of Rice Lake has requested conveyance of State tax forfeited land legally described as: Parcel Code: 520-0100-00180; Lot 1, Block 3, Glenwood Park, Town of Rice Lake; and

WHEREAS, the purpose of acquiring this property is to provide adequate area for a snowplow turnaround;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey State tax forfeited land described above to the Town of Rice Lake for a snowplow turnaround which is an authorized public use;

RESOLVED FURTHER, that the Town of Rice Lake pay the following fees: Appraisal Fee \$150.00, Deed Fee \$25.00, Deed Tax \$1.65, and Recording Fee \$46.00, for a total of \$222.65, to be deposited in Fund 240 (Forfeited Tax Fund).

Adopted July 11, 2006. No. 397

RESOLVED, that the St. Louis County Auditor, by the authority vested in him under Minnesota Statute 282.04, Subdivision 1(d), is hereby authorized to offer at public sale to the highest responsible bidder a lease of State tax forfeited land described as SW 1/4 of NE 1/4, Section 2, Township 52 North, Range 14 West (Vermilion Pit), for the purpose of removing a maximum of twenty thousand (20,000) cubic yards and a minimum of thirteen thousand (13,000) cubic yards loose volume measure of gravel. This lease of earthen material will be made available at public sale, at the minimum appraised price of \$1.25 per cubic yard loose volume measure. The successful bidder shall make an initial non-refundable payment equal to the bid per cubic yard price times 13,000 cubic yards, plus \$50.00 Administration Fee, \$6.00 Publication Fee, and a refundable reclamation deposit of \$5,000.00, for a minimum total cost of \$21,306.00 due at the time of sale to be deposited into Fund 240 (Forfeited Tax Fund). The successful bidder is subject to the terms and conditions set forth by the St. Louis County Land Commissioner in the earthen material lease;

RESOLVED FURTHER, that quantities will be determined by records and information supplied by

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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the St. Louis County Public Works Department;

RESOLVED FURTHER, said sale will be held at 9:30 A.M., July 21, 2006, Room 607, Government Services Center, 320 West Second Street, Duluth, MN 55802.

Adopted July 11, 2006. No. 398

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement, and any amendments approved by the County Attorney's Office, with Burlington Northern Santa Fe (BNSF) Railway for the proposed upgrade of a Railroad Crossing identified as Crossing 061262Y in the reconstruction of C-SAH 63, S.A.P. 69-663-12 in Hibbing, MN. The cost for the railroad crossing upgrade, funded in State Aid dollars, is estimated at \$148,216.00, payable from Fund 220, Agency 220109.

Adopted July 11, 2006. No. 399

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement, and any amendments approved by the County Attorney's Office, with Burlington Northern Santa Fe (BNSF) Railway for the proposed upgrade of a Railroad Crossing identified as Crossing 061266B in the reconstruction of C-SAH 63, S.A.P. 69-663-12 in Hibbing, MN. The cost for the railroad crossing upgrade, funded in State Aid dollars, is estimated at \$187,503.00 in State Aid funds, payable from Fund 220, Agency 220109.

Adopted July 11, 2006. No. 400

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

AmVets Post 12 to operate out of Bullfrog's Grill & Bar, Fayal Township, 3805 Miller Trunk Road, Eveleth, MN 55734, New.

Adopted July 11, 2006. No. 401

WHEREAS, St. Louis County operates a recycling program for the St. Louis County Solid Waste Service Area in which recyclables are collected from area cities and from a roll-off collection program and processed for marketing at the County's recycled materials processing facility in Virginia; and WHEREAS, the County contracts with Northern Minnesota Recycling (NMR) to collect recycled materials from roll-off collection sites and to operate the County's recycled materials processing facility; and

WHEREAS, the contract between the County and NMR requires that the county reimburse NMR for eligible costs incurred at the recycled materials processing facility up to certain contractual thresholds, and the County feels that the thresholds contained in the contract do not provide sufficient funding to reimburse NMR for actual costs incurred; and

WHEREAS, NMR continues to provide acceptable service at costs to the county that are lower than costs incurred in the past and it is in the best interests of the County to retain the services of NMR; NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to increase the maximum level of reimbursement for the first year of the NMR contract by \$33,600 to \$307,959 per year; and

RESOLVED FURTHER, that the Solid Waste Department is authorized to increase the maximum level of reimbursement for the second and third years of the term of the contract by \$29,600 to \$303,959 per year;

RESOLVED FURTHER, that funding for this contract is available in Agency 601004 (Recycling Facility).

Adopted July 11, 2006. No. 402

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Boondocks-Forbes, LLC, d/b/a Boondocks, Clinton Township, to sell/serve outside the designated serving area of the County Liquor License for the date of July 29, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516. Adopted July 11, 2006. No. 403

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Boondocks-Forbes, LLC, d/b/a Boondocks, Clinton Township, to sell/serve outside the designated serving area of the County Liquor License for the date of August 6, 2006, as per application on file in the office of the County Auditor, identified as County Board File No. 58516. Adopted July 11, 2006. No. 404

At 10:00 A.M. on Tuesday, July 11, 2006, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 18, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 18th day of July, 2006, at 9:31 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Donald Dicklich, County Auditor, presented a Volunteer Excellence Award to John Luhtala for his tireless efforts organizing, coaching and refereeing youth soccer programs in the Duluth area. Mr. Luhtala thanked the Board for the recognition and said his children benefitted from the work of volunteers and he was just returning the favor.

Chair Nelson distributed copies of the Wirtanen Farm Cook Book to the Board as part of the County Sesquicentennial celebration. Commissioner Forsman said the Wirtanen Farm has reemerged from near oblivion.

Chair Nelson then recognized Deputy Sgt. Marlene Hall-Walczyński for her recent efforts caring for neglected, starving animals at an abandoned farm site. Sheriff Ross Litman praised Sgt. Hall-Walczyński for her excellent work investigating a wide variety of animal neglect and child abuse cases. Sgt. Hall-Walczyński thanked the Board for the recognition.

Chair Nelson 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 9:47 A.M., a public hearing was reconvened to establish damages resulting from granting the petition of Lynn and Donna Rogers for a cartway providing access to their property located in Government Lot 8, Section 30, Township 61 North, Range 13 West. The cartway was granted at the June 27 County Board meeting in Ely. The following persons addressed the issue:

Alan Mitchell, County Attorney, distributed a Findings of Fact, Conclusions and Order for approval when damage amounts are established. Attorney Mitchell also outlined a revised damage appraisal by the County (\$46,391) and an appraisal submitted by the affected landowners (\$125,000).

At 10:13 A.M. on Tuesday, July 18, 2006, Chair Nelson recessed the Board meeting for seven minutes until 10:20 A.M. in the County Board Room, Courthouse, Duluth, Minnesota, to allow Larry Klun, Attorney for the petitioner, time to review the appraisal submitted by the affected landowners.

The Board reconvened at 10:21 A.M. on July 18, 2006, and the regular order of business resumed with all members present.

Discussion of damages resumed and the following persons addressed the issue:

Charles Andresen, Attorney for the affected landowners, said the cartway will have a significant impact on the landowners in excess of the damage appraisal submitted by the County.

Roger Toikka, Andover, MN, said there will be significant change caused by the cartway with the wilderness permanently altered.

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Susan Milleville, Brookfield, WI, said the cartway is intrusive and takes away rights of families who have owned the affected properties for years.

Shane Belehar, Ely, said the landowners are powerless and will receive no benefits from the cartway.

Jeff Kerntz, Ely, said there should be just compensation for the adverse effects of the cartway.

Larry Klun, Attorney for the petitioner, said the appraisals submitted far exceed the value and he contended property owners will benefit from the expanded access route. Attorney Klun presented a lengthy history of the area demonstrating that the petitioner has obtained some access rights and he suggested the original County damage appraisal of \$13,745 plus County costs should be the maximum amounts considered as compensation for the cartway.

Lynn Rogers, petitioner, said he has sought a fair and equitable solution.

At 11:40 A.M. in the forenoon of Tuesday, July 18, 2006, Chair Nelson moved to recess the Board until 11:45 A.M. on July 18, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:48 A.M. on Tuesday, July 18, 2006, and the regular order of business resumed with all members present.

The cartway damage discussion resumed. Charles Andresen, Attorney, said the petitioner has not presented any professional appraisals for damages and he disputed some of the access rights claims of Attorney Klun. After further discussion, Commissioner O'Neil, supported by Commissioner Kron, moved to close the public hearing at 12:06 P.M.; seven yeas - zero nays. Commissioner Sweeney, supported by Chair Nelson, moved to award damages of \$46,391 plus incurred County costs of \$2,764.85.

At 12:17 P.M. in the afternoon of Tuesday, July 18, 2006, Chair Nelson moved to recess the Board until 1:30 P.M. on July 18, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:34 P.M. on Tuesday, July 18, 2006, and the regular order of business resumed with all members present.

Chair Nelson ruled to suspend the cartway discussion until after the Consent Agenda and regular Agenda items were acted on.

Commissioner Fink noted that Item No. 5 of the Consent Agenda (sale of timber) would result in more than \$1 million for the County.

Dana Frey, County Administrator, said Public Works has asked the Board to table to the July 25 meeting in Chisholm consideration of bids for the Joint Maintenance Facility in Ely. Commissioner Forsman, supported by Commissioner O'Neil, moved to table the matter to the July 25 meeting; seven yeas - zero nays.

Discussion of cartway damages resumed. Commissioner Forsman said there are no winners in a cartway dispute and offered a friendly amendment - not accepted by the makers - to amend the motion by increasing the damage award \$85,720 plus County costs. Commissioner Forsman, supported by Commissioner Raukar, moved to formally amend the motion. After further discussion, the amendment was approved; five yeas - two nays, Commissioners O'Neil and Sweeney.

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Commissioner Sweeney, comparing the previous amendment to a "Solomon" answer, offered a friendly amendment - not accepted by the makers - to set the damages at the County appraisal plus severance damages determined by the affected landowners appraiser. Commissioner Sweeney formally offered the amendment but it died without support.

Commissioner Raukar then suggested reconsideration of granting the cartway because the petitioner does have access, although future development plans may be limited. County Attorney Mitchell said the petitioner requested the cartway and statutes stipulate a thirty-three-foot right of way "shall" be granted, which is wider than the current access.

Commissioner Kron asked to call the question. The cartway damages, as amended, were approved; six yeas - one nay, Commissioner Sweeney.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve the Findings of Fact, Conclusions and Order; seven yeas - zero nays. Resolution No. 417.

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

Proof of Concept Services Agreement between MROI Software, Inc., and the St. Louis County Public Works Department.-06-907

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and the City of Virginia for street reconstruction.-06-908

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up between St. Louis County, through its Department of Public Health and Human Services, and St. Mary's/Duluth Clinic Health System.-06-909ss

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 405 through 416, 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 Special Board of Appeal and Equalization for the assessment year of 2006 payable 2007 are hereby approved.  
Adopted July 18, 2006. No. 405

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 11, 2006, are hereby approved.  
Adopted July 18, 2006. No. 406

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 5,589,720.69
184	Extension Service	59,716.68
200	Public Works	3,983,890.15
230	Social Services	5,823,804.98

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240	Forfeited Tax	565,206.80
250	St. Louis County HRA	150,667.98
600	Solid Waste Authorities	466,737.23
625	Chris Jensen Health & Rehab.	1,254,420.40
650	Laundry	94,751.95
660	Community Food Services	117,899.50
670	Supervised Living Facilities	72,538.29
700	Printing	14,479.20
715	County Garage	105,803.51
750	Management Information Systems	553,886.66
760	Telecommunications	92,891.26
925	Arrowhead Regional Corrections	1,627,034.94
955	Community Health Services	34,800.99
989	Regional Railroad Authority	<u>205,112.83</u>
		\$ 20,813,364.04

Adopted July 18, 2006. No. 407

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 7, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 18, 2006. No. 408

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 32 (totaling \$1,088,250.63), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal reports.

Adopted July 18, 2006. No. 409

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. 58504, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Babbitt Embarrass Area Development Association, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0625, for July 22, 2006.

Adopted July 18, 2006. No. 410

WHEREAS, pursuant to Minnesota Statute 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Brookston has requested conveyance of State tax forfeited land legally described as: Lots 1 - 18, Block 4, Diesen's Addition to Brookston; Parcel Codes: 110-303-240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410; and

WHEREAS, the purpose of acquiring this property is to build baseball fields;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey the above described tax forfeited land to the City of Brookston for the authorized public use;

RESOLVED FURTHER, that the St. Louis County Board recommends to the Department of Revenue the free conveyance of the above described State tax forfeited parcels to the City of Brookston for an Administration Fee of \$150.00, Deed Fee of \$25.00, Deed Tax of \$1.65, and Recording Fee of \$46.00, for a total of \$222.65.

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Adopted July 18, 2006. No. 411

WHEREAS, the State of Minnesota, Department of Administration, acting for the benefit of the Department of Public Safety, lease at the JFK Building located in Ely, Minnesota, for space for the Driver's License Exam Station expired on July 31, 2006; and

WHEREAS, the State of Minnesota and St. Louis County wish to continue the lease for this space; NOW, THEREFORE, BE IT RESOLVED, that the Board approves the County (Lessor) to enter into a new five (5) year no-cost lease agreement with the State of Minnesota (Lessee) for a 196 square foot space at JFK Building located in Ely, Minnesota.

Adopted July 18, 2006. No. 412

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept a State Law Enforcement Terrorism Prevention Program Grant with the State of Minnesota, acting through the Department of Public Safety, the Minnesota Division of Homeland Security and Emergency Management (HSEM) and the Minnesota Bureau of Criminal Apprehension (BCA) for up to 5.2 million dollars; and

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to enter into a Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension outlining grant managing responsibilities; and

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff to sign any associated contract documents; and

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract; and

RESOLVED FURTHER, that revenues will be made payable to and expenditures authorized from Fund 100, Agency 129999, Grant 12935, Year 2006.

Adopted July 18, 2006. No. 413

WHEREAS, it is the intent of the State of Minnesota to promote boating safety on waterways within the state; and

WHEREAS, the St. Louis County Sheriff's Office receives supplemental funding from the Federal Boat & Water Safety Grant for boating enforcement in the County; and

WHEREAS, the State, to further supplement the existing Federal Boat & Water Safety Grant, has approved funding for a water-ready rigid inflatable boat, motor, and trailer through a new Federal Boat & Water Safety Sub Grant; and

WHEREAS, the St. Louis County Sheriff's Office has need of this size and type of boat in its boat & water safety fleet;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to accept the Federal Boating Safety Supplement Sub Grant through the State of Minnesota Department of Natural Resources, in the amount of \$26,986 for the purchase of a rigid inflatable boat, motor, and trailer.

RESOLVED FURTHER, that the funds will be made payable to and expenditures authorized from Fund 100, Agency 129999, Grant 12936, Year 2006.

Adopted July 18, 2006. No. 414

RESOLVED, that a public hearing will be held at 9:35 A.M. on August 15, 2006, at the Mt. Iron Community Center, Mt. Iron, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township.

Adopted July 18, 2006. No. 415

WHEREAS, St. Louis County has in excess of \$234,698,073 in property to insure; and

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WHEREAS, St. Louis County requests proposals on an annual basis for property insurance; and  
WHEREAS, the proposal for a loss limit versus scheduled buildings is less expensive and has lower deductibles; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase Property and Related Insurance coverage on major structures and equipment from Chubb Group of Insurance Companies through Otis-Magie Insurance Agency of Duluth, MN, for the period 7-24-06 to 7-24-07, at their annual premium of \$191,665 payable from: Fund 52A (Property, Casualty, Liability), Agency P11 (Property, Casualty, Liability), Object 351 (Insurance);

RESOLVED FURTHER, that the Director of Purchasing is authorized to add or delete County properties to the policy, or increase the base amount on future determination of valuation of County structures during the policy period.

Adopted July 18, 2006. No. 416

**BY COMMISSIONER FORSMAN:**

RESOLVED, that the St. Louis County Board of Commissioners hereby approves and ratifies the Findings of Fact, Conclusions and Order in the matter of the petition of Lynn Rogers and Donna Rogers for a cartway, on file in the office of the County Auditor, identified as County Board Document File No. 58545.

Unanimously adopted. July 18, 2006. No. 417

At 2:15 P.M. on Tuesday, July 18, 2006, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JULY 25, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of July, 2006, at 9:43 A.M. in the City Council Chambers, City Hall, Chisholm, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Mayor John Champa welcomed the Board to Chisholm and he introduced city staff present including two City Councilors.

Commissioner Raukar presented a Volunteer Excellence Awards to Bettie Valley, Secretary/Manager of the St. Louis County Agricultural Fair Association, and John Grahek, President of the Iron Range Building Trades & Construction Council, on behalf of all those who have volunteered their time and talent to the St. Louis County Fair and, most recently, construction of the Children's Barn. Commissioner Raukar related a brief history of the Fair which is now located at Ironworld in Chisholm. Bettie Valley thanked the Board for the award and said volunteer work is often unrecognized. John Grahek thanked the Board for adopting project labor agreements as an integral part of County construction projects.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Elanne Palcich distributed a report outlining her concerns about sulfide mining operations associated with the proposed Polymet Mining project. Ms. Palcich asked Commissioners to keep an open mind when reading the material.

Commissioner O'Neil, supported by Commissioner Kron, moved to approve continued development (Phase II-A) of County Based Purchasing for enrollees in: Medical Assistance, General Assistance Medical Care and/or Minnesota Care Program. Chair Nelson asked for a friendly amendment - accepted by the makers - to delete language from the resolution referring to county allocations based on potential enrollment. The following persons addressed the issue:

Marlene Hart, Minnesota Citizens Federation, urged the Board to support County Based Purchasing as an effective method to control health care costs at the local level.

Ann Busche, Director of Health and Human Services, said many questions remain before the County actually adopts County Based Purchasing and this current phase will help determine if this is a viable option for delivery of County services. Director Busche stressed that the Board will have final approval before any portion of a plan is implemented.

Donald Dicklich, County Auditor, expressed reservations about risks for the County. Auditor Dicklich said the County is not an insurance company and may not have the expertise needed to undertake County Based Purchasing.

Alan Mitchell, County Attorney, explained provisions of the proposed resolution.

At 10:55 A.M. in the forenoon of Tuesday, July 25, 2006, Chair Nelson moved to recess the Board

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until 11:00 A.M. on July 25, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:02 A.M. on Tuesday, July 25, 2006, and the regular order of business resumed with all members present.

After further discussion of County Based Purchasing, Commissioner Nelson, supported by Commissioner Fink, moved to table the proposal until the August 1 County Board meeting, but the motion failed; three yeas - four nays, Commissioners O'Neil, Kron, Forsman, Sweeney and Raukar. Commissioner Raukar asked if tabling the matter would adversely affect chances of submission of certain proposals by an October 1, 2006, deadline. Director Busche said a one-week delay would not be detrimental if it allowed the Board to feel more comfortable with the proposal. Commissioner Raukar then changed his vote and the motion was tabled until the August 1, 2006, County Board meeting.

Commissioner O'Neil, supported by Commissioner Raukar, moved to approve extension of the Work Participation Coordinator position until the Work Participation Rate for Minnesota Family Investment Program (MFIP) clients reach 50 percent or until the end of 2006; seven yeas - zero nays. Resolution No. 423.

Commissioner Forsman, supported by Chair Nelson, moved to award the contract for the Ely Joint Use Maintenance Facility to Kraus-Anderson Construction Co., Bemidji, MN, on their low bid of \$6,767,100; seven yeas - zero nays. Resolution No. 424.

Commissioner Raukar, supported by Commissioner Kron, moved to approve transfer of funding from MIS to Administration for an Administrative Analyst II position. Dana Frey, County Administrator, explained funding language changes and said the position will help provide better budgetary information for the Board. Auditor Dicklich explained further how funding will be handled. Commissioner Forsman objected to increases in upper level positions at the expense of lower level employees. After further discussion, the transfer was approved; six yeas - one nay, Commissioner Forsman. Resolution No. 425.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a tax abatement list submitted by the County Assessor. Chair Nelson, supported by Commissioner Raukar, moved to table the matter to the August 1 meeting to allow the Board time to review valuation changes requested; five yeas - two nays, Commissioners Fink and Sweeney.

Commissioner Fink then asked if more information could be made available about tax abatements. Gary Eckenberg, Deputy County Administrator, said he had the information available for Commissioners.

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

Dana Frey, County Administrator, and Marcus J. Hall, Public Works Director/Highway Engineer, submitting Board Letter No. 06-301 regarding Controlled Access Relocation - C-SAH No. 5, Stewart Request.-58577

Dana Frey, County Administrator, and Marcus J. Hall, Public Works Director/Highway Engineer, submitting Board Letter No. 06-302 regarding Controlled Access Relocation - C-SAH No. 4, Baker Request.-58578

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Marlene Hart, President, Minnesota Citizens Federation - Northeast, in support of continuing the exploration of County-Based Purchasing of health care programs.-58579

Elanne Palcich regarding Sulfide Mining Concerns.-58580

Fund Transfer Agreement regarding LV Steel Company, Inc., Bankruptcy Funds between the County of St. Louis, Iron Range Resources, and the State of Minnesota, acting through its Department of Revenue.-06-910

Amendment between St. Louis County and Richard and Lynn Vukonich for lease of floor space at 230 First Street South, Virginia, for operation of the St. Louis County Assessor's Office.-06-911

Exhibit A to the Agreement for Extended Services for Software Support and Maintenance Fees between the County of St. Louis and CompuDyne.-06-912

Agreement for Professional Services between the County of St. Louis and LHB for Joint Public Safety Building - Energy Enhancement Study.-06-913

Agreement for Professional Services between the County of St. Louis and LHB for Joint Public Safety Building - Commissioning.-06-914

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Chris Jensen Storage Building.-06-915

Employee Safety & Development Training Contract between St. Louis County and NESC for *Adobe Acrobat Conversion and Security, Adobe Acrobat Forms, PowerPoint Introduction, Word Introduction, and Word Intermediate Forms* sessions.-06-916

Employee Safety & Development Training Contract between St. Louis County and NESC for *Access Intermediate Form, Access Intermediate Reports, DotNetNuke Administrator, DotNetNuke Content Manager* sessions.-06-917

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for a *Meeting Facilitation* session.-06-918

Employee Safety & Development Training Contract between St. Louis County and Sister Kay O'Neil for *Taking Charge of One's Own Wellbeing: Setting Limits and Ouch That Hurts: Coping with Criticism* sessions.-06-919

Employee Safety & Development Training Contract between St. Louis County and Sister Michelle Meyers for *Taking Charge of One's Own Wellbeing: Setting Limits and Ouch That Hurts: Coping with Criticism* sessions.-06-920

Coffee Shop Lease between the County of St. Louis and Legacy Restaurants, Inc., for operation of a coffee shop/lunchroom in the Duluth Courthouse.-06-921

Agreement No. 87137 between St. Louis County, City of Duluth, and Minnesota Department of Transportation for Cooperative Land Acquisition for S.P. 69-606-017.-06-922

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Care Givers Network for Community Alternative Care Client No.

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07.-06-923ss

Agreement between the City of Eveleth and the County of St. Louis for striping on various paved city streets and county highways, M.P. 3708.-06-924

Agreement No. 89692 between St. Louis County and the Minnesota Department of Transportation for Cooperative Land Acquisition for S.P. 69-601-001.-06-925

Payment and Performance Bond for Federal, State or County Highway Construction and Maintenance Projects between Ulland Brothers, Inc., and the County of St. Louis for S.A.P. 69-637-017, C.P. 8268, for Bituminous Removal, Plant Mixed Bituminous Base & Surface, Concrete Curb & Gutter, Storm Sewer, Sanitary Sewer Repair.-06-926

Upon motion of Commissioner Raukar, supported by Commissioner Forsman, Resolutions No. 418 through 422, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER RAUKAR:**

WHEREAS, the St. Louis County Public Works Department acquired right of access along a four-mile segment of County-State Aid Highway No. 4 within Rice Lake and Gnesen Townships. Controlled access was acquired along with additional right of way in connection with this project; and WHEREAS, David Stewart, the property owner of the S 1/2 of SE 1/4 of the SE 1/4 of Section 31, Township 52 North, Range 14, has requested a relocation of an existing legal access point; and WHEREAS, the County Land Department has no objections to relocating an access opening serving a tax forfeit parcel to a location north approximately 300 feet; and WHEREAS, the County Public Works Department has reviewed the request and has determined the relocation of the entrance, described in County Board File No. 58577, to be an improvement in road safety in the new location;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Public Works Director to approve the relocation of said entrance opening contingent upon the requesting party removing the existing entrance prior to the construction of the new entrance. Owner would also apply for an entrance permit prior to commencement of the work.  
Adopted July 25, 2006. No. 418

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a four-mile segment of County-State Aid Highway No. 4 with Rice Lake and Gnesen Townships. Controlled access was acquired along with additional right of way in connection with this project; and WHEREAS, Stan Baker the property owner of the SE 1/4 of NE 1/4 of NE 1/4 except S 1/2 of Section 19, Township 52, Range 14, has requested a relocation of an existing legal access point; and WHEREAS, Gary Hipp, the property owner within SW 1/4 of SW 1/4 of SW 1/4, Section 5, Township 51, Range 14, has agreed to transfer and extinguish his access rights; and WHEREAS, the Public Works Department has reviewed the request and has determined the relocation of the entrance, described in County Board File No. 58578, to be an improvement in road safety in the new location;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Works Director to approve the relocation of said entrance opening contingent upon the requesting parties removing the existing entrance prior to the construction of the new entrance. The Bakers would also apply for an entrance permit prior to commencement of the work.  
Adopted July 25, 2006. No. 419

WHEREAS, St. Louis County is committed to providing nutritious meals for elderly residents at

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various sites in and around Duluth; and

WHEREAS, a contract with a transportation provider to deliver the bulk meals to the various sites would enhance the ability of St. Louis County's Community Food Service to efficiently and economically offer nutritional hot meals to elderly residents in the Duluth area; and

WHEREAS, bids were solicited for this service and Northern Access Transportation submitted the lowest responsible quote;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate county officials to execute a contract with Northern Access Transportation to deliver bulk meals from the St. Louis County Community Food Service Central Kitchen to various locations in the Duluth area and return to the Central Kitchen related items and supplies at a rate of \$1,274.00 per week, or \$66,248.00 per year.

RESOLVED FURTHER, the contract shall cover the period from August 1, 2006, through July 31, 2007, with four optional one-year extensions if desired, and this contract will be funded through Fund 660 Community Food Service, Agency 660001 Community Foods, Object 634300 Food Service Agreements.

Adopted July 25, 2006. No. 420

RESOLVED, the Board adopts the new job classification titled Schedule Coordinator and allocates it to Salary Grade C13 on the Health Care Basic Unit Pay Plan, effective immediately.

Adopted July 25, 2006. No. 421

RESOLVED, the Board adopts the new job classification titled Medical Billing Specialist and allocates it to Salary Grade C15 on the Health Care Basic Unit Pay Plan, effective immediately.

Adopted July 25, 2006. No. 422

**BY COMMISSIONER O'NEIL:**

WHEREAS, Resolution No. 514, adopted by the Board on October 11, 2005, states that the Work Participation Rate (WPR) Coordinator position would be evaluated on July 1, 2006, to determine if the Department achieved compliance with the 50 percent WPR established by the State of Minnesota and if the goal was not attained, to determine the future status of the position; and

WHEREAS, the County was not able to reach the 50 percent WPR in the first six months of 2006; and WHEREAS, the WPR Coordinator can help to insure that more MN Family Investment Program (MFIP) clients are involved in work-related activities, that they are induced to enter the workforce, and that a greater number of clients reach a level of self-sufficiency such that they can leave MFIP; and

WHEREAS, the Department does not anticipate being able to reach the 50 percent WPR without the direction and monitoring provided by the WPR Coordinator; and

WHEREAS, the position of WPR Coordinator is fully funded by the MFIP Consolidated Fund, without county levy dollars;

NOW, THEREFORE, BE IT RESOLVED, that Administration shall continue to include the Work Participation Rate Coordinator position in the 2006 budget.

Unanimously adopted. July 25, 2006. No. 423

**BY COMMISSIONER FORSMAN:**

WHEREAS, bids have been received electronically by the St. Louis County Purchasing Department for the following project: S.P. 69-040-001, County Project 3581, located in Ely, Minnesota, consisting of a 71,022 square foot Ely Joint Use Maintenance Facility; and

WHEREAS, said bids were opened in the St. Louis County Purchasing Department at 1:00 P.M., July 10, 2006, and this Board has, with the County Purchasing Department, determined the lowest responsible bidder of said project; and

WHEREAS, in the judgment of this Board, it is for the best interest of St. Louis County that the award

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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 they hereby approve the award of contract on the above project to the lowest bidder, subject to proper authorization of the contract, including the Minnesota Department of Transportation EEO Office and approval of the City of Ely and Lake County. Fund 422, Agency 422002 and Fund 432, Agency 432001.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Kraus-Anderson Construction Company	206 Beltrami Avenue Bemidji, MN 56601	\$6,769,100.00 (Base bid minus alternates No. 1-9 and adding in alternates No. 4 and 7)

Unanimously adopted. July 25, 2006. No. 424

**BY COMMISSIONER RAUKAR:**

WHEREAS, County Administration is responsible to develop a long-term sustainable budget; and  
WHEREAS, recent state and federal cuts require additional administrative budget oversight, expertise and analysis, and increasing focus on service outcomes; and  
WHEREAS, the County Administrator's Office requests a reallocation of 1.0 FTE Computer Operator II from the Management Information Systems (MIS) Department to Administration to hire an Administrative Analyst II to provide this expertise; and  
WHEREAS, this reallocation will be budget neutral, and will neither increase nor decrease the total authorized complement of personnel as approved by the County Board.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves an adjustment to the 2006 budget to reallocate 1.0 FTE Computer Operator II from MIS to provide for the hiring of an Administrative Analyst II within the Department of Administration, along with the necessary fiscal transfer(s), and authorizes the County Administrator to begin the hiring process for this position.

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney, Raukar and Chair Nelson - 6  
Nays - Commissioner Forsman - 1  
Adopted July 25, 2006. No. 425

At 11:47 A.M. on Tuesday, July 25, 2006, upon motion of Commissioner Kron, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**AUGUST, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON AUGUST 1, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of August, 2006, at 9:31 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

James Gottschald, Civil Service Department, and Candace Bruno, Chris Jensen Health and Rehabilitation Center, presented a Volunteer Excellence Award on behalf of Administration to Mary Reedy, retired County employee from Duluth, who has been a volunteer for various organizations since 1936. Ms. Reedy is an active volunteer with the Chris Jensen Auxiliary, St. Scholastica, St. Mary's Duluth Clinic (SMDC), Glensheen and was named Duluth's Woman of the Year in 1995. Ms. Reedy thanked the Board for the recognition and said she was headed to SMDC for a day of volunteering as soon as the ceremony was over.

Chair Nelson 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 the request of Commissioner Fink, Item No. 4 of the Consent Agenda (up-fitting of ten tandem truck chassis with ten-yard dump bodies and hydraulic systems from Bert's Truck Equipment) was removed for separate consideration under Public Works and Transportation Committee. Commissioner Kron, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to authorize continued development of County Based Purchasing (CBP) for enrollees in Medical Assistance, General Assistance Medical Care and/or Minnesota Care Program (Phase II-A). The matter was tabled at the July 25 Board meeting. The following persons addressed the issue:

Marlene Hart, Minnesota Citizens Federation Northeast, urged the Board to support continued development of CBP as a cost-effective method of providing health care with manageable risk.

Vanni Haydon, Vice-President of Minnesota Citizens Federation Northeast, said many minorities receive poor or indifferent medical treatment and CBP would provide positive change.

Eric Torch, Director of the Damiano Center, said health care can be difficult to obtain, particularly dental care. Mr. Torch said the health care system is failing.

Trevor Henry, Teamsters representative, said health care is a working person issue that affects

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everyone.

Marsh Stenerson, AFSCME, said poor health care and inappropriate referrals cost County taxpayers.

Alan Mitchell, County Attorney, said the proposed resolution attempts to incorporate Commissioner thoughts/wishes expressed at the July 25 meeting.

Barbara Casky, Arrowhead Regional Development Commission, agreed with Commissioners that not enough information about specific costs and risks for St. Louis County was provided about CBP in the initial phase.

After lengthy discussion about risks to the County and disappointment about a lack of useable information to make a decision about CBP, the resolution was approved; seven yeas - zero nays. Resolution No. 431.

Chair Nelson directed Administration to put a placeholder on the September 26 Committee of the Whole agenda regarding Phase II-A of CBP.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve reapportionment of staff funding at Chris Jensen for a Dietetic Services Supervisor; seven yeas - zero nays. Resolution No. 432.

At 10:45 A.M. in the forenoon of Tuesday, August 1, 2006, Chair Nelson moved to recess the Board until 10:50 A.M. on August 1, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:50 A.M. on Tuesday, August 1, 2006, and the regular order of business resumed with all members present.

Commissioner Raukar, supported by Commissioner Kron, moved to approve a Revised Grant Management Policy. Donald Dicklich, County Auditor, explained changes and said the policy streamlines the process and aligns it with current Purchasing Rules. Commissioner Fink, suggesting a number of language changes, moved, with support from Chair Nelson, to table the matter to the August 15 Board meeting; five yeas - two nays, Commissioners Forsman and Sweeney.

Commissioner Raukar, supported by Commissioner O'Neil, moved to approve a tax abatement list submitted by the County Assessor. The list was tabled at the July 25 Board meeting. The following persons addressed the issue:

Melvin Hintz, County Assessor, explained various types of abatements and said most involve adjustments for homestead classification. Assessor Hintz also suggested consideration of an abatement fee to offset costs of processing.

John Gellatly, City of Duluth Assessor, said many overvaluations involve rental properties. In response to a question from Chair Nelson, Assessor Gellatly explained an abatement related to warranty repairs to a property that lowered the value until repairs were complete.

Dana Frey, County Administrator, in response to a question from Commissioner Raukar, said tax abatements are considered when the annual budget is prepared.

After further discussion, the abatement list was approved; seven yeas - zero nays. Resolution No. 433.

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Commissioner Raukar, supported by Commissioner Sweeney moved to approve an abatement list submitted by the Assessor. This list was moved to the Board without recommendation from the July 25 Committee of the Whole; seven yeas - zero nays. Resolution No. 434.

Commissioner Raukar, supported by Commissioner O'Neil, moved to direct Administration to include an abatement fee in the 2007 fee schedule; seven yeas - zero nays.

Item No. 4 from the Consent Agenda was then considered. Commissioner Raukar, supported by Commissioner Forsman, moved to approve purchase of ten up-fitted tandem truck chassis with ten-yard dump bodies from Bert's Truck Equipment. The following persons addressed the issue:

Dana Frey, County Administrator, said a potential bidder was unable to access and deliver a bid through the Demand Star program used by Purchasing in the bid process. Paper bids cannot be accepted by Purchasing and the issue appears to be a customer service issue.

Dick Florey, Director of Purchasing, explained how the system works and assistance offered to vendors to place bids. Not accepting paper bids is allowed by state statute although the Board has never formally approved the process.

Jim McLaughlin, Bert's Truck Equipment, said he had no trouble with Demand Star and rejecting all bids would put him at a disadvantage because his bid would be available for all to see.

Commissioners questioned why paper bids are not accepted especially since the Board has not passed any resolution disallowing that type of bid. Commissioner Raukar said there are really two issues: a failure in administrative policy and whether to accept a low bid.

At 12:25 P.M. in the afternoon of Tuesday, August 1, 2006, Chair Nelson moved to recess the Board until 1:45 P.M. on August 1, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:46 P.M. on Tuesday, August 1, 2006, and the regular order of business resumed with all members present.

Discussion of the Bert's Truck Equipment bid resumed. Marcus Hall, Public Works Director, in response to questions from Commissioner Sweeney, said the equipment is needed but not critical. Administrator Frey said he spoke with Director of Purchasing Florey and suggested the Board by directive motion ask for development of a process to accept paper bids. After further discussion, the resolution authorizing the purchase was approved; five yeas - two nays, Commissioner Forsman and Chair Nelson. Resolution No. 436.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to direct Administration to find a way to accept paper copies of bids immediately and review the current Demand Star process; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to table until September 12, 2006, consideration of a wildlife management area request by the Department of Natural Resources (Ricehaven); seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Raukar, moved to authorize execution of a Memorandum of Understanding between the State of Minnesota Judicial Branch and St. Louis County establishing responsibilities regarding court administration employees and County premises occupied by the courts. County Attorney Mitchell explained the intent of the Memorandum and said this was

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a reasonable agreement; seven yeas - zero nays. Resolution No. 436.

Chair Nelson invited everyone to a grand opening ceremony at the St. Louis County Fairgrounds at Ironworld for the Children's Barn. Chair Nelson also praised Planning Department staff for an excellent informational pamphlet they produced regarding property development.

Commissioner O'Neil noted that tonight was "National Night Out" to promote safety in neighborhoods.

Chair Nelson said August was Child Support and Protection Month.

Commissioner Sweeney said opening of the County Fairs at Ironworld this week and Proctor next week will provide "the ten best days of summer."

Commissioner Kron thanked all volunteers who assisted with the Donald O'Brien fund-raising benefit held recently at the Buffalo House. Mr. O'Brien was murdered this summer near his home in Gary-New Duluth.

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

Tax Increment Financing Reports for the year ended December 31, 2005.-58581-D

Ellen Trancheff, Clerk, Greenwood Township, again requesting the Board to appoint a liaison to meet with Greenwood representatives to determine a fair fee or tax apportionment for fire protection service in Unorganized Township 63-17 on Lake Vermilion.-58582

Julie Houck, Wright, requesting that County Road 823 be graded, additional dust control applied, and a better grade of rock laid; and further, requesting that St. Louis County request the State of Minnesota for funding for road improvement in Northern Minnesota.-58583

Memorandum of Understanding between the State of Minnesota Judicial Branch and St. Louis County.-06-927

Project Contract No. 4629 between the County of St. Louis and Bill Gruska Construction for French Township Canister Site Improvements.-06-928

Service Contract between the County of St. Louis and Como Lube & Supplies, Inc., for waste oil, used oil filters and used floor dry collection and disposal.-06-929

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Leonidas for water/sewer improvements.-06-930

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Orr for water improvements.-06-931

Agreement for Professional Services between the County of St. Louis and Scalzo Architects for parking ramp extension adjacent to the Duluth Third Street ramp.-06-932

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 426 through 430, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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**BY COMMISSIONER KRON:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 18, 2006, are hereby approved.

Adopted August 1, 2006. No. 426

WHEREAS, a contract for the purchase or repurchase of State tax forfeited land, described in County Board File No. 58548, is in default for non-payment of taxes or installment payments; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract and has failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the County Board does hereby approve the cancellation of said contract for purchase or repurchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58548, according to the provisions of Minnesota Statute 282.01, Subdivision 5, and Minnesota Statute 282.40, and according to the procedures of Minnesota Statute 559.21.

Adopted August 1, 2006. No. 427

WHEREAS, the County has the need for current County-wide, mapping-correct, imagery; and  
WHEREAS, securing such imagery is absolutely fundamental in the practice of spatial data collection, management, planning and decision-making; and

WHEREAS, the cost for acquisition of this data set is fair and reasonable, reflecting a sizable discount for the County because of its history of support in the cost-sharing of the DNR's aerial photo missions; and

WHEREAS, by its professional competence, the DNR has demonstrated it has the expertise to properly deliver an excellent product;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the Director of Purchasing to issue a purchase order for the 2005 digital, rectified, mosaic image product of St. Louis County lands, and for the serving license for County-wide in-house use from the Minnesota DNR, on behalf of St. Louis County, payable from Fund 290, Agency 290001, Object 629900, for an amount not to exceed \$35,875.

Adopted August 1, 2006. No. 428

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments approved by the County Attorney's Office with the City of Floodwood for the following:

- 1) St. Louis County (County) will remove the County-State Aid Route Designation from both County-State Aid Highway (C-SAH) 71 and C-SAH 72 (Railroad Street from 7th Avenue to Trunk Highway 73 and 8th Avenue from Railroad Street to Fir Street) and give jurisdiction to the City of Floodwood upon revocation of "State Aid" status. The City shall accept jurisdiction of these roadways and shall be responsible for all future maintenance and construction costs.
- 2) The County shall obtain jurisdiction of 9th Avenue West from Trunk Highway 2 to existing County Road 832 (at Ash Street) and shall make this a portion of County Road 832. The County shall accept jurisdiction of this roadway and shall be responsible for all future maintenance and construction costs.
- 3) The County and City will perform maintenance duties on certain roadways as detailed in the agreement.

Adopted August 1, 2006. No. 429

RESOLVED, that the County of St. Louis enter into Agreement No. 89933 and any amendments

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approved by the County Attorney's Office with Burlington Northern Santa Fe Railway and the Commissioner of Transportation for crossing improvements at crossing number USDOT 061260K on C-SAH 60, between Leighton Road and Trunk Highway 73 in Hibbing, MN, identified as S.P. 69-00178, S.A.P. 69-660-010, C.P. 9314, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be ten percent of the total estimated project cost of \$147,413.00, or \$14,741.30, payable from Fund 220, Agency 220194. Adopted August 1, 2006. No. 430

**BY COMMISSIONER O'NEIL:**

WHEREAS, the regional Human Services Directors and elected officials (including those from the following counties: Aitkin, Carlton, Cook, Lake, Koochiching, and St. Louis) have participated in a feasibility analysis for developing county-based purchasing in the Arrowhead Region for Medical Assistance, General Assistance Medical Care and/or the Minnesota Care Program; and

WHEREAS, based upon the continued interest expressed by these counties, it would be desirable to proceed with Phase II-A of a multi-phased approach by contracting for interim assistance to develop a proposed governance structure, complete federal and state waiver applications, complete and submit the initial state application, develop a proposed provider network, and a managed care model of service by October 1, 2006; and

WHEREAS, the funding needed for a contract for these services based upon a six-month budget is \$87,000.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby authorize the St. Louis County Public Health and Human Services Department to participate by providing funding to the Arrowhead Regional Development Commission (ARDC) for them to contract for the above services to complete the duties as outlined above in the amount of \$14,500, contingent upon ARDC and/or its contractor agreeing to provide the following information specific to St. Louis County:

A marketing plan for St. Louis County, a financial pro forma with assumptions in a form acceptable to the St. Louis County Administrator and St. Louis County Auditor, county-by-county participation scenarios and other information;

to assist the County Board in determining future continued participation, prior to October 1 if feasible, and if not, no later than November 14, 2006, by written documentation and presentation to the Committee of the Whole, payable from Fund 230, Agency 230006, Object 629900.

Unanimously adopted. August 1, 2006. No. 431

WHEREAS, the current Supervising Dietician will leave Chris Jensen effective August 18, 2006; and WHEREAS, the Nursing Home Director has reviewed the workload and staffing needs of the Division and believes that a change in staffing from a Supervising Dietician to a Dietetic Services Supervisor will allow the dietary division of Chris Jensen to continue to provide the same services to its residents;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners authorizes the Auditor's office to delete 1.0 FTE Supervising Dietician (Grade D23) and add 1.0 FTE Dietetic Services Supervisor (Grade D17) to the Chris Jensen 2006 budget, reflecting an annual salary savings of \$24,780.38.

Unanimously adopted. August 1, 2006. No. 432

**BY COMMISSIONER RAUKAR:**

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

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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date of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58495, are hereby approved:

Real Estate - William Gorman, \$465.82; Ray Richards, \$7.50; David Adolfsen, \$289.80; Amelia Sloan, \$194.94; Gregory Benson, \$233.16; Carl Brouse, \$475.60; Bruce Carlson, \$484.20; Damien Chesney, \$300.86; Jereme Dahmen, \$903.42; Donald Dicklich, Cancel Forfeiture; Jeanette Dren, \$473.52; Royce Fontaine, \$504.76; Brenda Hanninen, \$208.42; Jesse Iverson, \$270.24; Chadwick Larson, \$878.52; Kevin Montgomery, \$1,132.10; Timothy Peterson, \$409.06; Jack Priley, \$1,098.60; John Puff, \$429.50; Christopher Shoemaker, \$540.16; Joshua Toms, \$276.56; Kirk Tormanen, \$271.60; Tony Walker, \$1,361.26; Richard Wrazidlo, \$202.02.

Personal Property - Lee Carlson, \$83.84.

Unanimously adopted. August 1, 2006. No. 433

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. 58495, are hereby approved:

Real Estate - Jamie Boyer, \$475.50; Henry Devries, \$626.26; First National Bank, \$1,390.56; George Francke, \$519.40; Christopher Kacer, \$306.48; Gary Kindt, \$1,775.66; Amelia Krone, \$573.64; Martin Petron, \$582.54; The Duluth Regional Care, \$2,603.56.

Unanimously adopted. August 1, 2006. No. 434

**BY COMMISSIONER FINK:**

WHEREAS, by operation of Minnesota Statutes, Section 480.181, former County employees working in court administration became employees of the State of Minnesota Judicial Branch, effective July 1, 2005; and

WHEREAS, these employees were eligible to retain certain employment benefits offered by St. Louis County; and

WHEREAS, the County Civil Service/Personnel Department and the County Auditor are responsible for administering the payroll and benefits for these State employees; and

WHEREAS, pursuant to Minnesota Statute, Section 484.77, the County is required to provide suitable facilities for court purposes to the State; and

WHEREAS, the County's Property Management Department is responsible for managing the County's physical properties, including the space occupied by the State in the Duluth, Hibbing and Virginia Courthouses for court purposes; and

WHEREAS, a Memorandum of Understanding has been negotiated regarding: the benefits to be received by eligible State employees; the County's responsibility for the administration of the payroll and benefits for these State employees; the State's obligation to reimburse the County's actual and administrative costs of the payroll and benefits for these employees; the allocation of physical space to the State for court purposes within each courthouse; the County's responsibilities with regard to that physical space; the State's obligations and limitations with regard to that physical space; the optional purchase of miscellaneous additional County services by the State; and other matters.

NOW, THEREFORE, BE IT RESOLVED, the Chair of the St. Louis County Board and the County Auditor are hereby authorized to execute the Memorandum of Understanding between the State of Minnesota Judicial Branch and St. Louis County, contained in Contract File No. 06- 927.

Unanimously adopted. August 1, 2006. No. 435

**BY COMMISSIONER RAUKAR:**

WHEREAS, the Public Works Department equipment budget includes replacement of ten tandem dump trucks; and

WHEREAS, Public Works presented specifications to the Purchasing Department for preparation of

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Bid No. 4633, Ten Cubic Yard Dump Bodies w/Hydraulic Systems to be installed on tandem truck chassis ordered in May; and

WHEREAS, Bert's Truck Equipment of Moorhead, Minnesota, was the low bidder with a price of \$211,312.40; and

WHEREAS, the Public Works Department selected an optional electronic sand spreader control and permanently mounted ladder with the installations;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Bert's Truck Equipment, for the up-fitting of ten tandem truck chassis with ten-yard dump bodies and hydraulic systems, options selected and the necessary transportation charges, the purchase price of \$225,162.40, subject to a State of Minnesota sales tax of \$14,635.56 for a total cost to the County of \$239,979.96; payable from Fund 200, Agency 202020, Object 666300.

Yeas - Commissioners Fink, O'Neil, Kron, Sweeney, and Raukar - 5

Nays - Commissioner Forsman and Chair Nelson - 2

Adopted August 1, 2006. No. 436

At 2:14 P.M. on Tuesday, August 1, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON AUGUST 15, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 15th day of August, 2006, at 9:30 A.M. in the Mt. Iron Community Center, Highway 169, Mt. Iron, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Chair Nelson selected five high school coaching legends from the Quad Cities Area to receive Volunteer Excellence Awards. Presentations were made as follows:

Keith Hendrickson, former high school and University of Minnesota, Duluth (UMD) hockey player, presented the first award to his father Dave Hendrickson for his years of service as teacher and coach of various sports at Virginia High School.

Deanna Kerzi presented an award to her father, Steve Kerzi, for his years of coaching, teaching and refereeing at Gilbert High School.

Bob Pazelli, former athlete and assistant coach, presented an award to his former coach, Robert "Bobo" Kochevar, for his years of dedicated service teaching and coaching at Eveleth High School.

Joe Prebeg, former athlete, presented a posthumous award to Robert Swanson, longtime coach at Mt. Iron High School. Jane Swanson, widow of Robert Swanson, accepted the award.

David Prusak, former athlete, presented an award to Dick Lawrence for his years of coaching at Eveleth High School.

Each presenter emphasized the tremendous, positive influence these coaches had on their lives and the lives of others. Their careers were not just about winning and losing but teaching humility, good sportsmanship and respect.

At 10:15 A.M. in the forenoon of Tuesday, August 15, 2006, Chair Nelson moved to recess the Board until 10:20 A.M. on August 15, 2006, in the Mt. Iron Community Center, Highway 169, Mt. Iron, Minnesota.

The Board reconvened at 10:25 A.M. on Tuesday, August 15, 2006, and the regular order of business resumed with all members present.

Commissioner Fink thanked all the volunteer award recipients for their work as well as everyone who participates in coaching and volunteering in youth athletics.

Chair Nelson thanked Gary Skalko, Mayor of Mt. Iron, for allowing the Board to conduct a meeting at their Community Center. Chair Nelson also noted the St. Louis County History Train was heading to Proctor and then to the Depot after touring the Iron Range.

At 10:27 A.M., a public hearing was convened pursuant to County Board Resolution No. 415, adopted July 18, 2006, to consider granting an off-sale intoxicating liquor license to Sportsman's Last Chance, Inc., Portage Township. Alan Mitchell, County Attorney, advised the Board that: all necessary

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County Departments reviewed the application and recommended approval; the Town of Portage reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussion of the location and propriety of the business, recommended approval; all required notices were given; and, the necessary insurance certificate submitted. Geraldine Hoffman, owner, said she understood and would abide by the provisions of Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 10:35 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve granting the license; seven yeas - zero nays. Resolution No. 452.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve free conveyance of Lots 5, 6 and 7, Block 186, West Duluth Seventh Division, to the Duluth Economic Development Authority for construction of affordable housing units. The proposed resolution also rescinded Resolution No. 184, adopted March 21, 2006. Commissioner Sweeney said the property is located near the freeway and is suitable for little else other than housing. Commissioner Fink said he would not support the resolution because it amounted to policy by request and continues a tax increment financing district. Commissioner Kron said the conveyance will facilitate elimination of blight. After further discussion, the conveyance was approved; six yeas - one nay, Commissioner Fink. Resolution No. 453.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to table consideration of free conveyance of tax forfeited land located in east Duluth to the City of Duluth for storm water drainage and steep slope protection. Attorney Mitchell suggested it may be preferable to deny the conveyance. Commissioner Sweeney withdrew her tabling motion and moved, with support from Commissioner Fink, to deny the request until a wastewater and/or land use plan is submitted; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner O'Neil, moved to approve a Revised Grant Management Policy. Donald Dicklich, County Auditor, detailed revisions designed to clarify provisions of the policy. Dana Frey, County Administrator, said he discussed the revisions with the Auditor and is comfortable with the document as submitted; seven yeas - zero nays. Resolution No. 454.

Commissioner Fink, supported by Commissioner O'Neil, moved to amend Section 16 of the Standing Rules and Bylaws of the St. Louis County Board, adopted in 1997, by renaming the Health and Social Services Committee as Health and Human Services Committee; seven yeas - zero nays. Resolution No. 455.

Commissioner Fink, supported by Commissioner Raukar, moved to suspend the rules to consider appointing election judges and designating polling places for unorganized precincts within St. Louis County; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to approve the appointments and polling place designations; seven yeas - zero nays. Resolution No. 456.

Commissioner Kron, supported by Commissioner Sweeney, moved to award the contract for construction of the Joint Public Safety Facility to Merrimac Construction of Ham Lake, MN, on their low bid of \$5,188,666. The following persons addressed the issue:

Tony Mancuso, Property Manager, said construction could be complete by June 2007. Even though the original plans were downsized to reign in costs, the facility still allows for future flexibility.

Sheriff Ross Litman explained how a portion of equipment bonding approved in 2005 will be used to

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cover costs that have exceeded original estimates bonded for in 2004.

Alan Mitchell, County Attorney, explained the funding mechanism used to insure that sufficient funding was available to award the bid.

The award of bid was then approved; seven yeas - zero nays. Resolution No. 457.

Commissioner Sweeney said she will be leaving for Chicago at the close of the meeting for a Labor/Management Conference.

Commissioner Raukar said it was Child Support Awareness Month and he said collections over the years have saved taxpayers millions of dollars.

Commissioner Fink detailed many of the issues discussed at meetings he attended at the recently completed National Association of Counties (NACO) Conference in Chicago. Commissioner O'Neil also attended the NACO Conference and said he learned a great deal about a wide variety of issues.

Commissioner Kron applauded economic development efforts of the Port Authority of Duluth, noting that the Port has gained a reputation as a heavy-lift cargo destination.

Chair Nelson distributed an article from the Mesabi Daily News about a beach closing on Leander Lake that received little or no public warnings.

Commissioner Fink said an upcoming meeting concerning Voyageurs National Park will not be attended by the U. S. Park Service Director as previously planned.

At 11:47 A.M., Commissioner Raukar, supported by Commissioner Kron, moved to adjourn the County Board meeting; seven yeas - zero nays.

At 1:15 P.M., County Board members reconvened at the Mt. Iron Community Center, Mt. Iron, MN, with all members present except Commissioner Sweeney. Commissioner Raukar, supported by Commissioner Kron, moved to reconsider his previous adjournment motion; six yeas - zero nays. Commissioner Raukar, supported by Commissioner O'Neil, moved to amend the motion to recess the meeting until 2:00 P.M.; six yeas - zero nays.

At 2:33 P.M., the County Board reconvened in the Mt. Iron Community Center, Mt. Iron, MN, with all members present except Commissioner Sweeney.

Commissioner Kron, supported by Commissioner Raukar, moved to approve a second consent agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; six yeas - zero nays.

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

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-339, regarding Reclassification of State tax forfeited land (non-conservation).-58584

Dana Frey, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter No. 06-303 regarding Revised Grant Management Policy.-58585  
Documentation from public hearing held on August 15, 2006, to consider the granting of an Off-Sale

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Intoxicating Liquor License to Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township.-58586

Documentation regarding the Joint Public Safety Facility Construction - Award of Bid.-58587

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and the City of Buhl for construction of an access road in the new South Industrial Park.-06-933

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and the City of Chisholm for water/sewer improvements.-06-934

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and the City of Ely for community center improvements.-06-935

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Hibbing Courthouse radon/CO2 Study.-06-936

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 6712-3707, M.P. 6722-3712, M.P. 6723-3713, M.P. 6738-3714, M.P. 6741-3715, M.P. 6747-3716, M.P. 6756-3717 for Mill Bituminous, Surface, P.M. Bituminous Surface & Aggregate & Aggregate Shoulders.-06-937

Contract between the County of St. Louis and KGM Contractors, Inc., for S.P. 69-616-043, C.P. 9270, HPP MN 32(101) for Bridges, Grading, Geofoam, Aggregate Base, Bituminous Reclamation and Bituminous Surfacing.-06-938

Grant Contract between the State of Minnesota, acting through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management, and St. Louis County for Law Enforcement Terrorism Prevention Program.-06-939

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Interim Healthcare of Lake Superior for Community Alternative Care Client No. 29.-06-940ss

Lease No. PS0207 between St. Louis County and the State of Minnesota, Department of Administration, for rental of a room for use as driver exam station.-06-941

St. Louis County Community Development Block Grant Program FY 2006 Agreement between St. Louis County and City of Eveleth for sewer improvements.-06-942

Agreement between the City of Babbitt and the County of St. Louis for M.P. 3708 for striping of city streets and county highways within the City of Babbitt.-06-943

Agreement between the County of St. Louis and SMDC Health Systems for health services for the St. Louis County Jail.-06-944

Lease Agreement between Embarrass Township and St. Louis County for a solid waste canister site.-06-945

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 437 through 451, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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**BY COMMISSIONER RAUKAR:**

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 25, 2006, are hereby approved.

Adopted August 15, 2006. No. 437

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. 58495, are hereby approved:

Real Estate - Eric Boles, \$291.40; State of Minnesota, \$2,924.16; Laura Crockett, \$1,396.22.

