

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

JANUARY, 2007

ANNUAL SESSION

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 2, 2007

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of January, 2007, at 9:34 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, Keith Nelson, and Steve Raukar - 7. Absent: Commissioner Peg Sweeney - 1.

Donald Dicklich, County Auditor, called the Annual Meeting to order and asked for nominations for Chair of the County Board for 2007. Commissioner Forsman, supported by Commissioner Nelson, nominated Commissioner Kron as Board Chair for 2007. No other nominations were received. Commissioner O'Neil, supported by Commissioner Fink, moved to close nominations; six yeas - zero nays. Commissioner Nelson, supported by Commissioner Raukar, moved to elect Commissioner Kron Chair of the County Board for 2007 by unanimous ballot; six yeas - zero nays.

Chair Kron presented a plaque and thanked Commissioner Nelson for his service as Chair of the County Board in 2006 and for implementing Volunteer Excellence Awards presented at each meeting by County elected officials in conjunction with the County Sesquicentennial celebration.

Chair Kron asked for nominations for Vice-Chair and Commissioner Nelson, supported by Commissioner Raukar, moved to nominate Commissioner Forsman. No other nominations were received. Commissioner Nelson, supported by Commissioner O'Neil, moved to close nominations and elect Commissioner Forsman Vice-Chair for 2007 by unanimous ballot; six yeas - zero nays.

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

Commissioner Forsman, supported by Commissioner Nelson, moved to recognize James Laumeyer, Duluth, for his more than fifteen years of service as a citizen volunteer on the St. Louis County Grievance Board. Tony Bruno, Civil Service Director, introduced Mr. Laumeyer; six yeas - zero nays. Resolution No. 3.

Commissioner O'Neil, supported by Commissioner Nelson, moved to adopt a Board Meeting schedule for 2007; six yeas - zero nays. Resolution No. 1.

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Commissioner Nelson, supported by Commissioner Forsman, moved to adopt a schedule for Committee of the Whole meetings for 2007; six yeas - zero nays. Resolution No. 2. (All committee appointments are for one-year terms unless otherwise noted.)

Commissioner Forsman, supported by Commissioner Raukar, moved to appoint Commissioners Fink and Nelson as representatives to Arrowhead Counties Association; six yeas - zero nays. Resolution No. 4.

Commissioner Nelson, supported by Commissioner O'Neil, moved to appoint Commissioner Fink as representative on the Arrowhead Emergency Medical Services Association Board of Directors; six yeas - zero nays. Resolution No. 5.

Commissioner Nelson, supported by Commissioner Fink, moved to appoint Commissioners Sweeney, Nelson and O'Neil as representatives and Commissioner Raukar as alternate to Arrowhead Regional Corrections; six yeas - zero nays. Resolution No. 6.

Commissioner O'Neil, supported by Commissioner Forsman, moved to appoint Commissioners Sweeney and Raukar as representatives and Commissioner Fink as alternate to three-year terms on the Arrowhead Regional Development Commission; six yeas - zero nays. Resolution No. 7.

Commissioner Forsman, supported by Commissioner Nelson, moved to appoint Commissioner O'Neil as representative and Commissioner Sweeney as alternate to Metropolitan Interstate Committee (ARDC); six yeas - zero nays. Resolution No. 8.

Commissioner O'Neil, supported by Commissioner Raukar, moved to appoint Commissioner Forsman as representative and Commissioner Fink as alternate to the Community Health Services Board for three-year terms; six yeas - zero nays. Resolution No. 9.

Commissioner Raukar, supported by Commissioner Nelson, moved to appoint Commissioner O'Neil as alternate to the Association of Minnesota Counties (AMC) District 1 Policy Committee - Human Services; six yeas - zero nays. Resolution No. 10.

Commissioner Raukar, supported by Commissioner Fink, moved to appoint Commissioners Nelson and Forsman as representatives to the St. Louis County Election Canvassing Board for any special elections that may be held in 2007; six yeas - zero nays. Resolution No. 11.

Commissioner Nelson, supported by Commissioner Fink, moved to appoint Commissioner Forsman as representative and Commissioner Sweeney as alternate to the St. Louis County Grievance Board; six yeas - zero nays. Resolution No. 12.

Commissioner Raukar, supported by Commissioner O'Neil, moved to appoint Commissioner Forsman as representative and Commissioner Nelson as alternate to the Job Training Partnership Act; six yeas - zero nays. Resolution No. 13.

Commissioner Nelson, supported by Commissioner Raukar, moved to appoint Commissioner Fink as representative and Commissioner O'Neil as alternate to two-year terms on the Lake Superior Public Access - Joint Powers Board; six yeas - zero nays. Resolution No. 14.

Commissioner O'Neil, supported by Commissioner Forsman, moved to appoint Commissioner Sweeney as representative to the Law Library Board; six yeas - zero nays. Resolution No. 15.

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Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioner O'Neil as representative to the Laurentian Resource and Development Council (RC & D); six years - zero nays. Resolution No. 16.

Commissioner Fink, supported by Commissioner Forsman, moved to appoint Commissioners Sweeney and Nelson as representatives to the Liquor Licensing Committee; six years - zero nays. Resolution No. 17.