Adopted August 15, 2006. No. 438

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 21, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted August 15, 2006. No. 439

WHEREAS, the Land Department has reviewed a request of Bruce Kainz and Mark Larson for a non-exclusive road access easement across State Tax Forfeited land and recommends approval; and WHEREAS, there are no reasonable alternatives to obtain access to the individual's property; and WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Bruce Kainz is granting St. Louis County an easement with an appraised value of \$1,320.00 in Section 10, Township 59 North, Range 15 West which will satisfy a portion of the cost with the remaining \$1,086.00 being paid to the County;

THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is hereby authorized by Minnesota Statutes, Section 282.04, Subdivision 4(a), to grant a non-exclusive easement for roadway purposes to Bruce Kainz and Mark Larson. The description of the easement is: An easement for ingress and egress 66.00 feet in width in the northeast quarter of the southeast quarter of Section 9, Township 59 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 33.00 feet on each side of the centerline described as follows: Commencing at the west quarter corner of Section 10; thence on an assigned bearing of N 87 degrees 26 minutes 10 seconds E along the East-West quarter line of Section 10 a distance of 566.75 feet to the centerline of State Highway No. 135; thence S 02 degrees 36 minutes 04 seconds E along said centerline a distance of 94.13 feet; thence N 83 degrees 03 minutes 23 seconds W a distance of 31.98 feet to a tangential curve, concave to the southeast; thence southwesterly along said curve, with a delta angle of 70 degrees 06 minutes 02 seconds and a radius of 350.00 feet a distance of 428.22 feet to a tangential curve, concave to the northwest; thence southwesterly along said curve with a delta angle of 41 degrees 16 minutes 18 seconds and a radius of 350.00 feet a distance of 252.11 feet to the west line of the northwest quarter of southwest quarter of Section 10, which is also the east line of the northeast quarter of the southeast quarter of Section 9 and the point of beginning of said easement; thence continuing southwesterly, along said curve, with a delta angle of 23 degrees 16 minutes 51 seconds and a radius of 350.00 feet, a distance of 142.21 feet; thence N 88 degrees 36 minutes 15 seconds W a distance of 258.51 feet to a tangential curve concave to the north; thence westerly along said curve with a delta angle of 12 degrees 50 minutes 56 seconds and a radius of 350.00 feet a distance of 78.49 feet; thence N 75 degrees 45 minutes 19 seconds W a distance of 224.75 feet to a tangential curve concave to the northeast; thence northwesterly along said curve with a delta angle of 49 degrees 08 minutes 01 seconds and a radius of 150.00 feet a distance of 128.63 feet; thence N 26 degrees 37 minutes 18 seconds W a distance of 120.35 feet to a tangential curve concave to the east; thence northerly along

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said curve with a delta angle of 42 degrees 46 minutes 16 seconds and a radius of 150.00 feet a distance of 111.97 feet; thence N 16 degrees 08 minutes 58 seconds a distance of 113.07 feet to the north line of said northeast quarter of the southeast quarter and thereby terminating. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 1176 feet in length and contains 1.8 acres more or less.

This easement is valued at \$2,160.00 land use fee, plus a \$200.00 administration fee and \$46.00 recording fee, for a total of \$2,406.00.

BE IT FURTHER RESOLVED, granting of this easement is conditioned upon County receipt of an easement from Bruce Kainz across a portion of the NW 1/4 of the SW 1/4, Section 10, Township 59 North, Range 15 West, valued at \$1,320.00, and upon payment of the difference in value and fees (\$1,086.00) to be deposited into Fund 240.

Adopted August 15, 2006. No. 440

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 as described in County Board File No. 58496 have been classified as non-conservation land as provided for in Minnesota Statute, Chapter 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statute, Sections 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, the classification and sale of these lands has been approved by the government subdivision in which they are located; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of said lands, as required by Minnesota Statute, Chapter 282;

BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at public sale at not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law on Thursday, October 12, 2006, at 11:00 A.M. at the Miners Memorial Building, Virginia, Minnesota. Fund from the land sale are to be deposited into Fund 240. Adopted August 15, 2006. No. 441

WHEREAS, the St. Louis County Board of Commissioners, State of Minnesota, desires to offer for sale, as recommended by the Land Commissioner, a certain parcel of State tax forfeited land described as: W 1/2 Lot 345, Block 124, Duluth Proper Second Division. Parcel Code: 10-1180-4410;

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Section 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of tax forfeited lands from sale; and

WHEREAS, this parcel of land cannot be improved because it is less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel, starting at a minimum bid of \$1,400.00 plus fees to be deposited into Fund 240; and the County Auditor is hereby authorized to offer said parcel at a non-public sale limited to adjacent property owners to encourage return of the land to the tax rolls.

BE IT FURTHER RESOLVED, that the Land Commissioner shall give at least 30 days notice of the sale to all adjoining owners.

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Adopted August 15, 2006. No. 442

WHEREAS, the Land Department has reviewed a proposal for a non-exclusive road access easement across State tax forfeited land to be granted to William Steger, Jr., and recommends approval; and WHEREAS, there are no reasonable alternatives to obtain access to the Grantee's property; and WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, by the authority vested in him by Minnesota Statutes 282.04, Subdivision 4a, is hereby authorized to grant a non-exclusive easement for roadway purposes to William Steger, Jr. The description of the easement is: A non-exclusive easement for ingress and egress 33 feet in width, 16.5 feet on each side of the centerline described as follows: Commencing at the west sixteenth corner of the northeast one-quarter of Section 12, Township 63 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence northerly on the north-south one-quarter line of Section 12 on an assigned azimuth of 358 degrees 11 minutes 22 seconds a distance of 130.00 feet; thence easterly on the north line of the south 130 feet at an azimuth of 87 degrees 49 minutes 44 seconds a distance of 28.40 feet to the point of beginning, where all succeeding courses will follow said existing centerline, thence at an azimuth of 30 degrees 32 minutes 21 seconds a distance of 129.20 feet; thence at an azimuth of 08 degrees 04 minutes 25 seconds a distance of 60.97 feet; thence at an azimuth of 348 degrees 22 minutes 36 seconds a distance of 190.52 feet; thence at an azimuth of 05 degrees 04 minutes 57 seconds a distance of 148.88 feet; thence at an azimuth of 25 degrees 10 minutes 11 seconds a distance of 307.26 feet; thence at an azimuth of 10 degrees 18 minutes 59 seconds a distance of 233.40 feet; thence at an azimuth of 40 degrees 33 minutes 04 seconds a distance of 121.72 feet; thence at an azimuth of 49 degrees 53 minutes 51 seconds a distance of 123.90 feet to the intersection with the north line of Section 12; thence continuing in Section 1 on the previous azimuth a distance of 16.32 feet; thence at an azimuth of 40 degrees 15 minutes 04 seconds a distance of 406.87 feet; thence at an azimuth of 34 degrees 12 minutes 23 seconds a distance of 72.72 feet; thence at an azimuth of 08 degrees 10 minutes 55 seconds a distance of 87.60 feet; thence at an azimuth of 27 degrees 24 minutes 25 seconds a distance of 249.68 feet; thence at an azimuth of 32 degrees 12 minutes 11 seconds a distance of 281.22 feet; thence at an azimuth of 48 degrees 22 minutes 03 seconds a distance of 156.40 feet; thence at an azimuth of 54 degrees 04 minutes 26 seconds a distance of 282.88 feet; thence at an azimuth of 42 degrees 04 minutes 43 seconds a distance of 217.56 feet; thence at an azimuth of 70 degrees 53 minutes 20 seconds a distance of 127.46 feet; thence at an azimuth of 83 degrees 59 minutes 50 seconds a distance of 65.73 feet; thence at an azimuth of 73 degrees 14 minutes 07 seconds a distance of 85.08 feet; thence at an azimuth of 81 degrees 52 minutes 28 seconds a distance of 129.86 feet; thence at an azimuth of 70 degrees 15 minutes 54 seconds a distance of 26.93 feet to the north line of the southeast one-quarter of the southeast one-quarter of Section 1 and thereby terminating. The side lines of this easement are prolonged or shortened to terminate on the respective subdivision lines. This easement is 3522 feet in length and contains 2.6 acres more or less.

The granting of this easement is conditioned on payment of \$7,800.00 land use fee, \$150.00 administration fee and \$46.00 recording Fee, for a total cost of \$7,996.00 to be deposited into Fund 240.

Adopted August 15, 2006. No. 443

WHEREAS, the Land Department has reviewed a request from Matt Leisch and John Gustafson for a non-exclusive road access easement across State tax forfeited land, and recommends approval; and WHEREAS, there are no reasonable alternatives to obtain access to the individuals' property; and WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is hereby authorized by

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Minnesota Statutes, Section 282.04, Subdivision 4(a), to grant a non-exclusive easement for roadway purposes to Matt Leisch and John Gustafson. The description of the easement is: A perpetual non-exclusive easement for ingress and egress 66.00 feet in width over, under, and across the southeast quarter of the northeast quarter of Section 15, Township 56 North, Range 16 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 33.00 feet on each side of the centerline described as follows: Commencing at the southeast corner of said southeast quarter of the northeast quarter which is also the east quarter corner of said Section 15; thence westerly on the east west quarter line of said Section 15 on an assigned azimuth of 270 degrees 55 minutes 00 seconds, where 0 degrees equals north, a distance of 656 feet more or less to the southwest corner of the east one-half of said southeast quarter of the northeast quarter and the point of beginning of said easement; thence at an azimuth of 0 degrees 00 minutes 00 seconds a distance of 120 feet more or less to the centerline of Long Lake Road and thereby terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 120 feet in length and contains 0.2 acres more or less.

The granting of this easement is conditioned on payment of \$280.00 land use fee, \$150.00 administration fee and \$46.00 recording fee, for a total cost of \$476.00 to be deposited into Fund 240. Adopted August 15, 2006. No. 444

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with Minnesota Power (MP) whereby the MP will pay the local share items listed in the Schedule of Prices in the Proposal/Plan Package in the Plan described as S.A.P. 69-600-035, C.P. 8281. The funds received from MP will be receipted into Fund 220, Agency 220141. Adopted August 15, 2006. No. 445

RESOLVED, that the St. Louis County Board hereby adopts the job specification and salary plan for the new classification of Deputy Director in the Merit System Supervisory Unit Pay Plan, effective August 8, 2006. Adopted August 15, 2006. No. 446

RESOLVED, that the St. Louis County Board of Commissioners authorized the County Sheriff, County Auditor, and Chair of the County Board to execute an agreement on behalf of St. Louis County with SMDC Health Systems to provide medical services at the County Jail from June 1, 2006, through December 31, 2006. The contract fees shall be payable from Fund 100, Agency 137002, Object 626400. Adopted August 15, 2006. No. 447

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Black Spruce Tops Auction, Tracts 1 through 5 (totaling \$63,644.40), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal reports. Adopted August 15, 2006. No. 448

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 3,928,124.25
184	Extension Service	15,351.14

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200	Public Works	3,952,084.27
230	Social Services	4,552,641.13
240	Forfeited Tax	217,526.25
250	St. Louis County HRA	790.70
600	Solid Waste Authorities	354,211.40
625	Chris Jensen Health & Rehab.	696,702.08
650	Laundry	58,266.16
660	Community Food Services	75,711.49
670	Supervised Living Facilities	32,809.89
700	Printing	7,979.26
715	County Garage	53,984.76
750	Management Information Systems	489,737.22
760	Telecommunications	85,307.31
925	Arrowhead Regional Corrections	718,004.58
955	Community Health Services	115,977.81
989	Regional Railroad Authority	<u>147,659.66</u>
		\$15,502,869.36

Adopted August 15, 2006. No. 449

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 4, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted August 15, 2006. No. 450

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. 58504, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Embarrass Region Volunteer Fire Department, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0626, for August 26 and 27, 2006.

Adopted August 15, 2006. No. 451

**BY COMMISSIONER FORSMAN:**

WHEREAS, Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage 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 August 15, 2006, at or about 9:35 A.M. in the Mt. Iron Community Center, Mt. Iron, 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 Sportsman's Last Chance, 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 CMB105) shall be issued to Sportsman's Last Chance, Inc., d/b/a Sportsman's Last Chance, Inc., Portage Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2007; and

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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 the license fee to the licenseholder.

Unanimously adopted. August 15, 2006. No. 452

**BY COMMISSIONER SWEENEY:**

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, Duluth Economic Development Authority (DEDA) has requested conveyance of State tax forfeited land legally described as: Lots 5, 6 & 7, subject to increment financing, Block 186, West Duluth Seventh Division. Parcel Code: 10-4530-2760;

WHEREAS, the purpose of acquiring this property is for further economic development of four affordable housing units as a phase of the West Duluth Ramsey Village Redevelopment Plan;

BE IT RESOLVED, that the St. Louis County Board recommends the Commissioner of Revenue convey State tax forfeited land described above to the City of Duluth for the authorized public use of affordable housing units.

BE IT FURTHER RESOLVED, the St. Louis County Board approves the free conveyance of the above described State tax forfeited parcels to the City of Duluth for an administrative fee of \$100.00, deed fee of \$25.00, deed tax of \$1.65, and recording fee of \$46.00; for a total of \$172.65.

FURTHER RESOLVED, that County Board Resolution No. 184, adopted March 21, 2006, is hereby rescinded.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted August 15, 2006. No. 453

**BY COMMISSIONER RAUKAR:**

RESOLVED, that the Revised Grant Management Policy, on file in the office of the County Auditor, identified as County Board File No. 58585, is hereby adopted.

Adopted August 15, 2006. No. 454

**BY COMMISSIONER FINK:**

RESOLVED, that Section 16 of the Standing Rules and Bylaws of the St. Louis County Board of Commissioners, adopted in 1997, is hereby amended to rename the Health and Social Services Committee as the Health and Human Services Committee.

Adopted August 15, 2006. No. 455

Upon motion of Commissioner Fink, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 456 which was not on the agenda.

**BY COMMISSIONER FINK:**

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 Election for the 2006 Primary and General Elections:

UNORGANIZED TOWNSHIP 57-16 (UNORGANIZED PRECINCT #14)

Clerk - Charlene E. Johnson, 6473 Heritage Trail, Gilbert, MN 55741

Judge - Jan Dzwonkowski, 6317 Heritage Trail, Gilbert, MN 55741

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Judge - Lillian Keil, 4460 Vermilion Trail, Gilbert, MN 55741  
Judge - Elaine Elmquist, 4273 McKinley Road, Gilbert, MN 55741  
Polling Place - Lakeland Fire Hall, 4667 Vermilion Trail, Gilbert, MN 55741

UNORGANIZED TOWNSHIP 60-18 (UNORGANIZED PRECINCT #15)

Clerk - Barbara Harkonen, 9318 Goodell Road, Angora, MN 55703  
Judge - Carolyn Nordlinder, 9069 Whitetail Drive, Britt, MN 55710  
Judge - Nancy Shadle, 8535 Tall Pine Road, Britt, MN 55710  
Judge - Mary Elaine Arola, 7354 W. Donneywood Road, Britt, MN 55710  
Judge - Raymond Stahl, 7439 Highway 53, Britt, MN 55710  
Judge - Mary Jean Eilertson, 7364 Highway 53, Britt, MN 55710  
Polling Place - Sand Lake Chapel, 9038 Biss Road, Britt, MN 55710

UNORGANIZED TOWNSHIP 60-19 (UNORGANIZED PRECINCT #16)

Clerk - Byron Trimble, 7868 Lake 14 Road, Britt, MN 55710  
Judge - Victoria Emmons, 9659 Folsom Road, Britt, MN 55710  
Judge - Roberta Today, 9747 Folsom Road, Britt, MN 55710  
Polling Place - Evergreen Volunteer Fire Department, 10233 Hwy 65, Britt, MN 55710

UNORGANIZED TOWNSHIP 56-16 (UNORGANIZED PRECINCT #17)

Clerk - Carolyn Gouldin, 6778 Wilson Road, Makinen, MN 55763  
Judge - Evelyn Hermanson, 6468 Long Lake Road, Makinen, MN 55763  
Judge - Lorraine Niskala, 6118 Long Lake Road, Makinen, MN 55763  
Polling Place - Makinen Community Center, Makinen, MN 55763

RESOLVED FURTHER, the following eligible voters in St. Louis County are hereby appointed election judges to process and tabulate votes in the Duluth Courthouse from unorganized precincts voting by mail:

MAIL BALLOT PRECINCT ELECTION JUDGES (DULUTH COURTHOUSE)

Judge - Janice Herold, 3216 Celia Street, Duluth, MN 55811  
Judge - Linda Grover, 3227 Celia Street, Duluth, MN 55811  
Judge - Jeanne Vecchi, 4840 London Road, Duluth, MN 55804  
Judge - Barbara Larson, 3002 East Superior Street, Duluth, MN 55812  
Judge - John Norton, 625 West Second Street, Apt. B17, Duluth, MN 55806  
Judge - Anna Skibinski, 5941 W. Arrowhead Road, Duluth, MN 55810  
Judge - Nancy Carlson, 5956 Alseth Road, Duluth, MN 55804  
Judge - Gerald L. Ferdon, 5318 Juniata Street, Duluth, MN 55804  
Judge - Sharon Stenberg, 4042 Munger Shaw Road, Duluth, MN 55810  
Judge - Jessica Johnson, 1424 East Third Street, Apt. C, Duluth, MN 55805  
Judge - Briana Grindy, 2717 East Superior Street, Duluth, MN 55812

RESOLVED FURTHER, that compensation for 2006 election services will be \$8.00 per hour and the current mileage reimbursement rate for St. Louis County (\$ .445 per mile). Funding will be from Auditor/Elections: Fund 100, Agency 127001, Objects 635300 and 635500.  
Unanimously adopted. August 15, 2006. No. 456

**BY COMMISSIONER KRON:**

WHEREAS, on August 3, 2004, pursuant to the St. Louis County 2004 - 2009 Capital Improvement Plan amendment adopted on April 6, 2004, the County Board approved a resolution of intent to issue \$19,900,000 of General Obligation Capital Improvement Bonds for seven projects, including a

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sheriff's office administration building and 911 dispatch operations center (the "Sheriff's/911 Project"); and

WHEREAS, pursuant to a bond resolution adopted on September 14, 2004, the County issued its \$13,785,000 General Obligation Capital Improvement Bonds pursuant to the authorization provided by the 2004 Resolution of Intent; and

WHEREAS, on October 4, 2005, pursuant to the St. Louis County 2005 - 2010 Capital Improvement Plan amendment adopted on October 4, 2005, the County Board approved a resolution of intent to issue \$1,405,000 of General Obligation Capital Improvement Bonds for two projects, including equipment for the Sheriff's/911 Equipment Project; and

WHEREAS, pursuant to a bond resolution adopted November 8, 2005, the County issued its \$6,115,000 General Obligation Capital Improvement Bonds, \$4,710,000 of which was pursuant to the 2004 Resolution of Intent and \$1,405,000 of which was pursuant to the 2005 Resolution of Intent; and

WHEREAS, the County has issued \$18,495,000 of General Obligation Capital Improvement Bonds authorized by the 2004 Resolution of Intent, with \$1,405,000 of bond issuance authorization remaining unused; and

WHEREAS, the services of a construction firm are required for the construction of the Sheriff's/911 Project and bids were received on August 3, 2006, with the low bid coming from Merrimac Construction in the amount of \$5,188,666; and

WHEREAS, the Sheriff's/911 Project construction bid was 5.7 percent (\$282,079.90) over the budgeted and available funds from the proceeds of the 2004 Bonds for the Sheriff's/911 Project; and

WHEREAS, the Board desires to reallocate \$282,079.90 of the proceeds of the 2005 Bonds issued pursuant to the 2005 Resolution of Intent for the Sheriff's/911 Equipment Project to the Sheriff's/911 Project; and

WHEREAS, such reallocation requires the utilization of \$282,079.90 of the \$1,405,000 of unused authorization to issue general obligation bonds pursuant to the 2004 Resolution of Intent.

NOW, THEREFORE, BE IT RESOLVED, by the St. Louis County Board of Commissioners that it is hereby authorized and directed that \$282,079.90 of the proceeds of the 2005 Bonds for the Sheriff's/911 Equipment Project and deposited in the Law Enforcement Equipment Fund 434 shall be reallocated to the bonds authorized under the 2004 Resolution of Intent for the Sheriff's/911 Project, which amount shall be transferred to the Sheriff/911 Dispatch Operations Center Fund 426.

BE IT FURTHER RESOLVED, that the appropriate County officials are authorized to accept the bid and execute an agreement with Merrimac Construction of Ham Lake, Minnesota, in the amount of \$5,188,666 for the construction of the Sheriff's/911 Project, payable from bond proceeds from the Sheriff/911 Dispatch Operations Center Fund 426.

Unanimously adopted. August 15, 2006. No. 457

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 458 through 472, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows with Commissioner Sweeney absent:

**BY COMMISSIONER KRON:**

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Camp North First Addition on March 9, 2006; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Camp North First Addition; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Camp North First Addition located in Section 33, Township 62 North, Range

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14 West (Town of Eagles Nest).  
Adopted August 15, 2006. No. 458

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Voyageur Shores on November 10, 2005; and  
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Voyageur Shores; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission. The County Attorney and County Surveyor have approved the plat;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of Voyageur Shores located in Government Lot 1, Section 20, Township 69 North, Range 21 West (Town of Kabetogama).

Adopted August 15, 2006. No. 459

WHEREAS, contracts for the purchase or repurchase of State tax forfeited land described as County Board File No. 58548, are in default for non-payment of taxes or installment payments; and  
WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the County Board hereby approves the cancellation of said contracts for purchase or repurchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58548, according to the provisions of Minnesota Statute 282.01, Subdivision 5, and Minnesota Statute 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted August 15, 2006. No. 460

WHEREAS, the Land Department has reviewed a request of Lake Country Power for an overhead electric powerline easement across State tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minnesota Statute, Section 282.04, Subdivision 4, authorizes the St. Louis County Auditor to grant easements for electric powerlines;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant an easement to Lake Country Power described as follows:

An easement for power distribution over, under and across a parcel described as follows: The West 33.00 feet of the West 66.00 feet of the East one-half of the Northeast quarter of Section 22, Township 62 North, Range 21 West of the Fourth Principal Meridian, St. Louis County, Minnesota. This easement is 33.00 feet in width East and West and approximately 2640 feet in length North and South and contains 2.0 acres more or less.

The granting of this easement is conditioned upon payment of \$4,400.00 land use fee, \$200.00 administration fee, and \$46.00 recording fee; for a total of \$4,646.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted August 15, 2006. No. 461

WHEREAS, the Land Department has reviewed a request of Potlatch Forest Holdings, Inc., for a non-exclusive roadway easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to its property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute, Section 282.04, Subdivision 4(a), is hereby authorized to grant a non-exclusive easement for

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roadway purposes to Potlatch Forest Holdings, Inc. The description of the easement is: A permanent non-exclusive easement for ingress and egress 66.00 feet in width, over, under, and across the southeast quarter of the southeast quarter of Section 22, Township 53 North, Range 19 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 33.00 feet on each side of the following described centerline: Commencing at the south quarter corner of said Section 22; thence on an assigned azimuth of 89 degrees a distance of 1348 feet to an existing road, where all succeeding courses will follow said centerline, and the point of beginning; thence northerly and at right angles to the previous course a distance of 95.0 feet; thence at an azimuth of 70 degrees a distance of 435.0 feet; thence at an azimuth of 36 degrees a distance of 210.0 feet; thence at an azimuth of 53 degrees a distance of 200.0 feet to a tangential curve concave to the south having a radius of 540.0 feet a distance of 600 feet more or less to the east line of said southeast quarter of the southeast quarter and thereby terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 1540 feet in length and contains 2.3 acres more or less.

This granting of this easement is conditioned upon payment of a \$4,600.00 land use fee, \$350.00 administration fee and \$46.00 recording fee, for a total of \$4,996.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted August 15, 2006. No. 462

WHEREAS, the parcels described in County Board File No. 58584 forfeited to the State of Minnesota for non-payment of real estate taxes and were previously classified as conservation; and

WHEREAS, all parcels of land becoming the property of the State of Minnesota in trust through forfeiture for non-payment 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 Land Department has recommended that the parcels described be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land; 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, said parcels of land described in County Board File No. 58584 are located inside the boundaries of a municipality, 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, reclassification and sale of said parcels will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the Clerk of the Municipality.

NOW, THEREFORE, BE IT RESOLVED, that the State tax forfeited parcels, described in County Board File No. 58584, be reclassified as non-conservation and offered for sale at Public Auction or Adjoining Owner Sales and that the request for approval of the reclassification be transmitted by the St. Louis County Land Department to the Clerk of the City of Duluth.

Adopted August 15, 2006. No. 463

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. 58520; and

WHEREAS, these parcels of land are not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax-forfeited lands from sale; and

WHEREAS, these parcels cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owner will encourage the return of the land to the tax rolls; and

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WHEREAS, it has been determined that the highest and best use of the land can be achieved by adding it to an adjoining parcel; and

WHEREAS, these parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the parcels identified in County Board File No. 58520, with proceeds to be deposited into Fund 240 - Forfeited Tax Fund, and the County Auditor is hereby authorized to offer said lands at a private sale, limited to adjacent property owners, to encourage return of the land to the tax rolls.

Adopted August 15, 2006. No. 464

WHEREAS, the St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional JOBZ application for subzones throughout St. Louis County; and

WHEREAS, the Minnesota Department of Employment and Economic Development approved the Northeast Minnesota Regional JOBZ application for 4,031 acres, including 95.78 acres in the Duluth Seaway Port Authority Airpark subzone number 97; and

WHEREAS, the Duluth Seaway Port Authority requested an amendment to subzone 97 in March 2006 and was approved by the St. Louis County Board by Resolution No. 06-188. Due to changes in development plans, this amendment was never submitted to the state; and

WHEREAS, the Duluth Seaway Port Authority wishes to rescind Resolution No. 06-188 and amend subzone 97 by reallocating 1.6 acres from Lot 1, Block 4, and 2.1 acres from Lot 1, Block 8, Second Rearrangement of Part of Airpark, to a 3.4 acre site described as Lot 23, Block 4, Rearrangement of Part of Airpark; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones and for subzone boundaries to be amended with the approval of all taxing authorities;

NOW, THEREFORE, BE IT RESOLVED that St. Louis County Board rescinds Resolution No. 06-188; and

BE IT FURTHER RESOLVED, that St. Louis County agrees to the proposed amendment to subzone number 97 within the Duluth Seaway Port Authority Airpark subzone as follows:

- Remove 1.6 acres from Lot 1, Block 4, and 2.1 acres from Lot 1, Block 8, Second Rearrangement of Part of Airpark.
- Add 3.4 acres described as Lot 23, Block 4, Rearrangement of Part of Airpark.

Adopted August 15, 2006. No. 465

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel), on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organizations:

Cook Timberwolves Snowmobile Club to operate out of the following:

Viking Bar, Morcom Township, 12501 Highway 22, Cook, MN 55723, pull-tabs and tipboards, renewal;

The Landing, Beatty Township, 3096 Vermilion Drive, Cook, MN 55723, pull-tabs with dispensing device, renewal;

The Oasis, Unorganized Township 60-18, 7539 Peel Road, Britt, MN 55710, pull-tabs with dispensing device and tipboards, renewal;

Vermilion Club, Greenwood Township, 3191 County Road 77, Tower, MN 55791, pull-tabs with dispensing device, renewal.

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Adopted August 15, 2006. No. 466

WHEREAS, the National Park Service under Title 16 U.S.C. is responsible for maintaining law and order and protecting persons and property within the Voyageurs National Park; and

WHEREAS, the St. Louis County Sheriff is responsible for upholding the laws of the State of Minnesota and the ordinances of St. Louis County; and

WHEREAS, the Voyageurs National Park is partially located within the boundaries of St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the County Sheriff, County Auditor, and Chair of the County Board to execute an agreement with the National Park Service to outline how the National Park Service and the Sheriff will respond to law enforcement issues in or near the Voyageurs National Park, and how the two agencies will work together, when appropriate, to conduct joint investigations, share information, and take part in joint training opportunities.

Adopted August 15, 2006. No. 467

WHEREAS, in 1993, St. Louis County implemented a Solid Waste Service Fee to fund portions of the County's solid waste management programs; and

WHEREAS, in 1995, the Service Fee, based on per residential parcel, was reduced significantly, from \$68/residential parcel to \$58/residential parcel; and

WHEREAS, from 1996 to 2006, the Service Fee for the North Solid Waste Service Area has remained at \$58/residential parcel; and

WHEREAS, in 2001 and 2002, the County established the South Solid Waste Service Area and implemented hauler-collected and tax statement line item service fees for that area; and

WHEREAS, revenue generated by solid waste service fees is adequate to fund recycling, household hazardous waste, administration, and waste reduction programs;

NOW, THEREFORE, BE IT RESOLVED, that for 2007, the North Solid Waste Service Area Solid Waste Service Fee remain the same as 2006 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

\*EMV - Estimated Market Value - land value plus improvements

The 2007 South Solid Waste Service Area Solid Waste Service Fees shall be set as follows:

Residential Parcels	\$ 18.00
Seasonal/Recreational Parcels	\$ 9.00
Commercial Parcels:	
*EMV less than \$50,000	\$ 18.00
EMV \$50,001 to \$100,000	\$ 27.00
EMV \$100,001 to \$150,000	\$ 36.00
EMV \$150,001 to \$200,000	\$ 45.00
EMV more than \$200,000	\$ 54.00

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\*EMV - Estimated Market Value - land value plus improvements

Adopted August 15, 2006. No. 468

WHEREAS, St. Louis County operates a regional landfill in Virginia, Minnesota, that provides mixed municipal solid waste disposal services for the St. Louis County Solid Waste Service Area; and WHEREAS, the County contracts with Kangas Excavating (Kangas) to operate the Regional Landfill; and

WHEREAS, the contract between the County and Kangas provides each party an opportunity to terminate the contract upon proper notice to the other party; and

WHEREAS, due to fuel cost increases, on July 21, 2006, Kangas notified the County of its intent to exercise its option to terminate the contract; and

WHEREAS, the County believes that the most cost effective and efficient option at this time is to amend the current contract with Kangas to incorporate a fuel cost adjustment factor under which monthly reimbursements will be increased or decreased based upon fuel cost changes;

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to amend the landfill operations contract with Kangas to incorporate a fuel cost adjustment factor under which the per month rate of reimbursement to Kangas will be increased or decreased based upon variation from a \$2.00 per gallon base fuel cost.

Adopted August 15, 2006. No. 469

WHEREAS, St. Louis County operates a transfer station haulage program for the St. Louis County Solid Waste Service Area in which waste collected at the County's Brookston, Cook, Hudson, and Northwoods transfer stations is hauled to the County's Regional Landfill in Virginia for disposal; and WHEREAS, the County contracts with Kangas Excavating (Kangas) to pull transfer trailers from the transfer stations to the Regional Landfill; and

WHEREAS, the contract between the County and Kangas provides each party an opportunity to terminate the contract upon proper notice to the other party; and

WHEREAS, due to fuel cost increases, on July 21, 2006, Kangas notified the County of its intent to exercise its option to terminate the contract; and

WHEREAS, the County believes that the most cost effective and efficient option at this time is to amend the current agreement with Kangas to incorporate a fuel cost adjustment factor under which pull reimbursements will be increased or decreased based upon fuel cost changes;

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorized to amend the contract with Kangas to incorporate a fuel cost adjustment factor under which levels of pull reimbursement will be increased or decreased based upon variation from a \$2.50 per gallon base fuel cost.

Adopted August 15, 2006. No. 470

WHEREAS, bids have been received by the County Auditor for the following projects: S.A.P. 69-624-018 (Low), County Project No. 9292, and S.A.P. 69-724-003, County Project No. 9317, located on C-SAH 24 and C-SAH 124 from T.H. 53 to C-SAH 25 in Cook, MN, total length 0.52 mile, consisting of Grading, Agg. Base, Curb & Gutter, Sidewalk, Lighting, and Bituminous Surfacing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., August 14, 2006, and this Board has, with the County Highway Engineer, determined the lowest bidder of said projects 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 responsible 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 projects to the lowest bidder, subject to proper authorization of the contract.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Highway 53 Angora, MN 55703	\$1,782,616.55

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 contract with the Contractor for the above listed project; payable from:

C-SAH 24	Fund 220, Agency 220181, Object 652700	\$ 734,613.76
C-SAH 124	Fund 220, Agency 220192, Object 652700	\$1,048,002.79

Adopted August 15, 2006. No. 471

WHEREAS, St. Louis County was selected at random by the U.S. Department of Justice (DOJ) to participate in an Americans with Disabilities (ADA) compliance program labeled "Project Civic Access"; and

WHEREAS, the County has entered into an agreement with the DOJ to comply with ADA requirements and the term of the agreement is three years; and

WHEREAS, the State of Minnesota Historical Society Grant program received funding from the legislature for the 2006 - 2007 biennium. These funds are to be granted specifically for publicly owned buildings listed on the National Register of Historical Places; and

WHEREAS, these funds must be equally matched by the public entity submitting the grant application, and will be available on January 1, 2007, and handicapped accessibility mitigation projects to meet ADA requirements are one of the primary targets for this grant; and

WHEREAS, the County proposes to submit a request for \$150,000 for Depot improvements, which would require a local match for a total project budget of \$300,000. This project will upgrade the main public elevator by the front desk and the lower level public restrooms to meet ADA standards.

NOW, THEREFORE, BE IT RESOLVED, the Board approves the submittal of a matching grant application from the State of Minnesota Historical Society for the amount of \$150,000. Funds are available in the 2006 budget from Fund 400, Agency 400017.

Adopted August 15, 2006. No. 472

At 2:35 P.M. on Tuesday, August 15, 2006, upon motion of Commissioner Fink, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**SEPTEMBER, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 5, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of September, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Kron presented Volunteer Excellence Awards to the drivers in the Meals on Wheels Program and the Volunteer Drivers Program. Char Juntunen, Community Food Services, said 120 volunteer drivers deliver 100,000 meals per year in the Duluth area. Accepting awards on behalf of the drivers were Jan Olson (Bethany, a volunteer for 31 years), Carolyn Dahl (Lincoln Park, a volunteer for 16 years) and Kathy Bergen, Director of Duluth Senior Programs. Ann Busche, Director of Health and Human Services, said the Volunteer Driver Program has provided 4131 rides and logged 273,000 miles during the first half of 2006. Jim Nichols and Howard Taylor accepted awards on behalf of the volunteer drivers.

Commissioner O'Neil read a proclamation designating September 9, 2006, as Fetal Alcohol Spectrum Disorders Day. Mary Ann Bernard, State of Minnesota, thanked the Board for helping to raise awareness of the dangers of consuming alcohol while pregnant.

Chair Nelson said presentation of the Linda S. Carter Excellence in Government Award to County Recorder Mark Monacelli will be delayed one week to allow Mr. Monacelli to attend the presentation.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Clark Hayden, Embarrass, expressed his displeasure about a letter received from the Planning Department concerning alleged violations of his gravel pit permit. Mr. Hayden said nearby gravel pits, including County-owned pits, are also in violation and he asked why he was singled out. Chair Nelson directed Mr. Hayden to meet with Deputy Administrator Gary Eckenberg to arrange a meeting with Planning staff to resolve any problems.

Commissioner Raukar, supported by Commissioner Sweeney, moved to suspend the rules to consider an easement agreement with Great Northern Iron Ore Properties and United States Steel regarding the C-SAH 63 reconstruction project; seven yeas - zero nays. Marcus Hall, Public Works Director, explained the need for the rule suspension. Commissioner Forsman, supported by Commissioner Raukar, moved to approve the easement agreement; seven yeas - zero nays. Resolution No. 480.

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

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Bill Engelstad, President, Iron Range Racing Association, requesting to renew the lease agreement for another two years through 2008; and further, inviting the Commissioners to attend one of their 2006 events.-58588

Jeff Tynjala, President, and Lee Saumer, Board of Directors, Colvin Firefighters Relief Association, requesting a contribution in the amount of \$6,000 for their retirement fund.-58589

Documentation relative to the Department of Natural Resource's acquisition of a 342 acre parcel in southwestern St. Louis County for establishing a new Wildlife Management Area.-58590

Ryan Kern, President, Duluth Airshow, expressing appreciation to the St. Louis County Board for support and partnership of the 2006 Monaco Air Duluth Airshow; and further, reminding the County Board when planning their 2008 budget that Duluth will again be hosting Minnesota's largest Airshow.-58591

Steve Raukar, Seventh District Commissioner, submitting information regarding the Volunteer Recognition Award given to Bettie Valley, Secretary/Manager of the St. Louis County Agricultural Fair Association, and John Grahek, President of the Iron Range Building Trades & Construction Council, on behalf of those who volunteered time and talent toward the annual County Fair and construction of the new Children's Barn.-58592

Bill Kron, Third District Commissioner, submitting Volunteer Excellence Awards to the drivers in the Meals on Wheels Program and the Volunteer Drivers Program. -58593

Project Contract No. 2006-003145 between the County of St. Louis and Mavo Systems, Inc., for Motor Pool Asbestos/Fiberglass Abatement - July 2006.-06-946

Professional Consulting Services Agreement between the Minnesota Counties Research Foundation and the County of St. Louis for developing and negotiating a cost allocation plan by MAXIMUS.-06-947

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for installing air conditioning to the HVAC unit serving Cedar and Spruce units at Chris Jensen.-06-948

Agreement for Professional Services between the County of St. Louis and DSGW Architects for Virginia Courthouse Recorder's Office Remodeling - ADA Upgrade.-06-949

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and Robert P. Robison for emergency response personnel training.-06-950ss

Agreement for Professional Services between the County of St. Louis and The Design Group, Inc., for Virginia Courthouse Sheriff's Office Ventilation.-06-951

Agreement for Professional Services between the County of St. Louis and Melander, Melander & Schilling, Architects, for Depot ADA Compliance Upgrades.-06-952

Project Contract No. 4634 between the County of St. Louis and Curry Construction for Regional Landfill Concrete Work.-06-953

Service Contract No. 4632 between the County of St. Louis and Veit Disposal Systems for Compacted

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Solid Waste Roll-Off Haulage Service for French Township Canister Site.-[06-954](#)

Employee Safety & Development Training Contract between St. Louis County and Monica Butche for a *Working with the Deaf and Hard of Hearing* session.-[06-955](#)

Employee Safety & Development Training Contract between St. Louis County and SMDC for a *Mindfulness-Based Stress Reduction Program* session.-[06-956](#)

General Agreement between United States National Park Service and St. Louis County Sheriff's Office.-[06-957](#)

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Home Care Specialists for Community Alternative Care Client No. 33.-[06-958ss](#)

Agreement between the County of St. Louis, the City of Hibbing and the Hibbing Public Utilities Commission for reconstruction and improvements on County-State Aid Highway 63, S.A.P. 69-663-12, C.P. 9258.-[06-959](#)

Contract between the County of St. Louis and Vogt's Dirt Service for M.P. 3711 (Crushing Southern St. Louis County) for Crush, Screen and Stockpile Aggregate, Class 5 (Modified) on five selected sites.-[06-960](#)

Agreement between the State of Minnesota, acting through its Commissioner of Transportation, the City of Duluth and the City of Hermantown for reconstruction and improvements on County-State Aid Highway 1, Municipal State Aid Street 199, T.H. 53.-[06-961](#)

Grade Crossing Signal Installation Agreement between St. Louis County and Burlington Northern Santa Fe Railway Company for U.S. DOT Crossing 061262Y on County-State Aid Highway 63, S.A.P. 69-663-12.-[06-962](#)

Grade Crossing Signal Installation Agreement between St. Louis County and Burlington Northern Santa Fe Railway Company for U.S. DOT Crossing 061266B on County-State Aid Highway 63, S.A.P. 69-663-12.-[06-963](#)

Agreement No. 89933 between the County of St. Louis, the Burlington Northern Santa Fe Railway Company, and the State of Minnesota Commissioner of Transportation for railroad crossing signals and gates on County-State Aid Highway 60.-[06-964](#)

State of Minnesota Federal Boating Safety Supplement Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, Bureau of Information and Education, and St. Louis County, through the Sheriff's Department.-[06-965](#)

Amendment and Addition to Lease Agreement No. 2005-002451 between St. Louis County and Infotel Investments, LLC, for space at 325 West First Street, Duluth, for the operation of the Public Health and Human Services Departments.-[06-966](#)

Purchase of Service Agreement, Contract No. 14062, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care services.-[06-967ss](#)

Purchase of Service Agreement, Contract No. 14061, between the St. Louis County Board of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Commissioners and Center for Independent Living of Northeastern Minnesota, Inc., for non-residential services.-06-968ss

Purchase of Service Agreement, Contract No. 14058, between the St. Louis County Board of Commissioners and Day Break Adult Day Center (Cook Hospital) for adult day care. -06-969ss

Purchase of Service Agreement, Contract No. 14063, between the St. Louis County Board of Commissioners and Morgan Business Trust, d/b/a Extended Family Home Care for home care services.-06-970ss

Purchase of Service Agreement, Contract No. 14057, between the St. Louis County Board of Commissioners and Alternatives in Motion (SLS - Waiver Service) for supported living services - adults.-06-971ss

Purchase of Service Agreement, Contract No. 14067, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for non-residential services.-06-972ss

Purchase of Service Agreement, Contract No. 13986, between the St. Louis County Board of Commissioners and Benedictine Health Center for adult day care services.-06-973ss

Purchase of Service Agreement, Contract No. 14054, between the St. Louis County Board of Commissioners and HomeCare Specialists, d/b/a Care-A-Van, for transportation services.-06-974ss

Purchase of Service Agreement, Contract No. 14052, between the St. Louis County Board of Commissioners and HomeCare Specialists, d/b/a Care-A-Van, for transportation services.-06-975ss

Purchase of Service Agreement, Contract No. 14064, between the St. Louis County Board of Commissioners and Care At Home, Inc., for home care services.-06-976ss

Purchase of Service Agreement, Contract No. 13947, between the Center for Alcohol and Drug Treatment, d/b/a Duluth Detox Center, and St. Louis County Board of Commissioners for noon and evening meals from the Community Food Service.-06-977ss

Purchase of Service Agreement, Contract No. 14015, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, HealthLine HomeCare, for assisted living plus and out-of-home respite services.-06-978ss

Addendum to Purchase Agreement, Contract No. 14005A, between the St. Louis County Board of Commissioners and Innovative Living, Inc., d/b/a Innovative Assisted Living, for assisted living plus services.-06-979ss

Group Residential Housing Rate Agreement, Contract No. 50468, between the St. Louis County Board of Commissioners and Innovative Assisted Living - 4268.-06-980ss

Purchase of Service Agreement, Contract No. 14020, between the St. Louis County Board of Commissioners and Interim HealthCare of Lake Superior, Inc., for home care services.-06-981ss

Purchase of Service Agreement, Contract No. 14033, between the St. Louis County Board of Commissioners and Interim HealthCare of Lake Superior, Inc., for assisted living plus and out-of-home respite services.-06-982ss

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Addendum to Purchase Agreement, Contract No. 30110A, between the St. Louis County Board of Commissioners and Johnston, Villegas-Grubbs and Associates, LLC, for consulting services.-06-983ss

Purchase of Service Agreement, Contract No. 14056, between the St. Louis County Board of Commissioners and Lakeview Residence, Inc., for residential care services.-06-984ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Donald Lietz and Virginia Lietz for adult foster care/respice care.-06-985ss

Group Residential Housing Rate Agreement, Contract No. 50470, between the St. Louis County Board of Commissioners and Donald Lietz and Virginia Lietz.-06-986ss

Purchase of Service Agreement, Contract No. 14037, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota for home care services.-06-987ss

Purchase of Service Agreement, Contract No. 14048, between the St. Louis County Board of Commissioners and SMDC Health System, d/b/a Midwest Medical Equipment and Supply, for supplies and equipment.-06-988ss

Purchase of Service Agreement, Contract No. 14068, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for adult foster care and out-of-home respice services.-06-989ss

Purchase of Service Agreement, Contract No. 14051, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for adult foster care services.-06-990ss

Group Residential Housing Rate Agreement, Contract No. 50467, between the St. Louis County Board of Commissioners and Peace of Mind - Morgan.-06-991ss

Purchase of Service Agreement, Contract No. 14053, between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc., for adult foster care and out-of-home respice services.-06-992ss

Addendum to Purchase Agreement, Contract No. 13817D, between the St. Louis County Board of Commissioners and Northwood Children's Services for child foster care services.-06-993ss

Addendum to Purchase Agreement, Contract No. 13852B, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for adult foster care services.-06-994ss

Purchase of Service Agreement, Contract No. 14059, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.-06-995ss

Purchase of Service Agreement, Contract No. 14049, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for adult day care services.-06-996ss

Purchase of Service Agreement, Contract No. 14055, between the St. Louis County Board of Commissioners and Reed's Boarding and Lodging, LLC, for residential care services.-06-997ss

Purchase of Service Agreement, Contract No. 14060, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for non-residential services.-06-998ss

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Purchase of Service Agreement, Contract No. 14047, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for adult foster care and out-of-home respite services.-06-999ss

Purchase of Service Agreement, Contract No. 14045, between the St. Louis County Board of Commissioners and Transitional Senior Housing for adult foster care and out-of-home respite services.-06-1000ss

Addendum to Purchase Agreement, Contract No. 13396D, between the St. Louis County Board of Commissioners and Winter Homes, Inc., for supported living services - adults.-06-1001ss

Addendum to Purchase Agreement, Contract No. 13397D, between the St. Louis County Board of Commissioners and Winter Homes, Inc. - West, for supported living services - adults.-06-1002ss

Addendum to Purchase Agreement, Contract No. 13843A, between the St. Louis County Board of Commissioners and Lifeway Services, LLC - Proctor House for supported living services - adults.-06-1003ss

Addendum to Purchase Agreement, Contract No. 13462C, between the St. Louis County Board of Commissioners and Lifeway Services, LLC, for supported living services - children and adults.-06-1004ss

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Purchasing Relocation to the Duluth Government Services Center.-06-1005

Upon motion of Commissioner Kron, supported by Commissioner Forsman, Resolutions No. 473 through 479, 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 August 1, 2006, are hereby approved.  
Adopted September 5, 2006. No. 473

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 15, 2006, are hereby approved.  
Adopted September 5, 2006. No. 474

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. 58494, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.  
Adopted September 5, 2006. No. 475

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 18, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.  
Adopted September 5, 2006. 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

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22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58516;  
FURTHER RESOLVED, that said license is 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 license to a new owner, but without pro-rated refund of the license fees to the licenseholder;  
FURTHER RESOLVED, that said license is contingent on Health Department approval;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township, On-Sale Intoxicating Liquor License No. CMB07106 and Sunday On-Sale Intoxicating Liquor License No. SUN07106, transfer.  
Adopted September 5, 2006. No. 477

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township, Tobacco Products License No. T06212, transfer;

Roger Allen Mackey, d/b/a Mackey's Corner Store, McDavitt Township, Tobacco Products License No. T06213, transfer;

BTL Enterprises, Inc., d/b/a Old Muni Bar & Lounge, City of Cook, Tobacco Products License No. T06211, new.  
Adopted September 5, 2006. No. 478

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. 58504;  
FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property 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 the license fee to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2007:

Roger Allen Mackey, d/b/a Mackey's Corner Store, McDavitt Township, Off-Sale 3.2 Percent Malt Liquor License No. B0781, transfer.  
Adopted September 5, 2006. No. 479

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 480 which was not on the agenda.

**BY COMMISSIONER FORSMAN:**

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WHEREAS, the St. Louis County Public Works Department plans to reconstruct and improve a segment of C-SAH 63 (Morton Road), County Project 9258, from 5th Avenue West in the City of Hibbing to C-SAH 79 (Kleffman Road) located in the City of Hibbing; and

WHEREAS, the St. Louis County Board has previously authorized the acquisition of certain lands in connection with this reconstruction project; and

WHEREAS, Great Northern Iron Ore Properties, United States Steel Corporation and St. Louis County have reached agreement regarding certain lands necessary for the reconstruction of C-SAH 63 (Morton Road).

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement for Affirmation and Relocation of Easement for the relocation and reconstruction of the Morton Road with Great Northern Iron Ore Properties and United States Steel Corporation on S.A.P. Project 69-663-012.

Unanimously adopted. September 5, 2006. No. 480

At 10:13 A.M. on Tuesday, September 5, 2006, upon motion of Commissioner Forsman, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 12, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of September, 2006, at 9:32 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Chair Nelson opened the meeting by noting that it was primary election day and one day after the anniversary of the 9-11 terrorist attacks.

Commissioner O'Neil presented Volunteer Excellence Awards to Volunteer Income Tax Preparers from AARP, Community Action Duluth, UMD, CHUM and US Bank. Volunteer preparers helped 1600 low and moderate income taxpayers fill out forms in 2006 that accounted for more than \$2 million in refunds. Randy Skalberg, UMD, thanked the Board for the award on behalf of all the volunteers.

Commissioner Fink presented the 2006 Linda S. Carter Excellence in Government Award to County Recorder Mark Monacelli, who was recognized for his outstanding efforts developing national standards for electronic recording. Recorder Monacelli thanked the Board for the recognition and credited his staff for being instrumental in implementing positive changes in his office during his twenty years of service as County Recorder.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Mark Overlie, Proctor, said the junction of the Lavaque and St. Louis River Roads was a hazardous area for children waiting for school buses and needed a warning sign for drivers approaching the area. Mr. Overlie disagreed with Public Works staff who studied the area and determined no signage was necessary. Chair Nelson referred Mr. Overlie to Public Works Director Marcus Hall and Commissioner Sweeney to find a solution.

Commissioner Sweeney, acting upon a request from the Land Department, requested removal of Items No. 4 (recreational trail easement for the Eveleth/Gilbert Joint Powers Trail Board) and No. 9 (non public sale of tax forfeited land to adjacent landowners) from the Consent Agenda for separate consideration under Environment and Natural Resources Committee. Commissioner Raukar, supported by Commissioner Kron, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

At 10:12 A.M., Chair Nelson recessed the meeting to allow the St. Louis County Housing and Redevelopment Authority (HRA) Board to convene.

The Board reconvened at 11:58 A.M. on Tuesday, September 12, 2006, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve conveyance of tax forfeited land to the City of Duluth for construction of a sanitary sewer overflow facility. Commissioner Sweeney noted the facility was not part of the North Shore Sanitary Sewer System;

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seven yeas - zero nays. Resolution No. 502.

Commissioner Sweeney, supported by Commissioner Forsman, moved to table Item No. 4 from the Consent Agenda (trail easement to Eveleth/Gilbert Joint Powers Trail Board) to the September 26 County Board meeting; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to table Item No. 9 from the Consent Agenda (non public sale of tax forfeited land) to the September 26 County Board meeting; seven yeas - zero nays.

A request by the Minnesota Department of Natural Resources (DNR) for County Board approval to purchase land known as Ricehaven for use as a wildlife sanctuary was then considered. The following persons addressed the issue:

Rich Staffon, DNR Area Wildlife Supervisor, described the 342-acre tract, which contains a shallow wild rice lake, and detailed state plans for the area. Affected townships have approved the sale and St. Louis County will receive payments-lieu-of-taxes (PILT) from the state that should exceed what is collected currently in property taxes.

Craig Engwall, DNR Regional Director, said he is committed to continued discussions with Northern Minnesota counties about issues of concern.

Palmer Anderson, Superintendent of Floodwood School District, urged the Board to support the sale and said Ricehaven will establish a legacy for future generations.

Bob Davis, owner of Ricehaven, said the property should not be subdivided and has been, in effect, a wildlife refuge for the past twenty years.

Curt Leitz, Isaak Walton League, urged the Board to approve the purchase.

Anita Anderson, Izaak Walton League, also strongly supported the DNR purchase.

Commissioner Fink said the county has three choices: disapprove the sale; approve the sale; or write a letter indicating the county does not object to the purchase. Commissioner Nelson, supported by Commissioner Raukar, moved to direct Administration to draft a letter to the DNR not objecting to the sale but requesting continuing dialogue on other issues of interest to St. Louis County. After further discussion, the motion was approved; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner O'Neil, moved to authorize the Sheriff to apply for the Minnesota Division of Homeland Security and Emergency Management Influenza Pandemic Planning Grant in the amount of \$26,317; seven yeas - zero nays. Resolution No. 505.

At 12:05 P.M. in the afternoon of Tuesday, September 12, 2006, Chair Nelson moved to recess the Board until 1:15 P.M. on September 12, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:24 P.M. on Tuesday, September 12, 2006, and the regular order of business resumed with all members present.

Chair Nelson clarified his earlier motion regarding the Ricehaven purchase by indicating his proposed language should be added as a "further resolved" at the end of the resolution approving the sale.

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Resolution No. 504.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the St. Louis County HRA 2007 proposed budget; seven yeas - zero nays. Resolution No. 506.

Certification of the maximum property tax levy for the 2007 budget was then discussed. The following persons addressed the issue:

Dana Frey, County Administrator, described the budget process and some of the challenges and factors affecting revenues and expenditures. Administrator Frey recommended a 6.19 percent levy increase amounting to a total property tax levy of \$95,406,015.

Mary Theurer, AFSCME, said tight budgets have resulted in significant increases in workloads for employees and she urged the Board to consider setting the maximum levy as high as possible.

Commissioner Raukar, supported by Commissioner O'Neil, moved to set the maximum levy at the 6.19 percent recommended by Administration. Commissioner Forsman introduced a budget amendment that would add \$3 million for highway projects to the maximum levy for a new total of \$98,406,015. Alan Mitchell, County Attorney, said the amendment was inappropriate because the purpose of the original motion was to set a maximum levy and did not include specific budgetary appropriations. After further discussion, Commissioner Forsman offered a friendly amendment - accepted by the makers - to add \$2 million to the maximum property tax levy with the intent that the additional funding was for Public Works purposes. After lengthy discussion about other budgetary needs and holding the line on property taxes increases, the amended motion to set the maximum property tax levy at \$97,406,015 (8.42 percent) was approved; four yeas - three nays, Commissioners Fink, Kron and Chair Nelson. Resolution No. 507.

Commissioner Raukar, supported by Commissioner Forsman, moved to establish dates for an informational meeting and truth in taxation (TINT) hearings regarding the 2007 budget. After discussion, it was determined that an informational meeting would be held on November 30 (Duluth) and TINT hearings held on December 7 (Virginia) and December 12 (Duluth); seven yeas - zero nays. Resolution No. 508.

Commissioner Raukar, supported by Commissioner Forsman, moved to set a joint public hearing with the HRA Board for Tuesday, October 3, 2006, at 9:35 A.M. in the Duluth Courthouse to solicit public input on the issuance of Ely Housing Revenue bonds for the Northwoods Townhome Project. County Attorney Mitchell, in response to a question from Commissioner Fink, said contingency language would be added because the hearing would conclude and action may be taken prior to the final Ely HRA hearing; seven yeas - zero nays. Resolution No. 509.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve a maximum levy of \$225,000 for the year 2007 to be levied only in unorganized townships for road maintenance; seven yeas - zero nays. Resolution No. 503.

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

Operating and Capital Budget for 2007 for St. Louis County.-58594-D

Service Contract No. 4623 between the County of St. Louis and Northern Access Transportation, Inc., for Transportation Services - Bulk Meals.-06-1006

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Agreement for Health Education Internship between the County of St. Louis, through its Department of Public Health and Human Services, and the University of Minnesota - Duluth, Department of Health, Physical Education and Recreation.-06-1007

St. Louis County - Addendum No. 1 to Foster, Jacobs & Johnson, Inc., contract for Duluth Motor Pool Ventilation and Heating, Contract No. 2006-003167.-06-1008

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 481 through 501, as 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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,189,411.36
184	Extension Service	83,205.96
200	Public Works	3,389,579.63
230	Social Services	5,513,688.02
240	Forfeited Tax	432,565.21
250	St. Louis County HRA	7,740.90
600	Solid Waste Authorities	486,976.08
625	Chris Jensen Health & Rehab.	956,839.76
650	Laundry	64,465.00
660	Community Food Services	101,583.27
670	Supervised Living Facilities	51,666.41
700	Printing	10,791.29
715	County Garage	113,669.79
750	Management Information Systems	309,606.85
760	Telecommunications	117,773.36
925	Arrowhead Regional Corrections	177,260.44
955	Community Health Services	147,399.10
989	Regional Railroad Authority	<u>69,530.42</u>
		\$16,223,752.85

Adopted September 12, 2006. No. 481

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. 58495, are hereby approved:

Real Estate - Mary Jo Alander, \$1,493.76; Vanessa Bincefield, \$550.70; Janelle Cannon, \$277.46; Justin Carlson, \$529.72; Kathleen Collins, \$266.30; Jeffrey Dittbrenner, \$291.22; Timothy Farrell, \$82.50; Michael Golden, \$568.18; Michael Husak, \$521.36; Jon Livingston, \$230.38; John Lufkin, \$223.00; Peter Mead, \$213.36; Flora Moebakken, \$265.94; Holly Pagel, \$601.52; Luke Ribich, \$244.88; Gerald Rossley, \$896.26; Timothy Starling, \$370.98; Ben Stoner, \$547.24; Donald Taylor, \$1,077.22; David Taylor, \$1,962.28; Andrew Vasil, \$299.42; Quinn Williams, \$749.82.

Personal Property - Ione Clawson, \$56.36; Riverside Chapel, \$232.04; David Roberts, \$47.60; Zenith Terrace, \$97.78; Lauri Sanford, \$102.80; Richard Sobczak, \$43.00; Brenda Stokke, \$56.36; Joyce

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Treb, \$412.68.

Adopted September 12, 2006. No. 482

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 1, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 12, 2006. No. 483

WHEREAS, the Land Department has reviewed a request of Allete, Inc., for an overhead electric powerline easement across State tax forfeited land; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minnesota Statute, Section 282.04, Subdivision 4, authorizes the St. Louis County Auditor to grant easements for electric powerlines;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Allete, Inc., described as follows: A 60.00 foot wide easement for utility purposes over, under and across the East One-half of the Southeast Quarter of Section 33, Township 58 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 30.00 feet on each side of the following described centerline: Commencing at the Southwest corner of said East one-half of the Southeast Quarter; thence along the West line of said East one-half of the Southeast Quarter on an assigned azimuth of 349 degrees 07 minutes 48 seconds a distance of 155.00 feet to the actual point of beginning; thence on an azimuth of 48 degrees 02 minutes 14 seconds a distance of 1050.00 feet; thence on an azimuth of 42 degrees 47 minutes 28 seconds a distance of 509 feet more or less to the East line of the said East one-half of the Southeast Quarter and there terminating. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. Subject to all easements and encumbrances of record. The easement is approximately 1559 feet long and contains 2.1 acres more or less.

The granting of this easement is conditioned upon payment of \$1,596.00 land use fee, \$300.00 administration fee, and \$46.00 recording fee, for a total of \$1,942.00, to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted September 12, 2006. No. 484

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as: Westerly 8 feet of Southerly 1/2, Lot 8, Block 10, Parcel Code: 010-2290-1050;

WHEREAS, the purpose of acquiring this land is for street right of way;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey the above described State tax forfeited land to the City of Duluth for the authorized public use;

RESOLVED FURTHER, the St. Louis County Board approves the conveyance of the above described State tax forfeited land to the City of Duluth for an administrative fee of \$150.00, deed fee of \$25.00, deed tax of \$1.65, and recording fee of \$46.00, for a total of \$222.65, to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted September 12, 2006. No. 485

WHEREAS, under the provisions of Minnesota Statute, Section 282.341, Subdivision 1, a contract for deed to purchase State tax forfeited land previously canceled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs;

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and

WHEREAS, Richard Nagle, Jr., has requested to reinstate his contract to repurchase State tax forfeited land; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement;

NOW, THEREFORE, BE IT RESOLVED, the repurchase contract (No. C22980112) between Richard Nagle, Jr., and St. Louis County, dated April 21, 1998, and filed with the County Recorder on October 9, 1998, as Document No. 653000 for the property described as: Town of Canosia, E 1/2 of N 1/2 of N 1/2 of NE 1/4 and NE 1/4, Section 19, Township 51 North, Range 15 West, having been canceled on January 28, 2003, said notice of cancellation filed with the County Recorder on February 26, 2003, as Document No. 742882.0, is hereby reinstated under Contract No. C22060188, the purchaser having paid all amounts required by Minnesota Statute, Section 282.341 and all amounts required to payoff the contract for a total of \$11,100.09, which shall be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 12, 2006. No. 486

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, a certain parcel of State tax forfeited land described as: Northerly 105 feet of Lots 8, 9 and 10, Block 2, Central Acres, Duluth, Parcel Code: 10-390-250;

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, this parcel of land cannot be improved because it is less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel, starting at a minimum bid of \$9,500.00 plus fees to be deposited into Fund 240 (Forfeited Tax Fund); and the County Auditor is hereby authorized to offer said parcel at a non-public sale limited to adjoining property owners to encourage return of the land to the tax rolls.

BE IT FURTHER RESOLVED, that the Land Commissioner shall give at least 30 days notice of the sale to all adjoining owners.

Adopted September 12, 2006. No. 487

RESOLVED, that the County of St. Louis enter into an agreement with the State of Minnesota, Department of Transportation, for the following purpose, to-wit: To provide maintenance and electrical energy for the new highway lighting system on Trunk Highway (TH) 53 at County-State Aid Highway (C-SAH) 23, and on TH 169 at C-SAH 21 and at C-SAH 68 in accordance with the terms and conditions set forth and contained in Agreement No. 89785M, a copy of which was before the Board, using Fund 200.

BE IT FURTHER RESOLVED, that the proper County officials are hereby authorized to execute such agreement and any amendments approved by the County Attorney's Office and assume on behalf of the County all of the contractual obligations contained therein.

Adopted September 12, 2006. No. 488

RESOLVED, that the County of St. Louis enter into Agreement No. 81269 and any amendments approved by the County Attorney's Office with the Duluth, Missabe and Iron Range Railway

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Company and the Commissioner of Transportation for the installation and maintenance of railroad crossing signals with gates, pedestrian gates, constant warning circuitry and LED lenses at crossing Number USDOT 251900H (F-192A) on C-SAH 11, Second Street West in Proctor, MN, identified as S.P. 69-00163, S.A.P. 69-611-015, C.P. 8277, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County's share of the cost shall be ten percent of the total estimated project cost of \$188,231.00 or \$18,823.10, payable from Fund 220, Agency 220138. Adopted September 12, 2006. No. 489

RESOLVED, that pursuant to Minnesota Statutes, Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of St. Louis to accept federal aid funds which may be made available for eligible transportation related projects.

FURTHER RESOLVED, the Chairman of the Board and the Auditor are hereby authorized and directed for and on behalf of St. Louis 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 "Minnesota Department of Transportation Agency Agreement No. 89965", a copy of said agreement was before the County Board and which is made a part hereof by reference. This agreement corresponds with the AC Process for the County's share on S.P. 69-596-004, County Project No. 9316, with County Economic Development - Tax Forfeit Land Proceeds, Fund 178, Agency 178001, used for the County share.

Adopted September 12, 2006. No. 490

WHEREAS, the County of St. Louis is planning to implement County-State Aid Construction Projects in 2006 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 an advance from the County-State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of 8/28/06:	\$ 2,458,788
Less estimated disbursements:	
Project # S.A.P. 69-663-012	\$ 3,600,000
Project # S.P. 69-606-017	\$ 3,250,000
PD (Engineering Costs)	\$ 400,000
Project Finals, Overages & Other	\$ 2,708,788
 Total Estimated Disbursements	 \$ 9,958,788
Advance Amount (amount in excess of account balance)	\$ 7,500,000

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subdivisions 5 and 7, and Minnesota Rules, Chapter 8820; and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation is hereby requested to approve this advance for financing approved County-State Aid Highway Project(s) of the County of St. Louis in an amount up to \$7,500,000 in accordance with Minnesota Rules 8820.1500, Subp. 9. St. Louis County hereby authorizes repayments from subsequent accruals to the regular State Aid Construction Account of St. Louis County with repayment from 2007 year allocations until fully repaid.

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

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Adopted September 12, 2006. No. 491

WHEREAS, the St. Louis County Public Works Department has received a request from Toivola Township to revoke that portion of C.R. 970 (Kero Road), beginning on the East side of County-State Aid Highway No. 83 (Overton Road) at or near the West 1/4 corner of Section 4, Township 54 North, Range 19 West. Thence Easterly for a distance of one mile more or less to the East 1/4 corner of Section 4, Township 54 North, Range 19 West; and

WHEREAS, the County Board, by resolution, may revoke any County highway; and

WHEREAS, pursuant to Minnesota Statutes, Section 163.11, Subdivision 5a, the County Board shall fix a date, time and place of hearing in the town where the highway is located to consider the revocation.

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby schedules a hearing to consider said revocation at 7:30 P.M. on Wednesday, October 11, 2006, at the Toivola Town Hall and directs the Public Works Department to represent the County and report back to the County Board of Commissioners.

Adopted September 12, 2006. No. 492

WHEREAS, the County of Saint Louis has developed plans for the improvement of County-State Aid Highway 63 (Morton Road), S.A.P. 69-663-012, within the City of Hibbing; and

WHEREAS, additional highway right of way is required for the reconstruction; and

WHEREAS, certain tax forfeited property adjoins 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: SE 1/4 of NW 1/4 of Section 13, Township 57 North, Range 21 West;

RESOLVED FURTHER, that the Public Works Department will pay any timber damages.

Adopted September 12, 2006. No. 493

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 2007;

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:

City of Babbitt

Unorganized Townships 61-12 and 61-13 \$44,100.00

City of Bearville

Unorganized Township 62-21 \$3,213.00

City of Chisholm

Unorganized Township 59-21 \$13,926.00

City of Cook

Unorganized Township 62-17 \$1,050.00

Unorganized Township 63-17 \$4,725.00

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

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<u>City of Ely</u> Unorganized Townships 64-12 and 64-13	\$3,139.00
<u>City of Floodwood</u> Unorganized Township 52-21	\$8,007.00
<u>City of Orr</u> Unorganized Township 63-19 Unorganized Township 66-20	\$2,520.00 \$6,090.00
<u>Central Lakes</u> Unorganized Township 56-17	\$32,550.00
<u>Colvin</u> Unorganized Township 55-15	\$10,500.00
<u>Evergreen</u> Unorganized Townships 60-19 and 60-20	\$21,000.00
<u>French</u> Unorganized Township 59-21	\$924.00
<u>Gnesen</u> Unorganized Township 53-15	\$10,257.00
<u>Greenwood</u> Unorganized Township 63-15	\$4,200.00
<u>Lake Kabetogama</u> Unorganized Townships 68-19, 69-19, 67-20, 68-20, 67-21 & 68-21	\$29,610.00
<u>Lakeland</u> Unorganized Township 57-16	\$52,080.00
<u>Makinen</u> Unorganized Township 56-16	\$44,625.00
<u>Northland</u> Unorganized Township 53-16	\$13,650.00
<u>Pequaywan Lake</u> Unorganized Township 54-13	\$2,625.00
<u>Pike-Sandy-Britt Region</u> Unorganized Township 59-16 Unorganized Township 60-18	\$5,111.00 \$16,834.00
<u>Silica</u> Unorganized Township 55-21 Adopted September 12, 2006. <u>No. 494</u>	\$38,850.00

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

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RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Babbitt Embarrass Area Development Association to operate out of Hideaway Bar & Lounge, Unorganized Township 61-13, 8310 Joseph Street, Babbitt, MN 55706, renewal.  
Adopted September 12, 2006. No. 495

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Voyageur Trail Society, Inc., to operate out of the following locations:  
Ash Ka Nam, Unorganized Township 68-19, 10209 Ash River Trail, Orr, MN 55771, pull-tabs, renewal;

The Dam, Leiding Township, 4247 Highway 53 South, Orr, MN 55771, pull-tabs, renewal;

Frontier Resort, Unorganized Township 69-19, 10141 Ash River Trail, Orr, MN 55771, pull-tabs, renewal;

Kec's Kove, Kabetogama Township, 10428 Gamma Road, Ray, MN 56669, pull-tabs, renewal;

Norway Point Resort, Leiding Township, 11033 Slade Road, Orr, MN 55771, pull-tabs, renewal;

Rocky Ledge, Kabetogama Township, 10064 Gappa Road, Ray, MN 56669, pull-tabs, renewal;

Trails End Resort, Portage Township, 6310 Crane Lake Road, Buyck, MN 55771, pull-tabs, renewal;

Voyagaire Lodge & Houseboats, Crane Lake Township, 7576 Gold Coast Road, Crane Lake, MN 55725, pull-tabs, renewal.  
Adopted September 12, 2006. No. 496

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Reservoir Riders, Inc., to operate out of the following locations:  
Blue Max Resort, Fredenberg Township, 6139 Lavaque Road, Duluth, MN 55803, pull-tabs, renewal;

Eagle's Nest Resort, Fredenberg Township, 6103 Lavaque Road, Duluth, MN 55803, pull-tabs, renewal;

Walt's Cloquet River Inn, Grand Lake Township, 6253 Bachelor Road, Saginaw, MN 55779, pull-tabs, renewal.  
Adopted September 12, 2006. No. 497

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

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WHEREAS, St. Louis County purchases day training and habilitation and semi-independent living services for residents and developmental disabilities (mental retardation and/or related conditions); and

WHEREAS, the Department of Public Health and Human Services has contracted with many of these eleven day training and habilitation providers and six semi-independent living service providers over twenty-six years to provide day training and habilitation or semi-independent living services on behalf of the County; and

WHEREAS, the Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute agreements with: (1) day training and habilitation service providers (listed below) to be paid from: Fund 230, Agency 232006, Object 604800; and with (2) semi-independent living service providers (listed below) to be paid from: Fund 230, Agency 232006, Object 605200; at the following rates (reflecting a State mandated 2.2553 percent rate increase) for the period October 1, 2006, through September 30, 2007:

**DAY TRAINING & HABILITATION**

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program &amp; Transport.</u>
Access to Employment Too, Inc.	\$ 84.90	\$ 63.68	\$ 7.42	\$ 92.32
CHOICE, Unlimited - CHOICE	\$ 72.41	\$ 54.31	\$ 7.99	\$ 80.40
CHOICE, Unlimited - OPTIONS	\$ 100.93	\$ 75.69	\$ 10.66	\$ 111.59
East Range DAC	\$ 64.10	\$ 48.08	\$ 11.44	\$ 75.54
Floodwood Services & Training, Inc.	\$ 64.67	\$ 48.50	\$ 5.69	\$ 70.36
MSOCS Duluth - Airpark Products & Services	\$ 117.12	\$ 87.84	\$ 9.69	\$ 126.81
MSOCS Duluth - Lincoln Park Life Skills	\$ 90.23	\$ 67.67	\$ 13.51	\$ 103.74
MSOCS Range Area Vocational Supports	\$ 115.96	\$ 86.97	\$ 16.42	\$ 132.38
Range Center, Inc.	\$ 46.15	\$ 34.61	\$ 4.89	\$ 51.04
UDAC, Inc.	\$ 56.64	\$ 42.48	\$ 9.90	\$ 66.54

	<u>Level</u>	<u>Hourly Rate*</u>
Pinewood, Inc. - Duluth	A	\$ 28.08
	B	\$ 13.71
	C	\$ 10.82
	D	\$ 9.60

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

**SEMI-INDEPENDENT LIVING SERVICES (SILS)**

	<u>Per Hour</u>
Duluth Regional Care Center	\$ 26.10
Empowerment Services of Minnesota, Inc. (Employer of Record)	14.70
HOMES, Inc. - Hibbing	\$ 26.10
HOMES, Inc. - Virginia	\$ 26.10
Innovative Living, Inc.	\$ 26.10
Trillium Services, Inc.	\$ 26.10

Adopted September 12, 2006. No. 498

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

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WHEREAS, the Minnesota Department of Health has awarded the Carlton-Cook-Lake-St. Louis Community Health Board additional funding for the purpose of specific preparedness activities related to pandemic influenza; and

WHEREAS, the Carlton-Cook-Lake-St. Louis Community Health Board has an existing agreement with St. Louis County for Public Health Preparedness; and

WHEREAS, the Carlton-Cook-Lake-St. Louis Community Health Board wishes to amend that agreement and increase its funding to St. Louis County by \$29,331 to address additional requirements related to pandemic influenza preparedness; and

WHEREAS, the Public Health and Human Services Department has the ability to meet the new funding requirements and desires the authority to amend the existing agreement;

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the appropriate County officials to sign Amendment 1 to the Public Health Preparedness and Response to Bio-Terrorism Grant Project Agreement with the Community Health Board in the amount of \$269,702.00 for the period September 1, 2005, through August 31, 2006, payable to Fund 230, Agency 236999, Grant 23601 (2006).

Adopted September 12, 2006. No. 499

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the 2006 State of Minnesota, Emergency Management Performance Grant (EMPG) for \$46,462.00;

RESOLVED FURTHER, the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate County staff to expend these funds in compliance with the terms of the grant contract;

RESOLVED FURTHER, that funds will be made payable to and authorized expenditure of the funds from Fund 100, Agency 132999, Grant 13203, Year 2006.

Adopted September 12, 2006. No. 500

RESOLVED, that a public hearing will be held at 9:35 A.M. on September 26, 2006, at the Morse Town Hall, Ely, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township. Adopted September 12, 2006. No. 501

**BY COMMISSIONER SWEENEY:**

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as: Lots 9 - 13, Block 39, Rearrangement Part East Duluth & First Addition to East Duluth; Parcel Code: 010-1370-6310, 6320, 6330, 6340, 6350;

WHEREAS, the purpose of acquiring this land is for sanitary sewer overflow facility;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board recommends that the Commissioner of Revenue convey the above described State tax forfeited land to the City of Duluth for a sanitary sewer overflow facility;

RESOLVED FURTHER, the St. Louis County Board approves the conveyance of the above described State tax forfeited land to the City of Duluth for an administrative fee of \$150.00, deed fee of \$25.00, deed tax of \$1.65, and recording fee of \$46.00, for a total of \$222.65, to be deposited in Fund 240 - Forfeited Tax Fund.

Unanimously adopted. September 12, 2006. No. 502

**BY COMMISSIONER FORSMAN:**

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes the County to pool unorganized town road levies levied pursuant to Minnesota Statutes 163.06;

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

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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 \$225,000 for the year 2007 to be levied only in such unorganized townships.

Unanimously adopted. September 12, 2006. No. 503

**BY COMMISSIONER NELSON:**

WHEREAS, in accordance with Minnesota Statutes 97A.145, Subdivision 2, the Commissioner of the Department of Natural Resources on June 6, 2006, provided the St. Louis County Board of Commissioners with a description of lands to be acquired by the State of Minnesota for water, forestry, wildlife, and natural plant community conservation purposes.

Lands to be acquired are described as follows: Township 50, Range 21, Section 12, and Township 50, Range 20, Section 7;

All those lands bounded by the following described lines:

- A. On the North by the North line of Section 12, Township 50, Range 21, extended, and the North line of Section 7, Township 50, Range 20;
- B. On the West by the West line of Section 12, Township 50, Range 21;
- C. On the South by the South lines of Government Lots 5, 6, 7 and 8, Section 12, Township 50, Range 21;
- D. On the Southeast by a line commencing at the intersection of the South line of Government Lot 3, Section 7, with the West line of Section 7, Township 50, Range 20; thence North along said West line to a point 660 feet South of the North line of Government Lot 3 extended; thence East at right angles to said last described line 360 feet to a point; thence North at right angles to said last described line 300 feet to a point; thence East at right angles to said last described line 300 feet to a point; thence North at right angles to said last described line to the North line of Government Lot 3; thence East along said North line to the Northeast corner of said Government Lot 3, Section 7, Township 50, Range 20;
- E. On the East by the East lines of Government Lots 1 and 2, Section 7, Township 50, Range 20.

ALL according to the United States Government Survey thereof, and except that portion encompassed by the shore of Leeman Lake, and EXCEPT all iron ores, fossils and mineral deposits in, under and upon lots described as Government Lots 1, 2, 3, 4, 5, 6, 7 and 8, Section 12, Township 50 North of Range 21 West.

SUBJECT TO the rights and privileges to explore for, mine and remove all iron ores, fossils and mineral deposits in, under or upon said government lots, together with the right to repurchase said government lots, all as such rights and privileges were reserved and created by that certain deed recorded in the office of the Register of Deeds of St. Louis County, Minnesota, Book 508 of Deeds, Page 555.

Township 50, Range 21, Section 1  
Government Lots 5 and 6, Section 1, Township 50 North, Range 21 West of the Fourth Principal Meridian according to the United States Government Survey thereof.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the State's proposed acquisition of the above described property, known as Riceland, for the purpose of creating a Minnesota Department of Natural Resources Wildlife Management Area.

RESOLVED FURTHER, that Administration is directed to draft a letter to the DNR requesting continued dialogue on other issues of interest to St. Louis County.

Unanimously adopted. September 12, 2006. No. 504

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

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**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for the Minnesota Division of Homeland Security and Emergency Management (HSEM) Influenza Pandemic Planning Grant in the amount of \$26,317.00, payable to Fund 100, Agency 129999, Year 2006.

Unanimously adopted. September 12, 2006. No. 505

**BY COMMISSIONER RAUKAR:**

WHEREAS, the St. Louis County Housing and Redevelopment Authority (HRA) must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 15, 2006;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby certifies the HRA maximum property tax levy for 2007 in the amount of \$187,011.

Unanimously adopted. September 12, 2006. No. 506

WHEREAS, Minnesota Statutes, Section 275.07 requires the County Board to adopt a maximum proposed 2007 property tax levy; and

WHEREAS, the County Board and the County Administrator have prepared a preliminary budget to derive said maximum levy; and

WHEREAS, the preliminary budget will be on record in County Board Document File No. 58594 until the permanent budget is adopted December 12, 2006;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts a maximum property tax levy for 2007 in the amount of \$97,406,015.

Yeas - Commissioners O'Neil, Forsman, Sweeney, and Raukar - 4

Nays - Commissioners Fink, Kron, and Chair Nelson - 3

Adopted September 12, 2006. No. 507

WHEREAS, Minnesota Statutes 275.065 requires the County to establish a schedule of public hearing dates for the purpose of receiving comments from the public on the proposed property tax levy and budget for the year 2007 and adopting a final levy and budget;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board establishes the following schedule for public meetings and hearings on the proposed property tax levy and budget for the tax year 2007:

Informational Public Meeting:

November 30, 2006 - 5:00 P.M. Courthouse, Duluth, MN

Initial Public Hearing:

December 7, 2006 - 5:00 P.M. Courthouse, Virginia, MN

Subsequent Hearing (final 2007 property tax levy and budget will be approved):

December 12, 2006 - 9:40 A.M. Courthouse, Duluth, MN

Unanimously adopted. September 12, 2006. No. 508

**RESOLUTION SCHEDULING A PUBLIC HEARING  
OF THE ST. LOUIS COUNTY BOARD**

WHEREAS, pursuant to Minnesota Statutes, Sections 469.001 through 469.047 (the "Act"), the Housing and Redevelopment Authority of St. Louis County, Minnesota (the "HRA") was established by St. Louis County (the "County") and is authorized to exercise housing and economic development powers among others; and

WHEREAS, in furtherance of the objectives of the County and the HRA, the HRA intends to assist

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

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the Housing and Redevelopment Authority in and for the City of Ely, Minnesota (the "City HRA"), in financing a qualified housing development project under Sections 469.017 and 469.034, Subdivision 2 of the Act, consisting of 26 units of housing for moderate income elderly persons located on Washington Street between Eighth and Tenth Avenues in Ely, Minnesota (the "Project"); and WHEREAS, the Project would be jointly owned by the HRA and the City HRA pursuant to an Operating Agreement between the HRA and the City HRA as the operator of the Project (the "Agreement"), with an option to purchase the Project by the City HRA; and WHEREAS, in order to finance the Project, the City HRA intends to issue revenue bonds pursuant to Section 469.034 of the Act in the maximum principal amount of \$3,800,000 (the "Bonds") and to pledge the general obligation of the County as additional security therefore pursuant to a Joint Powers Agreement (the "Joint Powers Agreement") by and among the HRA, the City HRA, the County and the City of Ely, Minnesota (the "City"); and WHEREAS, under the Agreement, the City HRA would establish rentals for the Project in amounts at least equal to 110% of the principal and interest requirements of the Bonds (the "Rental Payments"); and WHEREAS, Section 469.034, Subdivision 2(b) of the Act requires that the principal amount of the Bonds secured by the pledge of the general obligation of the County must be approved by the Board and additionally requires a public hearing. NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners (the "Board") of the County, as follows:

Section 1. Intent. The Board expresses its intent to provide the general obligation of the County to secure the Bonds.

Section 2. Hearing.

- A. The Board will meet jointly with the governing body of the HRA on Tuesday, October 3, 2006, at 9:35 a.m. in the County Boardroom, 2nd Floor, Courthouse, Duluth, Minnesota, to conduct a public hearing on the issuance of the Bonds.
- B. The County Auditor or his designee is authorized and directed to publish the notice of public hearing attached hereto as Exhibit A twice in the Duluth News Tribune, and if deemed necessary by the County Auditor to comply with the policies of the County, the Mesabi Daily News, with the first publication no later than September 18, 2006, and the second publication no later than September 26, 2006.

**EXHIBIT A  
NOTICE OF PUBLIC HEARING BY ST. LOUIS COUNTY  
AND THE HOUSING AND REDEVELOPMENT AUTHORITY  
OF ST. LOUIS COUNTY ON A PROGRAM FOR A  
MULTIFAMILY HOUSING DEVELOPMENT AND  
THE ISSUANCE OF BONDS THEREFOR**

NOTICE IS GIVEN that the Board of Commissioners of St. Louis County, Minnesota (the "County") and the Board of Commissioners of the Housing and Redevelopment Authority of St. Louis County, Minnesota (the "HRA") will conduct a joint public hearing on Tuesday, October 3, 2006, at 9:35 a.m., or as soon thereafter as reasonably possible, in the County Boardroom, 2nd Floor, Courthouse, Duluth, Minnesota.

The joint public hearing is being held (i) by the HRA on a program for a multifamily housing development (the "Program") to be undertaken by the HRA and the Housing and Redevelopment Authority in and for the City of Ely, Minnesota (the "City HRA"); and (ii) by the HRA and the County on the issuance by the City HRA of its revenue bonds secured by the pledge of the general obligation of St. Louis County, Minnesota, to finance the Program. The Program consists of

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ST. LOUIS COUNTY, MINNESOTA**

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constructing and equipping a 26-unit qualified housing development project located on Washington Street between Eighth and Tenth Avenues in the City of Ely, primarily for rental to moderate income elderly persons. The Program and the financing thereof are undertaken pursuant to the requirements of Minnesota Statutes, Section 469.034, Subdivision 2. The estimated total amount of the proposed revenue bonds will not exceed \$3,800,000.

A draft copy of the Program is on file and available for public inspection at the office of the County Auditor at the St. Louis County Courthouse, 100 North Fifth Avenue West, Room 214, in Duluth, Minnesota, and at the office of the City Clerk at the City Hall, 209 East Chapman Street in Ely, Minnesota, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except legal holidays.

All persons interested may appear and be heard at the time and place set forth above or may submit written comments to St. Louis County or the Housing and Redevelopment Authority in advance of the hearing.

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

DONALD DICKLICH, COUNTY AUDITOR  
By: Paul L. Tynjala, Deputy Auditor/Clerk of County Board

BY ORDER OF THE BOARD OF COMMISSIONERS  
HOUSING AND REDEVELOPMENT AUTHORITY OF ST. LOUIS COUNTY  
DANA FREY, EXECUTIVE DIRECTOR

Unanimously adopted. September 12, 2006. No. 509

At 4:13 P.M. on Tuesday, September 12, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 26, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of September, 2006, at 9:34 A.M. in the Morse Town Hall, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Forsman presented Volunteer Excellence Awards to the Ely Igloo Snowmobile Club, Vermilion Penguin's Snowmobile Club, Babbitt ATV and Snowmobile Club and the Cook Timberwolves Snowmobile Club for their volunteer efforts developing and maintaining trails and conducting snowmobile safety classes. The clubs' fine work has resulted in many resorts, restaurants and lodging facilities being transformed into thriving year-round businesses.

At 9:47 A.M., a public hearing was convened pursuant to County Board Resolution No. 501, adopted September 26, 2006, to consider granting an off-sale intoxicating liquor license to JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Beatty Township. Alan Mitchell, County Attorney, advised the Board that: all required County departments reviewed the application and recommended approval; the Town of Beatty reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussion about the location and propriety of the establishment, recommended approval; all necessary notices were given; and, the required insurance certificate submitted. Justin Hill, owner, was present and said he understood and would abide by all provisions of state law and County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:55 A.M., Commissioner Forsman, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 519.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Marsh Stenerson, AFSCME, urged the Board to settle the current contract and commended the Board for not negotiating in public like the City of Duluth.

Commissioner Sweeney, supported by Commissioner Forsman, moved to grant a trail easement across tax forfeited land to the Eveleth/Gilbert Joint Powers Trail Board. Mark Reed, Deputy Land Commissioner, in response to a question from Chair Nelson, said the \$1900 land use fee is assessed for County costs and appraisals. Chair Nelson offered a friendly amendment - accepted by the makers - to eliminate the \$1900 fee. After discussion about setting precedents and the need to determine the legality of waiving the fee, Chair Nelson, supported by Commissioner Raukar, moved to table the matter for one week; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to authorize a non- public sale of tax forfeited land to the adjoining landowners - SW 1/4 of SW 1/4, Section 13, Township 49 - Range 15 (City of Duluth). Commissioner Kron thanked the Land Department for expediting the sale to get a needed development going; seven yeas - zero nays. Resolution No. 520.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Commissioner Fink, supported by Commissioner Raukar, moved to schedule a closed session for litigation purposes to be held at the end of the Committee of the Whole meeting; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Forsman, moved to suspend the rules to consider approving submission of two award applications to the Association of Minnesota Counties (AMC) for the "History Train" Sesquicentennial program and for the County Evaluation Report Card and Performance Measurements process; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Kron, moved to approve submission; seven yeas - zero nays. Resolution No. 521.

Chair Nelson brought to the Board's attention the following items:

- A cooperative agreement with the Town of Grand Lake (Board Communications No. 1245) as an excellent example of intergovernmental cooperation.
- The U. S. Fish and Wildlife Service is reopening the comment period on the proposed Lynx Critical Habitat designation and he asked Commissioners Fink, Forsman and Sweeney to work with Land Commissioner Bob Krepps to draft a response/comment.
- Chair Nelson also asked the Land Department to prepare information about the Ainsworth Plant closings and the effects on the local logging industry. Commissioner Sweeney suggested the Land Department draft a Board Memo and then a decision could be made whether to include the closings as part of a Board Workshop.

Commissioner Fink spoke of disagreement among Planning Commission members about County Board authority regarding the Environmental Impact Statement (EIS) submitted as part of U. S. Steel's proposed development on Three Bays on Lake Vermilion. Chair Nelson asked the County Attorney to review the matter.

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

St. Louis County Promotional Bureau submitting minutes for the year 2006.-58595

Documentation from public hearing held on September 26, 2006, to consider granting of an Off-Sale Intoxicating Liquor License to JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township.-58596

Mike Forsman, Fourth District Commissioner, submitting information regarding the Volunteer Recognition Awards given to the Ely Igloo Snowmobile Club, Vermilion Penguin's Snowmobile Club, Babbitt ATV and Snowmobile Club and the Cook Timberwolves Snowmobile Club.-58597

Contract between the County of St. Louis and Kraus-Anderson Construction Company for S.P. 69-040-001, C.P. 3581, for Construction of Ely Joint Use Maintenance Facility.-06-1009

Agreement between the County of St. Louis and Minnesota Power for improvements to its Island Lake Reservoir South Dike for control of lake/reservoir water levels in Island Lake Reservoir along County Road No. 275 (Island Lake Dam Road).-06-1010

Agreement between the County of St. Louis and the Town of Grand Lake for the reconstruction of that portion of Town Road No. 5641 (Esker Trail) between the Bachelor Road and the Fish Lake public boat access.-06-1011

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Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.-06-1012

Home Investment Partnership Program CHDO Operating Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.-06-1013

Home Investment Partnership Program CHDO Set-Aside Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.-06-1014

Home Investment Partnership Program CHDO Operating Grant Agreement between St. Louis County and Kootasca Community Action, Inc.-06-1015

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Kootasca Community Action, Inc.-06-1016

Home Investment Partnership Program CHDO Set-Aside Grant Agreement between St. Louis County and Kootasca Community Action, Inc.-06-1017

Contract between the County of St. Louis and KGM Contractors, Inc., for S.A.P. 69-624-018 (low), C.P. 9292; S.A.P. 69-724-003, C.P. 9317, for Grading, Aggregate Base, Curb & Gutter, Sidewalk, Lighting and Bituminous Surfacing.-06-1018

Upon motion of Commissioner Kron, supported by Commissioner Forsman, Resolutions No. 510 through 518, 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 5, 2006, are hereby approved.

Adopted September 26, 2006. No. 510

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 12, 2006, are hereby approved.

Adopted September 26, 2006. No. 511

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 15, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 26, 2006. No. 512

WHEREAS, under the provisions of Minnesota Statute, Section 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Spirit Valley Citizens Neighborhood Development Association of Duluth, MN, has applied to repurchase the following parcel: Lot 13, Block 168, West 7th Division, City of Duluth, subject to Increment Financing, Parcel Code: 010-4530-00130;

WHEREAS, Spirit Valley Citizens Neighborhood Development Association was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Spirit Valley Citizens

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Neighborhood Development Association, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1,115.63, repurchase application fee of \$114.00, deed tax of \$3.68, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$1,304.31 to be deposited into Fund 240 (Forfeited Tax Fund). Adopted September 26, 2006. No. 513

WHEREAS, under the provisions of Minnesota Statute, Section 282.341, Subdivision 1, a contract for deed to purchase State tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs; and

WHEREAS, Victor Swan has requested to reinstate his contract to repurchase State tax forfeited land; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement.

NOW, THEREFORE, BE IT RESOLVED, Repurchase Contract No. C22020049 between Victor Swan and St. Louis County, dated April 11, 2002, and filed with the County Recorder on May 1, 2002, as Document No. 854541 for the property described as: Lot 329, except Easterly 33 feet of Southerly 83.1 feet, Auditor's Plat of Bay View Heights Park Tract, City of Duluth; having been cancelled on August 15, 2006, said notice of cancellation filed with the County Recorder, is hereby reinstated under Contract No. C22060192, the purchaser having paid all amounts required by Minnesota Statute, Section 282.341, to the sum of \$6,000.00 which shall be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 26, 2006. No. 514

RESOLVED, that St. Louis County Board Resolution No. 441, dated August 15, 2006, is amended to correct legal descriptions for Tract 6 and Tract 49 as described in County Board File No. 58496. Adopted September 26, 2006. No. 515

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Proctor whereby the County will provide contract administration services for construction of Bridge 69J53, S.A.P. 69-597-004, C.P. 8575, on Pionk Drive in Proctor, MN, utilizing Minnesota Department of Transportation (MnDOT) Grant Funds and Local Funds, which will be provided by the City. The funds received from MnDOT and the City will be receipted into Fund 220, Agency 220107.

Adopted September 26, 2006. No. 516

RESOLVED, that the St. Louis County Board hereby approves the revised Minnesota Counties Information Systems (MCIS) Joint and Cooperative Agreement;

RESOLVED FURTHER, that the Chair of the County Board, County Auditor, and the County Attorney are authorized to execute the agreement on behalf of St. Louis County.

Adopted September 26, 2006. No. 517

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. 58495, are hereby approved:

Real Estate - Randall Bauer, \$765.38; Gina Colangelo, \$507.90; Duluth Regional Care Center, Code Change; Wiley Fulkerson, \$1,462.16; Larry Gundy, \$37.36; Kerry Krause, \$171.34; John Melin, \$500.10; State of MN, \$23.86; Andy Strom, \$780.56; Villas @ Giant's Ridge, \$1,053.36.

Adopted September 26, 2006. No. 518

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**BY COMMISSIONER FORSMAN:**

WHEREAS, JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., 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 September 26, 2006, at or about 9:35 A.M. in the Morse Town Hall, Ely, 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 JLH's The Landing, Inc., Beatty Township, 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 CMB07106) shall be issued to JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2007;

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. September 26, 2006. No. 519

**BY COMMISSIONER SWEENEY:**

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, a certain parcel of State tax forfeited land described as: THAT PART OF THE SW 1/4 OF SW 1/4 LYING SELY OF A LINE COMMENCING AT THE INTERSECTION OF THE S LINE OF SW 1/4 OF SW 1/4 WITH THE SELY RIGHT OF WAY OF BURLINGTON NORTHERN FORMERLY DULUTH TRANSFER TRACK OF PACIFIC RAILWAY AS LOCATED THENCE N 89 DEGREES 38 MINUTES 10 SECONDS E ALONG SAID S LINE 115.91 FT TO PT OF BEG OF THE LINE TO BE DESCRIBED THENCE N 32 DEGREES 43 MINUTES 19 SECONDS E 389.84 FT THENCE N 43 DEGREES 56 MINUTES 11 SECONDS E 347.41 FT TO THE S LINE OF PULASKY ST AND THERE TERMINATING; Section 13, Township 49 North, Range 15 West, City of Duluth, Parcel Code: 010-2744-00063.

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and Minnesota Statutes, Section 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, this parcel of land cannot be improved because it does not meet minimum building setbacks required by the applicable zoning ordinance; and

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to offer the above described State tax forfeited land at a non-public sale limited to adjoining property owners to encourage return of the land to the tax rolls, starting at a minimum bid of \$19,800.00 plus fees to be deposited into Fund 240 - Forfeited Tax Fund.

Unanimously adopted. September 26, 2006. No. 520

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**BY COMMISSIONER FINK:**

WHEREAS, since 1977, the Association of Minnesota Counties (AMC) has recognized valuable innovations and improvements in County Government; and

WHEREAS, AMC County Achievement Awards are annually presented to projects that may benefit other Minnesota Counties; and

WHEREAS, St. Louis County Administration has chosen to nominate its "History Train" Sesquicentennial program and its County Evaluation Report Card and Performance Measurements process for the 2006 AMC County Achievement Award;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby supports Administration's two applications to the Association of Minnesota Counties County Achievement Awards for the "History Train" Sesquicentennial program, and for the County Evaluation Report Card and Performance Measurements process.

Unanimously adopted. September 26, 2006. No. 521

At 10:45 A.M. on Tuesday, September 26, 2006, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**OCTOBER, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 3, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of October, 2006, at 9:32 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Fink presented a Volunteer Excellence Award to the Arrowhead Emergency Medical Services (EMS) Association and the many members and organizations that comprise the group. Established in 1985 to coordinate regional medical responses, it includes many volunteer organizations such as the North and South Sheriff's Rescue Squads. Karla McKinsey, Executive Director, accepted the award and introduced members present from many of the EMS organizations.

Commissioner Sweeney noted that October is Breast Cancer Awareness Month and she urged women to get a mammogram.

At 9:55 A.M., Chair Nelson recessed the County Board for five minutes to allow the County Housing and Redevelopment Authority (HRA) to convene.

The Board reconvened at 10:02 A.M. on Tuesday, October 3, 2006, and the regular order of business resumed with all members present. The HRA meeting was still in session.

At 10:02 A.M., a joint public hearing with the County HRA was convened pursuant to County Board Resolution No. 509, adopted September 12, 2006, to receive public comment on a proposal by the Ely HRA for issuance of revenue bonds to construct a multi-unit housing development in the City of Ely. The following persons addressed the issue:

Marty Hendrickson, Director of the Ely HRA, gave a brief overview of the project and explained how the financing will work.

Nick Skarich, Northland Securities, said this appears to be a very strong, viable project.

Alan Mitchell, County Attorney, explained the actions required of the Board and the HRA and said there is some financial risk for the County. If approved, the HRA will have to regularly monitor the status of the project to minimize County risk.

Barbara Hayden, Planning Director, said agreements have not been finalized so there are some issues to be resolved.

At 10:35 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the joint

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public hearing; seven yeas - zero nays.

At 11:00 A.M., after joint HRA/County Board discussion about the project, Chair Nelson recessed the County Board for five minutes to allow the HRA to make a decision.

The Board reconvened at 11:07 A.M. on Tuesday, October 3, 2006, and the regular order of business resumed with all members present.

Donald Dicklich, County Auditor, said County participation is necessary to make the Ely HRA project feasible and he said the County's strong bond rating should result in a favorable interest rate for the housing project.

Commissioner Forsman, supported by Commissioner Kron, moved to approve issuance of the revenue bonds; seven yeas - zero nays. Resolution No. 532.

Chair Nelson 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 the request of Commissioner O'Neil, Item No. 11 of the Consent Agenda (support for development of a 70-mile ATV/off-highway motorcycle trail) was removed for separate consideration under Environment and Natural Resources Committee. Commissioner Kron, supported by Commissioner Sweeney, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to appoint candidates to the new Public Health and Human Services Advisory Committee and to dissolve the Public Health Advisory Committee and the Human Service Advisory Committee. Commissioner Sweeney noted that her district did not have any members on the committee and she asked for a better balance when future vacancies occur. Chair Nelson offered a friendly amendment - not accepted by the makers - to mandate alternate meeting locations between Duluth and the Range. Chair Nelson, supported by Commissioner Forsman, moved to establish the rotating schedule for the Advisory Committee. After discussion about whether the Committee should decide which locations are best, Chair Nelson withdrew his amendment. Fletcher Hinds, Public Health and Human Services, in response to Commissioner questions, said members are limited to three, three-year terms which will begin as of January 2007. The appointments were then approved; seven yeas - zero nays. Resolution No. 533.

A trail easement for the Eveleth/Gilbert Joint Powers Trail Board across tax forfeited land in Township 58, Range 17, was then considered. The matter was moved by Commissioner Sweeney, supported by Commissioner Forsman, at the September 26 Board meeting and then tabled to the October 3 meeting after the makers agreed to a friendly amendment offered by Chair Nelson that eliminated the \$1900 land use fee. Chair Nelson withdrew his friendly amendment and the original motion was approved; seven yeas - zero nays. Resolution No. 534.

Commissioner Sweeney, supported by Commissioner Forsman, moved to approve Item No. 11 from the Consent Agenda (proposed 70-mile ATV trail). Commissioner O'Neil offered a friendly amendment - accepted by the makers - requesting the Minnesota Department of Natural Resources to schedule two evening public hearings in locations convenient to residents who may live near the proposed trail. After brief discussion, the amended resolution was approved; seven yeas - zero nays. Resolution No. 535.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve a resolution of subrogation claims; seven yeas - zero nays. Resolution No. 536.

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Commissioner Fink, supported by Commissioner Kron, moved to schedule a closed session for 11:00 A.M. for labor negotiation purposes. Chair Nelson expressed frustration that closed session information is apparently known by everyone anyway and he suggested the session be conducted in an open meeting setting. Commissioner Fink then withdrew his motion. Commissioner Raukar, citing a need to adhere to the negotiation process and supported by Commissioner O'Neil, moved to schedule the closed session for 1:45 P.M. At the request of Commissioner Kron, the makers amended the motion to schedule the closed session to be held as soon as the Board meeting adjourned; seven yeas - zero nays.

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

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-397, regarding reclassification of State tax forfeited land (non-conservation).-58598

Dennis Fink, First District Commissioner, submitting information regarding a Volunteer Recognition Award given to the Arrowhead Emergency Medical Services Association.-58599

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management, and St. Louis County for 2006 EMPG Grant.-06-1019

Clinic Based Child and Teen Check-Ups Outreach and Follow-Up Agreement between St. Louis County, through its Department of Public Health and Human Services, and Ely Clinic.-06-1020ss

Nurse-Family Partnership Implementation Agreement between St. Louis County, through its Department of Public Health and Human Services, and Nurse-Family Partnership.-06-1021ss

Lease Agreement between St. Louis County, through its Emergency Communications Department, and the Duluth Airport Authority for exclusive use of Lot 3, Block 1, Airport Division, and the building thereon.-06-1022

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing, Inc., for Joint Public Safety Facility - Materials Testing.-06-1023

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 522 through 531, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58495, are hereby approved:

Real Estate - Travis Collins, \$516.80; David Danz, \$61.00; Jeanine Johnson, \$271.42; Stephen Sandstrom, \$1,272.62; John Stoll, \$122.40; Leon Thornton, \$550.52; Lonna Tollgaard, \$436.60.

Personal Property - Michael Houghton, \$106.84.

Adopted October 3, 2006. No. 522

RESOLVED, that St. Louis County Board Resolution No. 382, adopted on June 27, 2006, authorizing the cancellation of contracts for purchase or repurchase of State tax forfeited land, is amended to

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change the legal description for the account of Lisa D. Staber, listed in County Board File No. 58548, to the following: City of Duluth, Lots 1 - 8, Block 5; Lots 1 - 8, Block 6; Lots 1 - 8, Block 7; Lots 1 - 8, Block 8, Randalls Division of Duluth  
Adopted October 3, 2006. No. 523

WHEREAS, the Land Department has reviewed a request from Dustin Zacher for a road and utility easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the grantee's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is hereby authorized by Minnesota Statutes, Section 282.04, Subdivision 4 and 4(a), to grant an easement to Dustin Zacher described as follows: A 66-foot easement for ingress, and egress and utility purposes, over, under, and across the south half of Section 23, Township 55 North, Range 15 West of the 4th Principal Meridian. The centerline of said easement is described as follows: Commencing at the southwest corner of said Section 23; thence North 88 degrees 30 minutes 31 seconds East along the south line of said Section 23 a distance of 1263.22 feet to the POINT OF BEGINNING; thence continuing North 88 degrees 30 minutes 31 seconds East along said south line a distance of 66.01 feet to the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 23; thence North 00 degrees 00 minutes 00 seconds East a distance of 42.00 feet; thence South 88 degrees 30 minutes 31 seconds West a distance of 66.01 feet; thence South 00 degrees 00 minutes 00 seconds East a distance of 42.00 feet to the POINT OF BEGINNING and there terminating. Said easement being subject to reversion to the State in trust for the taxing districts in the event of non-use;

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$115.00 land use fee, \$100.00 administration fee and \$46.00 recording fee; for a total cost of \$261.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted October 3, 2006. No. 524

WHEREAS, the St. Louis County Land Department requests authorization to dispose of abandoned personal property on State tax forfeited land located at 5202 Tioga Street, Duluth, MN, and 301 Hampshire Drive, Hoyt Lakes, MN; and

WHEREAS, Minnesota Statute, Section 282.04, Subdivision 2(d), and Minnesota Statute, Section 504B.271, authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property were properly notified by posting of property or by mail;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property at the above described State tax forfeited addresses.

Adopted October 3, 2006. No. 525

WHEREAS, the parcels described in County Board File No. 58598 forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; 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 Land Department has recommended that the parcels described be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land; 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, said parcels of land described in County Board File No. 58598 are located inside the boundaries of a municipality or town, and Minnesota Statutes Section 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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approved by the governing body of the municipality or town; and  
WHEREAS, reclassification and sale of said parcels will be deemed approved if the County Board does not receive notice of disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town;  
NOW, THEREFORE, BE IT RESOLVED, that the State tax forfeited parcels, described in County Board File No. 58598, be reclassified as non-conservation and offered for sale at Public Auction or Adjoining Owner Sales and that the request for approval of the reclassification is transmitted by the St. Louis County Land Department to the Clerk of appropriate municipality or town.  
Adopted October 3, 2006. No. 526

WHEREAS, the parcels described in County Board File No. 58496 are currently dedicated as Memorial Forest; and  
WHEREAS, pursuant to Minnesota Statutes, Section 459.06, Subdivision 3, any tax forfeited land which has been included in a memorial forest, that is found more suitable for other purposes, may be withdrawn from the forest for disposal, if the Commissioner of Natural Resources approves the sale of such land; and  
WHEREAS, the parcels described in County Board File No. 58496 are more suitable for purposes other than forest management;  
NOW, THEREFORE, BE IT RESOLVED, that the parcels described in County Board File No. 58496 be withdrawn from Memorial Forests and offered for sale, and approval for the sale of said parcels be requested from the Commissioner of Natural Resources.  
Adopted October 3, 2006. No. 527

WHEREAS, the Public Works Department capital improvement budget includes construction of a road de-icing salt storage building at the Fifth Highway District, Pike Lake; and  
WHEREAS, a fabric arch building provides a cost effective means to store salt, protecting from weather; and  
WHEREAS, specifications for a fabric arch building with a capacity of 1,100 tons were developed and forwarded to the Purchasing Department for preparation of Bid No. 4365 - Fabric Arch Storage Building; and  
WHEREAS, the low bidder was Greystone Construction Company of Shakopee, Minnesota, with a bid of \$79,885.00 for a Cover-All building; and  
WHEREAS, the price is well within that budgeted for the project; and  
NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Purchasing Director to issue a purchase order to Greystone Construction Company of Shakopee, Minnesota, for the construction of a 1,100 ton capacity Cover-All fabric arch building, payable from Fund 405, Agency 405017, Object 661100.  
Adopted October 3, 2006. No. 528

WHEREAS, the U.S. Department of Housing and Urban Development has awarded the 2005 Lead Hazard Reduction Demonstration Grant to the counties of Hennepin, Ramsey and St. Louis and participating cities to assess and remove lead-based paint from single family and multi-family housing units; and  
WHEREAS, the St. Louis County Board of Commissioners adopted Resolution No. 94 on February 14, 2006, authorizing St. Louis County Planning and Attorney Departments to execute a purchase of service agreement with Hennepin County to access the grant funds; and  
WHEREAS, St. Louis County has developed a plan to use the grant monies through the Arrowhead Economic Opportunity Agency in conjunction with the existing federally funded housing rehabilitation programs administered by the Arrowhead Economic Opportunity Agency.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Planning Director and a representative of the County Attorney to execute the purchase of

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services agreement with the Arrowhead Economic Opportunity Agency on behalf of St. Louis County, along with all the necessary documents related thereto; and

BE IT FURTHER RESOLVED, that grant payments for costs associated with providing the services will be made from Fund 100, Agency 109002.

Adopted October 3, 2006. No. 529

WHEREAS, the Trunk Highway 53 Task Force, which was formed to provide support for improvements to Trunk Highway 53 between Virginia and International Falls, has chosen to hire Sante Esposito, of Smith, Esposito & Lylerly Company, to lobby for Federal Highway funding in Washington, D.C.; and

WHEREAS, the St. Louis County Board of Commissioners has been requested by the Trunk Highway 53 Task Force to contribute \$1,500 toward the lobbying effort from April 1, 2006, through September 30, 2006, to assure that the \$50 million appropriation for the project which passed Congress survives the deficit reduction efforts now underway and secure funding for project priorities as named by the Task Force, with a similar amount from the Cities of Virginia, International Falls, and Koochiching County for a total pool of \$6,000; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners agrees to contribute up to \$1,500 toward the purchase of services for lobbying from Smith, Esposito & Lylerly Company, Inc., and any necessary expenses they incur in this effort to obtain Federal Highway Funds to accomplish the needed improvements to Trunk Highway 53.

RESOLVED FURTHER, that this money will be provided, in a proportionate share with the other participating entities, from Fund 100, Agency 105001, Object 629900, upon appropriate billing and documentation of actual expenditures.

Adopted October 3, 2006. No. 530

WHEREAS, the St. Louis County Sheriff has appointed Scott Camps to the position of Emergency Services Manager (ESM) in charge of the Sheriff's Homeland Security Emergency Management Division; and

WHEREAS, Mr. Camps has been a member of the Public Employees Retirement Association (PERA) Police & Fire pension plan during his tenure as Deputy Sheriff and wishes to remain under the Police & Fire plan; and

WHEREAS, the Minnesota State Statute 353.64, Subdivision 5a, allows for a member of the PERA Police & Fire Plan to continue coverage in that plan if transferred to a position that is associated with police and fire functions within the same department, providing the governing body sends a copy of a resolution to that effect to PERA;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners acknowledges Scott Camps' promotion to Emergency Services Manager and requests Mr. Camps be allowed to remain in the PERA Police & Fire pension plan while holding the ESM position.

Adopted October 3, 2006. No. 531

**BY COMMISSIONER FORSMAN:**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF ST. LOUIS  
COUNTY, MINNESOTA, PROVIDING FOR THE ISSUANCE AND  
PUBLIC SALE OF GOVERNMENTAL HOUSING REVENUE BONDS**

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

Section 1. Authority.

A. Pursuant to Minnesota Statutes, Sections 469.001 through 469.047 (the "Act"), the Housing and Redevelopment Authority of St. Louis County, Minnesota (the "County HRA") as established by the County, and is authorized to exercise housing and economic development powers, among others.

B. In furtherance of the objectives of the County HRA, the County HRA desires to participate

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in undertaking a qualified housing development project under Sections 469.017 and 469.034, Subdivision 2 of the Act, consisting of 26 units of housing for moderate income elderly persons located on Washington Street between Eighth and Tenth Avenues in the City of Ely (the "Project").

C. The Project would be jointly owned by the County HRA and the Housing and Redevelopment Authority in and for the City of Ely, Minnesota (the "City HRA") and operated by the City HRA pursuant to an Operating Agreement between the County HRA and the City HRA, with an option to purchase the Project by the City HRA.

D. In order to finance the Project, the City HRA intends to issue revenue bonds pursuant to Section 469.034 of the Act in the maximum principal amount of \$3,800,000 (the "Bonds") and to pledge the general obligation of the County as additional security therefor pursuant to a Joint Powers Agreement (the "JPA") among the County, the City of Ely, Minnesota (the "City"), the City HRA and the County HRA. Under the JPA, the City would indemnify the County for payment of a \$3,000,000 portion of principal of the Bonds plus accrued interest.

Section 2. The Bonds. The Board hereby finds and determines that it is necessary and desirable that in order to reduce debt service costs the City HRA issue, sell and deliver its Governmental Housing Revenue Bonds, Series 2006 (the "Bonds"), in the approximate amount of \$3,800,000, to finance the Project and pay the costs of issuance of the Bonds.

Section 3. Notice of Sale. The terms and conditions for the sale of the Bonds set forth in the Notice of Sale attached hereto as Exhibit A are approved.

Section 4. Further Action.

A. The form, specifications and provisions for repayment of the Bonds and the JPA shall be set forth in a subsequent resolution of the Board.

B. The Board shall meet on October 24, 2006, at 1:30 p.m., or as soon thereafter as reasonably possible, to take further action with respect to the Bonds and the JPA. Such approval shall be subject to approval by the City HRA of the issuance of the Bonds and the approval by the County HRA, the City HRA and the City of Ely.

EXHIBIT A

NOTICE OF SALE

HOUSING AND REDEVELOPMENT AUTHORITY IN  
AND FOR THE CITY OF ELY, MINNESOTA

\$3,800,000\*

HOUSING DEVELOPMENT REVENUE BONDS, SERIES 2006A

**(St. Louis County, Minnesota, General Obligation)**

(Book-Entry Only)

NOTICE IS HEREBY GIVEN by the Housing and Redevelopment Authority in and for the City of Ely, Minnesota (the "HRA" or the "Issuer") that the above-referenced bonds (the "Bonds") will be offered for sale according to the following terms:

TIME AND PLACE:

Proposals will be opened by the HRA Executive Director, or his designee, on Tuesday, October 24, 2006, at 10:00 A.M., Central Time, at the offices of Northland Securities, Inc., 45 South 7th Street, Suite 2500, Minneapolis, Minnesota 55402. Consideration of the proposals for award of the sale will be by the HRA at its meeting at its offices beginning Tuesday, October 24, 2006, at 6:30 P.M.

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**SUBMISSION OF PROPOSALS:**

Proposals may be:

- a) submitted to the office of Northland Securities, Inc., 45 South 7th Street, Suite 2500, Minneapolis, Minnesota 55402,
- b) faxed to Northland Securities, Inc. at (612) 851-5917,
- c) for proposals submitted prior to the sale, the final price and coupon rates may be submitted to Northland Securities, Inc., by telephone at (612) 851-5900, or
- d) submitted electronically.

Notice is hereby given that electronic proposals will be received via PARITY™, in the manner described below, until 10:00 A.M., local time on October 24, 2006. Proposals may be submitted electronically via PARITY™ pursuant to this Notice until 10:00 A.M., local time, but no proposal will be received after the time for receiving proposals specified above. To the extent any instructions or directions set forth in PARITY™ conflict with this Notice, the terms of this Notice shall control. For further information about PARITY™, contact Northland Securities, Inc. or i-deal® at 1359 Broadway, 2nd floor, New York, NY 10018, telephone (212) 849-5021.

Neither the Issuer nor Northland Securities, Inc. assumes any liability if there is a malfunction of PARITY™. All submitting proposals are advised that each proposal shall be deemed to constitute a contract between the submitter of the proposal and the Issuer to purchase the Bonds regardless of the manner in which the proposal is submitted.

**BOOK-ENTRY SYSTEM:**

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates made to the public. The Bonds will be issued in fully registered form and one Bond certificate, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of Depository Trust Company (“DTC”), New York, New York, which will act as securities depository of the Bonds.

Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the Issuer through Northland Trust Services, Inc., Minneapolis, Minnesota (the “Paying Agent/Registrar”), to DTC, or its nominee, as registered owner of the Bonds. Transfer of principal and

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interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners other nominees of beneficial owners by participants will be the responsibility of such participants. The submitter of the successful proposal, as a condition of delivery of the Bonds, will be required to deposit the Bond certificates with DTC. The Issuer will pay reasonable and customary charges for the services of the Paying Agent/Registrar.

DATE OF ORIGINAL  
ISSUE OF BONDS:

November 21, 2006

AUTHORITY/PURPOSE:

The Bonds are being issued pursuant to Minnesota Statutes, Chapters 469.001 through 469.047, as amended. Proceeds will be used to construct the Northwoods Townhomes project, a 26-unit senior rental housing facility.

INTEREST PAYMENTS:

Semiannually on May 1 and November 1, commencing November 1, 2007 to registered owners of the Bonds appearing of record in the Bond register as of the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month.

MATURITIES:

November 1, inclusive, in each of the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$ 5,000	2028	\$ 120,000
2015	10,000	2029	130,000
2016	20,000	2030	145,000
2017	25,000	2031	160,000
2018	30,000	2032	170,000
2019	35,000	2033	190,000
2020	45,000	2034	205,000
2021	50,000	2035	220,000
2022	60,000	2036	240,000
2023	70,000	2037	260,000
2024	75,000	2038	280,000
2025	85,000	2039	300,000
2026	95,000	2040	320,000
2027	110,000	2041	345,000

Proposals for the Bonds may contain a maturity schedule for providing for any combination of serial Bonds and term Bonds subject to mandatory redemption, so long as the amount of principal maturing or subject to mandatory redemption in each year conforms to the maturity schedule set forth above.

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INTEREST RATES:	All rates must be in integral multiples of 1/20th or 1/8th of 1%. <i>Rates must be in level or ascending order.</i> No limitation is placed upon the number of rates which may be used. All Bonds of the same maturity must bear a single uniform rate from date of issue to maturity.
ADJUSTMENTS TO PRINCIPAL AMOUNT AFTER PROPOSALS:	<p>Notwithstanding the foregoing, the Issuer reserves the right to increase or decrease the principal amount of the Bonds. Any such increase or decrease will be made in multiples of \$5,000 and may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread. Such adjustments shall be made promptly after the sale and prior to award of sale of the Bonds by the Issuer and shall be at the sole discretion of the Issuer.</p> <p>The submitter of the successful proposal may not withdraw or modify its proposal once submitted to the Issuer for any reason, including post bond adjustment. Any adjustment shall be conclusive and shall be binding with respect to the successful proposal.</p>
REDEMPTION:	Bonds are subject to redemption and prepayment at the option of the Issuer on November 1, 2016 (2017 through 2041 maturities), and on any business day thereafter at par. Redemption may be in whole or in part. If redemption is in part, the maturity and the principal amounts within each maturity to be redeemed shall be determined by the Issuer and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar.
CUSIP NUMBERS:	If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the submitter of the successful proposal to accept delivery of and pay for the Bonds in accordance with terms of the purchase contract. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the submitter of the successful proposal.
DELIVERY:	Within forty days after award subject to approving legal opinion by Fryberger, Buchanan, Smith & Frederick, P.A., Bond Counsel. The cost of the Bond Counsel opinion will be paid by the Issuer and delivery of the Bonds will be anywhere in the continental United States

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without cost to the submitter of the successful proposal at DTC.

TYPE OF PROPOSAL:

Proposals of not less than \$3,754,400.00 (98.8%) and accrued interest on the principal sum of \$3,800,000 (if any) must be filed with the undersigned prior to the time of sale. Proposals must be unconditional except as to legality. A certified or cashier's check (the "Deposit") in the amount of \$76,000, payable to the order of the HRA Executive Director, or a Financial Surety Bond complying with the provisions below, must accompany each proposal, to be forfeited as liquidated damages if proposal maker fails to comply with accepted proposal. Proposals for the Bonds should be delivered to Northland Securities, Inc. and addressed to:

Marty Hendrickson, Executive Director  
Housing and Redevelopment Authority of Ely  
114 North Eighth Avenue, #111  
Ely, Minnesota 55731

If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the Issuer. Such bond must be submitted to Northland Securities, Inc. prior to the opening of the proposals. The Financial Surety Bond must identify each proposal maker whose Deposit is guaranteed by such Financial Surety Bond.

If the sale of the Bonds is awarded to a proposal maker using a Financial Surety Bond, then that submitter of the successful proposal is required to submit its Deposit to Northland Securities, Inc. in the form of a certified or cashier's check or wire transfer as instructed by Northland Securities, Inc. not later than 3:30 P.M., Central Time, on the next business day following the award.

If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the Issuer to satisfy the Deposit requirement. The Issuer will deposit the check of the submitter of the successful proposal, the amount of which will be deducted at settlement and no interest will accrue to the submitter of the successful proposal.

In the event the submitter of the successful proposal fails to comply with the accepted proposal, said amount will be retained by the Issuer. No proposal can be withdrawn after the time set for receiving proposals unless the meeting of the Issuer scheduled for award of the sale of the Bonds is adjourned, recessed, or continued to another

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date without award of the sale of the Bonds having been made.

**AWARD:**

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The Issuer's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Bonds will be awarded by lot. The Issuer will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and (iii) reject any proposal which the Issuer determines to have failed to comply with the terms herein.

**INFORMATION FROM  
SUBMITTER OF  
SUCCESSFUL  
PROPOSAL:**

The submitter of the successful proposal will be required to provide, in a timely manner, certain information relating to the initial offering price of the Bonds necessary to compute the yield on the Bonds pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

**OFFICIAL STATEMENT:**

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the Issuer with respect to the Bonds, as that term is defined in Rule 15c2-12.

By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefor, the Issuer agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded copies of the Official Statement and the addendum or addenda.

**CONTINUING DISCLOSURE:**

The Issuer will covenant in the resolution awarding the sale of the Bonds and in a Continuing Disclosure Undertaking to provide, or cause to be provided, annual financial information, including audited financial statements of the Issuer, and notices of certain material events, as required by SEC Rule 15c2-12.

**BANK QUALIFICATION:**

The Issuer will designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of

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the Internal Revenue Code of 1986, as amended.

**BOND INSURANCE AT  
UNDERWRITER'S OPTION:**

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the submitter of the successful proposal, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the submitter of the successful proposal for purchase of the Bonds. Any increase in the costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the submitter of the successful proposal, except that, if the Issuer has requested and received a rating on the Bonds from a rating agency, the Issuer will pay that rating fee. Any other rating agency fees shall be the responsibility of the submitter of the successful proposal. Failure of the municipal bond insurer to issue the policy after the Bonds have been awarded to the submitter of the successful proposal shall not constitute cause for failure or refusal by the submitter of the successful proposal to accept delivery on the Bonds.

The Issuer reserves the right to reject any and all proposals, to waive informalities and to adjourn the sale.

Dated: October 10, 2006

**BY ORDER OF THE HOUSING REDEVELOPMENT  
AUTHORITY IN AND FOR THE CITY OF ELY,  
MINNESOTA**

/s/ Marty Hendrickson

Executive Director

Additional information may be obtained from:

Northland Securities, Inc.  
45 South 7th Street  
Suite 2500  
Minneapolis, Minnesota 55402  
Telephone No.: (612) 851-5900

\*The Issuer reserves the right to decrease the principal amount of the Bonds. Any such decrease will be made in multiples of \$5,000 and may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread.

Unanimously adopted. October 3, 2006. No. 532

**BY COMMISSIONER O'NEIL:**

WHEREAS, the St. Louis County Board of Commissioners wants a committee structure in place to provide citizen input relative to the public health and human service needs of St. Louis County communities; and

WHEREAS, the Public Health Department and the Human Service Department are now one department; and

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WHEREAS, two citizen advisory committees are no longer necessary to advise a single department;  
and  
WHEREAS, a single Public Health and Human Service Advisory Committee needs to be established;  
and  
WHEREAS, members to a Public Health and Human Service Advisory Committee need to be appointed;  
NOW, THEREFORE, BE IT RESOLVED, that the Public Health Advisory Committee be dissolved;  
RESOLVED FURTHER, that the Human Service Advisory Committee be dissolved;  
RESOLVED FURTHER, that a Public Health and Human Service Advisory Committee be established;  
RESOLVED FURTHER, that committee members be appointed to the Public Health and Human Service Advisory Committee by the St. Louis County Board of Commissioners;  
RESOLVED FURTHER, that the following slate of candidates be appointed to the Public Health and Human Service Advisory Committee to serve staggered membership terms as follows:

<u>Member Name</u>	<u>Term Expires</u>
Sue Bratulich	January 1, 2007
Kathy Heltzer	January 1, 2007
Anthony Kuznik	January 1, 2007
Cindy Lustig	January 1, 2007
Rudy Semeja	January 1, 2007
Jim Taray	January 1, 2007
Marianne Figlin	January 1, 2008
Pat Ives	January 1, 2008
Penny LaBerge	January 1, 2008
Ron Niemi	January 1, 2008
Casie Skala	January 1, 2008
Sandy Wallin	January 1, 2008
Joan Gardner-Goodno	January 1, 2009
Sheri Flesness	January 1, 2009
Margaret Likar	January 1, 2009
Melvin Rolfe	January 1, 2009
Debra Smith	January 1, 2009
Tina Welsh	January 1, 2009

Unanimously adopted. October 3, 2006. No. 533

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Land Department has reviewed a request from the Eveleth/Gilbert Joint Powers Trail Board for a motorcycle, snowmobile and ATV recreational trail easement across State tax forfeited land, and recommends approval; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minnesota Statute, Section 282.04, Subdivision 4, authorizes the St. Louis County Auditor to grant easements for recreational trails; and

WHEREAS, the easement crosses undivided interest property, 19/20ths of which is State tax forfeited and 1/20th of which is privately owned; and the Eveleth/Gilbert Joint Powers Trail Board has received approval from the private interest;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a recreational trail easement across State tax forfeited land to the Eveleth/Gilbert Joint Powers Trail Board. The description of the easement is: A 66.00 foot wide easement for recreational trail purposes over, under and across the east one-half of the southeast quarter of Section 33, Township 58 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 33.00 feet on each side of the following described centerline. Commencing

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at the southwest corner of said east one-half of the southeast quarter; thence along the west line of said east one-half of the southeast quarter on an assigned azimuth of 348 degrees 27 minutes 26 seconds, where 0 degrees equals North, a distance of 218.6 feet to the actual point of beginning of easement; thence at an azimuth of 48 degrees 36 minutes 10 seconds a distance of 898.4 feet; thence at an azimuth of 20 degrees 50 minutes 59 seconds a distance of 508.1 feet; thence at an azimuth of 61 degrees 35 minutes 06 seconds a distance of 266.8 feet more or less to the east line of said east one-half of the southeast quarter and there terminating. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is approximately 1670 feet in length and contains 2.5 acres more or less. The granting of this easement is conditioned upon payment of \$1,900.00 land use fee, \$250.00 administration fee and \$46.00 recording fee, for a total cost of \$2,196.00 to be deposited into Fund 240 - Forfeited Tax Fund. Unanimously adopted. October 3, 2006. No. 534

WHEREAS, St. Louis County recognizes the importance of motorized recreation to the citizens of the State of Minnesota, and is committed to providing motorized recreational opportunities; and WHEREAS, the 2003 Legislature directed the Department of Natural Resources (DNR) to plan, design, map, construct, designate, and sign a continuous 70-mile All-Terrain Vehicle/Off Highway Motorcycle (ATV/OHV) trail on state and county lands; and WHEREAS, a proposal has been provided to the DNR showing a continuous 70-mile ATV/OHV trail within St. Louis and Lake Counties which meets the intent and requirements of the legislation. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners supports the development of a continuous 70-mile All-Terrain Vehicle/Off Highway Motorcycle Trail in St. Louis County and hereby requests that the DNR select the St. Louis and Lake Counties Minnesota Trail Assistance Program proposal so that St. Louis County, Lake County, and DNR officials can meet and determine a final alignment. NOW, THEREFORE, BE IT FURTHER RESOLVED, the St. Louis County Board requests the DNR to conduct at least two evening public hearings in locations convenient to residents living near the proposed trail. Unanimously adopted. October 3, 2006. No. 535

**BY COMMISSIONER FINK:**

WHEREAS, on July 1, 2006, David A. Griesbach was traveling northbound in the easternmost lane of U.S. Trunk Highway 53, driving a 2003 Chevrolet Trailblazer with a Crestliner No. 1750 Sportfish in tow. County Unit No. 730, a 2002 GMC Yukon, was westbound on C-SAH 52 (Comstock Lake Road) and failed to stop for a stop sign at the intersection of U.S. Trunk Highway 53. Collision impact was to the right front of the Trailblazer onto the left front of the Yukon. After initial impact, the Blazer continued in a northwesterly course with boat and trailer separation, with the Blazer ending up in a final resting position in the southbound lanes of U.S. Trunk Highway 53 north of the intersection; and

WHEREAS, David Griesbach reported his loss for the Trailblazer to his auto insurer, Safeco Property & Casualty Insurance Companies, and his boat loss to his homeowner's insurance, Union Insurance Company of Providence; and

WHEREAS, Union Insurance Company of Providence's determination of value of the boat, motor, trailer and accessories was \$15,852.41 and salvage recovery was \$4,056. Union Insurance Company of Providence's net payment was \$11,546.41 and the Griesbach deductible is \$250. Their total subrogation demand is for \$11,796.41; and

WHEREAS, Safeco Property & Casualty Insurance Companies' determination of value on the Trailblazer was \$22,485.75 and salvage recovery was \$812.50. Safeco Property & Casualty Insurance Companies net payment was \$21,173.25. The Griesbach deductible is \$500. Their total subrogation demand is for \$21,673.25.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes settlement of

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the Union Insurance subrogation claim in the amount of \$11,796.41, upon receipt of all necessary releases approved by the County Attorney, to be paid from Fund No. 720, Agency 720001.

BE IT FURTHER RESOLVED, that the St. Louis County Board authorizes settlement of the Safeco Property & Casualty Insurance Companies subrogation claim in the amount of \$21,673.25, upon receipt of all necessary releases approved by the County Attorney, to be paid from Fund No. 720, Agency 720001.

Unanimously adopted. October 3, 2006. No. 536

At 11:55 A.M. on Tuesday, October 3, 2006, upon motion of Commissioner Kron, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 10, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of October, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Alan Mitchell, County Attorney, presented a Volunteer Excellence Award to Safe Haven Shelter for Battered Women (SHS) which has provided advocacy, safety and a place to heal for battered women and their children since 1978. In 2005, 266 volunteers donated 3,381 hours of service to SHS. Susan Utech, Director of SHS, introduced staff and volunteers present for the award presentation.

Commissioner O'Neil read a proclamation establishing October as Domestic Violence Awareness Month and he presented the proclamation to Susan Utech from SHS.

Chair Nelson opened the meeting to persons who wanted to address the Board on issues not the agenda and the following chose to do so:

Peter Dane, Duluth, said he lives near the Proctor Speedway and he asked the Board to investigate ways to minimize noise and disruption to the neighborhood when races are being held at the Speedway. Commissioner Kron said he and Commissioner Sweeney will work with Administration to determine what could be done to reduce noise levels for residents.

Robert Hoffman, Duluth, expressed concern about a proposed 70-mile ATV/OHV Trail that would pass near his property and follow the adjoining roadway.

Neil Nyberg, Duluth, expressed the same concerns about the proposed trail route and said it would pose a safety and noise hazard for area residents. Even though the route is only a proposed trail, ATV riders are already searching the area for the trail, according to Mr. Nyberg.

John Stephen, Duluth, asked the Board to consider supporting an alternate route that would be safer than the one proposed.

Commissioner Sweeney said this was a safety issue and she moved to reconsider a resolution passed at the October 3 Board meeting urging the Department of Natural Resources to consider St. Louis County for the 70-mile trail. After brief discussion, Commissioner Sweeney withdrew her motion for re-submission later in the meeting.

At 10:19 A.M. in the forenoon of Tuesday, October 10, 2006, Chair Nelson moved to recess the Board until 10:25 A.M. on October 10, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:25 A.M. on Tuesday, October 10, 2006, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Forsman, moved to initiate a zoning text amendment to Ordinance No. 46 (Zoning Ordinance) relative to nonconforming structures and to

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request the Planning Commission conduct public hearings and report back to the County Board by April 1, 2007, on any proposed amendment; six yeas - zero nays, with Commissioner Fink temporarily away from the meeting. Resolution No. 549.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to reconsider Resolution No. 535, adopted October 3, 2006, supporting development by the Department of Natural Resources (DNR) of a 70-mile All-Terrain/Off-Highway Motorcycle Trail in St. Louis County. Commissioner Sweeney said a proposed trail plan was flawed and dangerous to residents living near the route. Commissioner Fink said the resolution only asked the DNR to consider St. Louis County as a site for the trail and he suggested a route connecting Duluth with the ATV/OHM park in Gilbert. Mark Weber, Land Department, said the resolution was aimed at getting the DNR to look at routes in St. Louis County and discussions are being held concerning a valid location. Commissioner Raukar suggested offering more than one alternative to the DNR. After further discussion, the reconsideration motion failed; two yeas - five nays, Commissioners Fink, Kron, Forsman, Raukar and Chair Nelson.

Commissioner Forsman, supported by Commissioner Raukar, made a directive motion to have any dealings between St. Louis County and the DNR regarding a 70-mile ATV/OHM trail be respectful of private property and to avoid conflicts between ATV/OHM vehicles and highway traffic. A number of friendly amendments were offered and accepted, including: no endorsement of any particular trail at this point; changing the wording from "respectful" to "avoid" when referring to private property and traffic problems; and, exploring a route between Duluth and Gilbert; seven yeas - zero nays.

Commissioner Forsman, supported by Commissioner Raukar, moved to award the contract for S.A.P. 69-663-012 (C-SAH 63) to Hoover Construction Company, Virginia, on their low bid of \$3,547,343.30, which was 2.63 percent below the engineer's estimate. Commissioner Raukar said this project was badly needed and three years in the making; seven yeas - zero nays. Resolution No. 550.

Commissioner Raukar, supported by Commissioner Kron, moved to authorize execution of a one-year agreement, with four one-year extension options, with Whistle Cleaning Service for providing janitorial services for Lincoln Park Senior Center, Central Kitchen, Midtowne Manor, Land Department at Pike Lake and the 9-1-1 Center in Duluth. Commissioner O'Neil said he would not support a contract where employees are paid \$8 per hour without benefits. Dana Frey, County Administrator, said many of these positions are part-time and some of the facilities will be phased out soon. Commissioner Raukar considered withdrawing his motion but decided to leave the motion as is pending a tabling motion. Commissioner Nelson, supported by Commissioner Raukar, moved to table the matter to the November 28, 2006, Board meeting; four yeas - three nays, Commissioners Fink, Kron and Forsman.

Commissioner Raukar, supported by Commissioner Fink, moved to suspend the rules to consider authorizing an agreement with Four Seasons Energy Efficient Roofing, Incorporated, in the amount of \$74,846 for replacement of roofing and insulation at Chris Jensen Health and Rehabilitation Center; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner O'Neil, moved to authorize the agreement. Tony Mancuso, Property Manager, said earlier bids were rejected and the rebidding resulted in a rush to get this contract executed; seven yeas - zero nays. Resolution No. 551.

Commissioner Fink, supported by Commissioner Sweeney, moved to adopt a philosophy to encourage recruitment of recent college graduates for employment with St. Louis County. Commissioner Fink said the philosophy removes some of the experience barriers that prevent recent graduates from applying for County positions; seven yeas - zero nays. Resolution No. 552.

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Commissioner Kron announced that a groundbreaking ceremony would be held at 12:30 P.M. today for the new Public Safety Building at 2026 Arlington Avenue (Chris Jensen Campus) in Duluth.

Commissioner Fink said St. Louis County will be hosting a District 1, Association of Minnesota Counties (AMC) meeting on Friday, October 13, 2006.

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

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-410, regarding reclassification of State tax forfeited land (non-conservation).-58600

Alan Mitchell, County Attorney, submitting information regarding a Volunteer Recognition Award given to the Safe Haven Shelter for Battered Women and its volunteers.-58601

Peg Sweeney, Fifth District Commissioner, submitting e-mails and phone messages received regarding the development of a 70-mile ATV/off-highway motorcycle trail.-58602

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and Robert P. Robison for Emergency Preparedness Training.-06-1024ss

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, State Patrol Division, and St. Louis County Sheriff's Department for Operation NightCAP.-06-1025

Amendment No. 2 to St. Louis County Solid Waste Department Service Agreement for Operation of the Regional Landfill between the County of St. Louis and Kangas Excavating, Inc. -06-1026

Amendment No. 2 to St. Louis County Solid Waste Department Service Agreement for Hibbing Transfer Station Operations and Haulage between the County of St. Louis and Kangas Excavating, Inc.-06-1027

Amendment No. 1 to St. Louis County Solid Waste Department Service Agreement for Transfer Trailer Haulage Service between the County of St. Louis and Kangas Excavating, Inc., for Brookston, Cook, Hudson and Northwoods Transfer Stations.-06-1028

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 537 through 548, 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 26, 2006, are hereby approved.  
Adopted October 10, 2006. No. 537

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. 58495, are hereby approved:

Real Estate - Steven Aldrich, \$237.66; Donald Dicklich, Cancel Forfeiture; Kenneth McNulty, \$308.60; Stephanie Mickelson, \$290.50; Daniel Takanen, \$543.90; Andrew Tillmann, \$202.66; Erin Virta, \$257.46; Donald Wold, \$278.98.

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Personal Property - Michelle Nikunen, \$201.22.  
Adopted October 10, 2006. No. 538

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 29, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 10, 2006. No. 539

WHEREAS, a narrow strip of State tax forfeited land lies between Fermoy Road and property owned by Mr. Bob Ellis; and

WHEREAS, the Land Department has proposed that this unintentional access problem be resolved through a direct sale of a 4.23 acre parcel of State tax forfeited land to Mr. Ellis; and

WHEREAS, Minnesota Session Laws 2006, Chapter 236, Section 35, authorizes St. Louis County to sell by private sale State tax forfeited land described as: that part of the SE - NE of Section 21, Township 56 North, Range 18 West, lying East of the East right-of-way line of Fermoy Road; and WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes, Section 282.01; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcel to Bob Ellis for the appraised value of \$803.72 plus the following fees: 3 Percent Assurance Fee of \$24.11, Administrative Fee of \$500.00, Deed Fee of \$25.00, Deed Tax of \$2.65, and Recording Fee of \$46.00; for a total of \$1,401.48, to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted October 10, 2006. No. 540

WHEREAS, the parcel described in County Board File No. 58600 forfeited to the State of Minnesota for nonpayment of real estate taxes and was previously classified as conservation; 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 Land Department has recommended that the parcel described be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land; 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, said parcel of land described in County Board File No. 58600 is located inside the boundaries of a municipality, 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, reclassification and sale of said parcel will be deemed approved if the County Board does not receive notice of the municipality's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality;

NOW, THEREFORE, BE IT RESOLVED, that the State tax forfeited parcel, described in County Board File No. 58600, be reclassified as non-conservation and offered for sale at Public Auction or Adjoining Owner Sale and that the request for approval of the reclassification be transmitted by the St. Louis County Land Department to the Clerk of the City of Duluth.

Adopted October 10, 2006. No. 541

WHEREAS, the Public Works Department 2006 equipment budget includes replacement of ten (10)

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tandem dump trucks for hauling materials and snow and ice control; and  
WHEREAS, the chassis and dump bodies with hydraulics have already been ordered; and  
WHEREAS, specifications for snow and ice control systems including plows and wings for all ten units and underbody scrapers for three of the units were forwarded to the Purchasing Department for preparation of Bid No. 4640; and  
WHEREAS, the low specification bid submitted by Bert's Truck Equipment, Inc., of Moorhead, Minnesota, with a price of \$169,070, and an applicable State of Minnesota sales tax of \$10,989.55 will bring the total cost of \$180,059.55; and  
NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the Purchasing Department to issue a purchase order to Bert's Truck Equipment, Inc., for the installation of snow and ice control equipment on ten (10) tandem trucks at their bid price plus applicable State of Minnesota sales taxes, payable from Fund 200, Agency 202020, Object 666300.  
Adopted October 10, 2006. No. 542

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes Chris Jensen Health & Rehabilitation Center to write-off bad debts as follows:

- Resident No. 1, in the amount of \$16,521.64, for services provided in 2004;
- Resident No. 2, in the amount of \$10,886.58, for services provided in 2005;
- Resident No. 3, in the amount of \$17,197.81, for services rendered in 2004;

for a total write-off of \$44,606.03, charged to Fund 625 (Chris Jensen), Agency 625019 (Administration), Object 637700 (Bad Debt).  
Adopted October 10, 2006. No. 543

WHEREAS, the Planning Commission initiated a rezoning; and  
WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on August 10, 2006; and  
WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning by amending Ordinance No. 46, zoning maps;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 14, 2006, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning portions of Township 52 North, Range 16 West (Town of Grand Lake).  
Adopted October 10, 2006. No. 544

WHEREAS, the St. Louis County Board of Commissioners has established a citizen advisory committee to review CDBG applications and to make funding recommendations to the County Board; and  
WHEREAS, the citizen advisory committee has completed its review of 25 applications for FY 2007 totaling \$3.1 million in funding requests; and  
WHEREAS, the anticipated FY 2007 HUD allocations are approximately \$2.4 million CDBG, \$700,000 HOME, and \$100,000 Emergency Shelter Grant; and  
WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of the *St. Louis County FY 2007 Action Plan*.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 7, 2006, at 9:35 A.M., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the *St. Louis County FY 2007 Action Plan*.  
Adopted October 10, 2006. No. 545

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WHEREAS, the St. Louis County Solid Waste Department owns property adjacent to the Regional Landfill in Virginia, and that property contains timber and biomass that can be harvested for beneficial use; and

WHEREAS, the St. Louis County Auditor is conducting a timber auction and has offered to work with the Solid Waste Department to include the property near the Regional Landfill in the timber auction; and

WHEREAS, by selling timber and biomass the Solid Waste Department can generate income which can be reserved for ongoing landfill property and road development and maintenance;

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to list Solid Waste Department property at the Regional Landfill for timber and woody biomass material harvesting in sales conducted by the St. Louis County Auditor, with revenue to be deposited into Fund 620, Agency 620001 (less Land Department expenses), from the sale to be retained by the Solid Waste Department for Regional Landfill facility upgrade and maintenance.

Adopted October 10, 2006. No. 546

WHEREAS, bids have been received by the County Auditor for the following project: S.P. 69-00173, S.P. 69-598-031, County Project 8278, located at C.R. 694 (Seville Road) between C-SAH 98 (Canosia Road) and C.R. 223 (Munger Shaw Road), west of Hermantown, MN, length 0.15 mile, consisting of Grade Correction, Aggregate Base, Culverts, Bituminous Surface and Aggregate Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 2, 2006, 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 in the best interest of St. Louis County that the award of said contract be made to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners, in regular session duly convened, hereby approves the award of contract on the above project to the lowest bidder, subject to proper authorization of the contract, including the Minnesota Department of Transportation EEO Office. Fund 200, Agency 203129.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$177,604.42

Adopted October 10, 2006. No. 547

WHEREAS, a Lease Agreement entered into with the Iron Range Racing Association, Inc. (IRRA), on April 2, 1999, provided that the Lessee pay rent in the amount of \$12,000 annually, among other conditions, for lease of the premises known as the "Hibbing Raceway" over the original two-year term of the lease; and

WHEREAS, the original lease term expired on December 31, 2000, and the County authorized subsequent two-year renewals on November 28, 2000, December 17, 2002, and November 2, 2004, all pursuant to Paragraph 21 of the original Lease Agreement; and

WHEREAS, the most recent authorized two-year extension will expire on December 31, 2006; and

WHEREAS, in a letter, dated August 10, 2006, Bill Engelstad, President of the IRRA, requested that the County renew their lease for an additional two years which would commence on January 1, 2007, and terminate on December 31, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the County Board Chair, County Auditor, and County Attorney are hereby authorized to execute an additional two-year renewal of the original Lease Agreement, dated April 2, 1999, between St. Louis County and the Iron Range Racing Association, Inc. Said renewal shall commence on January 1, 2007, and terminate on December 31, 2008, with all other terms of the original Lease Agreement and all subsequent addendums to said lease to remain

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in full force and effect. Revenue funds will be directed to Fund 100, Agency 102003, and Revenue 583103.

Adopted October 10, 2006. No. 548

**BY COMMISSIONER SWEENEY:**

WHEREAS, the St. Louis County Board may initiate a zoning text amendment whenever the public health, safety and general welfare would be served by such an amendment; and

WHEREAS, there has been state statutory changes and requests by local authorities and the Board of Adjustment to review the current zoning ordinance as it relates to nonconformities;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners initiates a zoning text amendment relative to the St. Louis County Zoning Ordinance, Ordinance No. 46, Article IV, Nonconformities, Section 3, Nonconforming Structures, and requests that the Planning Commission study, conduct public hearings and report back to the County Board by April 1, 2007, on any proposed amendments.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - None

Temporarily out - Commissioner Fink - 1

Adopted October 10, 2006. No. 549

**BY COMMISSIONER FORSMAN:**

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-663-012, County Project 9258, located at C-SAH 63 from near Kelly Lake to Hibbing, MN, length 3.1 miles, consisting of Grading, Aggregate Base, Bituminous Surfacing and Bituminous Shoulders.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 2, 2006, 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 in the best interest of St. Louis County that 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 they hereby approved the award of contract on the above projects to the lowest bidder, subject to proper authorization of the contract.

LOW BIDDER

Hoover Construction Company

ADDRESS

302 S. Hoover Road  
P.O. Box 1007  
Virginia, MN 55792

AMOUNT

\$3,547,343.30

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 contract with the Contractor for the above listed project, payable from Fund 220, Agency 220109.

Unanimously adopted. October 10, 2006. No. 550

Upon motion of Commissioner Raukar, supported by Commissioner Fink, the rules were suspended to adopt Resolution No. 551 which was not on the agenda.

**BY COMMISSIONER RAUKAR:**

WHEREAS, the roof of the Cedar-Spruce Unit located at Saint Louis County's Chris Jensen Health and Rehabilitation Center has exceeded its expected life cycle and warranty with roof insulation becoming compromised therefore requiring replacement; and

WHEREAS, the Saint Louis County Purchasing Department had bid out said Roof Replacement

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Project receiving only one qualified bid from Four Seasons Energy Efficient Roofing, Inc. NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the St. Louis County Purchasing Director to enter into an agreement with Four Seasons Energy Efficient Roofing, Inc., of Scandia, Minnesota, in the amount of \$74,848.00. Funds are available from 2004 bond proceeds, Fund 425. Unanimously adopted. October 10, 2006. No. 551

**BY COMMISSIONER FINK:**

WHEREAS, St. Louis County is a major contributor to the area's economic vitality, by purchasing nearly \$114 million in materials and services annually; and

WHEREAS, St. Louis County's 2010 active employees continue to stimulate the regional economy with expenditures drawn from an annual County payroll in excess of \$148 million; and

WHEREAS, entry-level positions are available within many St. Louis County departments; and

WHEREAS, each year approximately 200 to 250 of the County's 2,100 employees retire, resign or move to other employment; and

WHEREAS, a tremendous resource to our communities is represented by the 19,000 college students in the Duluth-Superior area and thousands more on the Iron Range; and

WHEREAS, the 20 to 24-year old age segment represents the largest percentage of population of any age group in St. Louis County, according to a 2005 Census Bureau survey; and

WHEREAS, this age group is essential to the stability and dynamic growth of the Arrowhead Region, contributing to business activity, increased home ownership levels and growing school district populations;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts a recruitment philosophy that will ease the requirements for entry-level positions which may currently require both training and experience to recognize the fact that new college graduates represent the best and brightest pool of potential employees; and

RESOLVED FURTHER, that County officials are encouraged to work closely with other communities and schools in recruiting young people to available jobs in local governments, making government job opportunities throughout the Northland better-known, with the ultimate goal of keeping several hundred recent college graduates in the area each year.

Unanimously adopted. October 10, 2006. No. 552

At 11:30 A.M. on Tuesday, October 10, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON OCTOBER 24, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of October, 2006, at 9:32 A.M. in the City Council Chambers, City Hall, Virginia, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Steve Raukar and Chair Keith Nelson - 6. Absent: Commissioner Peg Sweeney - 1.

Chair Nelson presented a Volunteer Excellence Award to Bob Watts, Canyon, for his many years of volunteer work with his World War II Veterans Group (125th Field Artillery Association) and the Three Lakes Development Association, which he co-founded in 1971. He epitomizes "community involvement", according to Chair Nelson. Mr. Watts thanked the Board for the recognition, related a few stories from his tour of duty during World War II, and presented a brief history of the Three Lakes Development Association.

At 9:55 A.M., Commissioner Peg Sweeney joined the County Board meeting.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Tom Berrigan, Iron Range Veterans Memorial Committee, thanked the Board for supporting efforts of the Memorial Committee and he presented an update on the brass memorial which will be 26 feet long and 15 feet high and present a fitting "world-class" tribute to Veterans.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve free conveyance of tax forfeited lands to the City of Iron Junction for expansion of a sewage pond. Van Rioux, Clerk of Iron Junction, described the proposed expansion and said the current sewage pond is over capacity. Robert Krepps, Land Commissioner, in response to a question from Commissioner Fink, said the term "appraisal fee" was incorrect and should be listed as an administration fee. Commissioner Fink offered a friendly amendment - accepted by the makers - to replace "appraisal" with "administration". The conveyance was approved; seven yeas - zero nays. Resolution No. 566.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve amending a Job Opportunity Building Zone (JOBZ) subzone in the City of Hibbing to accommodate a proposed expansion by L & M Radiator. The following persons addressed the issue:

Barbara Hayden, Planning Director, said JOBZ benefits can only apply to the proposed expansion and subzones can be amended as long as overall acreage remains the same.

Duane Northagen, Hibbing Economic Development Authority, explained why L & M Radiator needed to expand.

After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 567.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve amending a JOBZ subzone in the City of Hibbing to accommodate a proposed expansion by Industrial Rubber Applicators, Inc. (IRA). Duane Northagen said it is possible that IRA may need to expand again in the future. Commissioner Raukar said these JOBZ amendments both meet the "but for" test for

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economic incentives. After brief discussion, the amendment was approved; seven yeas - zero nays. Resolution No. 568.

Commissioner Fink noted recent wetland rule discussions at the Association of Minnesota Counties (AMC) District 1 meeting held in Duluth.

Commissioner Sweeney said she helped host a recent event for a group of women from Israel who are part of an effort to improve economic opportunities for women. Commissioner Sweeney, who traveled to Israel three years ago as part of a womens' economic development group, said she is considering an offer for a return trip.

Chair Nelson said he enjoyed a recent tour and presentation at Woodline Manufacturing.

At 10:45 A.M. in the forenoon of Tuesday, October 24, 2006, Chair Nelson moved to recess the Board until 1:30 P.M. on October 24, 2006, in the City Council Chambers, City Hall, Virginia, Minnesota.

The Board reconvened at 1:33 P.M. on Tuesday, October 24, 2006, and the regular order of business resumed with all members present.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve terms of housing development revenue bonds, Series 2006A, which will be used for development of a housing project in the City of Ely. The resolution also establishes a joint powers agreement pertaining to the terms of the bonds and authorization for a general obligation pledge. The following persons addressed the issue:

Alan Mitchell, County Attorney, described what the resolution entailed and detailed changes made to various agreements.

Nick Skarich, Northland Securities, said bids received were in line with projections.

Marty Hendrickson, Ely Housing and Redevelopment Authority, said construction will begin soon and should be complete by the June 1, 2007, target date for occupancy.

Mary Frances Skala, Fryberger Law Firm, said some construction has already begun on the project.

Terms of the bonds were then approved; seven yeas - zero nays. Resolution No. 569.

Commissioner Forsman, supported by Commissioner Sweeney, then moved to approve a second Consent Agenda consisting of items unanimously passed at Committee of the Whole; seven yeas - zero nays.

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

Michael E. Orman, Orman, Nord, Spott & Hurd Law Office, submitting Summons and Complaint for Declaratory Judgment in the matter of James D. Nelson and Diane L. Nelson, versus County of St. Louis and State of Minnesota, Department of Natural Resources.-58603

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 06-436 regarding the proposed land exchange involving certain Class "B" lands owned by the

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State of Minnesota for certain lands in Township 53 North, Range 18 West, owned by William Huberty, William McGrath, Steve Ginther, and Lee Stokke.-[58604](#)

Keith Nelson, Sixth District Commissioner, submitting information regarding a Volunteer Recognition Award given to Bob Watts.-[58605](#)

St. Louis County Housing and Redevelopment Authority submitting resolution approved by the City of Ely Housing and Redevelopment Authority awarding the sale and providing for the payment of and security for Housing Development Revenue Bonds, Series 2006A, and approving a housing program.-[58606](#)

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Natasha Tassone for Community Alternative Care Client No. 19.-[06-1029ss](#)

Public Health Preparedness and Response to Bio Terrorism Grant Project Agreement Amendment No. 1 between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.-[06-1030ss](#)

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Interim Health Care for Community Alternative Care Client No. 13.-[06-1031ss](#)

Agreement between the City of Floodwood and the County of St. Louis for County Road 832 (9th Avenue West), C-SAH 71 and C-SAH 72 for road jurisdiction and snow removal.-[06-1032](#)

Addendum to Purchase Agreement, Contract No. 14042A, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC.-[06-1033ss](#)

Group Residential Housing Rate Agreement, Contract No. 50469, between the St. Louis County Board of Commissioners and Stepping Stones for Living - Wilderness.-[06-1034ss](#)

Purchase of Service Agreement, Contract No. 14035, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for non-residential services.-[06-1035ss](#)

Purchase of Service Agreement, Contract No. 14073, between the St. Louis County Board of Commissioners and Family Counseling and Extended Services, Inc., for adult foster care and out-of-home respite services.-[06-1036ss](#)

Purchase of Service Agreement, Contract No. 14077, between the St. Louis County Board of Commissioners and Range Mental Health Center for Detox Transportation Services.-[06-1037ss](#)

Addendum to Purchase Agreement, Contract No. 14051A, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for adult foster care services.-[06-1038ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Phil Hanson and Jan Hanson for adult foster care/respite care services.-[06-1039ss](#)

Group Residential Housing Rate Agreement, Contract No. 50477, between the St. Louis County Board of Commissioners and Phil Hanson and Jan Hanson.-[06-1040ss](#)

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Group Residential Housing Rate Agreement, Contract No. 50478, between the St. Louis County Board of Commissioners and Northland AFC - Saginaw.-06-1041ss

Addendum to Purchase Agreement, Contract No. 13745B, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Melrose for SLS for adults and children.-06-1042ss

Group Residential Housing Rate Agreement, Contract No. 50483, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Melrose).-06-1043ss

Group Residential Housing Rate Agreement, Contract No. 50484, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Bishop Woods).-06-1044ss

Group Residential Housing Rate Agreement, Contract No. 50479, between the St. Louis County Board of Commissioners and Focus on Living - Proctor.-06-1045ss

Addendum to Purchase Agreement, Contract No. 13969A, between the St. Louis County Board of Commissioners and Focus on Living, Inc., for adult foster care services.-06-1046ss

Addendum to Contract No. 20656 between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency for FSET and Support Services.-06-1047ss

Purchase of Service Agreement, Contract No. 14066, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency for home care services.-06-1048ss

Purchase of Service Agreement, Contract No. 13973, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for supplies and equipment.-06-1049ss

Purchase of Service Agreement, Contract No. 14044, between the St. Louis County Board of Commissioners and TL Care Services, LLC, d/b/a Westview Services, for adult foster care and out-of-home respite services.-06-1050ss

Purchase of Service Agreement, Contract No. 14065, between the St. Louis County Board of Commissioners and Healthstar Home Health, d/b/a Healthstar Staffing, for home care services.-06-1051ss

Purchase of Service Agreement, Contract No. 14050, between the St. Louis County Board of Commissioners and Range Regional Health Services, d/b/a University Medical Center - Mesabi, for adult day care services.-06-1052ss

Purchase of Service Agreement, Contract No. 14074, between the St. Louis County Board of Commissioners and Innovative Living, Inc., for adult foster care services.-06-1053ss

Purchase of Service Agreement, Contract No. 14076, between the St. Louis County Board of Commissioners and Range Residential Alternatives, for adult foster care services.-06-1054ss

Purchase of Service Agreement, Contract No. 14069, between the St. Louis County Board of Commissioners and UDAC, Inc., for non-residential services.-06-1055ss

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Purchase of Service Agreement, Contract No. 14075, between the St. Louis County Board of Commissioners and Country Care for adult foster care services.-[06-1056ss](#)

Addendum to Purchase Agreement, Contract No. 13948A, between the St. Louis County Board of Commissioners and Range Center, Inc., for non-residential services.-[06-1057ss](#)

Addendum to Purchase Agreement, Contract No. 13939A, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc., for child foster care and out-of-home respite services.-[06-1058ss](#)

Addendum to Purchase Agreement, Contract No. 14011A, between the St. Louis County Board of Commissioners and St. Francis Health Services of Morris, Inc., d/b/a Home Care Service Options of Duluth, for assisted living plus services.-[06-1059ss](#)

Purchase of Service Agreement, Contract No. 14070, between the St. Louis County Board of Commissioners and Alternative Opportunities, Inc., for adult foster care services.-[06-1060ss](#)

Group Residential Housing Rate Agreement, Contract No. 50474, between the St. Louis County Board of Commissioners and Garden House Estates II.-[06-1061ss](#)

Group Residential Housing Rate Agreement, Contract No. 50476, between the St. Louis County Board of Commissioners and Alternative Opportunities - Owatonna.-[06-1062ss](#)

Group Residential Housing Rate Agreement, Contract No. 50473, between the St. Louis County Board of Commissioners and St. Ann's Residence.-[06-1063ss](#)

Group Residential Housing Rate Agreement, Contract No. 50472, between the St. Louis County Board of Commissioners and Valarie Goodman and Tracy Curley.-[06-1064ss](#)

Contract for Services between St. Louis County and Arrowhead Regional Development Commission for St. Louis County GIS Basemap Update.-[06-1065](#)

State of Minnesota Agency Agreement between the Department of Transportation and St. Louis County for Federal Participation in Advance Construction and Preliminary Engineering for S.P. 69-596-04; M.P. HPPH H123(001).-[06-1066](#)

Agreement No. 81269 between the County of St. Louis, the Duluth, Missabe and Iron Range Railway Company and the Commissioner of Transportation of the State of Minnesota for railroad crossing signals and gates at Second Street West (C-SAH 11) in Proctor.-[06-1067](#)

Minnesota Transportation Department Highway Lighting Agreement No. 89785M between the State of Minnesota Department of Transportation and the County of St. Louis to provide maintenance and electrical energy for the new highway lighting systems on Trunk Highway 53 at C-SAH 23 and on Trunk Highway 169 at C-SAH 21 and at C-SAH 68.-[06-1068](#)

Employee Safety & Development Training Contract between St. Louis County and Carla Tichy for a *Why Can't I Lose Weight* session.-[06-1069](#)

Employee Safety & Development Training Contract between St. Louis County and Pam Solberg-Tapper for a Performance Coaching: Assisting Managers and Supervisors to Create Peak Performance session.-[06-1070](#)

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Employee Safety & Development Training Contract between St. Louis County and Thea Sheldon for a *Performance Coaching: Assistant Managers and Supervisors to Create Peak Performance* session.-06-1071

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for a *Introduction to Project Management* session.-06-1072

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for a *How to Handle the Difficult Conversations* session.-06-1073

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for a *Generations and the Effect in the Workplace* session.-06-1074

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for a *Meeting Facilitation* session.-06-1075

Employee Safety & Development Training Contract between St. Louis County and Clark Bennett for a *Defensive Driving* session.-06-1076

Employee Safety & Development Training Contract between St. Louis County and Tom Zelman for a *Crash - Developing Further Understanding of Cultural Tensions* session.-06-1077

Employee Safety & Development Training Contract between St. Louis County and Keenan Consulting, LLC, for a *Peer to Supervisor* session.-06-1078

Employee Safety & Development Training Contract between St. Louis County and Center for Cross-Cultural Health for a *Culture of Poverty* session.-06-1079

Employee Safety & Development Training Contract between St. Louis County and Jean Hammink for a *Using Emotional Intelligence to Manage Up, Down, In and Out* session.-06-1080

Employee Safety & Development Training Contract between St. Louis County and NESC for *Access Advanced Forms; Access Intermediate Queries; Access Intermediate Tables; Access Introduction; DotNetNuke Administrator; and DotNetNuke Content Manager* sessions.-06-1081

Employee Safety & Development Training Contract between St. Louis County and NESC for *Adobe Acrobat Conversion and Security; Adobe Acrobat Forms; Excel Intermediate: Data Analysis and Pivot Tables; Excel Intermediate: Lists; GroupWise Introduction; GroupWise Intermediate; Word Intermediate: Envelopes, Labels & Shortcuts; and Word Intermediate: Formatting* sessions.-06-1082

Agreement for Professional Services between the County of St. Louis and Ayres Associates for 4-H Camp Wastewater Disposal System Investigation.-06-1083

Upon motion of Commissioner Raukar, supported by Commissioner Kron, Resolutions No. 553 through 565, 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 October 3, 2006, are hereby approved.

Adopted October 24, 2006. No. 553

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 10, 2006, are hereby approved.  
Adopted October 24, 2006. No. 554

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 3,847,259.00
184	Extension Service	51,490.63
200	Public Works	3,118,556.99
230	Social Services	4,311,922.93
240	Forfeited Tax	447,926.19
250	St. Louis County HRA	7,698.88
600	Solid Waste Authorities	374,169.56
625	Chris Jensen Health & Rehab.	1,151,081.16
650	Laundry	64,293.65
660	Community Food Services	96,265.84
670	Supervised Living Facilities	51,902.23
700	Printing	14,696.29
715	County Garage	119,334.44
750	Management Information Systems	321,507.80
760	Telecommunications	94,092.25
925	Arrowhead Regional Corrections	1,180,009.88
955	Community Health Services	48,927.30
989	Regional Railroad Authority	<u>97,096.35</u>
		\$ 15,398,231.37

Adopted October 24, 2006. No. 555

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 13, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 24, 2006. No. 556

WHEREAS, contracts for the purchase or repurchase of State tax forfeited land described as County Board File No. 58548, are in default for non-payment of taxes or installment payments; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the County Board hereby approves the cancellation of said contracts for purchase or repurchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58548, according to the provisions of Minnesota Statute 282.01, Subdivision 5, and Minnesota Statute 282.40, and according to the procedures of Minnesota Statute 559.21.

Adopted October 24, 2006. No. 557

WHEREAS, the Land Department has reviewed a request of Floyd Olson for a non-exclusive roadway easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to his property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural

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resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute, Section 282.04, Subdivision 4 (a), is hereby authorized to grant a non-exclusive easement for roadway purposes to Floyd Olson. The description of the easement is: An easement 33.00 feet in width over, under and across the Southeast quarter of the Southwest quarter of Section 23, Township 56 North, Range 20 West of the Fourth Principal Meridian, St. Louis County Minnesota, being 16.50 feet on each side of the centerline described as follows: Commencing at the Southwest corner of said Southeast quarter of the Southwest quarter; thence easterly on the South line of Section 23 a distance of 150.0 feet to the actual point of beginning; thence at an angle of 87 degrees 30 minutes measured from West to North a distance of 160.0 feet; thence at an angle of 127 degrees 00 minutes measured from South to Northwest a distance of 180 feet more or less to the West line of said Southeast quarter of the Southwest quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 340 feet in length and contains 0.25 acres more or less.

This granting of this easement is conditioned upon payment of a \$325.00 land use fee, \$200.00 administration fee, and \$46.00 recording fee, for a total of \$571.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted October 24, 2006. No. 558

WHEREAS, the Land Department has reviewed a request of John McCoy for a non-exclusive roadway easement across State tax forfeited land and recommends approval; and

WHEREAS, there are no reasonable alternatives to obtain access to his property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute, Section 282.04, Subdivision 4 (a), is hereby authorized to grant a non-exclusive easement for roadway purposes to John McCoy. The description of the easement is: An easement of various widths for ingress and egress over, under and across all that part of Southeast quarter of the Northeast quarter of Section 21, Township 58 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

Commencing at the East quarter corner of Section 21; thence South 89 degrees 46 minutes 17 seconds West along the South line of the Southeast quarter of the Northeast quarter, a distance of 570.00 feet to the point of beginning where said easement is 66.00 feet in width, being 33.00 feet on each side of the following described line: thence North 04 degrees 00 minutes 00 seconds East a distance of 275.00 feet; thence North 12 degrees 00 minutes 00 seconds East a distance of 190.0 feet to a point where the width of the easement changes to 100.00 feet being 50.00 feet on each side of the described line; thence continuing on the same bearing a distance of 103 feet more or less to the Southerly right-of-way of Minnesota Highway Number 135 and there terminating. This easement is 568 feet in length and contains 0.9 acres more or less.

This granting of this easement is conditioned upon payment of a \$1,170.00 land use fee, \$200.00 administration fee and \$46.00 recording fee, for a total of \$1,416.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted October 24, 2006. No. 559

WHEREAS, pursuant to Minnesota Statute, Section 282.04, Subdivision 1 (h), inclusive, a proposal for removal of peat from State tax forfeited lands has been submitted to the County Board of St. Louis County, State of Minnesota, by Waupaca Northwoods, LLC; and

WHEREAS, the proposal has been reviewed by the St. Louis County Land Department to determine

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the suitability of lands for peat removal; and

WHEREAS, the lands leased by the St. Louis County Land Department would expand peat mining operations on State tax forfeited land for the benefit of the tax payers of St. Louis County; and

WHEREAS, the proposal is to extend the current peat lease for five years and to add the following described lands to the existing peat lease, being and lying in St. Louis County, Minnesota: S 1/2 of SW 1/4 and SW 1/4 of SE 1/4, Section 19, Township 54 North, Range 19 West (120 acres);

WHEREAS, Waupaca Northwoods, LLC, has applied for the appropriate approvals and permits from the Department of Natural Resources and the Army Corps of Engineers;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statute, Section 282.04, Subdivision 1 (h), a public hearing shall be scheduled on Tuesday, November 14, 2006, at 9:40 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 twenty days before the date of hearing 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 October 24, 2006. No. 560

RESOLVED, that the St. Louis County Board of Commissioners will convene a public hearing at 9:45 A.M. on Tuesday, November 14, 2006, St. Louis County Courthouse, Duluth, Minnesota, to consider the adoption of the fee schedule for various County departments for the year 2007.

Adopted October 24, 2006. No. 561

WHEREAS, the County wishes to proceed with its master space plan for the Government Services Center (GSC) and specifically, improve the Heating Ventilation Air Conditioning (HVAC) system and air quality of the building.

NOW, THEREFORE, BE IT RESOLVED, the County Board authorizes the appropriate County officials to execute an agreement with Johnson Wilson Constructors of Duluth for renovation of space on the fourth floor of the GSC at the low bid amount of \$250,900.00, payable from Fund 400, Agency 400006.

Adopted October 24, 2006. No. 562

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without prorated refund to the licenseholders:

Furry's, Inc., d/b/a Dino's, City of Aurora, Tobacco Products License No. T07201;

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, Tobacco Products License No. T0742;

Violet Hall, d/b/a Greaney Store, Unorganized Township 63-21, Tobacco Products License No. T0758;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, Tobacco Products License No. T0776;

JoMomma, Inc., d/b/a Lakeview Castle, Duluth Township, Tobacco Products License No. T07208;

James Saugestad, d/b/a Melrude Pub, Ellsburg Township, Tobacco Products License No. T07147;

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Wayside Corner Store, Inc., d/b/a Wayside Corner Store, New Independence Township, Tobacco Products License No. T07214;

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Tobacco Products License No. T07185.

Adopted October 24, 2006. No. 563

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, 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, but without pro-rated refund to the licenseholder;

The following licenseholder was issued a tobacco violation citation on the date as stated:

Misty, Inc., d/b/a Fredenberg Minnoette, Fredenberg Township, Tobacco Products License No. T0753, December 31, 2002, change of officers.

Adopted October 24, 2006. No. 564

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders;

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Cold Springs, Inc., d/b/a Cold Springs, Inc., Unorganized Township 67-20, Tobacco Products License No. T07182, September 6, 1998, and August 16, 2003;

Moccasin Point, Inc., d/b/a Moccasin Point Resort, Greenwood Township, Tobacco Products License No. T0793, December 10, 2002;

Lakehead Oil Company, Inc., d/b/a Pike Lake Travel Plaza, Canosia Township, Tobacco Products License No. T07105, December 28, 2002, and December 22, 2004;

Best Oil Company, Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T07110, September 30, 1998;

Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, Tobacco Products License No. T07112, September 13, 1998, and May 25, 2000.

Adopted October 24, 2006. No. 565

**BY COMMISSIONER SWEENEY:**

WHEREAS, the City of Iron Junction has requested a free conveyance of the following described State Tax-Forfeited parcel:

E 1/2 of SE 1/4 of NE 1/4 Ex Ry R/W formerly 295-14-925, Township 57 North Range 18 West, Section 15, St. Louis County, MN; Parcel Code: 145-30-43;

WHEREAS, the purpose of acquiring this property is for future expansion of sewage pond to serve

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the region; and

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the conveyance of State Tax Forfeited land to an organized governmental subdivision; and

WHEREAS, said parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8, and 282.018, or any other statutes that require the withholding of State Tax Forfeited land from sale; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the conveyance of the above described State Tax-Forfeited parcel to the City of Iron Junction for the following fees: Administration Fee \$100.00, Deed Fee \$25.00, Deed Tax \$1.65, and Recording Fee \$46.00; for a total of \$172.65 to be deposited into Fund 240 - Forfeited Tax Fund.

Unanimously adopted. October 24, 2006. No. 566

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional JOBZ application for subzones throughout St. Louis County; and

WHEREAS, the Minnesota Department of Employment and Economic Development approved the Northeast Minnesota Regional JOBZ application for 4,031 acres, including 407 acres in Hibbing; and

WHEREAS, the City of Hibbing wishes to amend the boundaries of their approved subzones by reallocating acreage to another subzone, maintaining 407 acres in JOBZ subzones; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones and for subzone boundaries to be amended with the approval of all taxing authorities;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to the proposed amendment to subzones within the City of Hibbing as follows:

- North Hibbing Industrial Park Subzone No. 87 - remove 6.79 acres
- L & M Radiator Subzone No. 88-2 - add 6.79 acres

Unanimously adopted. October 24, 2006. No. 567

WHEREAS, St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional JOBZ application for subzones throughout St. Louis County; and

WHEREAS, the Minnesota Department of Employment and Economic Development approved the Northeast Minnesota Regional JOBZ application for 4,031 acres, including 407 acres in Hibbing; and

WHEREAS, the City of Hibbing wishes to amend the boundaries of their approved subzones by reallocating acreage to another subzone, maintaining 407 acres in JOBZ subzones; and

WHEREAS, the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, 1st Special Session, Chapter 21, Article 1, allows for the formation of tax free zones and for subzone boundaries to be amended with the approval of all taxing authorities;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to the proposed amendment to subzones within the City of Hibbing as follows:

- North Hibbing Industrial Park Subzone No. 87 - remove 4.12 acres
- IRA Subzone No. 88-1 - add 4.12 acres

Unanimously adopted. October 24, 2006. No. 568

**BY COMMISSIONER FORSMAN:**

**RESOLUTION APPROVING THE TERMS OF HOUSING DEVELOPMENT REVENUE BONDS, SERIES 2006A (ST. LOUIS COUNTY, MINNESOTA GENERAL OBLIGATION), APPROVING A JOINT POWERS AGREEMENT WITH RESPECT THERETO AND AUTHORIZING A GENERAL OBLIGATION PLEDGE THEREFOR**

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

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(the "County"), as follows:

Section 1. Recitals. The Board makes the following statements of fact:

1.01. Pursuant to Minnesota Statutes, Sections 469.001 through 469.047 (collectively the "Act"), the County created the Housing and Redevelopment Authority of St. Louis County (the "County HRA"), in part, to undertake housing development projects to provide safe and sanitary housing affordable by low and moderate income persons and families.

1.02. In furtherance of the objectives of the County and the County HRA, the County HRA intends to assist the Housing and Redevelopment Authority in and for the City of Ely, Minnesota (the "City HRA"), in financing a qualified housing development project under Sections 469.017 and 469.034, Subdivision 2 of the Act, consisting of 26 units of housing for moderate income elderly persons located on Washington Street between Eighth and Tenth Avenues in Ely, Minnesota (the "Project").

1.03. In order to make financing the Project economically feasible, the City HRA has proposed that the Project would be jointly owned by the County HRA and the City HRA and operated by the City HRA pursuant to an operating agreement between the County HRA and the City HRA, with an option to purchase the Project by the City HRA.

1.04. The City of Ely, Minnesota (the "City") and the City HRA held a joint public hearing on the issuance of bonds for the Project and the County and the County HRA held a joint public hearing on the issuance of bonds for the Project in an amount not to exceed \$3,800,000 (the "Bonds") on October 3, 2006, a date at least 15 days prior to the date of this Resolution, after published notice, and all those desiring to speak on the matter were heard.

1.05. Pursuant to a joint powers agreement proposed to be entered into among the County HRA, the City HRA, the City and the County (the "Joint Powers Agreement"), Section 469.034, subdivision 2(c) of the Act and a resolution adopted by each of the County and the City this day, the City HRA is authorized to pledge the general obligation of the County as additional security for the Bonds and the City will indemnify the County for payment of a \$3,000,000 portion of principal of the Bonds, plus accrued interest.

1.06. Forms of the following documents relating to the Bonds have been prepared and submitted to the Board (the "Documents"):

- (a) the Joint Powers Agreement (the "Joint Powers Agreement"); and
- (b) the Agreement for Payments in Lieu of Taxes among the County, the City, the City HRA and the County HRA providing for certain payments to be made to the City and the County in lieu of property tax payments on the Project.

1.07. There has been presented to the Board the form of resolution of the City HRA authorizing the issuance and sale of the Bonds (the "Bond Resolution").

Section 2. Findings. The principal amount of the Bonds along with other outstanding bonds secured by the County's general obligation pursuant to Section 469.034 of the Act does not exceed the greater of (a) one-half of one percent of the taxable market value of the County or (b) \$3,000,000.

Section 3. Approval of Bonds; General Obligation.

3.01. The Bonds in an aggregate principal amount not to exceed \$3,800,000, and their form and

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denominations, maturities, interest rates, redemption privileges and such other details and provisions are approved as prescribed in the Bond Resolution.

3.02. The County agrees to pay principal of and interest on the Bonds in the event Net Revenues (as defined in the Bond Resolution) are insufficient therefor. In the event that the County receives notice from the City HRA that Net Revenues are insufficient to pay principal of or interest on the Bonds, or both, the County shall proceed to make such payment from its available general funds. If County funds are not available, the County shall levy ad valorem taxes against all taxable property in the County for collection in the next calendar year. The County's payment obligation with respect to the Bonds is a general obligation of the County and all taxable property within the limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay principal of and interest on the Bonds in the event that Net Revenues pledged for payment thereof are insufficient to pay such amounts when due.

Section 4. Approval of Joint Powers Agreement.

4.01. The Joint Powers Agreement is approved. The Chair or the Auditor or both of them are authorized and directed to execute and deliver the Documents, substantially in the forms now on file with the Auditor, with such necessary and appropriate omissions, modifications, insertions and additions as do not materially affect the substance of the transaction, consistent with the Act, as the County Attorney in his discretion shall determine. The execution of the Documents by the Chair or the Auditor or both of them, with the advice of the County Attorney, shall be conclusive evidence of such determination. All of the provisions of the Documents, when executed and delivered as authorized herein, shall be deemed to be a part of this Resolution as fully and to the same extent as if incorporated herein and shall be in full force and effect from the date of execution and delivery thereof.

4.02. The Chair and the Auditor are authorized and directed to execute and deliver all other documents which may be required under the terms of the Documents or by bond counsel, subject to the prior approval of the County Attorney, and to take such other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof, subject to the prior approval of the County Attorney.

Section 5. Additional Proceedings.

5.01. The Chair and the Auditor are authorized to execute and deliver, on behalf of the County, such other documents as are necessary or appropriate in connection with the issuance, sale and delivery of the Bonds, subject to the prior approval of the County Attorney.

5.02. The Chair, the Auditor and other officers of the County are authorized and directed to prepare and furnish, with regard to the issuance of the Bonds, certified copies of all proceedings and records of the County relating to the Bonds and such other affidavits, certificates and opinions as may be required to show the facts relating to the legality, tax exemption and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; that all such certified copies, certificates, affidavits and opinions, including and heretofore furnished, shall constitute representations of the County as to the truth of all statements made by the County and contained herein.

5.03. The officers and other agents or employees of the County are authorized to do all acts and things required of them by or in connection with this Resolution, the Documents, the Project and the Bonds for the full, punctual and complete performance of all the terms, covenants and agreements contained in the Bonds, the aforementioned documents and this Resolution.

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5.04. In the event any of the officers of the County authorized to execute the County Documents under this Resolution shall for any reason be unable to do so, any other officer of the County, in the opinion of the County Attorney, authorized to act for such designated officer is directed and authorized to do so on behalf of the County with the same effect as if executed by the officer authorized to do so in this Resolution.

Section 6. Covenants. All covenants, stipulations, obligations and agreements of the County contained in this Resolution and the Documents shall be deemed to be the covenants, stipulations, obligations and agreements of the County to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the County upon execution and delivery of the County Documents. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the County or its officers by the provisions of this Resolution or of the aforementioned documents to be executed and delivered by the County shall be executed or performed by the County or by such officers of the County, or such board, body, authority or agency thereof as may be required by law to exercise such powers and to perform such duties.

Section 7. Limitation. Except as herein otherwise expressly provided, nothing in this Resolution or in the Documents, expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the County HRA, the County, the Purchaser, the City, the City HRA or any holder of the Bonds issued under the provisions of this Resolution, any right, remedy or claim, legal or equitable, under and by reason of this Resolution or any provision hereof, that the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the County HRA, the County, the Purchaser, the City, the City HRA and any holder from time to time of the Bonds issued under the provisions of this Resolution.

Section 8. Offering Materials. The Auditor is authorized and directed to certify that he has examined the offering materials prepared and circulated in connection with the offering of the Bonds and that to the best of his knowledge and belief the offering materials are a complete and accurate representation of the facts and representations made therein as of the date of the offering materials, as such facts and representations relate to the County.

Section 9. Continuing Disclosure. The Board acknowledges that, due to the general obligation pledge of the County, the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule"). The Rule governs the obligations of certain underwriters to require that obligees of municipal bonds enter into agreements for the benefit of the Holders to provide continuing disclosure with respect to the Bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the Auditor are authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the Auditor.

Section 10. Defined Terms. Capitalized terms not otherwise defined herein, have the meanings given in the Bond Resolution.

Section 11. Effective Date. The provisions of this Resolution are subject to approval of the issuance of the Bonds and the Documents by the City and the City HRA and this Resolution shall be effective upon such approval.

Unanimously adopted. October 24, 2006. No. 569

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Upon motion of Commissioner Forsman, supported by Commissioner Sweeney, Resolutions No. 570 through 575, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER FORSMAN:**

WHEREAS, the parcel described as the SE 1/4 of the NE 1/4, Section 14, Township 53 North, Range 18 West, is currently in Memorial Forest status; and

WHEREAS, pursuant to Minnesota Statutes 459.06, Subdivision 3, any State tax forfeited land which has been included in a memorial forest that is found more suitable for other purposes, may by resolution of the County Board, be withdrawn from the forest for disposal; and

WHEREAS, the Land Department has recommended that the parcel described be released from Memorial Forest status and be considered for exchange with Mr. William Huberty after considering, among other things, the present use of adjacent lands, the character of the forest, accessibility of lands to established roads, and the suitability of the forest for sustained yield management;

NOW, THEREFORE, BE IT RESOLVED, that the State tax forfeited parcel described as the SE 1/4 of the NE 1/4, Section 14, Township 53 North, Range 18 West, is withdrawn from Memorial Forest status.

Adopted October 24, 2006. No. 570

RESOLVED, that the St. Louis County Board of Commissioners authorizes the purchase of radio communications workstations for St. Louis County in the amount of \$363,154.34, payable from Fund 179, Agency 1790011, Enhanced 9-1-1.

Adopted October 24, 2006. No. 571

WHEREAS, pursuant to Minnesota Statutes 94.341 to 94.349, inclusive, a land exchange proposal has been submitted to the County Board of St. Louis County, State of Minnesota, for certain lands owned by William Huberty, William McGrath, Steve Ginther, and Lee Stokke, tenants in common; 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 issued a title opinion that William Huberty, William McGrath, Steve Ginther, and Lee Stokke, tenants in common, own title to the lands offered by them in this land exchange, subject to matters identified in the title opinion. The opinion is contained in a title opinion issued by the St. Louis County Attorney's Office, dated August 29, 2006, and on file in County Board File No. 58604; and

WHEREAS, the lands acquired by the St. Louis County Land Department would consolidate State tax-forfeited ownership in the area as well as provide a parcel more conducive to long term sustainable timber management than the State tax forfeited parcel currently held; and

WHEREAS, the proposal is to exchange the following described lands being and lying in St. Louis County, Minnesota, to-wit:

OFFERED LANDS (Huberty, McGrath, Ginther, Stokke) 40 ACRES

NE 1/4 of NE 1/4, Section 23, Township 53 North, Range 18 West

STATE TAX FORFEITED LAND (CLASS "B") 40 ACRES

SE 1/4 of NE 1/4, Section 14, Township 53 North, Range 18 West

WHEREAS, the St. Louis County Land Department has appraised the value of the land and timber as follows:

Huberty, McGrath, Ginther, Stokke land:                      \$35,024.84

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

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Tax Forfeited Class "B" land: \$35,974.89

WHEREAS, as permitted by Statute 94.344, Subdivision 3, Class B land may be exchanged for land of lesser value if the other party to the exchange pays to the state the amount of 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 William Huberty, William McGrath, Steve Ginther, and Lee Stokke as recommended by the Land Department; and

RESOLVED FURTHER, that pursuant to Minnesota Statute 94.344, Subdivision 7, a public hearing shall be scheduled on Tuesday, December 12, 2006, at 9:35 A.M. at the St. Louis County Courthouse, Duluth, MN; and

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 October 24, 2006. No. 572

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 6-1029, County Project No. 1029, located on C-SAH 6 (Maple Grove Road) from C-SAH 48 (Lavaque Road) to Westberg Road in Hermantown, MN, length 1.5 mile, consisting of Reconstruct Drainage Structures, Replace Sidewalk & Curb and Gutter.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., October 23, 2006, 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 responsible 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, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Duluth Superior Erection	2301 Becks Road P.O. Box 1076 Duluth, MN 55810	\$31,160.00

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 contract with the Contractor for the above listed project; payable from Fund 200, Agency 201045.

Adopted October 24, 2006. No. 573

WHEREAS, the St. Louis County Board recognizes the methamphetamine problem that currently exists in St. Louis County; and

WHEREAS, the St. Louis County Board desires to assist in the treatment and education of those who abuse methamphetamine; and

WHEREAS, the St. Louis County Board believes it is in the best interest of the County to work to eliminate this problem; and

WHEREAS, the St. Louis County Board believes that drug courts may be one tool towards that goal. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the transfer of \$50,000 from Fund 100, Agency 104001, Object 629900, to ARC, Fund 925, Agency 932999, Grant 93216, for operation of the Range Drug Court.

Adopted October 24, 2006. No. 574

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WHEREAS, the St. Louis County Director of Purchasing solicited bids for 2006 Sport Utility Vehicles with 8,600 lb. GVWR and Four-Wheel Drive in November of 2005; and  
WHEREAS, the vehicles were no longer available for purchase until the 2007 model became available;  
and

WHEREAS, Request for Bid No. 4646 was prepared, advertised and opened October 12, 2006; and  
WHEREAS, Mike Motors of Ely, Minnesota, submitted the low bid meeting specifications at \$33,379.00 per vehicle;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to purchase one (1) 2007 Chevrolet Suburban from Mike Motors of Ely, Minnesota, in the amount of \$33,379.00 (tax exempt), payable from Fund 100, Agency 133001, Object 666200.  
Adopted October 24, 2006. No. 575

At 2:00 P.M. on Tuesday, October 24, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

**NOVEMBER, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON NOVEMBER 7, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of November, 2006, at 9:31 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

At 9:35 A.M., a public hearing was convened pursuant to County Board Resolution No. 545, adopted October 10, 2006, to receive public comment on the established priorities and funding recommendations included in the St. Louis County FY 2007 Action Plan for CDBG, HOME and the ESG program. The following persons addressed the issue:

Barbara Hayden, Planning Director, described the Action Plan, which is required to be filed with the U. S. Department of Housing and Urban Development each year. CDBG, HOME and ESG funding amount to \$3.7 million per year for low and moderate income housing initiatives.

Bob Tammen, Breitung Township, said there is plenty of affordable housing in Breitung and he thanked the County and CDBG.

At 9:51 A.M., Commissioner O'Neil, supported by Commissioner Raukar, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney noted the relatively small amount expended in her district and she wondered if income criteria could be adjusted because of the wide disparity in incomes within many of the cities and towns. Commissioner Raukar noted that CDBG funding creates a 5 to 1 leverage ratio for low to moderate income housing. Commissioner Forsman said the County was fortunate to achieve urban county status. Commissioner Raukar, supported by Commissioner Sweeney, moved to approve submission of the St. Louis County FY 2007 Action Plan; seven yeas - zero nays. Resolution No. 584.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and the following chose to do so:

Donald Dicklich, County Auditor, read a resolution prepared by the U. S. Election Assistance Commission designating the week of November 5-11, 2006, as "National Election Worker Appreciation Week". Commissioner Sweeney, supported by Commissioner O'Neil, moved to direct copies of the proclamation are sent to each city and town clerk; seven yeas - zero nays.

Commissioner Fink noted that Item No. 3 of the Consent Agenda (appraisal reports for the sale of timber by sealed bid) would be part of a later discussion about the local timber industry at Committee of the Whole. Robert Krepps, Land Commissioner, said this auction will be viewed as a strong indicator of where timber prices are headed. After further discussion, Commissioner Sweeney,

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

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supported by Commissioner Forsman, moved to approve the Consent Agenda; seven yeas - zero nays.

Commissioner Kron, supported by Commissioner Fink, moved to suspend the rules to consider a resolution supporting the U. S. Coast Guard proposal to conduct live fire training on Lake Superior but also to take certain precautions to protect the public; seven yeas - zero nays. Commissioner Kron, supported by Commissioner O'Neil, moved to approve the resolution which asked the Coast Guard to use alternate materials such as tungsten rather than lead and to make sure advance notice is given to the public before any live fire training commences. Commissioner Raukar offered a friendly - accepted by the makers - to substitute the word "should" for "shall" in the resolved portions of the resolution; seven yeas - zero nays. Resolution No. 585.

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

Mike Pexa, J.D, Law Clerk, Franke and Riach Law Office, submitting a cartway petition for Scott A. Boyd and Rita L. Christenson-Boyd to obtain access to their property located in the NE 1/4 of Section 30, Township 56, Range 16.-58607

B. D. Lesar, Mine Inspector of St. Louis County, submitting Investigation and Accident Report for the Andrew D. Reed fatality which occurred on October 12, 2006.-58608

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for County Attorney's Office Remodel - Hibbing.-06-1084

Employee Safety & Development Training Contract between St. Louis County and Trivantis Corporation for *Lectora Fundamentals and Lectora Intermediate* sessions.-06-1085

Contract between the County of St. Louis and KGM Contractors, Inc., for S.P. 69-00173, County Project 8278, S.P. 69-598-031, STPX 6905(090), for Grade Correction, Aggregate Base, Centerline Culverts, Plant Mixed Bituminous Surface and Aggregate Shouldering.-06-1086

Project Contract No. 4635 between the County of St. Louis and Greystone Construction Company for a Fabric Arch Building (Salt Storage).-06-1087

Project Contract No. 4639 between the County of St. Louis and Four Seasons Energy Efficient & Roofing, Inc., for the Spruce Cedar Roof Replacement at Chris Jensen.-06-1088

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 576 through 583, 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 October 24, 2006, are hereby approved.

Adopted November 7, 2006. No. 576

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

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ST. LOUIS COUNTY, MINNESOTA**

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<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,701,620.76
184	Extension Service	50,763.91
200	Public Works	2,895,322.02
230	Social Services	5,793,031.23
240	Forfeited Tax	381,576.98
250	St. Louis County HRA	14,182.28
600	Solid Waste Authorities	318,313.53
625	Chris Jensen Health & Rehab.	1,229,314.60
650	Laundry	65,590.66
660	Community Food Services	102,682.82
670	Supervised Living Facilities	53,113.47
700	Printing	11,998.67
715	County Garage	77,554.95
750	Management Information Systems	274,808.05
760	Telecommunications	60,469.53
925	Arrowhead Regional Corrections	1,133,436.47
955	Community Health Services	34,723.60
989	Regional Railroad Authority	<u>34,867.88</u>
		\$ 17,233,371.41

Adopted November 7, 2006. No. 577

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 22 (totaling \$711,234.95), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58494, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted November 7, 2006. No. 578

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 27, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted November 7, 2006. No. 579

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, 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, but without pro-rated refund to the licenseholder:

The following licenseholder was issued a tobacco violation citation on the date as stated:

City of Cook, d/b/a Cook Last Chance Liquors, City of Cook, Tobacco Products License No. T0730, September 1, 1998, and August 25, 2001, change of officers.

Adopted November 7, 2006. No. 580

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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refund to the licenseholders:

Gateway Store, LLC, d/b/a Gateway Store, LLC, Unorganized Township 68-21, Tobacco Products License No. T0755;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Cotton Township, Tobacco Products License No. T0770;

JLH Vermilion Enterprise, Inc., d/b/a JLH's The Landing, Inc., Beatty Township, Tobacco Products License No. T07222;

Kendallberry's, Inc., d/b/a Kountry Krossroads, Pike Township, Tobacco Products License No. T07165;

Roger Allen Mackey, d/b/a Mackey's Corner Store, McDavitt Township, Tobacco Products License No. T07223;

Meadowlands Investment, Inc., d/b/a Meadowlands Rocket Saloon, City of Meadowlands, Tobacco Products License No. T07188;

Proctor Pit Stop Bar & Lounge, Inc., d/b/a Pit Stop Bar, City of Proctor, Tobacco Products License No. T07175;

CMK Management, Inc., d/b/a Powerhouse Bar, City of Proctor, Tobacco Products License No. T07141;

Brian Scott Kirsh, d/b/a Sportsmen's Inn, Gnesen Township, Tobacco Products License No. T07200. Adopted November 7, 2006. No. 581

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated refund to the licenseholders:

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 85, City of Proctor, Tobacco Products License No. T0764, change of officers;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 184, White Township, Tobacco Products License No. T0765, change of officers.  
Adopted November 7, 2006. No. 582

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

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ILI, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T0773, November 30, 1999;

Susan/Patrick Carey, d/b/a Lakeland Store, Biwabik Township, Tobacco Products License No. T07169, December 15, 2002;

Marshall's One Stop, Inc., Lakewood One Stop, Lakewood Township, Tobacco Products License No. T0781, December 31, 2002;

Martinson Log Cabin, Inc., d/b/a Log Cabin, Angora Township, Tobacco Products License No. T0785, September 26, 1998;

Stoneybrook Saloon, Inc., d/b/a Stoneybrook Saloon, Inc., City of Brookston, Tobacco Products License No. T07121, October 1, 1998, and December 23, 2004.  
Adopted November 7, 2006. No. 583

**BY COMMISSIONER RAUKAR:**

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 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 nonprofit 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 cost 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 counties to finance local CDBG, HOME and ESG Program, submitted and approved in accordance with the Consolidated Plan regulations; and

WHEREAS, the St. Louis County Board desires to continue to carry out the *2005-2009 Consolidated Plan* HUD entitlement programs, including CDBG, HOME, and ESG; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Director is authorized to prepare and submit the *2007 Action Plan* and amendments thereto, and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding levels as set forth in the plan on file with the Clerk of the Board, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required.

***St. Louis County FY 2007 Action Plan***

<u>HUD CPD Funding Sources</u>	
Estimated 2007 CDBG Allocation	2,496,000
Estimated CDBG Program Income	125,000
Reprogrammed CDBG Project Pool Funds	225,000
Estimated 2007 HOME Allocation	693,000
Estimated HOME Program Income	150,000
Estimated 2007 ESG Allocation	106,000

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*Total Funds for FY 2007 Action Plan  
St. Louis County and Consortium*

**3,795,000**

**Definitions:**

**ST. LOUIS COUNTY CONSOLIDATED PLAN OBJECTIVES**

1. *Provide Decent Affordable Housing*
2. *Create Suitable Living Environments*
3. *Create Economic Opportunities*

**SUMMARY OUTCOMES FOR HUD REPORTING PURPOSES - Activities or Projects that provide:**

**Accessibility: Expansion or Creation**

- Accessibility for the purpose of providing decent affordable housing
- Accessibility for the purpose of creating suitable living environments
- Accessibility for the purpose of creating economic opportunities

**Affordability: Reduce Cost Burden**

- Affordability for the purpose of providing decent affordable housing
- Affordability for the purpose of creating suitable living environments
- Affordability for the purpose of creating economic opportunities

**Sustainability: Preservation or Maintenance**

- Sustainability for the purpose of providing decent affordable housing
- Sustainability for the purpose of creating suitable living environments
- Sustainability for the purpose of creating economic opportunities

**Indicators:** Expected project measurable results or “indicators” are incorporated into subrecipient contracts with interim or final results reported in the County’s annual *Consolidated Annual Performance and Evaluation Report (CAPER)*.

**Program Summary of Uses**

FY 2007 CDBG Program	2,846,000
FY 2007 HOME Program	843,000
FY 2007 ESG Program	106,000
<b>Total FY 2007 Action Plan for St. Louis County and Consortium</b>	<b>3,795,000</b>

**St. Louis County FY 2007 Action Plan**

<u>Project</u>	<u>Objective</u>	<u>Outcome</u>	<u>Indicator</u>	<u>Amount</u>
<b>Housing</b>				
AEOA Single Family Housing Rehab	Decent Housing	Sustainability	31 units	650,000
<i>Subtotal</i>				
<b>Economic Development</b>				
NE Entrepreneur Micro-enterprise	Economic Opportunities	Accessibility	5 businesses	50,000
SLC Economic Development Set-Aside	Economic Opportunities	Accessibility	25 jobs	250,000
<i>Subtotal</i>				
<b>Physical Improvement</b>				
Aurora Water/Sewer Improvements	Suitable Living	Sustainability	1778 people	240,000
Breitung Water/Sewer Improvements	Suitable Living	Sustainability	472 people	340,000
Cook City Hall Accessibility	Suitable Living	Accessibility	540 people	20,000
Ely Street Improvements	Suitable Living	Sustainability	646 people	100,000
Eveleth Water Treatment Plant Improvements	Suitable Living	Sustainability	3674 people	190,000
Hibbing Sewer Improvements	Suitable Living	Sustainability	550 people	150,000
Mountain Manor Playground	Suitable Living	Accessibility	509 people	10,000
Virginia Horace Mann School Demolition	Suitable Living	Sustainability	1 public facility	90,000

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<i>Subtotal</i>				<i>1,140,000</i>
<b>Public Service</b>				
AEOA Homeownership Assistance Program	Decent Housing	Accessibility	125 households	5,000
AEOA Homeless Shelter	Suitable Living	Accessibility	100 people	41,000
AEOA Raising Our Children's Kids (ROCK)	Suitable Living	Accessibility	15 people	10,000
Legal Aid Housing Counseling & Information	Suitable Living	Accessibility	250 people	45,000
Life House - Proctor House	Suitable Living	Accessibility	5 people	20,000
Range Transitional Housing	Suitable Living	Accessibility	65 people	35,000
Range Women's Advocates Children's Prog	Suitable Living	Accessibility	45 people	22,000
Salvation Army - Hibbing Melting Pot Meals	Suitable Living	Accessibility	3000 people	13,000
Salvation Army - Northern SLC Money Mgmt	Suitable Living	Accessibility	200 people	15,000
Salvation Army - Virginia Supper Club	Suitable Living	Accessibility	3000 people	15,000
Sexual Assault Youth Outreach Services	Suitable Living	Accessibility	80 people	23,000
SOAR Career Solutions	Economic Opportunities	Accessibility	13 people	16,000
<i>Subtotal</i>				<i>260,000</i>
<b>Administration</b>				
Administration	N/A	N/A	1 org	496,000
<i>Subtotal</i>				<i>496,000</i>
<b>Total FY 2007 CDBG Program</b>				
Housing				650,000
Economic Development				300,000
Physical Improvements				1,140,000
Public Service				260,000
Administration				496,000
<b>TOTAL</b>				<b>2,846,000</b>

**2007 HOME Program - Northeast Minnesota HOME Consortium**

<u>Project</u>	<u>Objective</u>	<u>Outcome</u>	<u>Indicator</u>	<u>Amount</u>
<b>HOME Program Categories</b>				
Home Ownership Assistance Program	Decent Housing	Affordability	80 units	495,000
Housing Development Fund	Decent Housing	Affordability	1 unit	25,000
CHDO Set-Aside Projects	Decent Housing	Affordability	3 units	221,000
CHDO Operating Expense	Decent Housing	Affordability	2 orgs	34,000
Administration	N/A	N/A	1 org	68,000
<i>Subtotal</i>				<i>843,000</i>

**FY 2007 ESG Program - St. Louis County**

<u>Project</u>	<u>Objective</u>	<u>Outcome</u>	<u>Indicator</u>	<u>Amount</u>
<b>Housing</b>				
Operations Homeless Shelters	Decent Housing	Accessibility	2 orgs	37,100
Essential Services	Suitable Living	Accessibility	2 orgs	31,800
Homeless Prevention	Decent Housing	Accessibility	3 orgs	31,800
Administration	N/A	N/A	1 org	5,300
<i>Subtotal</i>				<i>106,000</i>

Unanimously adopted. November 7, 2006. No. 584

Upon motion of Commissioner Kron, supported by Commissioner Fink, the rules were suspended to adopt Resolution No. 585 which was not on the agenda.

**BY COMMISSIONER KRON:**

WHEREAS, the United States Coast Guard is responsible for enforcing maritime security along the coastlines, shores and within the harbors of the United States; and

WHEREAS, Coast Guard vessels of all sizes were outfitted with guns, rifles and machine guns starting in 2004; and

WHEREAS, after securing agreement with the Canadian government that live fire exercises were in the best interest of both the United States and Canada; and

WHEREAS, after completing a study of the human and environmental effects of live fire exercises in the coastal regions, the U.S. Coast Guard has proposed the designation of 34 permanent safety zones in U.S. waters of the Great Lakes to be utilized in live fire training missions; and

WHEREAS, there has been a public outcry of concern over the safety and environmental effects as

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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well as methods of public notification of the live fire training activities;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby supports the need for proper training in the use of light vessel mounted guns on the waters of Lake Superior and elsewhere in the Great Lakes; and  
FURTHER RESOLVED, the U.S. Coast Guard is strongly encouraged to consider alternative materials for the bullets to be used in these exercises, such as tungsten bullets manufactured under patents owned by Tundra Composites, a Minnesota company, that do not pollute the coastal waters and are not hazardous to humans or the environment; and  
FURTHER RESOLVED, that the Coast Guard should reconsider the locations of the permanent safety zones, so that the zones, wherever possible, should not be in the way of normal ship routes, or small craft cross lake routes, between ports; and  
FURTHER RESOLVED, that the Coast Guard should pre-announce the dates of live fire training with written notices in marinas, boat launch ramps, and yacht clubs, as well as written notices to boating organizations, such as fishing groups and the Sail and Power Squadron; and  
FURTHER RESOLVED, that the Coast Guard, in planning dates for live fire drills, should take into account normal patterns of pleasure craft usage of the waters and perform the exercises on days or during periods of low usage; and  
FURTHER RESOLVED, that the Coast Guard should make every effort to do basic gun training on land in firing ranges to reduce actual number and extent of live fire training events on the water.  
Unanimously adopted. November 7, 2006. No. 585

At 10:31 A.M. on Tuesday, November 7, 2006, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON NOVEMBER 14, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of November, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Sheriff Ross Litman presented Volunteer Excellence Awards to Jeff Tibbetts and Penny Wait for their volunteer efforts at the Jail providing advocacy, education, cultural and spiritual assistance to Native Americans. Mr. Tibbetts thanked the Sheriff and Jail Administrator for their support of volunteer efforts.

Commissioner Sweeney presented a Volunteer Excellence Award to Don Juten, Gnesen Town Supervisor, for his many years of service on numerous local boards and other organizations. Mr. Juten said he has been a Gnesen resident for 73 years, adding that even when he travels elsewhere there is no place like home.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Marlene Hart, MN Citizens Federation Northeast, urged the Board to continue pursuing County Based Purchasing of health care. Ms. Hart said other counties have had great success with CBP and other similar plans.

Bob Kamen, Soudan, urged the Board to use caution when considering matters related to the proposed Polymet Mining venture in Hoyt Lakes. Sulfide mining environmental damages may outweigh benefits.

Alyssa Meller, First Plan Blue, explained services provided by the HMO.

At 10:13 A.M., a public hearing was convened pursuant to County Board Resolution No. 544, adopted October 10, 2006, to consider amending Ordinance No. 46 by rezoning portions of the Town of Grand Lake. The following persons addressed the issue:

Barbara Hayden, Planning Director, said the rezoning request was initiated by the Town of Grand Lake and approved by the Planning Commission. Director Hayden explained the intent of the rezoning.

Duane Kyrola, Grand Lake, said the rezoning corrects a zoning error and reflects what the township wants.

Diane Meisner, Saginaw, opposed the rezoning because it will have adverse effects on the Cloquet and St. Louis Rivers and Lake Superior without any benefits.

At 10:25 A.M., Commissioner Fink, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to affirm the Planning Commission decision to allow the rezoning. Commissioner O'Neil indicated

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that he would like more discussion before a final decision is made. After further discussion, the rezoning was approved; six yeas - one nay, Commissioner O'Neil. Resolution No. 596.

At 10:36 A.M., a public hearing was convened pursuant to County Board Resolution No. 560, adopted October 24, 2006, to consider a proposal to extend a current peat lease with Waupaca Northwoods, LLC, for five years and to add lands to the existing lease - all lands are tax forfeited. The following persons addressed the issue:

Mark Weber, Land Department, explained the purpose of the lease and the proposed expansion. Rent and production royalties are paid by Waupaca Northwoods to St. Louis County for lease of the property.

Brandt Heikel, Land Department, explained rental and royalty fees and how lands are reclaimed at the conclusion of mining efforts.

James McCain, Waupaca Northwoods, LLC, in response to a question from Commissioner Raukar, said pay scales range from \$8 to \$15 plus benefits for employees. Mr. McCain explained uses for peat and some of the fire prevention measures being used at the lease site.

At 11:03 A.M., Commissioner O'Neil, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Kron, moved to approve the extension and expansion of the peat lease; seven yeas - zero nays. Resolution No. 597.

At 11:04 A.M. in the forenoon of Tuesday, November 14, 2006, Chair Nelson moved to recess the Board until 10:10 A.M. on November 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:17 A.M. on Tuesday, November 14, 2006, and the regular order of business resumed with all members present.

Chair Nelson asked the Board to determine if he may have a conflict of interest because some of the fees to be discussed at the next public hearing would affect his business. Michael Dean, Assistant County Attorney, explained procedures outlined in the St. Louis County Board Standing Rules if Board members decide a conflict exists. It was the consensus of Commissioners that no conflict existed.

At 11:24 A.M., a public hearing was convened pursuant to County Board Resolution No. 561, adopted October 24, 2006, to consider adoption of a fee schedule for various county departments for 2007. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, went through fee changes outlined in Parts I and II of the schedule.

Dave Skelton, Public Works, said fees for resort signs reflect costs.

Dana Frey, County Administrator, said an abatement fee is charged to persons who request an abatement of real estate taxes for reasons other than county errors.

Mark Monacelli, County Recorder, said fees charged by the Recorder are determined by state statute.

Ken Steil, Duluth, asked the Board to raise tobacco and liquor fees to better reflect the social costs of these substances.

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At 12:03 P.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the fee schedule with Solid Waste Department ash fees reduced to 2006 levels. Commissioner O'Neil offered a friendly amendment - accepted by the makers - to increase annual tobacco license fees to \$145. Commissioner O'Neil then offered a second friendly amendment - not accepted by the supporter of the motion - to increase all liquor license fees by four percent. Commissioner Sweeney withdrew her support of the motion. Commissioner Kron offered to support the amended motion and the two friendly amendments. After further discussion, Commissioner Raukar withdrew his motion. Commissioner O'Neil, supported by Commissioner Kron, moved to approve the fee schedule with the Solid Waste ash fee reduced to 2006 levels and the tobacco and liquor license fee increases.

At 12:23 P.M., Chair Nelson suspended discussion of the fee schedule to allow the Board to consider going to closed session for labor negotiation purposes.

Commissioner Fink, supported by Commissioner Sweeney, moved to go to closed session immediately; seven yeas - zero nays.

At 12:23 P.M. in the afternoon of Tuesday, November 14, 2006, Chair Nelson moved to recess the Board until 2:00 P.M. on November 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:19 P.M. on Tuesday, November 14, 2006, and the regular order of business resumed with all members present.

Discussion of the fee schedule resumed. Assistant County Attorney Michael Dean advised the Board that liquor license fees could not be increased without a thirty-day notice to all affected license holders. The makers of the motion withdrew their amendment to raise liquor license fees. Commissioner Fink asked for a division of the question with the tobacco license fee considered separately. After further discussion the amended motion to approve the fee schedule was approved; seven yeas - zero nays. Resolution No. 598.

Commissioner Fink, supported by Commissioner Raukar, moved to table further consideration of the tobacco license fee until the November 28 Board meeting; seven yeas - zero nays.

At the request of Chair Nelson, Item No. 3 from the Consent Agenda (tobacco licenses for various establishments) was removed for separate consideration because one of the establishments was owned by Chair Nelson and would pose a conflict of interest. Commissioner Kron, supported by Commissioner Sweeney, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Kron, moved to suspend the rules to consider establishing public hearings regarding proposed Ordinance No. 60 - Prohibiting Smoking in Public Places and Places of Work.

At 2:55 P.M. in the forenoon of Tuesday, November 14, 2006, Chair Nelson moved to recess the Board until 3:00 P.M. on November 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota, to allow Attorney Dean to determine if a motion to suspend was debatable.

The Board reconvened at 3:01 P.M. on Tuesday, November 14, 2006, and the regular order of business resumed with all members present.

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Assistant County Attorney Dean said the motion to suspend the rules was debatable and must pass by a 5/7 vote.

Commissioner O'Neil said the Board made a commitment to a smoking ban and a clear message should be sent to the state legislature. Other Commissioners expressed concern the ordinance and public hearings have not been discussed at either a workshop or Committee of the Whole. After further discussion, the makers withdrew the suspension motion and no action was taken.

At 3:35 P.M. in the afternoon of Tuesday, November 14, 2006, Chair Nelson moved to recess the Board until 3:40 P.M. on November 14, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 3:45 P.M. on Tuesday, November 14, 2006, and the regular order of business resumed with all members present.

Chair Nelson allowed the following persons to address the Board regarding the smoking ban ordinance proposal:

Sharon Lund, Duluth, said a majority of voters in St. Louis County favor a ban and she urged the Board to establish hearings in the near future to enact an ordinance.

Kate Brady, Virginia, said Iron Range residents also favor a smoking ban.

Commissioner Sweeney, supported by Commissioner Kron, moved to approve conveyance of tax forfeited land to the City of Duluth for the development of the Sugarloaf Estates Subdivision: six yeas - zero nays, with Commissioner O'Neil temporarily away from the meeting. Resolution No. 599.

Commissioner Sweeney, supported by Commissioner Fink, moved to grant an access easement to Minnesota Shores Land Company for access to their property. Chair Nelson offered a friendly amendment - not accepted by the makers - to add a contingency giving the County an easement across Minnesota Shores property to allow access to an adjoining parcel of tax forfeited land. Chair Nelson, supported by Commissioner Forsman, moved to formally amend the resolution. Commissioner Fink said the amendment was redundant and provisions are already in place to guarantee County access. After further discussion, the amendment was approved; six yeas - one nay, Commissioner Fink. The amended resolution was then approved; seven yeas - zero nays. Resolution No. 600.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve execution of two-year agreements with contractors for garbage and recycling pick-up and disposal services at various locations; seven yeas - zero nays. Resolution No. 601.

Item No. 3 from the Consent Agenda (tobacco licenses - various establishments) was then considered. Commissioner Raukar, supported by Commissioner Forsman, moved to approve the licenses; six yeas - zero nays, with Chair Nelson abstaining because of a conflict of interest. Resolution No. 602.

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

Fee schedules for various County Departments for Fiscal Year 2007.-58609

Michael E. Orman, Orman, Nord, Spott & Hurd Law Office, submitting Amended Complaint for Declaratory Judgment in the matter of James D. Nelson and Diane L. Nelson versus County of St.

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Louis and the State of Minnesota, Department of Natural Resources.-58610

Sheriff Ross Litman submitting information regarding a Volunteer Recognition Award given to Penny Wait and Jeff Tibbetts.-58611

Marlene Hart, President of the Minnesota Citizens Federation Northeast, urging the St. Louis County Board to pursue county based purchasing for the public health programs.-58612

Documentation from public hearing held on November 14, 2006, to consider amending Ordinance No. 46 by rezoning portions of Township 52 North, Range 16 West (Town of Grand Lake).-58613

Lobbying Services Agreement with Arrowhead Counties Association and St. Louis County, on behalf of its lobbyist John Ongaro.-06-1089

Amendment to the Employee Safety & Development Training Contract between St. Louis County and NESO for Access Training Services.-06-1090

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for St. Louis County Jail Energy Conservation Projects.-06-1091

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Virginia Courthouse Annex Building - Asbestos/Lead Paint Survey.-06-1092

Agreement for Professional Services between the County of St. Louis and AEI Mechanical Engineering for St. Louis County Laundry Boiler and Process Equipment Upgrade Project.-06-1093

Employee Safety & Development Training Contract between St. Louis County and Range Mental Health for a Pre-Retirement Planning's "*Emotional Aspects of Retirement*" portion of the day long session.-06-1094

Agreement between the City of Proctor and the County of St. Louis for the construction of County Bridge 917, State Bridge 69J53, on Pionk Drive in Proctor.-06-1095

Contract between the County of St. Louis and Hoover Construction Company for S.A.P. 69-663-012, C.P. 9258, for Grading, Aggregate Base, Bituminous Surfacing and Bituminous Shoulders.-06-1096

Agreement for Respite Services between the County of St. Louis, through its Public Health and Human Services Department, and Gayle Lynn Koop for Community Alternative Care Client No. 28.-06-1097ss

Amendment No. 3 to Lease Agreement No. 11264 between St. Louis County and the State of Minnesota, Department of Administration, acting for the benefit of the Department of Transportation, for approximately 33,162 usable square feet of exclusive and shared truck storage, maintenance and related use space in the Pike Lake Joint Maintenance Facility.-06-1098

Addendum No. 2 to Lease 1999-001450 between St. Louis County and the Iron Range Racing Association, Inc., for lease of the Hibbing Raceway.-06-1099

Upon motion of Commissioner Kron, supported by Commissioner Sweeney, Resolutions No. 586 through 595, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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**BY COMMISSIONER KRON:**

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. 58495, are hereby approved:

Real Estate - Ryan Abel, \$301.30; Allen Burchell, \$125.76; David Greske, \$245.22; Adam Heikkila, \$341.80; House of the Phoenix, \$1,080.74; Lars Koski, \$446.44; Melody Lombardi, \$426.58; Lorraine Maki, \$407.40; John Opack, \$388.94; Michael Schlender, \$490.26.

Personal Property - Gertrude Bauer, \$76.12; Scott Hansen, \$2,756.64.

Adopted November 14, 2006. No. 586

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated refund to the licenseholders:

Yesterdaze Ent., Inc., d/b/a Cherry Corner Store, Cherry Township, Tobacco Products License No. T07213;

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Tobacco Products License No. T07187;

David J. Haga, LLC, d/b/a Rascal's Lounge, City of Proctor, Tobacco Products License No. T07210;

City of Winton, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T07135.

Adopted November 14, 2006. No. 587

WHEREAS, the Ranger Snowmobile/ATV Club has requested St. Louis County to sponsor a multi-use all-terrain vehicle (ATV) trail from Aurora to Biwabik; and

WHEREAS, St. Louis County serves as the sponsor of various 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 Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources (DNR) and with funding contingent on DNR public and environmental review;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor the Aurora to Biwabik multi-use ATV trail as part of the State of Minnesota Grant-in-Aid Trail Assistance Program.

Adopted November 14, 2006. No. 588

WHEREAS, the Duluth Economic Development Agency (DEDA) has offered to purchase the following described State tax forfeited lands for the appraised value of \$32,500.00 plus fees for the purpose of parking lots:

S 25 FT OF N 55 FT OF LOTS 17 AND 19 SUBJECT TO INCREMENT FINANCING

DULUTH PROPER 1ST DIVISION EAST 1ST STREET

Parcel Code: 10-930-180

LDKey 57212

AND

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E 16 FT OF NLY 70 FT OF LOT 18 AND W 17 FT OF N 70 FT OF LOT 20  
DULUTH PROPER 1ST DIVISION EAST 2ND STREET  
Parcel Code 10-950-770  
LDKey 27337

WHEREAS, Minnesota Statute 282.01, Subdivision 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision; and

WHEREAS, said lands have not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, said lands are located inside the boundaries of a municipality, and Minnesota Statute 282.01, provides that notice of the classification or reclassification and sale of lands situated within a municipality must be transmitted to the governing body of the municipality; and

WHEREAS, Land Department staff recommends that the above described lands be reclassified as non-conservation and offered for sale after considering, among other things, the present use of adjacent land; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the reclassification and sale of the above described State tax forfeited lands to DEDA for the appraised value of \$32,500.00 plus the following fees: 3% assurance fee of \$975.00, deed fee of \$25.00, deed tax of \$107.25, and a recording fee of \$46.00 for a total of \$33,653.25 to be deposited into Fund 240-Forfeited Tax Fund and notice of classification and sale will be transmitted to the Clerk of City of Duluth;

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at public auction State tax forfeited lands described above if DEDA does not purchase said lands.

Adopted November 14, 2006. No. 589

WHEREAS, under the provisions of Minnesota Statute Section 282.241, State tax forfeited land may be repurchased by the previous owner's heirs subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Norbert Franklin DeBevec, Executor of Estate of Frank DeBevec, has applied to repurchase the following parcel:

Lot 24, Block 68  
Highland Addition to Eveleth  
City of Eveleth  
Parcel Code: 040-0130-01900

WHEREAS, Frank DeBevec was the owner of record at the time of forfeiture, and Executor of his Estate is eligible to repurchase this property; and

WHEREAS, approving the repurchase will correct undo hardship and promote the use of lands that will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of the Estate of Frank DeBevec, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,085.01, repurchase application fee of \$114.00, deed tax of \$6.88, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$2,276.89 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 14, 2006. No. 590

WHEREAS, pursuant to the dictates of Minnesota Statutes, Section 163.11, Subdivision 5A, a joint Toivola Township - St. Louis County hearing was held on October 11, 2006, in concurrence with

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County Board Resolution No. 492, adopted September 12, 2006.

WHEREAS, the Town Board and all interested persons were heard.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 163.11, Subdivision 1, the St. Louis County Board of Commissioners does hereby revoke to Toivola Township, C.R. No. 970, Kero Road, originally legalized as part of County Ditch Road 6-2 consolidated and renamed by resolution of the County Board, February 7, 1918. That portion of County Ditch Road 6-2 now known as Kero Road beginning on the East side of County-State Aid Highway No. 83 (Overton Road) near the West 1/4 corner of Section 4, Township 54 North, Range 19 West. Thence Easterly for a distance of one mile more or less to the East 1/4 corner of Section 4, Township 54 North, Range 19 West.

RESOLVED FURTHER, that the Clerk of the County Board will forward two certified copies of the resolution to the Toivola Township Board.

Adopted November 14, 2006. No. 591

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement and approve any amendments with Mitchell Humphrey & Company of St. Louis, MO, whereby the County will purchase the services of Mitchell Humphrey & Company for software, implementation, training, and maintenance services for an interface with the MRO Maximo product. The estimated total cost of the software and services is \$87,000.00, payable from MIS Fund 750, Agency 751028, which will be reimbursed 50 percent by the Public Works Department Fund 200, Agency 200008, Object 634700 (Computer Hardware 5 Year Plan), and 50 percent by the Auditor Fund 100, Agency 115010, Object 634700. Adopted November 14, 2006. No. 592

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. 06-1089, 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 2007 legislative session not to exceed \$15,000 (excluding the County's in-kind contribution of \$2,000). Adopted November 14, 2006. No. 593

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the Minnesota Division of Homeland Security and Emergency Management (HSEM) Influenza Pandemic Planning Grant in the amount of \$26,317.00, which runs from July 1, 2006, to June 30, 2007; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Sheriff to sign any associated contract documents; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the Sheriff and appropriate county staff to expend these funds in compliance with the terms of the grant contract; and

RESOLVED FURTHER, that funds will be made payable to and expenditures authorized from Fund 100, Agency 129999, Grant 12937, Year 2006.

Adopted November 14, 2006. No. 594

WHEREAS, the County Board believes that a 8.5 percent rate increase for 2007 is reasonable based on the projected costs of the County self-insured health plans and to maintain the current fund reserve level.

NOW, THEREFORE, BE IT RESOLVED, that the 2006 monthly rates for the self-funded Option A health coverage are increased 8.5 percent and approved for 2007 as follows:

	<u>2007 Rate</u>
SINGLE COVERAGE	\$ 513.88

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FAMILY COVERAGE \$1,193.51

RESOLVED FURTHER, that the 2006 monthly rates for the Option A retired employees are increased by 8.5 percent for 2007.

RESOLVED FURTHER, that the 2006 monthly rates for the Early Retirement Option (ERO) retired employees are increased by 8.5 percent for 2007.

RESOLVED FURTHER, that the stop loss rate payable to Blue Cross Blue Shield of Minnesota of \$3.04 per contract per month for the St. Louis County self-funded employee and retiree health plan in the year 2007 is approved;

RESOLVED FURTHER, a monthly rate of \$30.80 for dental insurance in 2007 is hereby adopted; RESOLVED FURTHER, an administrative service fee with Delta Dental Plan of Minnesota for the period of January 1, 2007, through December 31, 2007, for the administration of the St. Louis County self-funded employee dental plan is approved at a rate of \$2.03 per employee per month.

Adopted November 14, 2006. No. 595

**BY COMMISSIONER FINK:**

WHEREAS, the Planning Commission initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on August 10, 2006; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning by amending Ordinance No. 46, zoning maps; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on November 14, 2006; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony, written and verbal, as presented;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance No. 46, County Zoning Maps, from SMU-2 to SMU-4, for the portion of Township 52 North, Range 16 West (Town of Grand Lake), indicated on the zoning map.

Yeas - Commissioners Fink, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner O'Neil - 1

Adopted November 14, 2006. No. 596

**BY COMMISSIONER RAUKAR:**

WHEREAS, pursuant to Minnesota Statute Section 282.04, Subdivision 1 (h), inclusive, a proposal for removal of peat from State tax forfeited lands has been submitted to the County Board of St. Louis County, State of Minnesota, by Waupaca Northwoods, LLC; and

WHEREAS, the proposal has been reviewed by the St. Louis County Land Department to determine the suitability of lands for peat removal; and

WHEREAS, a public hearing was held on Tuesday, November 14, 2006, at 9:40 A.M. at the St. Louis County Courthouse, Duluth, Minnesota, pursuant to proper notice as required by Minnesota Statute, Section 282.04, Subdivision 1(h);

NOW, THEREFORE, BE IT RESOLVED, the following constitutes the findings of the St. Louis County Board:

1. Minnesota Statute, Section 282.04, Subdivision 1(h), limits the terms of a peat lease to 25 years. A 20 year lease for the removal of peat from State tax forfeited lands was authorized by County Board Resolution No. 537, adopted on July 14, 1992.
2. The parcel of State tax forfeited land that is subject to the proposed peat lease expansion is described as: S 1/2 of SW 1/4 and SW 1/4 of SE 1/4, Section 19, Township 54 North, Range

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19 West (120 acres).

3. The parcel of State tax forfeited land that is subject to the proposed peat lease expansion is suitable for peat removal.
4. The lands leased by St. Louis County will expand peat mining operations on State tax forfeited land for the benefit of the taxpayers of St. Louis County.
5. Waupaca Northwoods, LLC, has applied for the appropriate approvals and permits from the Department of Natural Resources and the Army Corps of Engineers.
6. The County Auditor posted notice of hearing in his office on October 25, 2006, said notice containing a description of the lands affected, and caused a copy of such notice to be published in the official newspaper of St. Louis County at least two weeks prior to November 14, 2006, the date of the hearing.

RESOLVED FURTHER, the St. Louis County Board of Commissioners hereby approves the proposed peat lease expansion and five year extension and the St. Louis County Auditor is hereby authorized by Minnesota Statute, Section 282.04, Subdivision 1 (h), to amend Peat Lease No. C21920001. Unanimously adopted. November 14, 2006. No. 597

**BY COMMISSIONER O'NEIL:**

RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the fee schedule, as amended, for various departments for the year 2007, as on file in County Board File No. 58609.

**Division of the question:**

Resolution as amended--

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 7

Nays - None

Table tobacco license fee to November 28, 2006--

Yeas - Commissioners Fink, Sweeney, Raukar and Chair Nelson - 4

Nays - Commissioners O'Neil, Kron and Forsman - 3

Adopted November 14, 2006. No. 598

**BY COMMISSIONER SWEENEY:**

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subdivision 1, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as: Lots 12 through 24, Block 57, Bay View Addition to Duluth No. 2, and S'yly 340 ft., Proprietor Reservation Reserved for RR R of Way, Bay View Addition to Duluth No. 2. Parcel Codes: 10-230-3670 and (part of) 10-230-5240; and

WHEREAS, the purpose of acquiring this land is for street and utility extension;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey the above described State tax forfeited land to the City of Duluth for the authorized public use;

RESOLVED FURTHER, the St. Louis County Board approves the conveyance of the above described State tax forfeited land to the City of Duluth for an administrative fee of \$150.00, deed fee of \$25.00, deed tax of \$1.65, and recording fee of \$46.00, for a total of \$222.65 to be deposited into Fund 240 - Forfeited Tax Fund.

Yeas - Commissioners Fink, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

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Nays - None  
Temporarily out - Commissioner O'Neil - 1  
Adopted November 14, 2006. No. 599

**BY COMMISSIONER SWEENEY:**

WHEREAS, the Land Department has reviewed a request of Minnesota Shores Land Company for a road and utility access easement across State tax forfeited land; and  
WHEREAS, there are no reasonable alternatives to obtain access to the private property; and  
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute, Section 282.04, Subdivision 4 and 4(a), is hereby authorized to grant a roadway and utility easement across State tax forfeited land to Bruhn-Leone, LLC., d/b/a Minnesota Shores Land Company, described as follows: A 66.00-foot-wide easement for ingress, egress and utilities over, under and across that part of the Northeast Quarter of the Southwest Quarter of Section 15, Township 63 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the Centerline of which is described as follows:

Assuming the West Line of said Northeast Quarter of the Southwest Quarter to bear South 00 degrees 19 minutes 36 seconds West and from the Northwest Corner of said Northeast Quarter of the Southwest Quarter run South 00 degrees 19 minutes 36 seconds West along said West Line, a distance of 175.96 feet to the POINT OF BEGINNING of the centerline to be described:

Thence South 32 degrees 13 minutes 30 seconds East, a distance of 120.14 feet; thence South 62 degrees 15 minutes 52 seconds East, a distance of 69.54 feet; thence South 76 degrees 40 minutes 25 seconds East, a distance of 55.07 feet; thence South 83 degrees 01 minutes 34 seconds East, a distance of 278.00 feet; thence North 89 degrees 41 minutes 14 seconds East, a distance of 161.64 feet; thence North 68 degrees 08 minutes 47 seconds East, a distance of 291.35 feet; thence South 74 degrees 30 minutes 23 seconds East, a distance of 34.57 feet; thence South 43 degrees 14 minutes 26 seconds East, a distance of 94.55 feet; thence South 66 degrees 37 minutes 28 seconds East, a distance of 31.60 feet; thence South 85 degrees 08 minutes 28 seconds East, a distance of 160 feet more or less, to the centerline of County Road No. 116 (Echo Trail) and there terminate. This easement is 1300 feet in length and contains 2.0 acres more or less.

Said easement being subject to reversion to the State in trust for the taxing districts in the event of non-use. The granting of this easement is conditioned upon payment of \$7,000.00 land use fee and \$300.00 administration fee, for a total of \$7,300.00 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that said easement is contingent on Minnesota Shores Land Company successfully closing on their purchase of SW 1/4 of NW 1/4 and W 1/2 of SW 1/4, Section 15, Township 63 North, Range 12 West.

RESOLVED FURTHER, that said easement is also contingent on Minnesota Shores Land Company granting St. Louis County an easement across the SW 1/4 of NW 1/4 and W 1/2 of SW 1/4, Section 15, Township 63 North, Range 12 West, to allow access to an adjoining parcel of tax forfeited land. Unanimously adopted. November 14, 2006. No. 600

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County is committed to a clean and healthy environment for its employees and customers; and

WHEREAS, the County requires the services of contractors with the proper qualifications to provide the Garbage and Recycling Pick-Up and Disposal Service; and

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WHEREAS, bids were solicited for this service with award recommended to the lowest bid by site;  
and

WHEREAS, one vendor is unable to service every location.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are authorized to execute a two-year agreement, with one two-year extension if desired, with the following contractors at various locations throughout St. Louis County at a total cost of \$71,671.68 per year.

- Location (A): Division 7 Toolhouse; 305 Railroad Street; Floodwood, MN 55736  
Fund 200 Public Works, Agency 202007 Hibbing, Object 625500 Garbage Collection  
Crist Garbage Service Inc., Floodwood, MN: \$386.16/year
- Location (B): Division 7 Toolhouse; 9967 Hwy 133; Meadowlands, MN 55765  
Fund 200 Public Works, Agency 202007 Hibbing, Object 625500 Garbage Collection  
Nor-land Sanitary Service, Canyon, MN: \$842.40/year
- Location (C): Division 6 Toolhouse; 7628 Arkola Road; Cotton, MN 55724  
Fund 200 Public Works, Agency 202006 Virginia, Object 625500 Garbage Collection  
Nor-land Sanitary Service, Canyon, MN: \$962.40/year
- Location (D): NERCC; 6102 Abrahamson Rd; Saginaw, MN 55779  
Fund 925 Admin N.R.C. Center, Agency 940001 Admin N.R.C. Center, Object  
625500 Garbage Collection  
A-1 Disposal, Saginaw, MN: \$7,759.56/year
- Location (E): Land Dept.; 5713 Old Miller Trunk Hwy; Duluth, MN 55811  
Fund 240 Land Admin., Agency 241008 Pike Lake, Object 625500 Garbage  
Collection  
Waste Management, Duluth, MN: \$1,031.88/year
- Location (F): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55803  
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage  
Collection  
Waste Management, Duluth, MN: \$1,132.20/year
- Location (G): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804  
Scenic C-SAH 61 (North Shore) April 13, 2007, to October 31, 2007, and April 13,  
2008, to October 31, 2008  
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage  
Collection  
North Shore Sanitary, Duluth, MN: \$3,944.00/year
- Location (I): 9-1-1 Communications; 4848 Lackland Street; Duluth, MN 55811  
Fund 100 Emergency Management, Agency 135001 Emergency Management, Object  
625500 Garbage Collection  
Waste Management, Duluth, MN: \$988.44/year
- Location (J): Division 5 Toolhouse; 4739 Midway Road; Duluth, MN 55811  
Fund 200 Public Works, Agency 202005 Pike Lake, Object 625500 Garbage  
Collection  
Waste Management, Duluth, MN: \$2,326.68/year

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- Location (K): Division 5 Toolhouse; 4831 Hwy 31; Brookston, MN 55711  
Fund 200 Public Works, Agency 202005 Pike Lake, Object 625500 Garbage  
Collection  
A-1 Disposal, Saginaw, MN: \$1,185.72/year
- Location (L): County Jail; 4334 Haines Road; Duluth, MN 55811  
Fund 100 Jail, Agency 137002 Jail Operations, Object 625500 Garbage Collection  
Hartel's/DBJ Disposal Co., Proctor, MN: \$7,269.84/year
- Location (M): St. Louis County Laundry; 2503 Rice Lake Rd; Duluth, MN 55811  
Fund 650 Laundry, Agency 650001 Laundry, Object 625500 Garbage Collection  
Waste Management, Duluth, MN: \$1,784.04/year
- Location (N): Chris Jensen Health & Rehabilitation Center; 2501 Rice Lake Rd; Duluth, MN 55811  
Fund 625 Chris Jensen, Agency 625014 Plant Operations & Maintenance, Object  
625500 Garbage Collection  
Waste Management, Duluth, MN: \$25,283.56/year
- Location (O): Arrowhead Juvenile Ctr; 1918 Arlington Ave No; Duluth, MN 55811  
Fund 925 Admin. AJC, Agency 945001 Arrowhead Juvenile Center, Object 625500  
Garbage Collection  
Waste Management, Duluth, MN: \$1,513.92/year
- Location (P): Court House Bldg Services; 100 No 5th Ave W; Duluth, MN 55802  
Fund 100 Building Services, Agency 128002 Duluth Courthouse, Object 625500  
Garbage Collection  
Howard Waste Paper Inc., Duluth, MN: \$6,838.68/year
- Location (Q): Motor Pool South; 401 West 2nd Street; Duluth, MN 55802  
Fund 715 County Garage, Agency 715001 Duluth Garage, Object 625500 Garbage  
Collection  
Hartel's/DBJ Disposal Co., Proctor, MN: \$771.12/year
- Location (R): Rainbow Senior Center; 211 North 3rd Ave E; Duluth, MN 55805  
Fund 230 Public Health & Human Services, Agency 232042 Rainbow Sr. Center,  
Object 625500 Garbage Collection  
Waste Management, Duluth, MN: \$3,255.24/year
- Location (S): Comm. Food Srv/Central Kitchen; 2014 W 3rd St; Duluth, MN 55806  
Fund 660 Community Food Services, Agency 660001 Comm. Food, Object 625500  
Garbage Collection  
Waste Management, Duluth, MN: \$3,454.08/year
- Location (T): Emergency Mgmt; 5735 Old Miller Trunk Hwy; Duluth, MN 55812  
Fund 100 Emergency Management, Agency 132001 Emergency Management, Object  
625500 Garbage Collection  
Waste Management, Duluth, MN: \$941.76/year
- Unanimously adopted. November 14, 2006. No. 601

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File

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No. 58513, are hereby approved and the County Auditor is authorized to issue the 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, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:  
Keith/Lois Nelson, d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T074, December 8, 2002;

Ronald Martin/Susan Martin, d/b/a Moosebirds, Beatty Township, Tobacco Products License No. T0794, September 7, 1998;

Paulson's Super Valu, Inc., d/b/a Paulson's Super Valu, Inc., Canosia Township, Tobacco Products License No. T07103, December 28, 2002;

Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13, Tobacco Products License No. T07173, December 29, 2003;

Bernard Zupancich/Edward Zupancich, d/b/a Zup's Cook, City of Cook, Tobacco Products License No. T07139, May 7, 2000, and October 18, 2002.

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Sweeney and Raukar - 6

Nays - None

Abstaining - Chair Nelson - 1

Adopted November 14, 2006. No. 602

At 4:20 P.M. on Tuesday, November 14, 2006, upon motion of Commissioner Sweeney, supported by Commissioner Kron, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON NOVEMBER 28, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of November, 2006, at 9:39 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 Steve O'Neil, Bill Kron, Mike Forsman, Steve Raukar and Chair Keith Nelson - 5. Absent: Commissioners Dennis Fink and Peg Sweeney - 2.

Commissioner Raukar presented a Volunteer Excellence Award to the Hibbing Public Access Television staff for many hours of volunteer work bringing local civic programming to the Hibbing area. Gene Nicoletti thanked the Board for the recognition and said there has been much local interest in the programming provided.

At 9:45 A.M., Commissioner Fink joined the County Board meeting.

Clayton Liend, Division Coordinator for the Occupational Development Center, presented a history of ODC and its many functions serving occupational needs of persons with disabilities. ODC recently opened a new facility in Buhl. Mr. Liend said contract rates with St. Louis County have remained unchanged since 1997 and he asked the Board to consider a rate increase during next year's budget cycle.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Pam Rundell, Hibbing, urged the Board to enact a non smoking ordinance.

Commissioner O'Neil noted a typographical error in the Board Proceedings for November 14, 2006 (Item No. 2 of the Consent Agenda). Commissioner Kron noted sales tax the County must pay for purchases (Item No. 8 of the Consent Agenda). Commissioner Kron, supported by Commissioner Raukar, moved to approve the Consent Agenda; six yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Raukar moved to table appointment of Commissioner O'Neil as representative to a meeting of Region III counties to consider organizing a joint powers board to pursue County Based Purchasing; six yeas - zero nays.

At the request of Administration, Item No. 2 of the agenda (New requirements for Assisted Living Programs) was removed from the agenda.

Authorization for a one-year agreement with four one-year extensions if desired with Whistle Cleaning Service was then discussed. An original motion by Commissioner Raukar, supported by Commissioner Kron, to approve the agreement was tabled at the October 10 Board meeting. Dana Frey, County Administrator explained that many sites in the contract were being phased out. Tony Mancuso, Property Manager, said wages and benefits paid by Whistle Cleaning Service are minimal. Discussion ensued about janitorial services for the Central Kitchen in Duluth. Chair Nelson suggested that Property Management coordinate services so County employees are cleaning County facilities. Alan Mitchell, County Attorney, in response to a Commissioner request, said the contract should be voted on in its entirety rather than divided and he recommended the Board request a future report from Property Management on the contract status. Chair Nelson offered a friendly amendment - accepted

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by the makers - to have Property Management report in April 2008 about the contract status; four yeas - two nays, Commissioners O'Neil and Forsman. Resolution No. 618.

Tobacco license fees for 2007 were then discussed. An original motion by Commissioner O'Neil, supported by Commissioner Kron, was made at the November 14 Board meeting and tabled. Commissioner O'Neil amended his motion with support from Commissioner Kron to set the 2007 fees at \$100 with an amendment directing the Liquor Licensing Committee to consider fee increases for both tobacco and liquor licenses and to make a recommendation to the County Board no later than March 31, 2007; six yeas - zero nays. Resolution No. 619.

At 11:02 A.M. in the forenoon of Tuesday, November 28, 2006, Chair Nelson moved to recess the Board until 11:07 A.M. on November 28, 2006, in the City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 11:17 A.M. on Tuesday, November 28, 2006, and the regular order of business resumed with all members present except Commissioner Sweeney.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve a Memorandum of Intent with the University of Minnesota Extension Nutrition Education Program; six yeas - zero nays. Resolution No. 620.

Commissioner Fink, supported by Commissioner Forsman, moved to appoint Don Nienas and Jack Huhta to the Planning Commission for three-year terms and to direct the Auditor to advertise for three vacancies with an amendment that Paula Bloczynski is reappointed to the Planning Commission for the specific task of completing the Vermilion Plan; six yeas - zero nays. Resolution No. 621.

Commissioner Fink, supported by Commissioner Forsman, moved to reappoint William Coombe to the Board of Adjustment for a three-year term and to direct the Auditor to advertise for two vacancies; six yeas - zero nays. Resolution No. 622.

Commissioner Fink, supported by Commissioner Raukar, moved to suspend the rules to discuss a request to the State of Minnesota to modify of the Wetlands Conservation Act assessment to allow local governments to participate in developing appropriate wetlands policies; six yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman moved to approve sending the request resolution; six yeas - zero nays. Resolution No. 623.

Commissioner Nelson, supported by Commissioner Fink, moved to suspend the rules to discuss establishment of a Board subcommittee to consider wetlands issues related to the Minnesota Wetlands Conservation Act; six yeas - zero nays. Commissioner Fink, supported by Commissioner Raukar, moved to appoint the Chairs of Environment and Natural Resources, Central Management and Intergovernmental and Public Works to the Wetland Subcommittee with a directive to report findings to the Board by March 15, 2007; six yeas - zero nays. Resolution No. 624.

Commissioner Fink, supported by Commissioner Kron, moved to go to closed session for labor-related issues after lunch recess; six yeas - zero nays.

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

Steve Raukar, Seventh District Commissioner, submitting information regarding a Volunteer Recognition Award given to the Hibbing Public Access Television staff and the volunteer program

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hosts.-58614

Contract between the County of St. Louis and Kangas Excavating, Inc., for operation of the Regional Landfill in Virginia during 2007.-06-1100

Memorandum of Intent with the University of Minnesota Extension Service to continue the Nutrition Education Program.-06-1101

Addendum to Purchase Agreement, Contract No. 13261F, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Forest for SLS for adults.-06-1102ss

Addendum to Purchase Agreement, Contract No. 13264F, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Ivy for SLS for adults.-06-1103ss

Addendum to Purchase Agreement, Contract No. 13265F, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Jones for SLS for adults.-06-1104ss

Addendum to Purchase Agreement, Contract No. 13268E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Southside for SLS for adults.-06-1105ss

Addendum to Purchase Agreement, Contract No. 13266E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services - Adult.-06-1106ss

Addendum to Purchase Agreement, Contract No. 13267E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supporting Living Services - Child.-06-1107ss

Addendum to Purchase Agreement, Contract No. 13247E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - In Home Family Support.-06-1108ss

Addendum to Purchase Agreement, Contract No. 13249E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Respite Care.-06-1109ss

Addendum to Purchase Agreement, Contract No. 13611E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Horizons II, for SLS for adults.-06-1110ss

Addendum to Purchase Agreement, Contract No. 13250F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Nova Home for SLS for adults.-06-1111ss

Addendum to Purchase Agreement, Contract No. 13599D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Linden for SLS for adults.-06-1112ss

Addendum to Purchase Agreement, Contract No. 13248F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Kingston for SLS for adults.-06-1113ss

Addendum to Purchase Agreement, Contract No. 13251F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Orion Home for SLS for adults.-06-

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Addendum to Purchase Agreement, Contract No. 13252E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Phoenix for SLS for children.-06-1115ss

Addendum to Purchase Agreement, Contract No. 13253F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Quest Home for SLS for adults.-06-1116ss

Addendum to Purchase Agreement, Contract No. 13254F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Rosewood for SLS for adults.-06-1117ss

Addendum to Purchase Agreement, Contract No. 13255F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Taurus for SLS for adults.-06-1118ss

Addendum to Purchase Agreement, Contract No. 13625D, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Utah Home for SLS for adults.-06-1119ss

Addendum to Purchase Agreement, Contract No. 13770B, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Anderson Road for SLS for children.-06-1120ss

Addendum to Purchase Agreement, Contract No. 13774C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Crosley for SLS for children and adults.-06-1121ss

Addendum to Purchase Agreement, Contract No. 13962A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ensign for SLS for children.-06-1122ss

Addendum to Purchase Agreement, Contract No. 13374E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Faribault for SLS for adults.-06-1123ss

Addendum to Purchase Agreement, Contract No. 13363F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland I for SLS for adults.-06-1124ss

Addendum to Purchase Agreement, Contract No. 13628D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Isanti for SLS for adults.-06-1125ss

Addendum to Purchase Agreement, Contract No. 13775C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ivanhoe for SLS for adults.-06-1126ss

Addendum to Purchase Agreement, Contract No. 13650D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Jackson Estates for SLS for adults.-06-1127ss

Addendum to Purchase Agreement, Contract No. 13610E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - London Road for SLS for adults.-06-1128ss

Addendum to Purchase Agreement, Contract No. 13773C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - McKinley for SLS for adults and children.-06-1129ss

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Addendum to Purchase Agreement, Contract No. 13370F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Mitchell I for SLS for adults.-[06-1130ss](#)

Addendum to Purchase Agreement, Contract No. 13373F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Oakley for SLS for adults.-[06-1131ss](#)

Addendum to Purchase Agreement, Contract No. 13371F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood I for SLS for adults.-[06-1132ss](#)

Addendum to Purchase Agreement, Contract No. 13509E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood II for SLS for adults.-[06-1133ss](#)

Addendum to Purchase Agreement, Contract No. 13369F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey I for SLS for adults.-[06-1134ss](#)

Addendum to Purchase Agreement, Contract No. 13367E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey III for SLS for adults.-[06-1135ss](#)

Addendum to Purchase Agreement, Contract No. 13361F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Selfridge for SLS for adults.-[06-1136ss](#)

Addendum to Purchase Agreement, Contract No. 13360E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - SLS Adults and SLS Children.-[06-1137ss](#)

Addendum to Purchase Agreement, Contract No. 13931A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Swan Lake for SLS for adults.-[06-1138ss](#)

Addendum to Purchase Agreement, Contract No. 13359E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Respite Care.-[06-1139ss](#)

Addendum to Purchase Agreement, Contract No. 13358E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - In-Home Family Support Services.-[06-1140ss](#)

Addendum to Purchase Agreement, Contract No. 13357E, between the St. Louis County Board of Commissioners and Trillium Works! (Supported Employment).-[06-1141ss](#)

Agreement, Contract No. 14079, between the St. Louis County Board of Commissioners and Life House for ACT Team South.-[06-1142ss](#)

Grant Agreement, Contract No. 20673, between the St. Louis County Board of Commissioners and Life House for Transition Services.-[06-1143ss](#)

Addendum to Purchase Agreement, Contract No. 14027A, between the St. Louis County Board of Commissioners and Employment Links, LLC, for non-residential services.-[06-1144ss](#)

Addendum to Purchase Agreement, Contract No. 14059A, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.-[06-1145ss](#)

Group Residential Housing Rate Agreement, Contract No. 50486, between the St. Louis County Board of Commissioners and Colonial Homes II.-[06-1146ss](#)

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Group Residential Housing Rate Agreement, Contract No. 50487, between the St. Louis County Board of Commissioners and Dena M. Snyder.-06-1147ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Dena M. Snyder for adult foster care/respice care.-06-1148ss

Addendum to Purchase Agreement, Contract No. 13990A, between the St. Louis County Board of Commissioners and St. Luke's Home Health Services for home care services.-06-1149ss

Addendum to Purchase Agreement, Contract No. 14034A, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc., for non-residential services.-06-1150ss

Addendum to Purchase Agreement, Contract No. 14065A, between the St. Louis County Board of Commissioners and Healthstar Home Health, d/b/a Healthstar Staffing, for home care services.-06-1151ss

Addendum to Purchase Agreement, Contract No. 14021A, between the St. Louis County Board of Commissioners and CHOICE, Unlimited, for non-residential services.-06-1152ss

Addendum to Purchase Agreement, Contract No. 13944A, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.-06-1153ss

Addendum to Purchase Agreement, Contract No. 14037A, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota for home care services.-06-1154ss

Addendum to Purchase Agreement, Contract No. 13994A, between the St. Louis County Board of Commissioners and Edgewood Vista Senior Living, Inc., for assisted living plus services.-06-1155ss

Addendum to Purchase Agreement, Contract No. 13946A, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, d/b/a Arrowhead Meals on Wheels, for home delivered meals.-06-1156ss

Addendum to Purchase Agreement, Contract No. 13970A, between the St. Louis County Board of Commissioners and Gentiva Certified Healthcare Corporation, d/b/a Gentiva Health Services, for home care services.-06-1157ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Sheila Maylin for adult foster care/respice care.-06-1158ss

Group Residential Housing Rate Agreement, Contract No. 50480, between the St. Louis County Board of Commissioners and Sheila Maylin - Carefree Living of Duluth.-06-1159ss

Addendum to Purchase Agreement, Contract No. 14025A, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc., for non-residential services.-06-1160ss

Addendum to Purchase Agreement, Contract No. 13550B, between the St. Louis County Board of Commissioners and Hassett Adult Foster Care Home for adult foster care services.-06-1161ss

Addendum to Purchase Agreement, Contract No. 13987A, between the St. Louis County Board of Commissioners and Cook Hospital, d/b/a Daybreak Adult Day Services.-06-1162ss

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Group Residential Housing Rate Agreement, Contract No. 50488, between the St. Louis County Board of Commissioners and Cindy Bakke and Eric Bakke.-06-1163ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Cindy Bakke and Eric Bakke for adult foster care/respice care.-06-1164ss

Addendum to Purchase Agreement, Contract No. 13983A, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for adult foster care services.-06-1165ss

Group Residential Housing Rate Agreement, Contract No. 50485, between the St. Louis County Board of Commissioners and At Home Living - Old Howard Mill.-06-1166ss

Addendum to Purchase Agreement, Contract No. 14028A, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for non-residential services.-06-1167ss

Addendum to Purchase Agreement, Contract No. 14066A, between the St. Louis County Board of Commissioners and Northern Diagnostic Services, Inc., d/b/a Healthstar Home Health Agency, for home care services.-06-1168ss

Addendum to Purchase Agreement, Contract No. 14017A, between the St. Louis County Board of Commissioners and Trillium Works! Inc., for non-residential services.-06-1169ss

Addendum to Purchase Agreement, Contract No. 13967A, between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC, for home care services.-06-1170ss

Purchase of Service Agreement, Contract No. 14039, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care and out-of-home respice services.-06-1171ss

Purchase of Service Agreement, Contract No. 14040, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for residential care and out-of-home respice services.-06-1172ss

Purchase of Service Agreement, Contract No. 14081, between the St. Louis County Board of Commissioners and Parchem, Inc., for adult foster care services.-06-1173ss

Purchase of Service Agreement, Contract No. 14080, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for assisted living plus services.-06-1174ss

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, L.L.P., for Phase II - Hibbing Annex Renewable Energy PV Project.-06-1175

Agreement for Professional Services between the County of St. Louis and Melander, Melander and Schilling, Architects, for Depot Space Plan.-06-1176

Agreement for Professional Services between the County of St. Louis and Foster Jacobs and Johnson, Inc., for Chris Jensen Boiler Replacement.-06-1177

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for special inspections relative to the construction of the Ely Public Works Facility.-06-1178

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Addendum No. 1 to Contract 2004-002005 between St. Louis County and Scalzo Architects for Duluth Motor Pool Repairs.-[06-1179](#)

Addendum to Purchase Agreement, Contract No. 13318E, between the St. Louis County Board of Commissioners and Barbara Gross Adult Foster Home for SLS for adults.-[06-1180ss](#)

Addendum to Purchase Agreement, Contract No. 13232E, between the St. Louis County Board of Commissioners and Hermantown Residential Care for SLS for adults.-[06-1181ss](#)

Addendum to Purchase Agreement, Contract No. 13618C, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Respite Care.-[06-1182ss](#)

Addendum to Purchase Agreement, Contract No. 13334F, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - West I for SLS for adults.-[06-1183ss](#)

Addendum to Purchase Agreement, Contract No. 13779C, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson II for SLS for adults.-[06-1184ss](#)

Addendum to Purchase Agreement, Contract No. 13333F, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson I for SLS for adults.-[06-1185ss](#)

Addendum to Purchase Agreement, Contract No. 13332E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Highland for SLS for adults.-[06-1186ss](#)

Addendum to Purchase Agreement, Contract No. 13331D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hibbing (SLS) for SLS for adults.-[06-1187ss](#)

Addendum to Purchase Agreement, Contract No. 13815B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown III for SLS for adults.-[06-1188ss](#)

Addendum to Purchase Agreement, Contract No. 13786C, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown II for SLS for adults.-[06-1189ss](#)

Addendum to Purchase Agreement, Contract No. 13329F, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown I for SLS for adults.-[06-1190ss](#)

Addendum to Purchase Agreement, Contract No. 13842B, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Gearhart II for SLS for children.-[06-1191ss](#)

Addendum to Purchase Agreement, Contract No. 13328E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Crest House I for SLS for adults.-[06-1192ss](#)

Addendum to Purchase Agreement, Contract No. 13351E, between the St. Louis County Board of Commissioners and E.B.I., Inc. - Denfeld for SLS for adults.-[06-1193ss](#)

Addendum to Purchase Agreement, Contract No. 13905A, between the St. Louis County Board of Commissioners and E.B.I., Inc. - Berkeley for SLS for adults.-[06-1194ss](#)

Addendum to Purchase Agreement, Contract No. 13352E, between the St. Louis County Board of Commissioners and E.B.I., Inc., for SLS for adults.-[06-1195ss](#)

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Addendum to Purchase Agreement, Contract No. 13903A, between the St. Louis County Board of Commissioners and Capstone Services, LLC (SLS Foster Support).-06-1196ss

Addendum to Purchase Agreement, Contract No. 13427F, between the St. Louis County Board of Commissioners and Capstone Services, LLC - Kingswood for SLS for adults.-06-1197ss

Addendum to Purchase Agreement, Contract No. 13750B, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Respite Care.-06-1198ss

Addendum to Purchase Agreement, Contract No. 13405D, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Basswood Child SLS.-06-1199ss

Addendum to Purchase Agreement, Contract No. 13237F, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - II for SLS for adults.-06-1200ss

Addendum to Purchase Agreement, Contract No. 13236F, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - I for SLS for adults.-06-1201ss

Addendum to Purchase Agreement, Contract No. 13339E, between the St. Louis County Board of Commissioners and Lee Foster Care Home Respite Care.-06-1202ss

Addendum to Purchase Agreement, Contract No. 13930A, between the St. Louis County Board of Commissioners and Lee Foster Care Home IV for SLS for adults.-06-1203ss

Addendum to Purchase Agreement, Contract No. 13435E, between the St. Louis County Board of Commissioners and Lee Foster Care Home III for SLS for adults.-06-1204ss

Addendum to Purchase Agreement, Contract No. 13337E, between the St. Louis County Board of Commissioners and Lee Foster Care Home II for SLS for adults.-06-1205ss

Addendum to Purchase Agreement, Contract No. 13338E, between the St. Louis County Board of Commissioners and Lee Foster Care Home I for SLS for adults.-06-1206ss

Addendum to Purchase Agreement, Contract No. 13767C, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Hunter's Park for SLS for adults.-06-1207ss

Addendum to Purchase Agreement, Contract No. 13862B, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Lester Park for SLS for children.-06-1208ss

Addendum to Purchase Agreement, Contract No. 13861B, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Snelling Park for SLS for adults.-06-1209ss

Addendum to Purchase Agreement, Contract No. 13312E, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House I for SLS for adults.-06-1210ss

Addendum to Purchase Agreement, Contract No. 13313E, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House II for SLS for adults.-06-1211ss

Addendum to Purchase Agreement, Contract No. 13314E, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House III for SLS for adults.-06-1212ss

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Addendum to Purchase Agreement, Contract No. 13398E, between the St. Louis County Board of Commissioners and HOMES, Inc. - In-Home Family Support Services.-[06-1213ss](#)

Addendum to Purchase Agreement, Contract No. 13448D, between the St. Louis County Board of Commissioners and HOMES, Inc. - SLS Foster Support.-[06-1214ss](#)

Addendum to Purchase Agreement, Contract No. 13399F, between the St. Louis County Board of Commissioners and HOMES, Inc. - Virginia II (MA MR/RC Waiver, SLS).-[06-1215ss](#)

Addendum to Purchase Agreement, Contract No. 13400F, between the St. Louis County Board of Commissioners and HOMES, Inc. - Virginia I (MA MR/RC Waiver, SLS).-[06-1216ss](#)

Addendum to Purchase Agreement, Contract No. 13401F, between the St. Louis County Board of Commissioners and HOMES, Inc. - Hibbing II (MA MR/RC Waiver, Men's SLS).-[06-1217ss](#)

Addendum to Purchase Agreement, Contract No. 13402F, between the St. Louis County Board of Commissioners and HOMES, Inc. - Hibbing I (MA MR/RC Waiver, Women's SLS).-[06-1218ss](#)

Addendum to Purchase Agreement, Contract No. 13274F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Banyan for SLS for adults.-[06-1219ss](#)

Addendum to Purchase Agreement, Contract No. 13275F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Barrington for SLS for adults.-[06-1220ss](#)

Group Residential Housing Rate Agreement, Contract No. 50481, between the St. Louis County Board of Commissioners and Taylor SLS - Basswood.-[06-1221ss](#)

Purchase of Service Agreement, Contract No. 14078, between the St. Louis County Board of Commissioners and Taylor SLS, Inc., for adult foster care services.-[06-1222ss](#)

Addendum to Purchase Agreement, Contract No. 14036A, between the St. Louis County Board of Commissioners and St. Mary's Home Health for home care services.-[06-1223ss](#)

Group Residential Housing Rate Agreement, Contract No. 50482, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living II.-[06-1224ss](#)

Addendum to Purchase Agreement, Contract No. 14000A, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC.-[06-1225ss](#)

Addendum to Purchase Agreement, Contract No. 14018A, between the St. Louis County Board of Commissioners and Health Care Alternatives, Inc., d/b/a Spectrum Community Health, Inc., for home care services.-[06-1226ss](#)

Addendum to Purchase Agreement, Contract No. 14019A, between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc., for home care services.-[06-1227ss](#)

Addendum to Purchase Agreement, Contract No. 14049A, between the St. Louis County Board of Commissioners and Range Mental Health Center for adult day care services.-[06-1228ss](#)

Addendum to Purchase Agreement, Contract No. 13945A, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels for home delivered meals.-[06-1229ss](#)

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Purchase of Service Agreement, Contract No. 14071, between the St. Louis County Board of Commissioners and Peterson Adult Foster Care.-[06-1230ss](#)

Addendum to Purchase Agreement, Contract No. 14020A, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for home care services.-[06-1231ss](#)

Addendum to Purchase Agreement, Contract No. 13985A, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC, d/b/a Home Instead Senior Care.-[06-1232ss](#)

Addendum to Purchase Agreement, Contract No. 13989A, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, d/b/a HomeCare Specialists.-[06-1233ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Valarie Goodman and Tracy Curley for adult foster care/respite care.-[06-1234ss](#)

Addendum to Purchase Agreement, Contract No. 13979A, between the St. Louis County Board of Commissioners and Fairview Range Regional Health Services, d/b/a HealthLine HomeCare.-[06-1235ss](#)

Addendum to Purchase Agreement, Contract No. 14063A, between the St. Louis County Board of Commissioners and Morgan Business Trust, d/b/a Extended Family Home Care.-[06-1236ss](#)

Addendum to Contract No. 20632 between the St. Louis County Board of Commissioners and the City of Duluth for Food Support Employment and Training Services (FSET).-[06-1237ss](#)

Addendum to Purchase Agreement, Contract No. 14064A, between the St. Louis County Board of Commissioners and Care at Home, Inc.-[06-1238ss](#)

Addendum to Purchase Agreement, Contract No. 13986A, between the St. Louis County Board of Commissioners and Benedictine Health Center for adult day care services.-[06-1239ss](#)

Addendum to Purchase Agreement, Contract No. 14062A, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care services.-[06-1240ss](#)

Joint and Cooperative Agreement between the County of St. Louis and Minnesota Counties Information Systems.-[06-1241](#)

Project Contract No. 4635 between the County of St. Louis and Greystone Construction Company for Fabric Arch Building (Salt Storage).-[06-1242](#)

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and Spectrum Community Health for Community Alternative Care Client No. 07.-[06-1243ss](#)

Project Contract No. 4636 between the County of St. Louis and Johnson Wilson Constructors, Inc., for Fourth Floor GSC Remodel.-[06-1244](#)

Addendum to Purchase Agreement, Contract No. 13629D, between the St. Louis County Board of Commissioners and Range Center, Inc. - Bradford for SLS for adults.-[06-1245ss](#)

Addendum to Purchase Agreement, Contract No. 13613E, between the St. Louis County Board of

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Commissioners and Range Center, Inc. - Cypress for SLS for adults.-[06-1246ss](#)

Addendum to Purchase Agreement, Contract No. 13719D, between the St. Louis County Board of Commissioners and Range Center, Inc. - Frasier for SLS for adults.-[06-1247ss](#)

Addendum to Purchase Agreement, Contract No. 13276F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Hawthorne for SLS for adults.-[06-1248ss](#)

Addendum to Purchase Agreement, Contract No. 13459E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Laurel for SLS for adults.-[06-1249ss](#)

Addendum to Purchase Agreement, Contract No. 13458E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Logan for SLS for adults.-[06-1250ss](#)

Addendum to Purchase Agreement, Contract No. 13724D, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for SLS for adults.-[06-1251ss](#)

Addendum to Purchase Agreement, Contract No. 13612E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Sequoia for SLS for adults.-[06-1252ss](#)

Addendum to Purchase Agreement, Contract No. 13278E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack for SLS for children and adults.-[06-1253ss](#)

Addendum to Purchase Agreement, Contract No. 13226E, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver Supported Employment). -[06-1254ss](#)

Addendum to Purchase Agreement, Contract No. 13279E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack Respite Care.-[06-1255ss](#)

Addendum to Purchase Agreement, Contract No. 13277E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for in-home family support services.-[06-1256ss](#)

Addendum to Purchase Agreement, Contract No. 13956A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Respite Care.-[06-1257ss](#)

Addendum to Purchase Agreement, Contract No. 13297F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Wallace for SLS for adults.-[06-1258ss](#)

Addendum to Purchase Agreement, Contract No. 13296F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Tuhkanen for SLS for adults.-[06-1259ss](#)

Addendum to Purchase Agreement, Contract No. 13295E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Springvale for SLS for adults.-[06-1260ss](#)

Addendum to Purchase Agreement, Contract No. 13294E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Spirit Valley for SLS for adults.-[06-1261ss](#)

Addendum to Purchase Agreement, Contract No. 13293F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Piedmont for SLS for adults.-[06-1262ss](#)

Addendum to Purchase Agreement, Contract No. 13507E, between the St. Louis County Board of

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Commissioners and REM Arrowhead, Inc. - Oneida for SLS for adults.-[06-1263ss](#)

Addendum to Purchase Agreement, Contract No. 13292E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Nuvo for SLS for adults.-[06-1264ss](#)

Addendum to Purchase Agreement, Contract No. 13290F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - London Road for SLS for adults.-[06-1265ss](#)

Addendum to Purchase Agreement, Contract No. 13289E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Lakeview for SLS for adults.-[06-1266ss](#)

Addendum to Purchase Agreement, Contract No. 13288E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Kenwood for SLS for adults.-[06-1267ss](#)

Addendum to Purchase Agreement, Contract No. 13287E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - K & D for SLS for adults.-[06-1268ss](#)

Addendum to Purchase Agreement, Contract No. 13286F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Greysolon for SLS for adults.-[06-1269ss](#)

Addendum to Purchase Agreement, Contract No. 13285E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Endion Park for SLS for adults.-[06-1270ss](#)

Addendum to Purchase Agreement, Contract No. 13284E, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Chester Park for SLS for adults.-[06-1271s](#)

Addendum to Purchase Agreement, Contract No. 13915A, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - REM Apartment Support 1 (SLS Adult).-[06-1272ss](#)

Addendum to Purchase Agreement, Contract No. 13283F, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Birchwood for SLS for adults.-[06-1273ss](#)

Addendum to Purchase Agreement, Contract No. 13256E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich for SLS for adults.-[06-1274ss](#)

Addendum to Purchase Agreement, Contract No. 13257E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar for SLS for adults.-[06-1275ss](#)

Addendum to Purchase Agreement, Contract No. 13258E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central for SLS for adults.-[06-1276ss](#)

Addendum to Purchase Agreement, Contract No. 13259F, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Douglas II for SLS for adults.-[06-1277ss](#)

Addendum to Purchase Agreement, Contract No. 13260E, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Evans for SLS for adults.-[06-1278ss](#)

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 603 through 617, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 7, 2006, are hereby approved.  
Adopted November 28, 2006. No. 603

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 14, 2006, are hereby approved.  
Adopted November 28, 2006. No. 604

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. 58495, are hereby approved:  
Real Estate - Scott Allison, \$494.86; Christopher Cotton, \$109.64; Edward Feist, \$1,638.26; Roger Freeman, \$414.44; Daniel Meierhoff, \$287.36; Leann Scalia, \$736.50; Joshua Schaefer, \$633.62; Jean Spehar, \$271.60; Mae Wold, \$864.62.  
Personal Property - Ranae Busch, \$141.60; Grant Haley, \$230.58; Anna Olson, \$150.04; John Sink, \$78.74; Keith Sterling, \$115.20.  
Adopted November 28, 2006. No. 605

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 10, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.  
Adopted November 28, 2006. No. 606

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without prorated refund to the licenseholders:

Tuchek, Inc., d/b/a Bear River Viking Bar, Morcom Township, Tobacco Products License No. T07203;

Black Bear Café, Inc., d/b/a Black Bear Café, Vermilion Lake Township, Tobacco Products License No. T0712;

C & B Warehouse Distr., Inc., d/b/a Britt Short Stop, Unorganized Township 60-18, Tobacco Products License No. T0718;

C. C. Campground No. 717, Inc., d/b/a C. C. Campground No. 717, Inc., French Township, Tobacco Products License No. T0722;

Country Market, Inc., d/b/a Country Market, City of Meadowlands, Tobacco Products License No. T07215;

Charles Helmet, d/b/a Helmet's General Store, White Township, Tobacco Products License No. T0760;

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Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, Tobacco Products License No. T07181;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21, Tobacco Products License No. T07189;

Curran Enterprises, Inc., d/b/a Makinen Market, Inc., Unorganized Township 56-16, Tobacco Products License No. T0788;

Mar Mar, Inc., d/b/a Novy's Haven, City of Hoyt Lakes, Tobacco Products License No. T07172;

Thirsty Moose Bar & Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Cherry Township, Tobacco Products License No. T07218;

Timbuktu Marina, LLC, d/b/a Timbuktu Marina, Greenwood Township, Tobacco Products License No. T07161.

Adopted November 28, 2006. No. 607

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, 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, but without pro-rated refund to the licenseholder:

The following licenseholder was issued a tobacco violation citation on the date as stated:

Teresa M. Spiering, d/b/a Pike-Sandy Co-op, Pike Township, Tobacco Products License No. T07107, October 20, 1998, change of officers.

Adopted November 28, 2006. No. 608

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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, Tobacco Products License No. T0736, December 10, 2002;

C & B Warehouse Distr., Inc., d/b/a Ely Lake Short Stop, Fayal Township, Tobacco Products License No. T0746, December 10, 2002;

LH, Inc., d/b/a Liquid Larry's, City of Kinney, Tobacco Products License No. T07158, October 11, 2002;

Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, Tobacco Products License No. T07111, September 30, 1998, and December 22, 2000.

Adopted November 28, 2006. No. 609

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WHEREAS, the Public Works Department 2006 equipment budget includes purchase of two pressure washer tank trailers; and

WHEREAS, specifications for pressure wash trailers similar to a model purchased in 2002 were forwarded to the Purchasing Department for bid preparation for two Trailer Mounted Pressure Washer and Water Tank systems; and

WHEREAS, the low bid was submitted by Advance Industrial Sales, Inc., Hibbing, Minnesota, with a price of \$33,831.20; and

WHEREAS, the purchase will be subject to the applicable State of Minnesota sales tax of \$2,199.03 which brings the total cost to \$36,030.23; and

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the Director of Purchasing to issue a purchase order to Advance Industrial Sales, Inc., for two Whitco 5030DPO/TT500 pressure washer/tank trailer systems at their bid price plus applicable State of Minnesota sales taxes, payable from Fund 200, Agency 202020, Object 665000.

Adopted November 28, 2006. No. 610

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Alborn Sno-Devs to conduct off-site gambling on January 27, 2007, 8491 Swan Lake Road, Alborn, MN 55702, Alborn Township.

Adopted November 28, 2006. No. 611

WHEREAS, the State of Minnesota has received funds from the Centers for Disease Control and Prevention to assess and enhance the capacity of the State and local health departments to respond to bio-terrorism, infectious diseases and other threats to public health; and

WHEREAS, the Public Health and Human Service Department has had a contract with the Carlton-Cook-Lake-St. Louis Community Health Board for the period September 1, 2005, through August 31, 2006, for the provision of Public Health Preparedness activities; and

WHEREAS, the Minnesota Department of Health and the Carlton-Cook-Lake-St. Louis Community Health Board wish to amend the original agreement with St. Louis County which will extend the project through August 31, 2007; and

WHEREAS, the Public Health and Human Services Department wishes to continue to provide Public Health Preparedness activities and accept funding from the Carlton-Cook-Lake-St. Louis Community Health Board;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to sign Amendment II to the Public Health Preparedness and Response to Bioterrorism Grant Project Agreement with the Community Health Services Board in the amount of \$195,863.00 for the period from September 1, 2006, through August 31, 2007, payable to Fund 230, Agency 236999, Grant 23601. These funds have been included in 2006 budget and the proposed 2007 budget. No local match is required.

Adopted November 28, 2006. No. 612

WHEREAS, Bridge House is a State Operated Services facility that provides residential crisis response services for Region III of the Adult Mental Health Initiative (AMHI), which includes the Counties of Lake, Cook, Koochiching, Itasca, St. Louis, and Carlton to individuals who are seriously mentally ill or serious and persistently mentally ill and are at risk of inpatient hospitalization; and

WHEREAS, the State is in need of billing services for the crisis response services provided at Bridge House; and

WHEREAS, Region III AMHI is also in need of an agent to disburse funds generated to the member counties of Region III; and

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WHEREAS, the Public Health and Human Services Department has had a contract since 1995 authorizing the provision of billing services for the crisis response services provided by Bridge House, to receive the funds from the State, and to disburse on behalf of the Region III AMHI funds received for those services; and

WHEREAS, the Department wishes to renew this Agreement through SFY 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a contract between the County and the State for the period from July 1, 2005, through June 30, 2007, for the Department of Public Health and Human Services to act as billing agent for crisis response services provided by Bridge House and to retain a fee of ten percent of billings for such services;

RESOLVED FURTHER, the Department will be allowed to disburse the revenues received to Region III counties, after withholding ten percent of the revenues to cover the administrative costs to the County in Fund 230, Agency 230999, Object 527400.

Adopted November 28, 2006. No. 613

WHEREAS, St. Louis County operates the Regional Landfill in Virginia, Minnesota, which provides mixed municipal solid waste disposal services for the St. Louis County Solid Waste Service Area; and WHEREAS, the County requires a competent contractor to operate the Regional Landfill; and

WHEREAS, since 1993 the County has contracted with Kangas Excavating, Inc., (Kangas) for landfill operations, and Kangas has provided excellent service during that period; and

WHEREAS, the current contract with Kangas expires December 31, 2006; and

WHEREAS, the County believes that the most cost effective and efficient option at this time is to develop a one-year contract with Kangas for operation of the Regional Landfill during 2007; and

WHEREAS, the County believes that it has negotiated a reasonable price for landfill services with Kangas;

NOW, THEREFORE, BE IT RESOLVED, the Solid Waste Department is authorizes to enter into a one year landfill operations contract with Kangas Excavating, Inc., at a rate of \$27,200 per month for basic landfill services (\$326,400 annually), plus fixed hourly rates, identified in Contract File No. 06-1100, for work performed outside of the basic services. In addition, the County will reimburse Kangas for all off-road diesel fuel costs incurred within the scope of this contract. Estimated total contract costs for 2007 are \$396,500. Funding for this contract is available in Agency 607001 (Regional Landfill).

Adopted November 28, 2006. No. 614

RESOLVED, that the job specification for Youth Program Coordinator be adopted by the St. Louis County Board of Commissioners and placed in Grade 17 of the 2005 Civil Service Basic Unit Pay Plan: \$32,460 - \$45,030 (annual steps and longevities through twenty-four years of service) effective November 28, 2006;

RESOLVED FURTHER, that the personnel complement for the St. Louis County Extension Service be increased by one (1) full time equivalent in the proposed 2007 Operating and Capital Budget and that \$60,600 be reallocated from North Youth Task Force, Professional Services (Fund 184, Agency 186001, Object 629900) to North Youth Task Force, Salary and Benefits (Fund 184, Agency 186001, Object 610100).

Adopted November 28, 2006. No. 615

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the CDBG Citizen Advisory Committee; and

WHEREAS, four current citizen members have requested to serve another term on the CDBG Citizen Advisory Committee; and

WHEREAS, there are vacancies on this board which need to be filled through an advertised application process.

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

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby reappoints the following citizens to the CDBG Citizen Advisory Committee with terms expiring December 31, 2009:

Ann Taray (Small Cities)  
Walt Hautala (Northern Townships)  
Tony Kuznik (Hibbing)  
Robert Mayry (At-Large)

BE IT FURTHER RESOLVED, that the Auditor shall advertise and accept applications until January 19, 2007, for two vacant positions on the CDBG Citizen Advisory Committee, serving a three-year term.

Adopted November 28, 2006. No. 616

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Andrew Webb to the Civil Service Commission for a three-year term expiring December 31, 2009.

Adopted November 28, 2006. No. 617

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County is committed to a clean and healthy environment for its employees and customers; and

WHEREAS, the County requires the services of a contractor with the proper qualifications to provide the Janitorial/Custodial Service; and

WHEREAS, quotes were solicited for this service and Northland Supply, Inc., d/b/a Whistle Cleaning Services, provided the lowest responsible quote.

NOW, THEREFORE BE IT RESOLVED, that the appropriate County officials are authorized to execute a one-year agreement, with four one-year extensions if desired, with Northland Supply, Inc., d/b/a Whistle Cleaning Service, to provide Janitorial/Custodial Service at a cost of \$43,235.40 per year, payable from:

Lincoln Park Senior Center:	Fund 230 Public Health and Human Services, Agency 232043 Lincoln Park Senior Center, Object 630900 Buildings/Grounds Upkeep = \$10,920.00 per year
Central Kitchen:	Fund 660 Community Foods, Agency 660001 Community Foods, Object 630900 Buildings/Grounds Upkeep = \$8,736.00 per year
Midtowne Manor:	Fund 660 Community Foods, Agency 660001 Community Foods, Object 630900 Buildings/Grounds Upkeep = \$8,736.00 per year
Land Department in Pike Lake:	Fund 240 Land Administration, Agency 241008 Pike Lake, Object 630900 Buildings/Grounds Upkeep = \$8,754.24 per year
9-1-1 Center in Duluth:	Fund 100 General Fund, Agency 135001 Emergency Communication, Object 630900 Buildings/Grounds Upkeep = \$6,089.16 per year

RESOLVED FURTHER, that Property Management will make a report to the County Board in April 2008 concerning the status of the above listed contracts.

Yeas - Commissioners Fink, Kron, Raukar and Chair Nelson - 4

Nays - Commissioners O'Neil and Forsman - 2

Absent - Commissioner Sweeney - 1

Adopted November 28, 2006. No. 618

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**BY COMMISSIONER O'NEIL:**

RESOLVED, the 2007 tobacco license fee is established at \$100 as listed in the 2007 Fee Schedule, a copy of which is contained in County Board File No. 58609;

RESOLVED FURTHER, the St. Louis County Liquor License Committee is directed to consider fees for both tobacco and liquor licenses and make a recommendation to the County Board on any proposed increases no later than March 31, 2007.

Unanimously adopted. November 28, 2006. No. 619

**BY COMMISSIONER NELSON:**

WHEREAS, the County Extension Committee (CEC) has received a request from the University of Minnesota Extension Service Nutrition Education Program to approve a 2007 Memorandum of Intent (MOI) between the County and the University Extension Service to continue the Nutrition Program for the 2007 calendar year; and

WHEREAS, the Extension Service's Nutrition Education Program is funded with a grant from the United States Department of Agriculture (USDA), and is secured by matching contributions of state, county, and local public funds, and these matches may consist of cash or in-kind support; and

WHEREAS, St. Louis County is being asked to agree to provide supporting documentation for \$33,817.11 of in-kind support for the Food Stamp Nutrition Education Grant (FSNE) and \$16,202.92 of in-kind support for the Expanded Food and Nutrition Education Program Grant (EFNEP) to complete the agreement for the operation of the Nutrition Education Program in 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves, and authorizes the Chair of the Board to sign, the Memorandum of Intent with the University of Minnesota Extension Service Nutrition Education Program, Contract No. 06-1101, and agrees to provide documentation indicating an actual cost-share contribution (in-kind) for \$33,817.11 of in-kind support for the Food Stamp Nutrition Education Grant (FSNE) and \$16,202.92 of in-kind support for the Expanded Food and Nutrition Education Program Grant (EFNEP) for the period of January 1, 2007 - December 31, 2007.

Unanimously adopted. November 28, 2006. No. 620

**BY COMMISSIONER FINK:**

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the St. Louis County Planning Commission; and

WHEREAS, two current citizen members have requested to serve another term on the Planning Commission; and

WHEREAS, there are vacancies on this board which need to be filled through an advertised application process.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners reappoints the following citizens to the Planning Commission with terms expiring December 31, 2009:

Don Nienas

Jack Huhta

BE IT FURTHER RESOLVED, that the Auditor advertise and accept applications until January 19, 2007, for three vacant positions on the Planning Commission, serving a three-year term.

BE IT FURTHER RESOLVED, that St. Louis County Board of Commissioners reappoints Paula Blocynski to the specific task of completion of the Vermilion Plan.

Unanimously adopted. November 28, 2006. No. 621

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the St. Louis County Board of Adjustment; and

WHEREAS, one current citizen member has requested to serve another term on the Board of Adjustment; and

WHEREAS, there are two vacancies on this board which need to be filled through an advertised

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

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application process.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners reappoints the following citizens to the Board of Adjustment with a term expiring December 31, 2009:

William Thomas Coombe

BE IT FURTHER RESOLVED, that the Auditor advertise and accept applications until January 19, 2007, for the vacant positions on the Board of Adjustment, serving a three-year term.

Unanimously adopted. November 28, 2006. No. 622

Upon motion of Commissioner Fink, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 623 which was not on the agenda.

**BY COMMISSIONER FINK:**

WHEREAS, the State of Minnesota adopted the Wetland Conservation Act (WCA), effective on January 1, 1992, and appropriated \$6,000,000 for Reinvest In Minnesota (RIM) funds to offset the impacts due to the WCA exemptions, and now significant changes are being proposed to the WCA that have wide-ranging impacts on the creation and mitigations of wetlands in the State of Minnesota, without adequate opportunity for review and comment by local governments; and

WHEREAS, the Board of Water and Soil Resources (BWSR) has identified that the state is not meeting the "no-net loss" requirement in the regulatory process for wetlands creation, but cannot identify the specific counties or areas where goals are not being met, and cannot accurately quantify actual and potential impacts from exempt activities; and

WHEREAS, the criticism has been made that the methods used by BWSR to generate the net loss acreage is not inclusive, as it does not take into account all the conservation practices, idle farmland, and land that has been enrolled in a conservation practice that has reverted to wetlands; and

WHEREAS, increased replacement ratios for non-exempt impacts are being proposed to compensate for exempt impacts, and increased replacement ratios are being proposed for "not in advance" replacement based on temporal loss of wetland function and values, disregarding the temporal gain of wetland function and values gained through unexpended balances in the various approved wetland banks; and

WHEREAS, the current de minimis exemption is proposed to be reduced to 50% of current allowance;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby expresses its concern about the process that is being utilized for making changes to the Wetland Conservation Act (WCA), and that the concerns of local governmental units that are meeting WCA goals are not being adequately considered; and

RESOLVED FURTHER, that the St. Louis County Board is opposed to changes to the WCA that will increase replacement ratios for non-exempt impacts beyond that which is currently required by the United States Army Corp. Section 404 Program;

RESOLVED FURTHER, that St. Louis County is opposed to decreasing the current de minimis in greater than 80% counties;

RESOLVED FURTHER, that St. Louis County supports a limit to restoration credit of 25-50%, based on functional analysis, for partially-drained wetlands or fanned wetlands where hydrology is still intact, in greater than 80% counties, including those restoration activities for mining impacts;

RESOLVED FURTHER, that St. Louis County supports the continued agricultural exemption allowance for wetland-dependent crops, such as wild rice and cranberries;

RESOLVED FURTHER, that St. Louis County requests that Board of Water and Soil Resources (BWSR) to recommend to the Governor that the funds be appropriated to offset the impacts of exemptions as the Legislature originally intended with the Wetland Conservation Act in 1991 by appropriating funds in the Reinvest in Minnesota (RIM) Program thereby achieving a no-net loss of wetland quantity, quality and biological diversity.

RESOLVED FURTHER, that St. Louis County requests that Board of Water and Soil Resources (BWSR) modifies the timeline of the Wetland Conservation Act assessment to allow local government

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units and other interested parties to collaborate with BWSR to develop practical solutions to maintain the obligation to no net loss of wetland quantity, quality and biological diversity.

Unanimously adopted. November 28, 2006. No. 623

Upon motion of Commissioner Nelson, supported by Commissioner Fink, the rules were suspended to adopt Resolution No. 624 which was not on the agenda.

**BY COMMISSIONER FINK:**

WHEREAS, the State of Minnesota adopted the Wetland Conservation Act (WCA), effective on January 1, 1992, and now significant changes are being proposed to the WCA that have wide-ranging impacts on the creation and mitigations of wetlands in the State of Minnesota, without adequate opportunity for review and comment by local governments; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby appoints three of its members to serve as a Wetland Subcommittee of the Board to consider the wetlands issue in St. Louis County and report its findings, so that a comprehensive County recommendation can be presented to the state regarding proposed changes to the WCA.

RESOLVED FURTHER, the subcommittee shall consist of the Chair of the Environment & Natural Resources Committee, Chair of Central Management & Intergovernmental Relations, and the Chair of the Public Works Committee.

RESOLVED FURTHER, the Wetland Subcommittee shall report its findings back to the County Board by March 15, 2007.

Unanimously adopted. November 28, 2006. No. 624

At 11:48 A.M. on Tuesday, November 28, 2006, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:

Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**ST. LOUIS COUNTY BOARD OF COMMISSIONERS  
INFORMATIONAL MEETING AND PUBLIC HEARING  
TRUTH IN TAXATION FOR THE  
2007 ST. LOUIS COUNTY BUDGET AND LEVY**

Thursday, November 30, 2006, Courthouse, Duluth, MN

Thursday, December 7, 2006, Courthouse, Virginia, MN

The Truth In Taxation (TINT) informational public meeting was called to order at 5:04 p.m. on Thursday, November 30, 2006, in the County Boardroom, 2nd Floor, Courthouse, Duluth, MN, by Commissioner Keith Nelson, Chair of the County Board. The following members were present for the meeting: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Keith Nelson, Chair. Absent: None

Dana Frey, County Administrator, presented an overview of the proposed 2007 County budget highlighting some of the factors driving the costs of county government higher. Administrator Frey played a video entitled Fourteen Reasons Why Property Taxes Vary From Year To Year, which was produced by the Association of Minnesota Counties and the League of Minnesota Cities.

Chair Nelson opened the meeting to the public and the following persons addressed the Board concerning the proposed 2007 budget and levy:

Dave Olsen, Ely, asked why the County portion of proposed property taxes was increasing at such an alarming rate.

Pete Weidman, Duluth, expressed concern about the effects of increasing property taxes on homeowners living on a fixed income. These taxpayers may face difficult future choices if tax rates continue to rise.

Virgil Swing, Duluth, said property valuations continue to rise while the real estate market has remained stagnant. Mr. Swing urged the Board to do what it could to hold the line on tax increases.

Tom Johnson, Duluth, said he owns property on Lake Vermilion and has seen precipitous increases in value in recent years. He urged the Board to support legislative reinstatement of the limited market value.

Lynn Ann Hollatz, Town of Duluth, said homeowners are being driven from their homes by rising property taxes and costs of the new sewer system being installed along Lake Superior.

Steve Cozzi, Duluth, said state regulations concerning wetlands prohibit development in many areas.

Roberta Otto, Duluth, said the property tax system punishes homeowners for improvements they make and improvements made by neighboring property owners. She urged the Board to look at legislation that would limit valuation increases.

Rick Johnston, Saginaw, asked the County to sell more forfeited land to increase the tax base.

Chris Lian, Duluth, said home prices are dropping yet values are rising and he asked for an explanation.

After some discussion, Commissioner Kron, supported by Commissioner Fink, moved to adjourn the informational meeting at 6:56 p.m.; seven yeas, zero nays.

On Thursday, December 7, 2006, at 5:12 p.m., a TINT public hearing was convened in Courtroom One,

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Virginia Courthouse, Virginia, MN, to receive citizen input on the proposed budget and property tax levy for 2007 with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Steve Raukar and Keith Nelson, Chair of the County Board. Commissioner Sweeney was absent.

Dana Frey, County Administrator, again presented an overview of the County budget and played the video Fourteen Reasons Why Property Taxes Vary From Year To Year.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning the proposed 2007 budget and levy and the following chose to do so:

Jerry Baland, Cook, said his property located on Lake Vermilion has seen increases of five times the rate of inflation. He asked for justification for these large increases.

Grace Benz, Hibbing, had similar concerns and said the County is taxing her out of her home.

Frank LaPatka, Cook, said he understands increases to lakeshore property but he questioned why his property containing a hunting shack should be going up at the same rate.

Keith Severson, Tower, said he can't afford the rapidly increasing taxes on his property on Lake Vermilion.

Rocci DeBreto, Britt, said the government needs to look for another way to pay for services other than property taxes.

Betty Rosett, Ely, said taxes will soon drive her out of her home.

Kerry Abramson, Orr, said increases are far beyond the rate of inflation and it was time to put an end to these increases.

Jim Hofsommer, Colvin, asked about restructuring that has taken place in the Assessor's Office. Mr. Hofsommer also discussed the inequities experienced by lakeshore property owners and the plight of local loggers.

Karen Frazee, Lake Vermilion property owner, urged the Board to make necessary cutbacks to keep property taxes from driving people out of their homes.

Lilian Latola, Palo, said property tax refund forms are difficult to decipher and she said the County should concentrate on improving roads.

George Brand, Side Lake, explained problems with improvements to County Road 5.

Kevin Nosan, Lakeshore property owner, also asked the Board to hold the line on budget and levy increases.

After some discussion, Commissioner Kron, supported by Commissioner O'Neil, moved to adjourn the TINT public hearing at 7:40 p.m.; six yeas, zero nays.

Keith Nelson, Chair of the County Board

Paul L. Tynjala, Deputy Auditor/Clerk of County Board

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

**DECEMBER, 2006**

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON DECEMBER 12, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of December, 2006, 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, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Donald Dicklich, County Auditor, presented a Volunteer Excellence Award to Tom Cartier, Duluth, for his active participation in many civic groups and his tireless efforts on behalf of the Spring Point Project which is dedicated to finding a cure for diabetes. Mr. Cartier thanked the Board for the recognition and presented a brief history of the Spring Point Project which has raised \$18 million in less than six months.

Commissioner Raukar recognized outgoing County Attorney Alan Mitchell for his 28 years of dedicated service to St. Louis County (see County Board File No. 58623). Michael Dean, Assistant County Attorney, thanked Attorney Mitchell on behalf of the entire County Attorney staff and said he should be proud of his many accomplishments including development of career, professional staff in the Attorney's Office. Commissioner Kron, who is the only elected official serving longer than the County Attorney, said Attorney Mitchell will be missed and his diligence has saved the County millions of dollars during his term in office.

At 10:00 A.M. in the forenoon of Tuesday, December 12, 2006, Chair Nelson moved to recess the Board until 10:10 A.M. on December 12, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:10 A.M. on Tuesday, December 12, 2006, and the regular order of business resumed with all members present.

Commissioner Fink presented Chair Nelson with a 2006 Achievement Award from the Association of Minnesota Counties (AMC) for the 2006 St. Louis County Minnesota Sesquicentennial Evaluation Report Card. Dana Frey, County Administrator, thanked Administration staff, particularly Linnea Mirsch, for their hard work preparing the report card.

At 10:16 A.M., a public hearing was convened pursuant to County Board Resolution No. 572, adopted October 24, 2006, to consider a Class "B" land exchange between St. Louis County and William Huberty, William McGrath, Steve Ginther and Lee Stokke. The following persons addressed the issue:

Jason Meyer, Land Department, described the exchange and said it would benefit St. Louis County

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land management.

William Huberty, landowner, described proposed use of the lands and said the exchange works well for both parties.

No one else chose to address the issue.

At 10:30 A.M., Commissioner Sweeney, supported by Commissioner Kron, moved to close the hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner O'Neil, moved to approve the land exchange; seven yeas - zero nays. Resolution No. 641.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

Commissioner O'Neil, supported by Commissioner Kron, moved to table until December 19 consideration of the appointment of Commissioner O'Neil as representative to a meeting of the Region III counties to consider organizing a joint powers board to pursue County Based Purchasing; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Kron, moved to adopt the "St. Louis County State Tax Forfeited Lands Timber Sale Extension Exception Policy - 2006" (option 1). The following persons addressed the issue:

Robert Krepps, Land Commissioner, said conditions in the logging industry are grim and he recommended adoption of Option 1. Land Commissioner Krepps explained the differences between Options 1 and 2 and said loggers who turn back contracts will not be prohibited from bidding on the new offering.

John Gephart, Vice-President North Shore Forest Products, detailed the plight of the loggers and said Option 1 was good but Option 2 would provide even more relief.

At 11:13 A.M. in the forenoon of Tuesday, December 12, 2006, Chair Nelson moved to recess the Board until 11:18 A.M. on December 12, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:25 A.M. on Tuesday, December 12, 2006, and the regular order of business resumed with all members present.

Discussion of the forfeited land policy resumed and the following persons addressed the issue:

Ray Higgins, Minnesota Forest Industries, said both options have merit and he thanked the Board for considering proposals of relief for loggers.

Scott Dane, Loggers and Truckers Association, said his organization prefers Option 2 because it would provide more relief for loggers opting out of timber contracts.

After lengthy discussion concerning costs of each option and the ability to revisit the issue if situations warrant, option 1 was approved; seven yeas - zero nays. Resolution No. 642.

Commissioner Sweeney, supported by Commissioner Kron moved to approve support for legislation enabling sale of certain tax forfeited lands on public waters at public sale; seven yeas - zero nays.

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Resolution No. 643.

Commissioner Forsman, supported by Commissioner O'Neil, moved to suspend the rules to consider sponsorship of various Federal Enhancement Projects in St. Louis County for fiscal year 2011; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve sponsorship. John Ongaro, Intergovernmental Relations Officer, explained the three projects involved and asked the Board to amend the proposed resolution to indicate that only Project 1 (bike trail in Mt. Iron) does not require County funding or maintenance. Commissioner Fink asked for more details about Project 3 (WPA Wayside Rest). Commissioner Sweeney, supported by Commissioner Fink, moved to table the matter to 1:30 P.M. to allow Administration time to gather more information about Project 3; seven yeas - zero nays.

The St. Louis County Operating and Capital Budget for 2007 and 2006 Property Tax Levy was then discussed. The following persons addressed the budget:

Dana Frey, County Administrator, presented an overview of the budget process and an analysis of current economic conditions and forecasts. Administrator Frey detailed an "Author's Amendment" of changes to portions of the budget.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve the 2007 Budget with the Author's Amendment.

At 12:30 P.M. in the forenoon of Tuesday, December 12, 2006, Chair Nelson moved to recess the Board until 1:45 P.M. on December 12, 2006, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 1:50 P.M. on Tuesday, December 12, 2006, and the regular order of business resumed with all members present.

Discussion of the 2007 budget resumed with the following persons addressing the issue:

Lisa Potswald, Deputy County Administrator, explained funding for homeless issues included in the budget.

Barbara Hayden, Planning Director, explained use of CDBG dollars for homeless programs and sharing of costs with the City of Duluth.

Alan Mitchell, County Attorney, said there will be some technical changes (language corrections, etc.) made to the budget document but the changes will not affect the intent of the Board.

Commissioner Fink objected to the inclusion of \$2 million for highway projects and other initiatives that was included in the September preliminary budget and said he would not support the budget as proposed. After further discussion, the budget and levy were adopted; six yeas - one nay, Commissioner Fink. Resolution No. 646.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve an office space lease with the State of Minnesota for the Hibbing Annex. Tony Mancuso, Property Manager, explained build-out costs and said the two-year lease is typical for the State, although he expects the state to remain in the Annex for a long time. County Attorney Mitchell reminded the Board that because bonding was used for the Annex, leasing is limited to state and local governmental units. Commissioner Fink said the Annex is a bad business proposition and he will not support the lease.

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After further discussion, the lease agreement was approved; six years - one day, Commissioner Fink. Resolution No. 645.

Sponsorship of three Federal Enhancement Projects - tabled earlier in the meeting - was back on the floor for discussion. Commissioner Forsman explained that Project 3 was a facility restoration near Buchanan of stone and rock construction that was built as a wayside rest by the WPA. County-state aid funding along with federal enhancement funds will be used; seven years - zero days. Resolution No. 644.

Commissioner Forsman asked Administration to provide a breakdown of market value increases by commissioner district sometime within the next three months.

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

Documentation from persons opposed to the increase in their property taxes for 2007.--58615

St. Louis County State Tax Forfeited Land Department Timber Sale Extension Exception Policy - 2006, Option 1.--58616

Documentation from public hearing held on December 12, 2006, to consider the exchange of Class "B" lands located in Township 53 North, Range 18 West, with William Huberty, William McGrath, Steve Ginther and Lee Stokke.--58617-D

Frank Yetka, Rudy, Gassert, Yetka & Pritchett Law Office, submitting Summons and Complaint in the matter of Janis E. Nelson versus County of St. Louis, as owner and operator of Chris Jensen Health and Rehabilitation Center, and Debra Switzer.--58618

John Gephart, Vice-President, North Shore Forest Products, relative to the challenges facing loggers, truckers and the forest products industry.--58619

Donald Dicklich, County Auditor, submitting information regarding a Volunteer Excellence Award given to Tom Cartier for his participation in many civic groups and his efforts on behalf of the Spring Point Project which is dedicated to finding a cure for diabetes.--58620

Contract between the County of St. Louis and Duluth Superior Erection for M.P. 6-1029, C.P. 1029, to Reconstruct Drainage Structures, Replace Sidewalk and Curb and Gutter.--06-1279

Addendum to Purchase Agreement, Contract No. 13083E, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Hibbing.--06-1280ss

Addendum to Purchase Agreement, Contract No. 13483D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (SILS).--06-1281ss

Addendum to Purchase Agreement, Contract No. 13084E, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Virginia.--06-1282ss

Agreement for Professional Services between St. Louis County and Golder Associates Incorporated for Cathodic Protection Testing for Public Works Maintenance Facilities.--06-1283

Amendment No. 1 to the Agreement for Professional Services between St. Louis County and Toltz,

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King, Duvall, Anderson and Associates for S.A.P. 69-624-018.--06-1284

Amendment No. 1 to the Agreement for Professional Services between St. Louis County and Toltz, King, Duvall, Anderson and Associates for S.A.P. 69-724-003.--06-1285

Addendum to Purchase Agreement, Contract No. 13059E, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (CCSA), for day training and habilitation.--06-1286ss

Addendum to Purchase Agreement, Contract No. 13060E, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (MA MR/RC Waiver), for day training and habilitation.--06-1287ss

Addendum to Purchase Agreement, Contract No. 13061E, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (CCSA) for day training and habilitation.--06-1288ss

Addendum to Purchase Agreement, Contract No. 13062E, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (MA MR/RC Waiver) for day training and habilitation.--06-1289ss

Addendum to Purchase Agreement, Contract No. 13063E, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (CCSA) for day training and habilitation.--06-1290ss

Addendum to Purchase Agreement, Contract No. 13064E, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (MA MR/RC Waiver) for day training and habilitation.--06-1291ss

Addendum to Purchase Agreement, Contract No. 13065E, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (CCSA), for day training and habilitation.--06-1292ss

Addendum to Purchase Agreement, Contract No. 13066E, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (MA MR/RC Waiver), for day training and habilitation.--06-1293ss

Addendum to Purchase Agreement, Contract No. 13078E, between the St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (CCSA), for day training and habilitation. --06-1294ss

Addendum to Purchase Agreement, Contract No. 13079E, between the St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (MA MR/RC Waiver), for day training and habilitation.--06-1295ss

Addendum to Purchase Agreement, Contract No. 13074E, between the St. Louis County Board of Commissioners and Range Center, Inc. (CCSA), for day training and habilitation.--06-1296ss

Addendum to Purchase Agreement, Contract No. 13075E, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver), for day training and habilitation.--06-1297ss

Addendum to Purchase Agreement, Contract No. 13076E, between the St. Louis County Board of Commissioners and UDAC, Inc. (CCSA), for day training and habilitation.--06-1298ss

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Addendum to Purchase Agreement, Contract No. 13077E, between the St. Louis County Board of Commissioners and UDAC, Inc. (MA MR/RC Waiver), for day training and habilitation.--06-1299ss

Extension of Maintenance and Support Agreement SA 001396-000 between the St. Louis County Sheriff's Office and Motorola, Inc., for the AFIS 2000 product.--06-1300

Agreement for Professional Services between the County of St. Louis and Kangas Excavating, Inc., for Phase 5 Pre-Construction Excavation - 2006.--06-1301

Agreement for Professional Services between the County of St. Louis and Whitney Crettol for work with the Committee to End Homelessness.--06-1302

Addendum No. 2 to Agreement between St. Louis County and the City of Ely for construction of a multi-use, year-round recreation complex located between Miners Drive and Washington Street.--06-1303

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, through its Solid Waste Department, and the City of Mt. Iron.--06-1304

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 625 through 640, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER KRON:**

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. 58495, are hereby approved:

Real Estate - Morris Flack, \$561.40; Mark Foster, \$988.00; Debra Kolden, \$521.20; Daniel Mason, \$454.12; Gregory Meagher, \$592.34; Linda Osborne, \$308.06; Candace Wilcox, \$299.60.

Personal Property - April Mayry, \$292.24.

Adopted December 12, 2006. No. 625

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 22, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted December 12, 2006. No. 626

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, is hereby approved and the County Auditor is authorized to issue the license as follows; RESOLVED FURTHER, that said license is effective January 1, 2007, through December 31, 2007; 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, but without pro-rated refund to the licenseholder:

Lauri Wilton, d/b/a Baba's Place, City of Brookston, Tobacco Products License No. T07225, transfer. Adopted December 12, 2006. No. 627

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the application for license to sell

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tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 58513, is hereby approved and the County Auditor is authorized to issue the license as follows; RESOLVED FURTHER, that said license is effective December 12, 2006, through December 31, 2006;

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, but without pro-rated refund to the licenseholder:

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, Tobacco Products License No. T06224, transfer.  
Adopted December 12, 2006. No. 628

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, 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, but without pro-rated refund to the licenseholder:

Bois Forte Reservation Tribal Council, d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T07217, change of officers.  
Adopted December 12, 2006. No. 629

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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Wieber & Associates, Inc., d/b/a Ash Trail Lodge, Unorganized Township 68-19, Tobacco Products License No. T073, August 16, 2003;

Bil-Mar's Supper Club, Inc., d/b/a Bil-Mar's Supper Club, Inc., Unorganized Township 55-21, Tobacco Products License No. T079, May 25, 2000;

J & M Ventures, Inc., d/b/a Breeze Inn, Lakewood Township, Tobacco Products License No. T0717, December 29, 2003;

Buffalo Valley, Inc., d/b/a Buffalo House, Midway Township, Tobacco Products License No. T07202, September 30, 1998;

Susan Chalstrom/John Chalstrom, d/b/a Chalstrom's Bait, Rice Lake Township, Tobacco Products License No. T0724, December 31, 2002, and December 22, 2004;

5717, Inc., d/b/a Crossroads Store, Brevator Township, Tobacco Products License No. T0737, October 1, 1998, and December 23, 2004;

Jauert, Inc., d/b/a Eagle's Nest Resort, Fredenberg Township, Tobacco Products License No. T0743,

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December 29, 2003;

Frederick A. Meyer, d/b/a Meyer's Minnows, Gas & More, Unorganized Township 63-19, Tobacco Products License No. T07151, July 10, 2003;

Leon Polley, d/b/a Polley's Resort, Unorganized Township 63-17, Tobacco Products License No. T07108, September 13, 1998;

Curtis Convenience Stores, Inc., d/b/a SuperAmerica, Cotton Township, Tobacco Products License No. T0750, December 23, 2004.

Adopted December 12, 2006. No. 630

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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, Tobacco Products License No. T07224;

McV's, Inc., d/b/a Big Guys Bar, City of Aurora, Tobacco Products License No. T078;

Ragnar Properties, Inc., d/b/a Billy's, Rice Lake Township, Tobacco Products License No. T07170;

Bimbo's, Inc., d/b/a Bimbo(s) Octagon, French Township, Tobacco Products License No. T07166;

Marlene Anding, d/b/a Char Mars, Alborn Township, Tobacco Products License No. T0725;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township, Tobacco Products License No. T0728;

Paul/Mary Lautigar, d/b/a Corner Express, Biwabik Township, Tobacco Products License No. T0731;

Gruben's Marina, Inc., d/b/a Gruben's Marina, Greenwood Township, Tobacco Products License No. T0759;

Homecroft Super Valu, Inc., d/b/a Homecroft Super Valu, Rice Lake Township, Tobacco Products License No. T0766;

Joni Stutzman/Sharon Stutzman, d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License No. T0768;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Tobacco Products License No. T07207;

Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, Tobacco Products License No. T07216;

Liupakka, Inc., d/b/a Munger Tavern & Grill, Solway Township, Tobacco Products License No. T07163;

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Btl Enterprises, Inc., d/b/a Old Muni Bar & Lounge, City of Cook, Tobacco Products License No. T07221;

Rocky Ledge Resort, LLC, d/b/a Rocky Ledge Resort, Kabetogama Township, Tobacco Products License No. T07184;

Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township, Tobacco Products License No. T07212;

Jeffrey/Betty Schanche, d/b/a Schanche's Side Lake Store, French Township, Tobacco Products License No. T07211;

Sullivan's Mercantile, Inc., d/b/a Twig General, Grand Lake Township, Tobacco Products License No. T07129;

Wilbert, Inc., d/b/a Wilbert Cafe & El Toro Lounge, Cotton Township, Tobacco Products License No. T07199.

Adopted December 12, 2006. No. 631

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58548, are in default for non payment of taxes or installment payments; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby approve the cancellation of said contracts for purchase/repurchase of State tax forfeited land listed by the County Auditor in County Board File No. 58548, 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 December 12, 2006. No. 632

WHEREAS, Art and Patti Richter have requested to purchase the following described State tax forfeited property for the purpose of consolidating ownership:

Undivided 1/4 interest, NE 1/4 of NE 1/4, Section 22  
Undivided 1/4 interest, NW 1/4 of NW 1/4, Section 23  
Township 63 North, Range 12 West

WHEREAS, St. Louis County's land management interests would best be served if the lands were returned to private ownership; and

WHEREAS, Minnesota Session Laws 2006, Chapter 236, Section 36, authorizes St. Louis County to sell the State tax forfeited land described above by private sale; and

WHEREAS, said parcels of land have been classified as non-conservation land pursuant to Minnesota Statutes, Sections 84.012, 92.461, 282.01, Subdivision 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited parcels to Art and Patti Richter for the appraised value of \$23,440.00 plus the following fees: 3% assurance fee of \$703.20, deed fee of \$25.00, deed tax of \$77.35, and recording fee of \$46.00; for a total of \$24,291.55 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 12, 2006. No. 633

WHEREAS, State tax forfeited land cannot be sold at a non-public sale without special legislation from

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the State of Minnesota; and

WHEREAS, it is in the public's interest to resolve certain unintentional occupancy trespasses on State tax forfeited land through a non-public sale; and

WHEREAS, St. Louis County's best interest would be served from a land management and economic viewpoint if certain lands were returned to private ownership through non-public sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation enabling the non-public sale of the following State tax forfeited parcels for their appraised value plus administrative expenses, and in a manner otherwise provided for by Minnesota Statute 282.01.

1. Special private sale to Gene Eldeen, Burnsville, Minnesota, to resolve an unintentional occupancy trespass. The legislation should include a requirement that Mr. Eldeen pay an administration fee covering incurred County expenses.

East 150 feet of the West 200 feet of the North 90 feet of the Southwest quarter of the Northwest quarter of Section 1, Township 63 North, Range 18 West of the Fourth Principle Meridian, St. Louis County, MN. This parcel contains 0.31 acres more or less.

2. Special private sale to Dennis Perrault, Duluth, Minnesota, to resolve an unintentional occupancy trespass. The legislation should include a requirement that Mr. Perrault pay an administration fee covering incurred County expenses.

A parcel in the Southwest quarter of the Northeast quarter of Section 28, Township 53 North, Range 13 West of the Fourth Principle Meridian, St. Louis County, MN, described as follows: Commencing at the East quarter corner of said Section 28; thence Westerly on the East-West quarter line on an assigned azimuth of 269 degrees 14 minutes 05 seconds a distance of 1869.6 feet to the Southeast corner of said parcel and the point of beginning; thence Northerly at an azimuth of 359 degrees 14 minutes 05 seconds a distance of 100.00 feet; thence Westerly at an azimuth of 269 degrees 14 minutes 05 seconds a distance of 100.00 feet; thence Southerly at an azimuth of 179 degrees 14 minutes 05 seconds a distance of 100.00 feet to said East-West quarter line; thence easterly at an azimuth of 89 degrees 14 minutes 05 seconds a distance of 100.00 feet to the Southeast corner of said parcel and there terminating. This parcel contains 0.23 acres more or less.

3. Special private sale to Mittal Steel USA - Minorca Mine, Inc. Mittal Steel USA is planning on opening a new mine near Biwabik, Minnesota, in 2007. The company has requested to purchase State tax forfeited land that is part of the ore reserve.

E 2/3 of W 1/2 of NE 1/4 of NE 1/4 except a triangular tract 300 x 400 feet at SE corner and except hwy rt of way, surface only, Section 9, Township 58 North, Range 16 West (11.69 acres).

W 1/3 of W 1/2 of NE 1/4 of NE 1/4 except hwy rt of way, surface only, Section 9, Township 58 North, Range 16 West (6.58 acres).

NE 1/4 of NW 1/4, Monica Mine, Section 9, T58N, R16W (40 acres).

Adopted December 12, 2006. No. 634

WHEREAS, the Land Department has reviewed a request of William R. Trygg, Robert Bodine, and Wesley P. Anderson for a road access easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the private property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural

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resource management impacts;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute, Section 282.04, Subd. 4(a), is hereby authorized to grant a roadway easement across State tax forfeited land to William R. Trygg, Robert Bodine, and Wesley P. Anderson described as follows:

A 33.00 foot wide roadway easement over all that part of the SW 1/4 of the SE 1/4, Section 18, Township 62 North, Range 14 West, St. Louis County, Minnesota, being 16.50 feet on each side of the following described centerline: Commencing at the Northwest corner of said SW 1/4 of the SE 1/4; thence S 2 degrees 00 minutes 09 seconds W, along the West line of said SW 1/4 of the SE 1/4, a distance of 145.99 feet to a point on a non-tangential curve concave to the South and the point of beginning; thence Southeasterly, along said curve, with a delta angle of 12 degrees 04 minutes 27 seconds, a radius of 80.00 feet and a chord bearing of S 66 degrees 25 minutes 25 seconds E, a distance of 16.86 feet to a tangential curve, concave to the Northeast; thence Southwesterly, along said curve, with a delta angle of 27 degrees 00 minutes 53 seconds and a radius of 160.00 feet, a distance of 75.44 feet; thence S 87 degrees 24 minutes 06 seconds E, a distance of 137.42 feet to a tangential curve, concave to the Northwest; thence Northeasterly, along said curve, with a delta angle of 88 degrees 27 minutes 38 seconds and a radius of 80.00 feet, a distance of 123.52 feet; thence N 4 degrees 08 minutes 16 seconds E, a distance of 87.50 feet, to a tangential curve, concave to the Southeast; thence Northerly, along said curve, with a delta angle of 10 degrees 53 minutes 25 seconds and a radius of 160.00 feet, a distance of 30.41 feet to the North line of said SW 1/4 of the SE 1/4 and there terminating. Right of way lines are extended to and truncated by the West and North lines of said SW 1/4 of the SE 1/4. This easement contains 0.36 acres more or less.

BE IT FURTHER RESOLVED, that the granting of this easement is conditioned upon payment of \$720.00 land use fee, \$200.00 administration fee, and \$46.00 recording fee; for a total of \$966.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 12, 2006. No. 635

WHEREAS, the route described below has been given preliminary approval for designation as County-State Aid Highway (C-SAH) 1 by the Minnesota Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, that under the authority granted by Minnesota Statute 162.02, Subdivision 7, the St. Louis County Board of Commissioners hereby establishes, locates, designates Cirrus Drive as C-SAH 1, subject to the approval of the Commissioner of Transportation.

C-SAH 1

Beginning on STH No. 53 located in the Northwest Quarter of the Northeast Quarter (NW 1/4 of the NE 1/4), Section 11, Township 50 North, Range 15 West, thence Northerly and Northwesterly to MSAS No. 199 (Airport Road) a distance of 0.30 miles.

Adopted December 12, 2006. No. 636

WHEREAS, St. Louis County has the need for the services of qualified electrical professionals for maintenance, repair, small remodeling, and energy savings projects county-wide, valued at less than \$50,000 each;

WHEREAS, to increase efficiency, enhance emergency response times, and reduce costs, the County Purchasing and Property Management Departments have drafted specifications for the electrical services and received three (3) proposals;

WHEREAS, after review of the proposals, it has been determined that APi Electric Company of Cook, Duluth and Hibbing provided the best services package for the best price;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Director of Purchasing to enter into an agreement for five (5) years with APi Electric

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Company for miscellaneous electrical services including maintenance, repair, small remodeling, and energy savings projects under \$50,000.

Adopted December 12, 2006. No. 637

WHEREAS, adults achieving self-sufficiency is a goal of the Public Health and Human Services Department; and

WHEREAS, providing services to improve the Work Participation Rate and performance within the expected range for the self-support index will help to achieve that goal; and

WHEREAS, the Minnesota Department of Human Services is making unallocated performance funds available to counties, Tribes or consortiums of counties and Tribes to address the transportation needs of Minnesota Family Investment Program (MFIP) clients and to support paid or unpaid work experience for the 2007 fiscal year; and

WHEREAS, existing transportation and work experience programs have documented success in improving outcomes for MFIP clients; and

WHEREAS, the six counties of Koochiching, Itasca, Carlton, Lake, Aitkin, and St. Louis wish to create a consortium for the expenditure of these funds, with St. Louis County serving as fiscal agent;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Public Health and Human Services Department to submit an MFIP Innovative Projects Grant application to the Minnesota Department of Human Services in the amount of \$300,807 for the grant period of January 1 through December 31, 2007, in order to provide transportation services and paid/unpaid work experience to MFIP clients in the six-county consortium. Grant funds would be receipted to Fund 230.

Adopted December 12, 2006. No. 638

WHEREAS, the Regional Public Library Systems in Minnesota have contributed to both improvements in library operations and efficiencies in providing services to the entire population of the State of Minnesota; and

WHEREAS, the State's contribution to Regional Public Library Basic System Support has not increased for more than a decade; and

WHEREAS, the funding for regional public library systems has increasingly fallen on local property tax dollars; and

WHEREAS, St. Louis County's property tax contribution to the Arrowhead Library System has doubled since 1997, and St. Louis County cannot sustain additional support of the organization at this rate;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby requests its legislative representatives and the Governor to place a high priority on a substantial increase in the Regional Public Library System Basic Support appropriation during the 2007 legislative session.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby requests that the Association of Minnesota Counties join the Minnesota Library Association (MLA) in lobbying the Legislature for this increase during the 2007 Legislative session.

Adopted December 12, 2006. No. 639

RESOLVED, that a public hearing will be held at 9:35 A.M. on Tuesday, January 9, 2007, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

Adopted December 12, 2006. No. 640

**BY COMMISSIONER RAUKAR:**

WHEREAS, William J. Huberty, in agreement with William McGrath, Steve Ginther, and Lee

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Stokke, has filed with the County Auditor a proposal for the exchange of lands; and  
WHEREAS, St. Louis County has inspected the private lands and State tax forfeited property classified as Class B lands that are the subject of said proposed exchange; and  
WHEREAS, a public hearing was held on December 12, 2006, 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 40 acre parcel of Class B State tax forfeited property that is the subject of the proposed exchange is described as follows: SE 1/4 of NE 1/4, Section 14, Township 53 North, Range 18 West.
2. The 40 acre parcel of private land that is the subject of the proposed exchange is described as follows: NE 1/4 of NE 1/4, Section 23, Township 53 North, Range 18 West.
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, 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 has a land and timber value of \$35,974.89, and the parcel to be transferred from William J. Huberty, William McGrath, Steve Ginther, and Lee Stokke to the State of Minnesota has a land and timber value of \$35,024.84, resulting in a difference of \$950.05. Said appraisals are hereby accepted and adopted by the Board of Commissioners.
6. William J. Huberty, in agreement with William McGrath, Steve Ginther, and Lee Stokke, will have to pay the difference of \$950.05 at the time of closing, pursuant to Minnesota Statutes, Section 94.344, Subdivision 3c. Funds to be deposited into Fund 240 (Forfeited Tax Fund).
7. That the County Auditor posted notice of hearing in the County Auditor(s) Office on November 15, 2006, said notice containing a description of the lands affected, and caused a copy of such notice to be published in the official newspaper of St. Louis County at least two weeks prior to December 12, 2006, the date of the hearing.
8. That the timber appraisal reports have been prepared by the St. Louis County Land Department pursuant to Department of Natural Resources Operational Order No. 63.
9. That the land acquired from this exchange would consolidate State tax forfeited ownership in the area and as well as provide a parcel more conducive to long term sustainable timber management than the State tax forfeited land being exchanged.
10. That the land received by William J. Huberty, William McGrath, Steve Ginther, and Lee Stokke in this exchange is more suitable as recreational hunting property than the land presently held.
11. That the St. Louis County Board of Commissioners hereby approves and recommends the proposed exchange.

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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. December 12, 2006. No. 641

**BY COMMISSIONER SWEENEY:**

RESOLVED, that the St. Louis County Board hereby adopts the St. Louis County State Tax Forfeited Land Department Timber Sale Extension Exception Policy - 2006, Option 1, a copy of which is contained in County Board File No. 58616.

Unanimously adopted. December 12, 2006. No. 642

WHEREAS, State tax forfeited land on public waters containing greater than 150 feet of water frontage cannot be sold without special legislation from the State of Minnesota; and

WHEREAS, St. Louis County(s best interest would be served from a land management viewpoint if the following lands were returned to private ownership:

1. W'yly 416 feet of SW 1/4 of SW 1/4 except W'yly 208 feet of S'yly 624 feet, Section 21, T56N, R18W
2. E 1/2 of W 1/2 of E 1/2 of SW 1/4 of NW 1/4, Section 27, T57N, R17W
3. SW 1/4 of SW 1/4 except W 1/2, Section 14, T62N, R18W
4. S 1/2 of SW 1/4 of SW 1/4, Section 16, T62N, R18W
5. NE 1/4 of SW 1/4, Section 35, T57N, R12W
6. Lot 3, Section 1, T55N, R21W
7. Lots 11, 12, 18, Hillside Garden Tracts to Proctor, Section 10, T49N, R15W
8. Lots 7, 8, 9, Block 2, Wonderland 1st Addition to Town of Duluth, Section 17, T51N, R12W
9. SW 1/4 of SE 1/4 except 5 acres at NW corner and except S 1/2 and except E 1/2 of NE 1/4, Section 10, T52N, R12W
10. N 1/2 of NW 1/4 except hwy rt of way, Section 33, T50N, R20W
11. NW 1/4 of SE 1/4 except that part of the NE 1/4 Lying N of the East Van Road and except S 1/2 of N 1/2 of S 1/2 and except S 1/2 of S 1/2, Section 5, T52N, R14W
12. SW 1/4 of NE 1/4, Section 18, T52N, R15W
13. SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4, Section 15, T51N, R14W
14. S 1/2 of NW 1/4 of NW 1/4 except hwy rt of way, Section 8, T51N, R14W;  
SW 1/4 of NW 1/4 except NW 1/4 of SW 1/4 of NW 1/4 and except SW 1/4 of SW 1/4 of NW 1/4, except S'yly 50 ft and except hwy rt of way, Section 8, T51N, R14W
15. W 200 feet of W 1/2 of S 1/2 of NE 1/4 of SE 1/4, Section 9, T50N, R14W

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16. Lots 7, 8, 9, N'y 218 30/100 feet of Lot 10; Lots 34, 35, 36, 37; Lots 58, 59, 60, 61, Englewood Farms Duluth, Section 9, T50N, R14W

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation enabling the sale of the above described State tax forfeited lands at public sale for their appraised value and in a manner otherwise provided for by Minnesota Statute, Section 282.01. Unanimously adopted. December 12, 2006. No. 643

Upon motion of Commissioner Forsman, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 644 which was not on the agenda.

**BY COMMISSIONER FORSMAN:**

WHEREAS, the County of St. Louis has in the past sponsored Federal Enhancement for various cities, townships and organized groups; and

WHEREAS, the listed projects merit sponsorship by St. Louis County; and

WHEREAS, Project No. 1 listed below does not require funding or maintenance by St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the County of St. Louis shall agree to sponsor the listed projects for the purpose of securing SAFETEA-LU funding; and

RESOLVED FURTHER, that the County of St. Louis shall provide assistance on a limited basis to assure the success of the following projects:

1. Bike/Pedestrian Trail (2011): High School to Meritt Elementary School, by the City of Mt. Iron.
2. Railroad/Facility Improvements (2011); Duluth and Twin Cities Passenger Rail, by St. Louis and Lake Counties Regional Railroad Authority.
3. Facility Restoration (2011); Historic WPA Wayside Rest, by St. Louis County; and

RESOLVED FURTHER, that the required twenty percent local match for Project No. 3 would be funded with State Aid Funds through Fund 220.

Unanimously adopted. December 12, 2006. No. 644

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County has purchased the former Mesaba Clinic building (now known as the Hibbing Annex) located adjacent to the Hibbing Courthouse in 2001; and

WHEREAS, the County has extra unoccupied space located on the lower level; and

WHEREAS, the County has been approached by the State of Minnesota's Department of Administration, Real Estate Division, requesting to rent 950 square feet of space therein in the space known as L-100; and

WHEREAS, the County has agreed to a two-year lease agreement with the State of Minnesota's Department of Administration, Real Estate Division.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute a lease agreement with the State of Minnesota's Department of Administration, Real Estate Division, commencing January 1, 2007, through December 31, 2008, at the gross annual rate of \$14,668.00 (\$1,222.33/month, \$15.44/sq. ft. for 950 sq. ft.). Revenues from this lease will be assigned to Fund 100, Agency 128013.

Yeas - Commissioners O'Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson - 6

Nays - Commissioner Fink - 1

Adopted December 12, 2006. No. 645

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

442

(See Budget/Levy Resolution 2006 for Fiscal Year 2007 - No. 646)

At 3:22 P.M. on Tuesday, December 12, 2006, upon motion of Commissioner Kron, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)

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

462

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

442

**BY COMMISSIONER RAUKAR:**

**BUDGET AND LEVY RESOLUTION  
2006 FOR FISCAL YEAR 2007**

RESOLVED, that the Board of Commissioners of the County of St. Louis, duly assembled in regular session this 12th day of December, 2006, does hereby approve the 2007 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 \$97,406,015 as heretofore prepared by this Board, pursuant to Minnesota Statutes 363C.021 and made a part of its proceedings, to-wit:

<b>A. County-wide Levy (Non-debt)</b>	
Fund 100 General Fund	36,054,986
Fund 184 County Extension	764,054
Fund 200 Road & Bridge Fund	21,235,357
Fund 230 Public Health & Human Services	29,896,394
Fund 400 Capital Projects-Courthouse	1,254,992
Fund 405 Capital Project - Road & Bridge	532,876
	<u>\$ 69,738,659</u>
<b>B. Regional Levy (Non-debt)</b>	
Fund 100 General Fund - Arrowhead Regional Library	704,510
	<u>\$ 704,510</u>
<b>C. Debt Service funds (County-wide)</b>	
Fund 302 Hibbing PW Facility	85,523
Fund 304 Capital Improvement Bond - 2001	1,246,628
Fund 305 Refunding Bond Correctional Facilities - 2002B	1,305,675
Fund 306 2002 Capital Equipment Note - 2002C	1,137,106
Fund 308 Capital Equipment Note - 2004B	814,826
Fund 309 Capital Improvement Bond 2004A	1,270,120
Fund 310 AJC Refunding Bond 2004C	183,908
Fund 311 Capital Improvement Bond 2005	197,634
Fund 312 Law Enforcement Refunding Bond 2005	509,644
Fund 313 - Capital Equipment Note 2007	95,470
	<u>\$ 6,845,534</u>
<b>D. Enterprise fund debt service (County-wide)</b>	
Fund 635 Nursing Home Revenue Bond	117,312
	<u>\$ 117,312</u>
	<u><u>\$ 97,406,015</u></u>

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

		Adopted Expenditures	597600 Transfers Out	311201 Accumulation of Fund Balance	Total Use of Assets	500100 Property Tax Levy	Other Revenue	590100 Transfers in	311202 Use of Fund Balance	Total Source of Assets
<b>GENERAL FUND</b>	100 General Fund	77,566,397	641,403	-	78,207,800	(36,759,495)	(38,185,126)	(3,263,178)	-	(78,207,800)
	173 Emergency Shelter Grant	122,100	-	-	122,100	-	(122,100)	-	-	(122,100)
	178 Economic Development	249,989	147,975	57,512	455,486	-	-	(455,486)	-	(455,486)
	184 Extension Service	778,004	-	-	778,004	(784,054)	(13,950)	-	-	(778,004)
		<u>78,716,501</u>	<u>789,378</u>	<u>57,512</u>	<u>79,563,391</u>	<u>(37,523,551)</u>	<u>(38,321,176)</u>	<u>(3,718,664)</u>	<u>-</u>	<u>(79,563,391)</u>
<b>SPECIAL REVENUE FUNDS</b>	200 Public Works	38,103,828	-	-	38,103,828	(21,235,357)	(16,868,271)	-	-	(38,103,828)
	220 State Road Aid	30,228,748	-	-	30,228,748	-	(30,228,748)	-	-	(30,228,748)
	230 Public Health & Human Services	70,403,756	-	-	70,403,756	(29,696,394)	(40,307,361)	(200,000)	-	(70,403,756)
	240 Forfeited Tax	7,986,097	2,255,000	-	10,241,097	-	(10,241,097)	-	-	(10,241,097)
	260 CDBG Grant	5,748,071	-	-	5,748,071	-	(5,748,071)	-	-	(5,748,071)
	270 Home Grant	1,958,066	-	-	1,958,066	-	(1,958,066)	-	-	(1,958,066)
	280 Forest Resources	2,644,600	555,486	-	3,200,086	-	(680,247)	-	(2,519,839)	(3,200,086)
		<u>157,072,965</u>	<u>2,810,486</u>	<u>-</u>	<u>159,883,451</u>	<u>(51,131,761)</u>	<u>(106,031,861)</u>	<u>(200,000)</u>	<u>(2,519,839)</u>	<u>(159,883,451)</u>
<b>DEBT SERVICE FUNDS</b>	302 Hibbing PW Facility	85,523	-	-	85,523	(85,523)	-	-	-	(85,523)
	304 Cap Improvement 2001	1,355,233	-	59,315	1,414,548	(1,245,628)	(168,920)	-	-	(1,414,548)
	305 Jail Refunding Bonds 2002B	1,383,500	-	62,176	1,455,675	(1,305,675)	-	-	(150,000)	(1,455,675)
	306 Capital Equipment Notes 2002C	1,082,959	-	64,148	1,137,106	(1,137,106)	-	-	-	(1,137,106)
	308 Capital Equipment Note 2004B	776,025	-	38,601	814,626	(814,626)	-	-	-	(814,626)
	309 Capital Improvement Bond 2004A	1,209,638	-	60,482	1,270,120	(1,270,120)	-	-	-	(1,270,120)
	310 AJC Refunding Bond 2004C	175,160	-	8,756	183,908	(183,908)	-	-	-	(183,908)
	311 Capital Improvement Bond 2005	537,755	-	9,412	547,167	(197,634)	(349,533)	-	-	(547,167)
	312 Law Enforcement Refunding Bond	485,375	-	24,269	509,644	(508,644)	-	-	-	(509,644)
	313 2007 Capital Equipment Note	95,470	-	-	95,470	(95,470)	-	-	-	(95,470)
			<u>7,198,627</u>	<u>-</u>	<u>317,360</u>	<u>7,515,987</u>	<u>(6,845,534)</u>	<u>(518,453)</u>	<u>-</u>	<u>(150,000)</u>

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

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		Adopted Expenditures	597600 Transfers Out	311201 Accumulation of Fund Balance	Total Use of Assets	509100 Property Tax Levy	Other Revenue	590100 Transfers In	311202 Use of Fund Balance	Total Source of Assets
CAPITAL PROJECTS FUNDS	400 County Facility	1,290,000	-	-	1,290,000	(1,254,992)	(35,008)	-	-	(1,290,000)
	405 Road & Bridge Building Const	550,000	-	-	550,000	(532,876)	(17,124)	-	-	(550,000)
	436 2007 Capital Equipment Note	2,000,000	-	-	2,000,000	-	(2,000,000)	-	-	(2,000,000)
		<u>3,840,000</u>	<u>-</u>	<u>-</u>	<u>3,840,000</u>	<u>(1,787,867)</u>	<u>(2,052,133)</u>	<u>-</u>	<u>-</u>	<u>(3,840,000)</u>
PERMANENT FUND	500 Shoreline Sales	50,000	118,800	-	168,800	-	-	-	(168,800)	(168,800)
		<u>50,000</u>	<u>118,800</u>	<u>-</u>	<u>168,800</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(168,800)</u>	<u>(168,800)</u>
ENTERPRISE FUNDS	600 Solid Waste	7,709,754	-	-	7,709,754	-	(6,079,900)	-	(1,629,854)	(7,709,754)
	625 Chris Jensen Health & Rehab	16,213,172	-	-	16,213,172	-	(14,868,950)	-	(1,324,223)	(16,213,172)
	635 Nursing Home Rev Bond 2002A	111,725	-	5,587	117,312	(117,312)	-	-	-	(117,312)
	650 Laundry	1,017,815	-	-	1,017,815	-	(887,598)	-	(150,217)	(1,017,815)
	660 Community Foods	1,384,102	-	30,245	1,414,347	-	(1,414,347)	-	-	(1,414,347)
	670 Supervised Living	1,266,409	200,000	-	1,466,409	-	(1,306,907)	-	(159,502)	(1,466,409)
		<u>27,702,977</u>	<u>200,000</u>	<u>35,832</u>	<u>27,938,809</u>	<u>(117,312)</u>	<u>(24,557,702)</u>	<u>-</u>	<u>(3,263,796)</u>	<u>(27,938,809)</u>
		<u>654,497</u>	<u>-</u>	<u>25,503</u>	<u>680,000</u>	<u>-</u>	<u>(680,000)</u>	<u>-</u>	<u>-</u>	<u>(680,000)</u>
INTERNAL SERVICE FUNDS	700 Printing									
	715 County Garage	1,978,922	-	-	1,978,922	-	(1,685,466)	-	(293,456)	(1,978,922)
	720 Property Casualty Liability	285,000	-	508,000	793,000	-	(793,000)	-	-	(793,000)
	730 Workers Compensation	3,406,987	-	115,013	3,522,000	-	(3,522,000)	-	-	(3,522,000)
	740 Medical Dental Insur	25,996,899	-	1,127,756	27,124,655	-	(27,124,455)	-	-	(27,124,455)
	750 Management Info Systems	4,994,543	-	-	4,994,543	-	(4,734,131)	-	(260,412)	(4,994,543)
	760 Telecommunications	1,543,702	-	-	1,543,702	-	(1,119,910)	-	(423,792)	(1,543,702)
	<u>38,860,350</u>	<u>-</u>	<u>1,776,272</u>	<u>40,636,622</u>	<u>-</u>	<u>(39,658,562)</u>	<u>-</u>	<u>(977,660)</u>	<u>(40,636,622)</u>	
<b>Total</b>	<b>313,439,420</b>	<b>3,918,864</b>	<b>2,186,976</b>	<b>319,545,061</b>	<b>(97,406,018)</b>	<b>(211,140,288)</b>	<b>(3,918,864)</b>	<b>(7,080,085)</b>	<b>(319,545,061)</b>	

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

445

**General Fund**

<b>Policy &amp; Management</b>	
Board of Commissioners	975,839
Aid to Other Agencies-Grants	159,975
Aid to Other Agencies	11,863,848
Administration	4,746,763
Intergovernmental Affairs	292,733
Labor Relations	50,500
	<u>18,089,458</u>
<b>Planning Department</b>	
Community Development	270,003
Planning & Zoning	2,235,502
	<u>2,505,504</u>
<b>Administration</b>	
MIS Common Charges	1,370,049
Veterans Service Officer	627,118
Employee Training	168,326
Occupational Safety	575,182
	<u>2,738,674</u>
<b>Property Management</b>	
Building Services	6,406,265
	<u>6,406,265</u>
<b>Purchasing</b>	
Purchasing	506,945
Microfilming	226,439
	<u>733,384</u>
<b>Auditor</b>	
Auditor	4,292,414
Elections	31,500
	<u>4,323,914</u>
<b>Reserve for Retired Employees</b>	
Ret Employee Health Ins/Payoff	975,000
	<u>975,000</u>
<b>Civil Service</b>	
Civil Service	1,266,280
	<u>1,266,280</u>
<b>Attorney</b>	
County Attorney	6,317,894
	<u>6,317,894</u>
<b>Assessor</b>	
Assessor	1,968,543
	<u>1,968,543</u>
<b>Recorder</b>	
Recorder	3,079,877
	<u>3,079,877</u>
<b>Communications</b>	
Emergency Communications	3,387,856
Radio Maintenance	569,940
	<u>3,957,797</u>
<b>MN Extension Service</b>	
MN. Extension Services/S.L.C	577,190
MN. Extension Service - Grants	2,800
Youth Task Force	198,014
	<u>778,004</u>
<b>Commitment Representation</b>	
Commitment Representation	64,741
	<u>64,741</u>
<b>Sheriff</b>	
Sheriff	11,511,706

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

446

**General Fund**

<b>Shoriff</b>	
Boat & Water Safety	140,371
Medical Examiner	454,400
Emergency Management	199,654
Rescue Squad	232,674
Law Enforcement Services	860,792
Jail Prisoners	9,521,800
	<u>22,921,396</u>
<b>Courts</b>	
Court Administrator	1,314,178
Examiner of Titles	117,125
	<u>1,431,304</u>
<b>Public Works</b>	
Surveyor	1,122,206
Mine Inspector	285,563
	<u>1,407,769</u>
<b>Emergency Shelter Grant</b>	
SLC-Essential Service - ESG	122,100
	<u>122,100</u>
<b>Economic Development</b>	
Economic Dev - Forf Lands	397,974
	<u>397,974</u>
<b>Total Expenses</b>	
	<u>79,505,879</u>
<b>Means of Financing</b>	
Property Taxes	(37,523,551)
Other Taxes	(6,359,108)
Licenses and Permits	(122,550)
Intergovernmental Revenues	(12,800,791)
Charges for Services	(14,719,228)
Fines and Forfeitures	(3,500)
Investment Earnings	(3,500,000)
Gifts and Contributions	(20,000)
Miscellaneous	(765,899)
Other Financing Sources	(3,718,664)
<b>Total Revenues</b>	<u>(79,663,391)</u>
<b>Total General Fund</b>	
<b>Use of (Contribute to) Fund Balance</b>	<u>(57,512)</u>

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

447

<b><u>Public Works</u></b>	
Administration & Engineering	8,074,238
Road Maintenance	15,558,800
Equipment and Shops	10,867,590
Road Construction - County	3,603,000
Road Construction - State	30,228,746
<b>Total Expenses</b>	<b>68,332,376</b>
<b>Means of Financing</b>	
Property Taxes	(21,235,357)
Other Taxes	(6,641,631)
Licenses and Permits	(21,000)
Intergovernmental Revenues	(36,511,746)
Charges for Services	(189,000)
Miscellaneous	(2,276,439)
Other Financing Sources	(1,464,203)
<b>Total Revenues</b>	<b>(68,332,376)</b>
<b>Total Public Works</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>

<b><u>Public Health &amp; Human Services</u></b>	
Administration	8,107,090
Financial	13,036,470
Social Services	42,930,095
Public Health Nursing	3,802,866
Public Health Administration	973,704
Environmental Health	1,504,523
<b>Total Expenses</b>	<b>70,354,748</b>
<b>Means of Financing</b>	
Property Taxes	(29,896,394)
Other Taxes	(2,012)
Intergovernmental Revenues	(36,436,958)
Charges for Services	(3,153,135)
Gifts and Contributions	(2,000)
Miscellaneous	(664,250)
Other Financing Sources	(200,000)
<b>Total Revenues</b>	<b>(70,354,748)</b>
<b>Total Public Health &amp; Human Services</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>

<b><u>Land Department</u></b>	
Land - Administration	10,241,097
<b>Total Expenses</b>	<b>10,241,097</b>
<b>Means of Financing</b>	
Intergovernmental Revenues	(16,097)
Timber and Land Sales	(10,000,000)
Miscellaneous	(225,000)
<b>Total Revenues</b>	<b>(10,241,097)</b>
<b>Total Land Department</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>

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

448

<b><u>Comm Devel Block Grant</u></b>	
CDBG Administration	5,748,071
<b>Total Expenses</b>	<b>5,748,071</b>
Means of Financing	
Intergovernmental Revenues	(5,748,071)
<b>Total Revenues</b>	<b>(5,748,071)</b>
<b>Total Comm Devel Block Grant</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>
<b><u>Home Grant</u></b>	
Home Projects	1,958,066
<b>Total Expenses</b>	<b>1,958,066</b>
Means of Financing	
Intergovernmental Revenues	(1,958,066)
<b>Total Revenues</b>	<b>(1,958,066)</b>
<b>Total Home Grant</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>
<b><u>Forest Resources</u></b>	
Memorial Forests	3,200,086
<b>Total Expenses</b>	<b>3,200,086</b>
Means of Financing	
Other Taxes	(580,247)
Intergovernmental Revenues	(100,000)
<b>Total Revenues</b>	<b>(680,247)</b>
<b>Total Forest Resources</b>	<b>2,519,839</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>2,519,839</b>
<b><u>Debt Service Funds</u></b>	
Hibbing PW Facility	85,523
Cap Improvement 2001	1,355,233
Jail Refunding Bonds 2002B	1,393,500
Capital Equipment Notes 2002C	1,082,958
Capital Equipment Note 2004B	776,025
Capital Improvement Bond 2004	1,209,638
AJC Refunding Bond 2004C	175,150
Capital Improvement Bond 2005	537,755
Law Enforcement Refunding Bond	485,375
2007 Capital Equipment Note	95,470
<b>Total Expenses</b>	<b>7,196,627</b>
Means of Financing	
Property Taxes	(6,845,534)
Miscellaneous	(518,453)
<b>Total Revenues</b>	<b>(7,363,987)</b>
<b>Total Debt Service Funds</b>	<b>(167,360)</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>(167,360)</b>

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

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**Capital Projects Funds**

Court House - Capital Projects	1,290,000
Road & Bridge Build Constr	550,000
2007 Capital Equipment Note	2,000,000
<b>Total Expenses</b>	<b>3,840,000</b>
Means of Financing	
Property Taxes	(1,787,867)
Other Taxes	(109)
Intergovernmental Revenues	(52,024)
Other Financing Sources	(2,000,000)
<b>Total Revenues</b>	<b>(3,840,000)</b>
<b>Total Capital Projects Funds</b>	<b>-</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>-</b>

**Solid Waste**

Administration-Solid Waste	1,743,258
Recycling - Score	1,444,874
Canister	788,848
Transfer Stations	1,626,098
Demolition Fill	316,292
Household Hazardous Waste	320,603
Regional Landfill	1,471,779
<b>Total Expenses</b>	<b>7,709,764</b>
Means of Financing	
Licenses and Permits	(4,000)
Intergovernmental Revenues	(458,900)
Charges for Services	(5,115,000)
Investment Earnings	(200,000)
Miscellaneous	(302,000)
<b>Total Revenues</b>	<b>(6,079,900)</b>
<b>Total Solid Waste</b>	<b>1,629,864</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>1,629,864</b>

**Chris Jensen Nursing Home**

Jensen Nursing Home	16,213,172
Nursing Home Rev Bond 2002A	111,725
<b>Total Expenses</b>	<b>16,324,897</b>
Means of Financing	
Property Taxes	(117,312)
Other Taxes	(11)
Intergovernmental Revenues	(47,112)
Charges for Services	(14,841,827)
<b>Total Revenues</b>	<b>(15,006,262)</b>
<b>Total Chris Jensen Nursing Home</b>	<b>1,318,636</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>1,318,636</b>

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

450

**Laundry**

Laundry	1,017,815
<b>Total Expenses</b>	<b>1,017,815</b>
<b>Means of Financing</b>	
Intergovernmental Revenues	(3,110)
Charges for Services	(864,488)
<b>Total Revenues</b>	<b>(867,598)</b>
 <b>Total Laundry</b>	
<b>Use of (Contribute to) Fund Balance</b>	<b>150,217</b>

**Community Foods**

Community Food Services	1,384,102
<b>Total Expenses</b>	<b>1,384,102</b>
<b>Means of Financing</b>	
Intergovernmental Revenues	(447,072)
Charges for Services	(967,275)
<b>Total Revenues</b>	<b>(1,414,347)</b>
 <b>Total Community Foods</b>	
<b>Use of (Contribute to) Fund Balance</b>	<b>(30,245)</b>

**Supervised Living**

Supervised Living Facilities	1,466,409
<b>Total Expenses</b>	<b>1,466,409</b>
<b>Means of Financing</b>	
Intergovernmental Revenues	(1,222,409)
Charges for Services	(84,498)
<b>Total Revenues</b>	<b>(1,306,907)</b>
 <b>Total Supervised Living</b>	
<b>Use of (Contribute to) Fund Balance</b>	<b>159,502</b>

**Printing**

Printing	654,497
<b>Total Expenses</b>	<b>654,497</b>
<b>Means of Financing</b>	
Charges for Services	(680,000)
<b>Total Revenues</b>	<b>(680,000)</b>
 <b>Total Printing</b>	
<b>Use of (Contribute to) Fund Balance</b>	<b>(25,503)</b>

**County Garage/Motor Pool**

County Garage - Motor Pool	1,978,922
<b>Total Expenses</b>	<b>1,978,922</b>
<b>Means of Financing</b>	
Charges for Services	(1,671,686)
Miscellaneous	(13,780)
<b>Total Revenues</b>	<b>(1,685,466)</b>
 <b>Total County Garage/Motor Pool</b>	
<b>Use of (Contribute to) Fund Balance</b>	<b>293,456</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**Property Casualty Liability**

Property Casualty Liability	285,000
<b>Total Expenses</b>	<b>285,000</b>
<b>Means of Financing</b>	
Charges for Services	(507,000)
Investment Earnings	(286,000)
<b>Total Revenues</b>	<b>(793,000)</b>
<b>Total Property Casualty Liability</b>	<b>(508,000)</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>(508,000)</b>

**Workers Compensation**

Workers Compensation	3,406,987
<b>Total Expenses</b>	<b>3,406,987</b>
<b>Means of Financing</b>	
Intergovernmental Revenues	(450,000)
Charges for Services	(2,900,000)
Investment Earnings	(172,000)
<b>Total Revenues</b>	<b>(3,522,000)</b>
<b>Total Workers Compensation</b>	<b>(115,013)</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>(115,013)</b>

**Medical Dental Insurance**

Medical/Dental Self Insurance	25,996,699
<b>Total Expenses</b>	<b>25,996,699</b>
<b>Means of Financing</b>	
Charges for Services	(26,719,685)
Investment Earnings	(404,770)
<b>Total Revenues</b>	<b>(27,124,455)</b>
<b>Total Medical Dental Insurance</b>	<b>(1,127,756)</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>(1,127,756)</b>

**Management Info Systems**

MIS Administration	3,982,652
MIS Capital/5 year plan	1,011,891
<b>Total Expenses</b>	<b>4,994,543</b>
<b>Means of Financing</b>	
Charges for Services	(3,886,018)
Miscellaneous	(748,113)
<b>Total Revenues</b>	<b>(4,734,131)</b>
<b>Total Management Info Systems</b>	<b>260,412</b>
<b>Use of (Contribute to) Fund Balance</b>	<b>260,412</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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<b><u>Telecommunications</u></b>	
Telecommunication Admn	1,249,956
Telecommunications Caplat	293,746
<b>Total Expenses</b>	<u>1,543,702</u>
<b>Means of Financing</b>	
Intergovernmental Revenues	(1,553)
Charges for Services	(1,118,357)
<b>Total Revenues</b>	<u>(1,119,910)</u>
<b>Total Telecommunications</b>	
<b>Use of (Contribute to) Fund Balance</b>	<u>423,792</u>
 <b><u>Permanent Fund</u></b>	
Shoreline Sales Trust	168,800
<b>Total Expenses</b>	<u>168,800</u>
<b>Means of Financing</b>	
<b>Total Revenues</b>	
<b>Total Permanent Fund</b>	
<b>Use of (Contribute to) Fund Balance</b>	<u>168,800</u>
<b>Total Expenses</b>	<b>317,309,076</b>
<b>Total Revenues</b>	<b>(312,416,957)</b>
<b>Total Use of Fund Balance</b>	<u><u>4,893,119</u></u>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**COUNTY-WIDE**

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 departmental budgets on any line item within their department so long as their total budget is not overspent. However, no public aid assistance and/or personnel services budget authority may be used for any other purpose without prior board approval.

RESOLVED FURTHER, that at year's end any unspent 2006 encumbrances will be carried forward into the 2007 budget.

RESOLVED FURTHER, that the 2006 unspent balances of those grants which extend into 2007 will be carried forward into the 2007 budget as an increase to that budget.

RESOLVED FURTHER, that proceeds from the insurance fund for losses of covered property or proceeds from the sale by bid of damaged assets will be reimbursed into the capital outlay budget of the department involved and the revenue and expenditure budget be increased accordingly.

RESOLVED FURTHER, that 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 the county board authorizes the county auditor to continue to reserve portions of fund balances for cash flow purposes in an amount equal to 5/12 of the 2007 levy plus the 2007 County Program Aid.

RESOLVED FURTHER, that all employees or elected officials who are not members of a labor bargaining unit shall receive a salary increase of 2% effective January 1, 2007, an additional salary increase of 1% for the pay period beginning June 23, 2007, and an additional salary increase of 1% for the pay period beginning December 8, 2007.

RESOLVED FURTHER, pursuant to Minnesota Statutes 2006, Section 375.055, subdivision 1, notice is given that the county board sets the compensation for county commissioners on an annual basis at \$51,904. In 2007, commissioner shall receive a salary increase of 2% effective January 1, 2007 (\$51,604), an additional salary increase of 1% for the pay period beginning June 23, 2007 (\$52,120), and an additional salary increase of 1% for the pay period beginning December 8, 2007 (\$52,641). Any increases in compensation shall be implemented in the same manner and in the same percentage amount as increases in compensation for all other employees that are not members of a labor bargaining unit. Any commissioner may choose a lesser amount upon written notification to the county auditor before December 31, 2006. ( $\$51,604/12 \times 6 = \$25,802$ ;  $\$52,120/12 \times 5 = \$21,716$ ;  $\$52,641/12 \times 1 = \$4,386$ ;  $\$25,802 + \$21,716 + \$4,386 = \$51,904$ )

RESOLVED FURTHER, that beginning July 1, 2007, a change in the medical insurance premium will be implemented for all employees and elected officials who are not members of a labor bargaining unit. All employees and elected officials who previously were members of a group where the share arrangement for family health insurance is 20/80 and who are enrolled under single coverage will be responsible for \$20 per month of the total premium cost and all employees and elected officials who previously were members of a group where the share arrangement for family health insurance is 30/70 and who are enrolled under single coverage will be responsible for \$35 per month of the total premium cost. All premiums collected from those current and former employees subject to single coverage in 2006 pursuant to resolution 620 shall be repaid to those individuals as soon as practicable following the adoption of this resolution.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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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, with the approval of the county administrator, to add and delete positions within their personnel complement so long as the total full-time equivalent personnel complement does not exceed the total number of authorized positions contained in their 2007 budget and approved by the county board. The county administrator shall give such approval only if he/she determines that there are no reasonable alternatives to filling the position at the same level.

RESOLVED FURTHER, that proceeds from the sale by bid of equipment that would otherwise be used in trade against the purchase price of new equipment be added to the budget by increasing both the capital outlay and the revenue budgets of the owning department by the amount of the sale.

**GENERAL FUND**

**Non-Departmental Revenues**

RESOLVED FURTHER, whereas the county receives federal program revenues as 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 a specific department, and earnings are not separately identified at the time of payment, revenues shall be allocated between the General Fund and the specific department in the same proportion as federal program costs. Such allocation shall be made at the time quarterly settlement payments are received.

**Board of Commissioners**

RESOLVED FURTHER, that, as in the past, the chair of the county board shall receive an additional \$500 annually.

RESOLVED FURTHER, that the salaries of 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.

**Administration**

RESOLVED FURTHER, that the county administrator will hold county departments accountable for progress in designated priority areas through the regular monitoring of performance measures and outcomes.

**Aid to Other Agencies**

Arrowhead Regional Corrections

RESOLVED FURTHER, increase Arrowhead Regional Correction's 2007 budget by the following:

2007 Original Amount Requested	\$10,681,048
Arrowhead Center contract for court-ordered chemical dependency assessments	8,000

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**TOTAL** **\$10,689,048**

RESOLVED FURTHER, that the 2007 administrative budget includes funding allocations for FY 2007 for grants to the following agencies within the Aid to Other Agencies Account:

St. Louis County Historical Society	\$250,686
Range Exhibits (for exhibit installment/transportation costs)	2,500
Community Fair	492
County Fair, Hibbing	12,806
South St. Louis County Fair, Proctor	12,806
Arrowhead Library System	704,510
Methamphetamine Prevention	99,000
Heating Assistance	92,000
<b>TOTAL:</b>	<b>\$1,174,800</b>

\*Note that an efficiency dividend of 1% is included for each agency in the recommendations above.

RESOLVED FURTHER, that the County Administrator will be responsible for monitoring the results achieved by County funding (partial or full) of outside organizations, agencies and special projects through the use of performance measures.

RESOLVED FURTHER, that \$7,000 of the funding for Methamphetamine Prevention is to fund drug-related costs at Safe Haven Shelter for Battered Women.

**Recorders Office**

Technology Fund

RESOLVED FURTHER, transfer up to \$250,000 from the Recorder's Technology Fund (121002) to the planning department for Geographic Information Systems (GIS) activities (109003) in 2007, contingent on the Recorder's Technology Fund revenues.

Integrated Fund

RESOLVED FURTHER, transfer the following from the Recorder's Integrated Fund (121003) for Geographic Information Systems (GIS) activities, contingent on adequate revenues, to Recorders Integrated Fund revenues:

Planning department GIS (109003)	\$391,403
911 Communications (135001)	73,836
Assessor's Office (118001)	25,765
Auditor's Office (115009)	58,996
<b>Total</b>	<b>\$550,000</b>

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**Planning Department**

RESOLVED FURTHER, as authorized in 2005 for Land Records Management plan, increase the planning department by 5 FTE for Geographic Information Systems (GIS) activities.

RESOLVED FURTHER, increase the planning department by 1 FTE to replace a social work position formerly assigned from the public health/human services department (230, 230004) as a permanent position in the planning department (100, 109002).

**Auditor**

RESOLVED FURTHER, that the county auditor is directed to make any changes in departmental budgets to comply with this resolution.

**Attorney**

RESOLVED FURTHER, that \$100,000 of the 2007 proposed budget for the County Attorney be transferred from 113002-629900 be transferred to administration (104001-629900).

RESOLVED FURTHER, that \$40,045.32 and the difference in related benefits for the county attorney position in the County Attorney's personnel budget (113003-610100) be transferred to administration (104001-629900).

RESOLVED FURTHER, that 1 FTE Clerical Supervisor, including salary and benefits, be transferred from the County Attorney (113002-610100) to administration (104001-629900).

**Property Management**

RESOLVED FURTHER, that property management shall hire 1 FTE head janitor and 1 FTE maintenance worker at the Northland Office Building, and 1 FTE maintenance worker at the new 911 facility.

RESOLVED FURTHER, that Chris Jensen Health and Rehabilitative Center will transfer 1 FTE maintenance supervisor to Property Management and reduce their personnel complement by 1 FTE.

**Economic Development**

RESOLVED FURTHER, that \$50,000 from the Economic Development Fund, Fund 178, Agency 178002, be designated for ditching activities.

RESOLVED FURTHER, that \$55,486 from the Economic Development Fund, Fund 178, Agency 178003, be designated for Motorplex project reserve.

RESOLVED FURTHER, that the following projects be budgeted in the 2007 budget and funded from the Economic Development Fund, Fund 178, Agency 178001:

Arrowhead Business Connection-Northspan	\$19,800
Duluth Port Authority	35,585
Geographic Information Systems (GIS)	250,000
St. Louis County Promotional Bureau	54,177
Veterans' Memorial Hall	38,412

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

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		<b>\$397,974</b>
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\*Note that an efficiency dividend of 1% is included for each agency in the recommendations above.

**MN Extension Office**

RESOLVED FURTHER, that the auditor has the authority to add budgets into Fund 184, Extension Fund, Agency 185000 to facilitate tracking expenses and revenues for various conferences, etc. held by the Extension Service Division, and that each activity's expense and revenue budgets shall be equal.

**SPECIAL REVENUE FUNDS**

**Public Health and Human Services**

RESOLVED FURTHER, that \$40,000 for services related to homelessness in St. Louis County be appropriated to Fund 230, Agency 230004, that 1 FTE be transferred from the planning department to the public health/human services department for these services, and that the remainder of the salary and benefits' costs for this position be reimbursed by the CDBG grant.

RESOLVED FURTHER, that the 2007 public health and human services budget (Fund 230 Agency 232044 Object 608000) includes funding for the following Public Service grants. These grants total \$403,619 as listed below:

Valley Youth Center	\$	19,215
Life House		1,825
Minnesota Program Development		8,208
Copeland Community Center		6,080
Arrowhead Center		66,878
Ely Community Resources		4,560
St. Louis County on Aging		43,412
AEOA - RSVP (combined with Meals on Wheels)		24,967
AEOA - Senior Services		3,186
Safe Haven Shelter for Battered Women		3,040
Range Women's Advocates		3,040
AEOA - Lives in Transition		3,040
Legal Aid of NE Minnesota		66,878
Indian Legal Assistance		9,120
Sexual Assault Program of North St. Louis County		18,993
PAVSA		27,274
Lake Superior Community Health Center		9,120
Salvation Army		7,296
Bethany Crisis Nursery		15,200

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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First Witness	27,968
Elder Services Network	24,319
United Way of Greater Duluth (211 Information & referral activities)	10,000
<b>TOTAL:</b>	<b>\$ 403,619</b>

**Land Department**

RESOLVED FURTHER, that the auditor is authorized to bill the land department (Fund 240) for the 2007 services it will receive as follows:

Legal services from the attorney's office	\$120,119
Accounting services and indirect costs from the auditor's office	73,984
Personnel services from the civil service/personnel department	47,851
Purchasing services from the Purchasing Department	19,732
Rent	56,898
Dataprocessing	89,040
Telecommunications	20,816
Data Comm	17,421
Employee Development	5,410
Occupational Safety	12,576
Administration	15,968
<b>TOTAL</b>	<b>\$479,815</b>

RESOLVED FURTHER, that pursuant to M.S. 282.08 and M.S. 459.06, Subd. 2, and Minnesota Laws of 2002, Chapter 390, Sec. 30, Subd.2, year 2006 net receipts of the Forfeited Tax Fund (Fund 240) shall be set aside or allocated as follows:

Up to thirty percent (30%) to the Forest Resources Fund (Fund 290, Dept 290001, Memorial Forests) for timber development.

Twenty percent (20%) of the net receipts after the above allocation shall be allocated according to Minnesota Laws of 2002, Chapter 390, Section 39, Subd. 3, in the following manner:

1. In item 3, which allows for \$4 per capita to be set aside for the promotion of tourism, agricultural, and economic development, \$400,000 for such activities will be transferred into Fund 178, Agency 178001.
2. In items 1 and 2, any remaining balance will be used for the acquisition and maintenance of parks and recreational areas and for land use planning programs.

The above set-asides and transfers are to be proportionately reduced until there are sufficient net receipts to produce an apportionment of net receipts to the county General Fund, cities, and school districts of at least \$4,637,500, with \$1,855,000 going to the General Fund of the county, \$1,855,000 to the school districts, and \$927,500 going to the cities and townships.

**Forest Recreation**

RESOLVED FURTHER, authorize the transfer of \$50,000 from the Forest Recreation Fund, Fund 290, Agency 290002, to the Regional Railroad Authority for the Mesabi Trail Project.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**DEBT SERVICE FUNDS**

RESOLVED FURTHER, authorize the sale of a capital equipment note in the amount of \$5,000,000.

**CAPITAL PROJECTS FUNDS**

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 earlier at the discretion of the county administrator.

RESOLVED FURTHER, that at the end of each year, beginning with 2007, any balance from operations (net of revenues and expenditures) for each county-owned building will be transferred into Fund 402, Depreciation Reserve Fund.) These funds will be utilized to fund capital improvements to all County facilities.

**PERMANENT FUNDS**

RESOLVED FURTHER, that the board authorizes a one time appropriation from the shoreline sales (Environmental Trust Fund, Fund 500) for the Vermillion Community College Forestry program in an amount of \$50,000.

**INTERNAL SERVICE FUNDS**

**Management Information Systems**

RESOLVED FURTHER, that the management information systems (MIS) Capital budget will be adjusted to reflect the five-year balances available to the various user departments at the close of 2006 and the beginning of 2007.

RESOLVED FURTHER, that the print shop and microfilm operations, including 7 FTEs will be under the supervision of the management information systems department effective January 1, 2007.

**ENTERPRISE FUNDS**

**Solid Waste**

RESOLVED FURTHER, that the auditor is authorized to bill the solid waste department (Fund 600) for 2007 services it will receive as follows:

Legal services from the attorney's office	\$66,989
Accounting services and indirect costs from the auditor's office	59,429
Personnel services from the civil service/personnel department	43,890
Purchasing services from the Purchasing Department	76,937
Rent	17,871
Dataprocessing	60,543
Telecommunications	10,584
Data Comm	8,060

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Employee Development	4,348
Occupational Safety	10,105
Administration	12,832
<b>TOTAL</b>	<b>\$371,588</b>

**Chris Jensen**

RESOLVED FURTHER, that starting in 2007 any changes to Chris Jensen's FTE count require prior approval and authorization by the County Administrator.

RESOLVED FURTHER, that the auditor is authorized to bill the Chris Jensen Health & Rehabilitation Center (Fund 625) for 2007 services it will receive as follows:

Legal services from the attorney's office	\$42,500
Dataprocessing	76,737
Telecommunications	19,238
Data Comm	15,861
<b>TOTAL</b>	<b>\$154,336</b>

**Laundry**

RESOLVED FURTHER, that the auditor is authorized to bill the laundry (Fund 650) for 2007 services it will receive as follows:

Personnel services from the civil service/personnel department	\$5,775
Dataprocessing	2,483
Telecommunications	442
Data Comm	780
<b>TOTAL</b>	<b>\$9,480</b>

RESOLVED FURTHER, that, the following budgeted transfers between funds be approved.

<u>From</u>	<u>To</u>	<u>Purpose</u>	<u>Amount</u>
240-241001 Forfeited Tax Sale	100-100001 General	Apportionment of net proceeds	1,855,000
240-241001 Forfeited Tax Sale	178-178001 Economic Development	Apportionment of net proceeds	400,000
290-290002 Forest Resources	100-109002 General	Planning department for GIS	500,000
290-290002 Forest Resources	178-178003 Economic Development	Motorplex project	55,486
500-500001 Shoreline Sales	100-109002 General	Soil and water conservation districts	118,800
670-670001 Supervised Living	230-232099 Social Services	Fund Balance Transfer	200,000
178-178001 Economic Development	100-102004 Vets Memorial Hall	Vets Memorial Hall	38,412

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178-178001 Economic Development	100-102005 Port Authority	Port Authority	35,585
178-178001 Economic Development	100-102006 SLC Promo Bureau	SLC Promo Bureau	54,178
100-121003 Data Intergration Fund	100-109003 Plan & GIS Research	GIS Planning	391,403
100-121002 Technology Fund	100-109003 Plan & GIS Research	GIS Planning	250,000
178-178001 Economic Development	100-102007 ABC - Northspan	ABC - Northspan	19,800
	<b>Total</b>		<b>\$3,918,664</b>

Yeas – Commissioners O’Neil, Kron, Forsman, Sweeney, Raukar and Chair Nelson – 6  
Nays – Commissioner Fink – 1

Adopted December 12, 2006. No. 646

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON DECEMBER 19, 2006**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 19th day of December, 2006, at 9:33 A.M. in the Morse Town Hall, Ely, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Bill Kron, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson - 7. Absent: None.

Commissioner Forsman welcomed the Board to Ely and wished everyone a happy holiday season.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Barbara Berglund, Ely, and a member of the Planning Commission, urged the Board to be careful when selecting new members for the Planning Commission. Ms. Berglund also objected to the Board making a final decision on the adequacy of the Environmental Impact Statement (EIS) at a January 23, 2007, public hearing regarding a proposed residential development by U. S. Steel on Lake Vermilion called 3 Bays on Vermilion.

Linda O'Neill DeRemee, Community Health Board Coordinator, urged the Board to adopt a non smoking ordinance.

Representative David Dill, St. Paul, urged the Board to consider additional relief measures for loggers who are facing catastrophic economic conditions. As new chair of the Minnesota House Committee on Game, Fish and Forestry, Representative Dill said there will be initiatives for loggers this session but final passage may occur too late for many.

Lengthy discussion ensued about the plight of local loggers who are facing declining prices for timber while being shackled with high cost timber leases. Commissioner Sweeney said if extensions granted at the last Board meeting (Option 1) prove insufficient, the door is still open for consideration of other measures later. Commissioner Forsman said the need is now and he moved to reconsider adoption of Option 1. Chair Nelson ruled that the reconsideration motion will be entertained during regular Board business and not during this period where citizens may address the Board concerning issues not on the agenda. The following persons then addressed the Board concerning issues not on the agenda:

Roger Skraba, Mayor, City of Ely, thanked the Board for coming to Ely and for all their assistance to the Ely area. He also urged adoption of a non smoking ordinance and supported any motion to grant further relief to embattled loggers.

Dr. Joe Bianco, St. Mary's - Duluth Clinic in Ely, displayed old advertisements showing how attitudes toward smoking have changed and said a smoking ban is a workers' issue.

Commissioner Forsman, supported by Commissioner Nelson, moved to reconsider adoption of St. Louis County State Tax Forfeited Land Department Timber Sale Extension Exception Policy - 2006 (Option 1). Alan Mitchell, County Attorney, said a reconsideration motion was non debatable. The reconsideration motion failed (three yeas - four nays, Commissioners Fink, O'Neil, Kron and Sweeney). Chair Nelson allowed the following persons to address the logging issue:

Darrin Rasmussen, Virginia, said economic changes will lead to layoffs in the logging industry.

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Eric Mayranen, Ely, urged the Board to assist loggers in any way they can. Mr. Mayranen said technology exists to allow more year-round logging, an idea the County should consider.

Scott Dane, Executive Director of the Loggers and Truckers Association, said the future is today for many loggers and he said more relief is needed to save the logging industry.

Robert Krepps, Land Commissioner, detailed responses the County has taken to assist loggers through this difficult period.

At 11:25 A.M. in the forenoon of Tuesday, December 19, 2006, Chair Nelson moved to recess the Board until 11:30 A.M. on December 19, 2006, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 11:31 A.M. on Tuesday, December 19, 2006, and the regular order of business resumed with all members present.

Commissioner Kron, supported by Commissioner Sweeney, moved to appoint the Chair of Health and Human Services as representative to a meeting of Region III counties to consider organizing a joint powers board to pursue County Based Purchasing (CBP). The following persons addressed the issue:

Ann Busche, Director of Health and Human Services, distributed a draft copy of a joint powers board agreement. Director Busche recommended appointment of the HHS Chair so the County will have a voice in drafting a final joint powers agreement, adding the County can walk away from the concept at any time.

Marsh Stenerson, AFSCME, said the County should continue to pursue CBP because the alternative is a takeover by HMOs. Mr. Stenerson added that he has heard the HMO horror stories.

Lengthy discussion ensued, particularly about the draft joint powers agreement. Chair Nelson said the County was on a slippery slope and Commissioner Fink said it may be time to walk away from CBP. Commissioner Raukar said the draft was simply a draft that needed a lot of work. After further discussion, the appointment was approved; four yeas - three nays, Commissioners Fink, Forsman and Chair Nelson. Resolution No. 678.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve acceptance of a matching grant from the State of Minnesota Historical Preservation Department for \$100,000 for certain improvements to the Depot; seven yeas - zero nays. Resolution No. 679.

At 12:30 P.M. in the afternoon of Tuesday, December 19, 2006, Chair Nelson moved to recess the Board until 2:15 P.M. on December 19, 2006, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 2:39 A.M. on Tuesday, December 19, 2006, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve a second Consent Agenda consisting of all items passed unanimously at the just-completed Committee of the Whole meeting; seven yeas - zero nays.

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

Waiver of St. Louis County Ordinance No. 28 (Liquor Ordinance) provisions for Ragnar Properties,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Inc., d/b/a Billy's, Rice Lake Township, enabling the establishment to remain open all night on January 28 through 31, 2007, to provide services and food to mushers and spectators during the John Beargrease Sled Dog Marathon.-58621

Fund transfers and appropriations for 2006 within certain funds.-58622

Commissioner Steve Raukar recognizing County Attorney Alan Mitchell for his 28 years of dedicated service to St. Louis County.-58623

James P. Peters, Peters & Peters, PLC, regarding the Big Lake Association versus Saint Louis County Planning Commission, et al.-58624

Barbara Berglund, Ely, and a member of the Planning Commission, urged the Board to be careful when selecting new members for the Planning Commission and objecting to the Board making a final decision on the adequacy of the Environmental Impact Statement (EIS) regarding a proposed residential development by U.S. Steel on Lake Vermilion called 3 Bays on Vermilion.-58625

David Dill, St. Paul, urged the Board to consider additional relief measures for loggers who are facing catastrophic economic conditions.-58626

Ann Busche, Director of Health and Human Services, relative to "Superior Choice" County-Based Purchasing Key Issues and draft Joint Powers Agreement.-58627

Linda O'Neill DeRemee, Community Health Board Coordinator, submitting pamphlet on the Community Health Council and urging the Board to adopt a non smoking ordinance.-58628

Contract between Arrowhead Regional Corrections and the County Attorney for legal services for 2007.-06-1305

Contract between the St. Louis County Housing and Redevelopment Authority and the County Attorney for legal services for 2007.-06-1306

Contract between Arrowhead Regional Corrections and the Civil Service Commission for personnel services for 2007.-06-1307

Contract between Arrowhead Regional Corrections and the County Auditor for fiscal services for 2007.-06-1308

Contract between the Carlton-Cook-Lake-St. Louis Community Health Board and the County Auditor for fiscal services for 2007.-06-1309

Agreement between Steven C. Fecker and St. Louis County for acting as labor negotiator.-06-1310

Grants under \$25,000 approved under the Grant Management Policy for the year 2006.-06-1311

Employee Safety & Development Training Contract between St. Louis County and Ann Harrington for two sessions of *Compassionate Communications: Tools and Techniques for Non-Violent Communications*.-06-1312

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Hibbing Annex State of Minnesota Office Space Build Out.-06-1313

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Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management, for Pandemic Influenza Preparedness.-06-1314

Lease Agreement between the County of St. Louis and Xerox for a Xerox 245 for the Auditor's Office.-06-1315

Upon motion of Commissioner Kron, supported by Commissioner Raukar, Resolutions No. 647 through 677, 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 28, 2006, are hereby approved.

Adopted December 19, 2006. No. 647

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the Informational Meeting and Public Hearing for Truth in Taxation for the 2007 St. Louis County Budget and Levy for November 30 and December 7, 2006, are hereby approved.

Adopted December 19, 2006. No. 648

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. 58503, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,458,913.09
184	Extension Service	37,723.68
200	Public Works	3,208,296.61
230	Social Services	6,047,966.77
240	Forfeited Tax	348,749.50
250	St. Louis County HRA	36,847.02
600	Solid Waste Authorities	485,796.94
625	Chris Jensen Health & Rehab.	1,300,852.54
650	Laundry	75,579.87
660	Community Food Services	95,401.92
670	Supervised Living Facilities	52,396.75
700	Printing	11,352.12
715	County Garage	68,155.82
750	Management Information Systems	298,548.82
760	Telecommunications	80,121.31
925	Arrowhead Regional Corrections	1,385,999.79
955	Community Health Services	49,858.13
989	Regional Railroad Authority	<u>74,078.23</u>
		\$ 18,116,638.91

Adopted December 19, 2006. No. 649

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. 58495, are hereby approved:

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Real Estate - Jed Bergquist, \$165.48; Joseph Fink, \$369.96; Jane Larson, \$215.94; Thomas Leseman, \$224.04; Lester Ludtke, \$245.28; MN/DOT, \$6,359.94; Todd Nelson, \$230.30; David Ostrander, \$192.32; Michael Smith, \$89.64; Virginia Stahnke, \$212.48.

Personal Property - Peggy Alzan, \$229.40; Joann Bradley, \$140.80; Rose Hervey, \$123.60; Russell Plaistad, \$151.60; Ben Powell, \$106.84; Arlen Salisbury, \$178.90.

Adopted December 19, 2006. No. 650

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 8, 2006, on file in the office of the County Auditor, identified as County Board File No. 58502, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted December 19, 2006. No. 651

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

Clay Enterprises, Inc., d/b/a Blue Max Resort, Fredenberg Township, Tobacco Products License No. T07220;

Boondocks-Forbes, LLC, d/b/a Boondocks, Clinton Township, Tobacco Products License No. T07196;

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, Tobacco Products License No. T0721;

C & O Wardas, Inc., d/b/a The Dam Supper Club, Leiding Township, Tobacco Products License No. T0738;

James Butchart, d/b/a Fall Inn Tavern, Rice Lake Township, Tobacco Products License No. T0748;

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Gnesen Township, Tobacco Products License No. T07186;

Edwards Oil Co., Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T0769;

Edwards Oil Co., Inc., d/b/a Lucky Seven General Store, City of Aurora, Tobacco Products License No. T0787;

J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18, Tobacco Products License No. T07209;

Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products License No. T07183;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, Tobacco Products License No. T07116;

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Pike River, Inc., d/b/a Silverado Saloon, Unorganized Township 59-16, Tobacco Products License No. T07190;

Lakeway Drive II, LLC, d/b/a Sunset Bottle Shop & Lounge, Rice Lake Township, Tobacco Products License No. T07152;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T07140.

Adopted December 19, 2006. No. 652

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without pro-rated refund to the licenseholders:

The following licenseholders were issued a tobacco violation citation on the dates as stated:

Randall Willeck, d/b/a Country Corner, Culver Township, Tobacco Products License No. T0732, December 30, 2002, and December 23, 2004;

T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, Tobacco Products License No. T0733, August 25, 2001;

Brady Miller, d/b/a Dawghouse Bar & Grill, Northland Township, Tobacco Products License No. T07154, December 23, 2004;

Edwards Oil Co., Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T0744, September 7, 1998, August 25, 2001, and October 18, 2002;

Debra Sanders, d/b/a Frontier Resort, Unorganized Township 69-19, Tobacco Products License No. T0754, September 26, 1998;

JT's General Stores, Inc., d/b/a JT's General Store, Colvin Township, Tobacco Products License No. T07168, December 15, 2002;

Lakeway Drive, LLC, d/b/a Legrand Supper Club, Grand Lake Township, Tobacco Products License No. T07146, December 28, 2002;

Ely-Winton Rod & Gun Club, Inc., d/b/a Longbranch Clubhouse, City of Winton, Tobacco Products License No. T0786, December 15, 2002;

Pauline Hill, d/b/a Pauline's Baits & Boats, Bassett Township, Tobacco Products License No. T07102, December 29, 2003;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Canosia Township, Tobacco Products License No. T07106, December 28, 2002;

The South Switch, Inc., d/b/a The South Switch, Inc., Angora Township, Tobacco Products License No. T07119, September 26, 1998;

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Julliando Properties, Inc., d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17, Tobacco Products License No. T07162, December 8, 2002.  
Adopted December 19, 2006. No. 653

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, 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. 58513, are hereby approved and the County Auditor is authorized to issue the 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 licenses to a new owner, but without prorated refund to the licenseholders:

Porky's Restaurant & Lounge, LLC, d/b/a Island Pines Restaurant & Lounge, Gnesen Township, Tobacco Products License No. T07226, change of officers;

Bois Forte Reservation Tribal Council, d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T07217, change of officers.  
Adopted December 19, 2006. No. 654

WHEREAS, the Land Department has reviewed a request of Jim and Carol Luoma for a roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Luoma's property; and  
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statutes, Section 282.04, Subdivision 4(a), is hereby authorized to grant a non-exclusive roadway easement across State tax forfeited land to Jim and Carol Luoma described as follows: An easement 33.00 feet in width over, under and across the Southeast quarter of the Southwest quarter of Section 05, Township 55 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 16.50 feet on each side of the centerline described as follows: Commencing at the South quarter corner of said Section 5; thence westerly on the South line of said Section 5 on an assigned azimuth of 270 degrees 33 minutes 29 seconds a distance of 900.0 feet; thence at an azimuth of 00 degrees 33 minutes 29 seconds a distance of 410.0 feet to the point of beginning on the centerline of the St. Louis County Land Department Washusk Forest Management Road; thence at an azimuth of 82 degrees a distance of 75.0 feet; thence at an azimuth of 107 degrees a distance of 225.0 feet; thence at an azimuth of 68 degrees a distance of 235.0 feet; thence at an azimuth of 94 degrees a distance of 190.0 feet; thence at an azimuth of 77 degrees a distance of 160.0 feet; thence at an azimuth of 97 degrees a distance of 87 feet more or less to the East line of said Southeast quarter of the Southwest quarter and there terminating. This easement is 972 feet in length and contains 0.7 acres more or less.

BE IT FURTHER RESOLVED, that the granting of this easement is conditioned upon payment of \$525.00 land use fee, \$300.00 administration fee, and \$46.00 recording fee; for a total of \$871.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 655

WHEREAS, the Land Department has reviewed a request of Jonathan and Joseph Stingl for a roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Stingl's property; and  
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statutes, Section 282.04, Subdivision 4(a), is hereby authorized to grant a roadway easement across

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State tax forfeited land to Jonathan and Joseph Stingl described as follows: A 66-foot wide easement for ingress and egress purposes over, under and across the Southerly 66.00 feet of the Southeast quarter of the Southeast quarter (SE 1/4 - SE 1/4) of Section 13, Township 52 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota. Subject to and together with any valid easements, restrictions and reservations, if any.

BE IT FURTHER RESOLVED, that the granting of this easement is conditioned upon payment of \$7,460.00 land use fee, \$300.00 administration fee, and \$46.00 recording fee; for a total of \$7,806.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 656

WHEREAS, the Land Department plans to plant tree seedlings on 2,075.1 acres in Spring 2007; and WHEREAS, the containerized portion of those tree seedlings needed for planting have already been purchased; and

WHEREAS, bids were requested and the MN DNR-General Andrews Nursery is the only bidder able and willing to supply the quantity and variety of species of bare-root tree seedlings needed;

NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to execute a contract with MN DNR - General Andrews Nursery of Willow River, MN, to furnish and deliver 350,500 bare-root tree seedlings for delivery in Spring 2007, in accordance with the specifications of Bid No. 4657 and subject to approval of the County Attorney, at their low specification bid price of \$83,536.03, payable from: Fund 290 Forest Resources, Agency 290001 Memorial Forest Fund.

Adopted December 19, 2006. No. 657

WHEREAS, the St. Louis County Director of Purchasing solicited bids for tree planting on State tax forfeited land for the years 2007, 2008, 2009, 2010, and 2011; and

WHEREAS, Drennen Forestry Services, Inc., of Cullman, Alabama, submitted the low bid in the amount of \$65,841.76 for 2007 with payment for 2008, 2009, 2010, and 2011 to be adjusted using the CPI-U.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to execute a five-year contract with Drennen Forestry Services, Inc., of Cullman, Alabama, to plant trees on 2,075.1 acres in 2007 at their low specification bid price of \$65,841.76, and to plant a minimum of 1300 acres in 2008, and a minimum of 1000 acres each year in 2009, 2010, and 2011, and that the rate per acre for 2008, 2009, 2010, and 2011 will be adjusted annually, using the previous year's cost per acre + or - the percentage increase or decrease in the Consumer Price Index for all Urban Consumers (CPI-U), Midwest Region, Nonmetropolitan, as of October of the previous year, in accordance with the specifications of Bid No: 4654 and subject to approval of the County Attorney, payable from Fund 290, Agency 290001 (Forest Resources Fund).

Adopted December 19, 2006. No. 658

WHEREAS, the contract for the purchase of State tax forfeited land described in County Board File No. 58548, has been cancelled by mutual agreement of the purchasers and St. Louis County; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and voluntarily waived the sixty-day period to cure default;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the cancellation of said contract for purchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58548, 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 December 19, 2006. No. 659

WHEREAS, the County Board of Commissioners of the County of St. Louis, State of Minnesota,

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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 as described in County Board File No. 58496, have been classified as non-conservation land as provided for in Minnesota Statutes 282.01; and

WHEREAS, said parcels of land are not withdrawn from sale pursuant to Minnesota Statutes Section 84.012, 92.461, 282.01, Subdivision 8, and 282.018, and other statutes that require the withholding of tax forfeited lands from sale.

WHEREAS, the classification and sale of these lands has been approved by the government subdivision in which they are located; and

WHEREAS, the Commissioner of Natural Resources has approved the sale of said lands, as required by Minnesota Statutes, Section 282.

NOW, THEREFORE, BE IT RESOLVED, the County Auditor is hereby authorized to offer said lands at a public sale at not less than the basic sale price in accordance with terms set forth in the Land Department Policy, and in a manner provided for by law on Thursday, February 8, 2007, at 10:00 A.M. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 660

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Cook Firemen's Relief Association to operate out of South Switch, Angora Township, 8928 Highway 1, Angora, MN 55703, renewal.

Adopted December 19, 2006. No. 661

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subdivision 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs, tipboards and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58497, for the following organization:

Voyageur Trail Society, Inc., to operate out of Ash-Ka-Nam Resort, Unorganized Township 68-19, 10209 Ash River Trail, Orr, MN 55771, new.

Adopted December 19, 2006. No. 662

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.02, prohibits sales of alcohol after 1:00 A.M. on Monday through Saturday and Section 11.05 requires patrons to vacate licensed premises within twenty minutes after sales are ceased by law; and

WHEREAS, Ragnar Properties, Inc., d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a licensed liquor establishment, would like to remain open from 1:00 A.M. to 8:00 A.M. on January 28, 29, 30, and 31, 2007, to provide services and food to mushers and race officials of the John Beargrease Sled Dog Marathon; and

WHEREAS, no alcohol will be served during the 1:00 A.M. to 8:00 A.M. period; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has recommended approval of the waiver application; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the rules and regulations adopted by the St. Louis County Board under St. Louis County Ordinance No. 28 (Liquor Ordinance), adopted May 22, 1978, as amended, the following application for a waiver of ordinance provisions requiring patrons to vacate premises by 1:20 A.M., on file in the office of the County Auditor, identified as County Board File No. 58621, is hereby approved.

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RESOLVED FURTHER, that said waiver shall be effective January 28, 29, 30, and 31, 2007, from 1:00 A.M. to 8:00 A.M. for the following establishment:

Ragnar Properties, Inc., d/b/a Billy's  
3502 West Tischer Road  
Duluth, MN 55803  
Rice Lake Township  
Adopted December 19, 2006. No. 663

WHEREAS, St. Louis County has need for a Crisis Nursery Service; and  
WHEREAS, the Department of Public Health and Human Services has contracted with Lutheran Social Services since March 1994 to provide child protection services on behalf of the County; and  
WHEREAS, the Department wishes to renew this Agreement;  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute an Agreement with Lutheran Social Services for the period January 1, 2007, through December 31, 2007; and authorizes payment of \$35,200 for Bethany Crisis Nursery, payable from:

Fund 230 Social Services  
Agency 232008 Children's Services  
Expense Object 601200 Out-of-Home Placement

Agency 230099 Administration  
Revenue Source 500100 Local Taxes - Current  
Adopted December 19, 2006. No. 664

WHEREAS, St. Louis County has a variety of children's residential services available in the community funded partially through Title IVE, private insurance and/or medical assistance for eligible children and by county property taxes in balance; and  
WHEREAS, St. Louis County also provides children's mental health nonresidential services; and  
WHEREAS, the St. Louis County Public Health and Human Services Department has contracted with the providers listed below to provide needed children's services on behalf of the County; and  
WHEREAS, St. Louis County has acted as the lead agency to establish rates for other children's services provided by agencies located within the county; and  
WHEREAS, the Department wishes to renew these Agreements.  
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Agreements for children's services covering the period January 1, 2007, through December 31, 2007, with the following providers at the per-diem rates listed as follows:

Bethany Crisis Shelter/Duluth	\$142.37
25-Day Diagnostic Evaluation	\$162.00
Family Assessment Fee for Diagnostic	\$ 86.00
Bethany Range Youth Shelter	\$188.35
Woodland Hills	
Main Residential Treatment Center	\$189.82
Chisholm House Short-Term Program	\$124.53
Chisholm House Treatment Program	\$165.84
Community Transition Program	\$163.80

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Northwood Children's Services (Rule 5 Programs)	
Residential Services	\$191.73
Diagnostic & Assessment	\$199.31
Northwood Children's Services	
Foster Care	DHS Difficulty of Care (DOC) Guidelines
Licensing & Placement Administration	\$27.30
Fond du Lac Foster Care Licensing and Placement Agency	
Foster Care Service	DHS Difficulty of Care (DOC) Guidelines
Licensing & Placement Administration	\$20.00
Respite Foster Care	\$35.00
LSS - Bethany Foster Care Program	
Foster Care Service	DHS Difficulty of Care (DOC) Guidelines
Licensing & Placement Administration	\$25.00

Budget Reference  
Fund 230 Social Services  
Agency 232008 Children's Services  
Objects 601200 Child Foster Care, 602400 Licensing/Resource Development & 603200 Respite Care  
Revenue Sources 540219 Title IV-E Cost of Care\* & 500100 Local Taxes\*

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to enter into Purchase of Service Agreements with the Woodland Hills Child Day Treatment Program at \$73.27, effective January 1, 2007, through December 31, 2007, such services to be paid from Fund 230, Agency 232008, Object 601600.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to enter into Lead Agency Agreements with the following providers at the following rates, effective January 1, 2007, through December 31, 2007:

Mesabi Academy	
Long-Term Open Residential Program	\$181.28
Long-Term Secure Residential Program	\$196.73
Sexual Offender Residential Treatment	\$220.42
Diagnostic Residential Program	\$208.06
Short-Term Residential Program	\$146.26
Short-Term Secure Residential Program	\$196.73

Northwood Children's Services Child Day Treatment Program   \$80.00 per diem  
Adopted December 19, 2006. No. 665

WHEREAS, St. Louis County purchases employment services for persons with disabilities; and  
WHEREAS, the Department of Public Health and Human Services has contracted with Occupational Development Center, Inc., (ODC) and Goodwill Industries Vocational Enterprises, Inc., (GIVE) for the past 30 plus years to provide extended employment services for persons with disabilities on behalf of the County; and  
WHEREAS, the Department wishes to renew these Agreements;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Agreements with the following extended employment service providers at their current (CY 2006) rates and at their current contract maximum of \$87,757 each for the period January 1, 2007, through December 31, 2007; payable from Fund 230, Agency 232006, Object 604800:

<u>Agency</u>	<u>Services</u>	<u>2007 Recommended</u>
ODC	Shelter-Based Work	\$8.50/worker/day
	Supported Employment	\$8.50/worker/day
	Job Coaching	\$22/hour
GIVE	Shelter-Based Work	\$7.74/worker/day
	Supported Employment	\$7.74/worker/day
	Job Coaching	\$16.25/hour

Adopted December 19, 2006. No. 666

RESOLVED, that the necessary County officials are hereby authorized to execute the following agreements:

St. Louis County Attorney with Arrowhead Regional Corrections for legal services in the amount of \$42,040, the agreement contained in Contract File No. 06-1305, and that said funds will be reimbursed to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Attorney with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$40,000, the agreement contained in Contract File No. 06-1306, to be reimbursed to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Civil Service/Personnel Department with Arrowhead Regional Corrections for personnel services in the amount of \$206,445, the agreement contained in Contract File No. 06-1307, and that said funds will be reimbursed to the St. Louis County Civil Service/Personnel Department, Fund 100, Agency 123001.

St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$226,091, the agreement contained in Contract File No. 06-1308, and that said funds will be reimbursed to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

St. Louis County Auditor with the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal services in the amount of \$5,500, the agreement contained in Contract File No. 06-1309, and that said funds will be reimbursed to the St. Louis County Auditor's Office, Fund 100, Agency 115001, Revenue Source 2000.

Adopted December 19, 2006. No. 667

RESOLVED, the St. Louis County Board of Commissioners authorizes the submission of a grant application to the Minnesota Department of Natural Resources for \$50,000 (\$25,000 grant, \$25,000 matching) for the purpose of completing a Community Wildlife Protection Plan.

Adopted December 19, 2006. No. 668

WHEREAS, the St. Louis County Board supports the goals of sharing criminal justice information and systems throughout the region and in sharing the costs of providing those systems amongst the subscribing agencies in the region; and

WHEREAS, the Northern Minnesota Enforcement and Safety Information System (NEMESIS) is

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being developed and implemented in support of these goals; and  
WHEREAS, the further deployment and full implementation of the computerized information systems that make up NEMESIS is desired;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the MIS Department to enter into a contract with E/S Support Services for one year at the proposed monthly rate not to exceed \$4,600 per month including expenses;  
RESOLVED FURTHER, that funding for this contract is payable from NEMESIS Subscriber Fees - Fund 150, Agency 150001, Object 629900.  
Adopted December 19, 2006. No. 669

WHEREAS, the Duluth Motor Pool renovation project is one of the seven projects to receive 2004 bond funding, and is the final 2004 bonded project to be completed; and  
WHEREAS, the initial project bids were rejected and the project scope reduced and new bids were solicited by County Purchasing and opened on November 9, 2006, with the low bid coming from Max Gray Construction in the amount of \$955,700; and  
WHEREAS, funds are available in Capital Improvement Bond 2004A, Fund 424, in the amount of \$743,797 and the County Facilities Improvement Fund, Fund 400, Agency 400011, in the amount of \$211,904;  
NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the County Auditor to transfer \$211,904 from Fund 400, Agency 400011, to Capital Improvement Bond 2004 A, Fund 424, to allow efficient project expenditure management and tracking;  
RESOLVED FURTHER, the Board authorizes the appropriate County officials to execute an agreement with Max Gray Construction of Duluth, Minnesota, for an amount of \$955,700; payable from Capital Improvement Bond 2004A, Fund 424.  
Adopted December 19, 2006. No. 670

WHEREAS, St. Louis County has entered into a joint project with the City of Ely and Lake County for the construction of the Ely Joint Use Maintenance Facility; and  
WHEREAS, there is now payment due for costs associated with bringing utilities to the site, construction material testing, printing costs, and permits and review totaling \$345,362; and  
WHEREAS, the County's proportionate share of these costs is \$190,985.19.  
NOW, THEREFORE, BE IT RESOLVED, that \$190,985.19 be transferred from the undesignated fund balance to Fund 432, to be repaid to the undesignated fund balance in 2007 from Fund 200, Agency 203083, Object 652800.  
Adopted December 19, 2006. No. 671

WHEREAS, the County owns 8 lots in Grand Lake Township that include property used by the public as a beach and recreation area described as "Caribou Lake Tracts, Town of Grand Lake, Lots 10 through 17"; and  
WHEREAS, said lots have not been maintained or used by the County in many years; and  
WHEREAS, Grand Lake Township wishes to obtain said parcels for a public use pursuant to Minnesota Statutes, Section 465.035.  
RESOLVED, pursuant to Minnesota Statutes, Section 465.035, the Board authorizes the appropriate County officials to prepare the necessary documents to transfer county fee land for a public use, containing a reversionary clause if not used for a public purpose, and described as "Caribou Lake Tracts, Town of Grand Lake, Lots 10 Through 17", to Grand Lake Township for a fee of \$500 with a reversionary clause if not used for a public purpose.  
RESOLVED FURTHER, the \$500 land transfer administrative fee will be directed into the County's General Fund (Fund 100, Agency 128014, Object 583100).  
Adopted December 19, 2006. No. 672

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

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WHEREAS, the Northland Office Building in Virginia is in need of significant exterior repairs and upgrades for building envelope integrity, ADA access, roof repairs, and energy conservation; and WHEREAS, bids were solicited and opened by County Purchasing on November 6, 2006, and H.G. Harvey Construction of Virginia, Minnesota, submitted the lowest bid in the amount of \$679,000. NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with H.G. Harvey Construction of Virginia, Minnesota, for an amount of \$679,000. Funds are available from Fund 421, Agency 421001 (\$559,930), and Fund 400, Agency 400020 (\$119,070 - which will be reimbursed from Fund 421, Agency 421001, in the year 2007). Adopted December 19, 2006. No. 673

WHEREAS, on October 25, 2006, the County Extension Committee recommended that the St. Louis County Board of Commissioners approves the Memorandum of Agreement (MOA) between the County and University of Minnesota to provide specific Extension programs within St. Louis County and employ County Extension staff to perform these services on a contract basis; and WHEREAS, the proposed MOA is for one year beginning January 1, 2007, through December 31, 2007, with contract services including five positions identified as Extension Educator (2 FTEs) and 4-H Program Coordinator (2.75 FTEs) for a total contract price of \$322,450. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute the 2007 Memorandum of Agreement with the University of Minnesota to provide Extension programs with funding in the proposed 2007 budget, County Extension (Fund 184, Agency 184001, Object 629900, and Agency 186002, Object 629900). Adopted December 19, 2006. No. 674

WHEREAS, the Chris Jensen Health & Rehabilitation Center surrendered the warm storage building for the construction of the County's new 911 - Joint Public Safety facility; and WHEREAS, the Chris Jensen facility needs a replacement warm storage building for equipment and supplies; and WHEREAS, the Purchasing Department solicited bids that were opened on November 13, 2006, with RJS Construction of Superior, WI, providing the lowest bid in the amount of \$213,000. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the appropriate County officials to execute an agreement with RJS Construction of Superior, WI, in the amount of \$213,000. Funds are available from Fund 400, Agency 400026. Adopted December 19, 2006. No. 675

WHEREAS, the St. Louis County Board supports the rights of workers to organize and bargain collectively; WHEREAS, a majority of Assistant County Attorneys have expressed their interest in being represented by AFSCME by execution of a check-off card; NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board does hereby voluntarily recognize AFSCME Council 5, AFL-CIO, as the exclusive representative of the County's Assistant County Attorneys, the County shall file a joint request for certification with AFSCME Council 5, AFL-CIO with the Bureau of Mediation Services. RESOLVED FURTHER, a copy of this resolution expressing the Board's position shall be forwarded to the Bureau of Mediation Services. Adopted December 19, 2006. No. 676

WHEREAS, the St. Louis County Board supports the rights of workers to organize and bargain collectively; WHEREAS, a majority of Investigators have expressed their interest in being represented by AFSCME by execution of a check-off card; NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board does hereby voluntarily

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recognize AFSCME Council 5, AFL-CIO, as the exclusive representative of the County's Investigators employed in the County Attorney's Office, the County shall file a joint request for certification with AFSCME Council 5, AFL-CIO with the Bureau of Mediation Services.

RESOLVED FURTHER, a copy of this resolution expressing the Board's position shall be forwarded to the Bureau of Mediation Services.

Adopted December 19, 2006. No. 677

**BY COMMISSIONER KRON:**

RESOLVED, the St. Louis County Board of Commissioners hereby appoints the Chair of the Health and Human Services Committee to serve as its representative to a meeting of Region III counties to consider organizing a joint powers board to pursue County Based Purchasing.

Yeas - Commissioners O'Neil, Kron, Sweeney, and Raukar - 4

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

Adopted December 19, 2006. No. 678

**BY COMMISSIONER RAUKAR:**

WHEREAS, St. Louis County was selected at random by the U.S. Department of Justice (DOJ) to participate in an Americans with Disabilities (ADA) compliance program labeled "Project Civic Access"; and

WHEREAS, the County has entered into a settlement agreement with the DOJ to comply with the ADA requirements and the term of the agreement is three years; and

WHEREAS, one of the requirements of the DOJ settlement agreement was to bring the Depot main public elevator and lower restrooms into ADA compliance; and

WHEREAS, the State of Minnesota Historical Grant program received funding from the legislature for the 2006 - 2007 biennium. These funds are to be granted specifically for publicly owned buildings listed on the National Register of Historical Places; and

WHEREAS, these funds must be equally matched by the public entity submitting the grant application, and will be available on January 1, 2007. Handicapped accessibility mitigation projects to meet ADA requirements are one of the primary targets for this grant; and

WHEREAS, the County submitted a grant request for \$150,000 for the purpose of bringing the Depot main public elevator and lower restrooms into ADA compliance; and

WHEREAS, the Minnesota Historical Society awarded the County a grant in the amount of \$100,000, and the remaining cost of \$200,000 would be payable from the Capital Improvement Fund (Fund 400) to pay toward the total estimated project cost of \$300,000. This project will upgrade the main public elevator by the front desk and the lower level public restrooms to meet ADA standards.

NOW, THEREFORE, BE IT RESOLVED, the Board approves the acceptance of a matching grant application from the State of Minnesota Historical Preservation Department for the amount of \$100,000. Funds are available in the 2007 budget from Fund 400, Agency 400017.

Unanimously adopted. December 19, 2006. No. 679

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 680 through 698, which were approved at the Committee of the Whole meeting this date, were brought forth to this meeting as a second Consent Agenda and were unanimously adopted as follows:

**BY COMMISSIONER SWEENEY:**

WHEREAS, St. Louis County Board Resolution No. 364, dated July 26, 2005, authorized the St. Louis County Auditor to grant a non-exclusive easement for roadway purposes to Clinton Stock (Document No. 01031510); and

WHEREAS, St. Louis County Public Works Department has requested that the easement be relocated for highway access purposes;

NOW, THEREFORE, BE IT RESOLVED, that the easement granted to Clinton Stock by the St.

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Louis County Auditor be amended to change the legal description to the following: An easement 33.00 feet in width over, under and across the North half of the North half of the Northeast quarter of the Southeast quarter of Section 31, Township 52 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as the North 33.00 feet of said Northeast quarter of the Southeast quarter lying West of the Westerly right of way of County-State Aid Highway No. 4. This easement is 1166 feet in length and contains 0.88 acres more or less.  
Adopted December 19, 2006. No. 680

WHEREAS, the contracts for the purchase of State tax forfeited land described as County Board File No. 58548, has been cancelled by mutual agreement of the purchasers and St. Louis County; and WHEREAS, the purchasers voluntarily quit claimed property to the State of Minnesota;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby approve the cancellation of said contracts for purchase of the State tax forfeited land listed by the County Auditor, in County Board File No. 58548, 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 December 19, 2006. No. 681

WHEREAS, the contracts for the purchase/repurchase of State tax forfeited land described as County Board File No. 58548, are in default for non payment of taxes or installment payments; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract and have failed to cure the default;  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board does hereby approve the cancellation of said contracts for purchase/repurchase of the State tax forfeited land listed by the County Auditor, in County Board File No. 58548, 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 December 19, 2006. No. 682

WHEREAS, under the provisions of Minnesota Statute, Section 282.341, Subdivision 1, a contract for deed to purchase State tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs; and  
WHEREAS, Budget Battery, c/o J.C. Olson, has requested to reinstate his contract to repurchase State tax forfeited land; and  
WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement;  
NOW, THEREFORE, BE IT RESOLVED, that Repurchase Contract No. C22010107 between Budget Battery, c/o J.C. Olson and St. Louis County, dated May 29, 2001, and filed with the County Recorder on September 4, 2001, as Document No. 827309 for the property described as: N 100 FT SUBJECT TO INCREMENT FINANCING EX COMM AT A PT WHERE THE COMMON LINE BETWEEN LOTS 20 & 21 INTERSECT THE SLY LINE OF SUPERIOR STR THENCE NELY ALONG SLY LINE OF STR 0.55 FT TO PT OF BEG THENCE SWLY ALONG SLY LINE OF STR 0.55 FT TO A PT ON COMMON LINE BETWEEN LOTS 20 & 21 THENCE SELY ALONG COMMON LINE 100 FT THENCE NELY PARALLEL TO SLY LINE OF SUPERIOR ST 0.70 FT THENCE NWLY ALONG A STRAIGHT LINE TO PT OF BEG, PART OF DULUTH FORMERLY PORTLAND, CITY OF DULUTH; Parcel Code: 010-3820-01340;

having been canceled on June 27, 2006, said notice of cancellation filed with the County Recorder, is hereby reinstated under Contract No. C22010107, the purchaser having paid all amounts required by Minnesota Statute Section 282.341 to the sum of \$16,459.65 which shall be deposited into Fund

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240 (Forfeited Tax Fund).  
Adopted December 19, 2006. No. 683

WHEREAS, under the provisions of Minnesota Statute, Section 282.341, Subdivision 1, a contract for deed to purchase State tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest and costs; and

WHEREAS, Dawna Greenwood has requested to reinstate her contract to repurchase State tax forfeited land; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement;

NOW, THEREFORE, BE IT RESOLVED, that Repurchase Contract No. C22020078 between Dawna Greenwood and St. Louis County, dated June 11, 2002, and filed with the County Recorder on July 19, 2002, as Document No. 862702 for the property described as: Lots 3 & 4, Block 20, Koskiville, City of Hibbing, having been canceled on June 27, 2006, said notice of cancellation filed with the County Recorder, is hereby reinstated under Contract No. C22020078, the purchaser having paid all amounts required by Minnesota Statute Section 282.341 to the sum of \$5089.22 which shall be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 684

WHEREAS, under the provisions of Minnesota Statute Section 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Janice Carrington has applied to repurchase the following parcel: NW 1/4 OF SW 1/4, SECTION 27, TOWNSHIP 60, RANGE 21 TOWN OF FRENCH, Parcel Code: 370-10-4290; and

WHEREAS, Janice Carrington was the owner of record at the time of forfeiture, and is eligible to repurchase this property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Janice Carrington, on file in County Board File No. 58518, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,511.09, repurchase application fee of \$114.00, deed tax of \$8.28, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$2,704.37 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 685

WHEREAS, under the provisions of Minnesota Statute Section 282.241, State tax forfeited land may be repurchased by the previous owner subject to payment of taxes and/or assessments and penalties, interest and costs; and

WHEREAS, Dale Cich for D&D Salvage, has applied to repurchase the following parcel(s) located in Section 33, Township 58N, Range 17W, City of Eveleth:

TRACT 9 W 200 FT OF E 705 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE MESABA RY RT OF WAY, PARCEL CODE: 040-0206-00650

TRACT 7 E 305 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE MESABA RY R OF W, PARCEL CODE: 040-0206-00630

TRACT 8 W 200 FT OF E 505 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE MESABA RY RT OF WAY, PARCEL CODE: 040-0206-00640

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TRACT 10 W 200 FT OF E 905 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE  
MESABA RY RT OF WAY, PARCEL CODE: 040-0206-00660

TRACT 11 W 200 FT OF E 1105 FT OF THAT PART OF NW 1/4 OF SE 1/4 LYING N OF THE  
MESABA RY RT OF WAY, PARCEL CODE: 040-0206-00670

SW 1/4 OF SE 1/4 LYING N OF N.R.O.W. OF HWY #37 \*SURFACE ONLY\*, PARCEL CODE:  
040-0206-00695; and

WHEREAS, Dale Cich for D & D Salvage was the owner of record at the time of forfeiture, and is  
eligible to repurchase these properties; and

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

NOW, THEREFORE, BE IT RESOLVED, that the repurchase application of Dale Cich for D & D  
Salvage, on file in County Board File No. 58518, is approved for the properties described above, and  
will be subject to payment including total taxes and assessments of \$4,579.22, repurchase application  
fee of \$684.00, deed tax of \$15.07, deed fee of \$150.00, and recording fee of \$276.00; for a total of  
\$5,704.29 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 19, 2006. No. 686

RESOLVED, that the St. Louis County Board authorizes the transfer of \$1,746,133 from the 2006  
budget (104001 - 619900) to the 2007 budget (104001 - 619900).

Adopted December 19, 2006. No. 687

WHEREAS, St. Louis County has a variety of Chemical Dependency services available in the  
community funded by the Consolidated Chemical Dependency Treatment Fund; and

WHEREAS, the Department of Public Health and Human Services has contracted with the providers  
listed below to provide needed chemical dependency treatment services on behalf of the County; and

WHEREAS, the Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby  
authorizes the appropriate county officials to execute Agreements for the period January 1, 2007,  
through December 31, 2007, with the following providers as follows:

**Non-Residential:**

	<u>Service Rate</u>
<u>Arrowhead Center, Inc.</u>	
Adult and Youth Outpatient Treatment	\$ 36.38 per hour
<u>Center for Alcohol and Drug Treatment</u>	
Intensive Outpatient - Adult	\$ 29.77 per hour
Intensive Outpatient at NERCC	\$ 29.77 per hour
MI/CD	\$ 29.77 per hour
1:1 Treatment	\$ 29.77 per hour
Woodland Hills Adolescent CD Program	\$ 29.77 per hour
Motivational Enhancement/Individual Program	\$ 29.77 per hour
<u>Duluth Bethel Society</u>	
Bethel Outpatient Center-Outpatient Treatment	\$ 26.84 per hour
<u>Miller-Dwan Medical Center</u>	
Adolescent Outpatient Treatment	\$ 77.37 per hour

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<u>Range Mental Health Center</u>	
Outpatient Day Treatment	\$ 38.25 per hour
Outpatient Evening Treatment	\$ 38.25 per hour

**Residential:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Short-term Primary Residential - Adult	\$284.59 per day

<u>Miller-Dwan Medical Center</u>	
Residential - Youth	\$315.92 per day

<u>Range Mental Health Center</u>	
Residential - Adult	\$279.21 per day

**Half-Way House:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Howard Friese House	\$ 78.80 per day
Marty Mann House	\$ 78.80 per day

<u>Duluth Bethel Society</u>	
Bethel Port Rehabilitation Center	\$ 66.20 per day

<u>Minnesota Indian Primary Residential Treatment Center, Inc.</u>	
Thunderbird House	\$ 39.90 per day
Wren House	\$ 39.90 per day

**Extended Care:**

	<u>Service Rate</u>
<u>Center for Alcohol and Drug Treatment</u>	
Extended Care Treatment	\$165.00 per day

<u>Duluth Bethel Society</u>	
Bethel Port Rehabilitation Center, Extended Care Treatment	\$115.87 per day

Adopted December 19, 2006. No. 688

WHEREAS, detoxification and hold services in St. Louis County protect individuals and the community by (1) safely withdrawing people from mood-altering substances; (2) protecting clients and others in the community; (3) improving their level of functioning; (4) providing assessment services, medical care, interventive counseling, and appropriate referrals; and (5) supporting their ability to protect and provide for themselves; and

WHEREAS, St. Louis County has supported detoxification and hold services from the Center for Alcohol and Drug Treatment in Duluth and Range Mental Health Center in Virginia with County funds for over ten years; and

WHEREAS, the Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Grant Agreements with the following providers of detoxification and hold services for the period January 1, 2007, through December 31, 2007, such contracts to be paid from Fund 230, Agency 232006, Object 606000:

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<u>Provider</u>	<u>Grant Amount</u>
Center for Alcohol and Drug Treatment	\$ 1,352,520.00
Range Mental Health Center	\$ 365,310.00

Adopted December 19, 2006. No. 689

WHEREAS, the Center for Alcohol and Drug Treatment provides Detoxification services and short-term primary Residential services for residents in their facility at 1402 E. Superior Street; and WHEREAS, the Community Food Service has been supporting these programs by providing pre-portioned noon and evening meals for both units at a reasonable cost since 2001; and WHEREAS, the Department of Public Health and Human Services wishes to renew this Agreement; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into a contract whereby the Center for Alcohol and Drug Treatment will purchase noon and evening meals from the Community Food Service at the rate of \$6.15 per meal for the period January 1, 2007, through December 31, 2007, payable to Fund 660 (Community Foods).

Adopted December 19, 2006. No. 690

WHEREAS, St. Louis County wishes to purchase intensive Adolescent Services as an alternative to out-of-home placement of children with emotional disturbances who need help with difficulties in their personal, home, school, and community functioning in order to decrease risk of harming themselves or others, increase resilience and stability of their families, increase school attendance, and decrease contacts with law enforcement and juvenile justice through programs that provide assessment, parenting education, family community-support services, group and individual skill training, crisis intervention, and community transition services; and

WHEREAS, the Fond du Lac Reservation and the Human Development Center are able and willing to provide these services; and

WHEREAS, the Department has budgeted funds available to purchase such services and wishes to renew this Agreement to empower children with emotional disturbances by instilling social skills, promoting self-esteem, and setting the children up with healthier decision-making skills for the future; NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Children's Mental Health Adolescent Services - "Strong Families" contracts for the period January 1, 2007, through December 31, 2007, as follows:

Fond du Lac Reservation	\$ 53,100
Human Development Center	\$ 106,200

The contracts are payable from: Fund 230 Social Services, Agency 232008 Children's Services, Expense Object 6016 Children's Mental Health Services

Adopted December 19, 2006. No. 691

WHEREAS, St. Louis County serves residents who would benefit from the Home Delivered Meals program, which is governed and funded by Title III, Nutrition Support Incentive Program (NSIP - formerly USDA), and Medical Assistance waived services; and

WHEREAS, the Department of Public Health and Human Services has contracted with the providers listed below for at least five years to provide Home Delivered Meal Services on behalf of the County; and

WHEREAS, the Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute Agreements for Home Delivered Meal Services for the period January 1, 2007, through December 31, 2007, with the following providers at the indicated rates to be paid from Fund 230, Object 606800:

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<u>Provider</u>	<u>Non-Waiver Rate</u>	<u>AC/Waiver Rate</u>
Duluth Senior Dining Norton Park, Morgan Park, Gary, Woodland Gardens	\$2.15	\$6.08
Lakeshore Lutheran East & West Duluth	\$2.15	\$6.08
Meals in the Home (MITH)-East Duluth-Central Hillside & Park Point	\$2.15	\$6.08
Meals in the Home (MITH)-West Duluth-Lincoln Park, Piedmont Heights, Duluth Heights, Hermantown	\$2.15	\$6.08
Proctor Meals on Wheels Proctor	\$2.15	\$6.08
AEOA Meals (AC/Waiver only) Adopted December 19, 2006. <u>No. 692</u>	N/A	\$6.08

WHEREAS, St. Louis County provides Children’s Mental Health Services; and  
 WHEREAS, the Department of Public Health and Human Services wants to contract with Lutheran Social Services to provide therapeutic skills building for youth on behalf of the County; and  
 WHEREAS, the services are MA eligible and the Department wishes to renew the Agreement which provides early intervention and prevention services that empower youth diagnosed with a Severe Emotional Disorder by instilling social skills, promoting self-esteem, and focusing on goals, thereby setting the youth up with healthier decision-making skills for the future;  
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute this Agreement with Lutheran Social Services for the period January 1, 2007, through December 31, 2007, and pay a maximum of \$50,000, including MA reimbursements, for the LSS “Youth Empowerment - Duluth/Positive Directions - Iron Range” contract payable from: Fund 230 Social Services, Agency 232008 Children’s Services, Expense Object 6016 Children’s Mental Health Services.  
 Adopted December 19, 2006. No. 693

WHEREAS, St. Louis County has Child Protection and Intervention and Prevention Programs; and  
 WHEREAS, the Department of Public Health and Human Services contracted with LSS Bethany Crisis Shelter and LSS Family Resource Center/Range Youth Shelter to provide Supervised Visitation Services on behalf of the County; and  
 WHEREAS, the Department wishes to renew these Agreements to promote a safe environment for youth to visit non-custodial parents and other family members;  
 NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute these Agreements with LSS Bethany Crisis Shelter and LSS Family Resource Center/Range Youth Shelter for the period January 1, 2007, through December 31, 2007, at \$31.24 per hour for each Shelter. Mileage for transportation reimbursement is hereby authorized to be paid to Bethany Crisis Shelter and the Family Resource Center/Range Youth Shelter to various sites, at the Board-authorized, Internal Revenue Service (IRS) standard rate of 44.5 cents per mile, whose rate will automatically change as the Board adopts the IRS standard rate modifications. The contract maximum is \$36,808 for the LSS Bethany Crisis Shelter and is \$43,500

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for the LSS Family Resource Center/Range Youth Shelter.

The contracts are payable from: Fund 230 Social Services, Agency 232008 Children's Services, Expense Object 602000 Other Children's Services; Fund 230 Social Services, Agency 232099 Administration, Revenue Source 500100 Local Taxes - Current & 550717 Parental Fees  
Adopted December 19, 2006. No. 694

WHEREAS, St. Louis County has entered into labor negotiations with bargaining units for their labor contracts for the years 2006-2007; and

WHEREAS, St. Louis County has previously utilized the services of Steven C. Fecker for labor negotiations; and

WHEREAS, Mr. Fecker has valuable knowledge and experience from previous negotiations that will assist the County in resolution of its labor contracts;

NOW, THEREFORE, BE IT RESOLVED, that the necessary County officials are authorized to execute an agreement with Steven C. Fecker to act as the labor negotiator for St. Louis County, effective January 1, 2007 - December 31, 2008, for the year 2006 and 2007 labor contracts and following at an hourly fee of \$160.00, said agreement contained in Contract File No. 06-1310, payable from Fund 100, Agency 107001, Object 629900.

Adopted December 19, 2006. No. 695

WHEREAS, U.S. Steel has proposed a residential development; and

WHEREAS, the project requires an Environmental Impact Statement; and

WHEREAS, the Minnesota Environmental Quality Board has identified St. Louis County as the governmental unit responsible for the environmental review; and

WHEREAS, the Board is responsible for considering the adequacy of the EIS; and

WHEREAS, the final EIS has been distributed for public review and comment;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners shall hold a public hearing to consider the adequacy of the final EIS on Tuesday, January 23, 2007, at 9:35 A.M. at a meeting location in the Virginia area, Sixth Commissioner District, to be determined at the Annual County Board Meeting to be held on January 2, 2007.

Adopted December 19, 2006. No. 696

WHEREAS, St. Louis County Board Resolution No. 600, adopted on November 14, 2006, authorized the St. Louis County Auditor to grant a roadway and utility easement across State tax forfeited land to Bruhn-Leone, LLC, d/b/a Minnesota Shores Land Company, contingent on Minnesota Shores Land Company granting St. Louis County an easement across the SW 1/4 of NW 1/4 and W 1/2 of SW 1/4, Section 15, Township 63 North, Range 12 West, to allow access to an adjoining parcel of State tax forfeited land; and

WHEREAS, St. Louis County has determined that access to the State tax forfeited parcel described as the NE 1/4 of SE 1/4, Section 16, Township 63 North, Range 12 West, is no longer necessary;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 600, adopted on November 14, 2006, is amended to eliminate the requirement that Minnesota Shores Land Company grant St. Louis County an easement across the SW 1/4 of NW 1/4 and W 1/2 of SW 1/4, Section 15, Township 63 North, Range 12 West, to allow access to an adjoining parcel of State tax forfeited land.

Adopted December 19, 2006. No. 697

RESOLVED, that the fund transfers and appropriations for 2006 within the listed funds, as on file in County Board File No. 58622, are hereby approved.

Adopted December 19, 2006. No. 698

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At 2:42 P.M. on Tuesday, December 19, 2006, upon motion of Commissioner Kron, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Keith Nelson, Chair of the Board  
of County Commissioners

Attest:  
Donald Dicklich, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)