Commissioner Nelson, supported by Commissioner Forsman, moved to appoint Commissioners Kron and Raukar as representatives and Commissioner Sweeney as alternate to the Metropolitan Inter-County Association (MICA); six years - zero nays. Resolution No. 18.

Commissioner Raukar, supported by Commissioner Forsman, 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; six years - zero nays. Resolution No. 19.

Commissioner O'Neil, supported by Commissioner Nelson, 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; six years - zero nays. Resolution No. 20.

Commissioner Nelson, supported by Commissioner Raukar, moved to appoint Commissioners Fink and Kron as representatives and Commissioner O'Neil as alternate to the Northwest Airlines Tax Increment Financing District Board; six years - zero nays. Resolution No. 21.

Commissioner Raukar, supported by Commissioner Forsman, moved to appoint Commissioner Fink as representative and Commissioner Nelson as alternate to the St. Louis County Planning Commission; six years - zero nays. Resolution No. 22.

Commissioner O'Neil, supported by Commissioner Raukar, moved to appoint Commissioners Sweeney and Nelson as representatives to the St. Louis County Promotional Bureau; six years - zero nays. Resolution No. 23.

Commissioner Forsman, supported by Commissioner O'Neil, moved to appoint Commissioners Kron, Nelson and Raukar as representatives and Commissioner Sweeney as alternate to the St. Louis/Lake Counties Regional Railroad Authority; six years - zero nays. Resolution No. 24.

Commissioner Fink said because of a schedule conflict he is unable to fulfill his duties as an appointed member of the Duluth/St. Louis County Joint Airport Zoning Board. There is one year remaining of his two-year appointment. Commissioner Nelson asked Administration to put the item on a Committee of the Whole agenda for consideration.

Commissioner Nelson, supported by Commissioner O'Neil, moved to award the bid for legal publications for the County for 2007 as follows: Duluth News Tribune as legal newspaper for all legal notices, board proceedings, notices of expiration and first publication of the financial statement; Gilbert Herald for the second publication of the financial statement and both publications of the delinquent tax list. Dick Florey, Director of Purchasing, described the bid process; six years - zero nays. Resolution No. 25.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve a contract with the Human Development Center for mental health services for children and adults. Ann Busche, Director of Health and Human Services, explained how contract amounts are determined and why there are cost

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differences between Duluth and Iron Range services. Vicki Maher, Deputy Director of Health and Human Services, described how costs have historically been established for the services; six years - zero nays. Resolution No. 26.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a contract with Range Mental Health Center for mental health services for children and adults; six years - zero nays. Resolution No. 27.

At 10:35 A.M. in the forenoon of Tuesday, January 2, 2007, Chair Kron moved to recess the Board until 10:40 A.M. on January 2, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:45 A.M. on Tuesday, January 2, 2007, and the regular order of business resumed with all members present except Commissioner Sweeney.

Chair Kron said a closed session for litigation purposes as listed on the Board Agenda would not be held. Commissioner Fink, supported by Commissioner Nelson, moved to direct Administration to retain an attorney to represent the County Board in legal proceedings initiated by County Attorney Melanie Ford regarding her salary and budget; six years - zero nays.

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

Kevin Skwira-Brown, Duluth, objected to a proposed contract with former County Attorney Mitchell for health insurance contract negotiations because it appeared to be cronyism.

Scott Cameron, Duluth, submitted a petition opposing a consultant contract with Alan Mitchell. Mr. Cameron added the starting salary for new County Attorney Melanie Ford is too low.

Sami Gabriel, Teamsters, said she supports the new County Attorney and changes made to the Attorney budget and duties are wrong.

Mike O'Donnell, Teamsters, said hiring former County Attorney Mitchell is wrong and he urged the Board to allow the new County Attorney to do the job she was elected to. In most Minnesota counties, health insurance is not under the purview of a County Attorney, according to Mr. O'Donnell.

Dick Hallfrisch, Duluth, said he opposed any contract with the former County Attorney and he urged the Board to give County Attorney Ford a chance to do her job.

County Attorney Melanie Ford thanked citizens for their support. Commissioner Nelson objected to any comments by Attorney Ford because of pending litigation.

Mary Theurer, AFSCME, asked if citizens could address the Board during the Committee of the Whole meeting.

Don Solem, Hunting Shack Lease Holders Association, asked the Board to remember to keep his organization "in the loop" if any changes are proposed regarding hunting shack leases.

Commissioner Raukar said he hoped a fair and equitable solution could be reached regarding the County Attorney and Commissioner O'Neil agreed public perception of the issue is bad.

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

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meeting:

Communications received by the St. Louis County Board for the year 2007.-58629

Letters from the County Administrator for the year 2007 to the County Board regarding items on the Committee of the Whole and County Board Meeting Agendas.-58630

Finance and Budget Committee submitting recommendations for reduction and correction of assessed valuations and taxes for the year 2007.-58631

Petition of those persons opposed to the appointment of Alan Mitchell as a consultant on any county business.-58632

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board of Commissioners will meet in 2007 commencing at 9:30 A.M. on Tuesdays according to the following schedule:

January: 2nd, 9th - Duluth Courthouse
 23rd - Leonidas City Hall
 (30th is fifth Tuesday)

February: 13th, 20th - Duluth Courthouse
 27th - Hibbing City Council Chambers

March: 13th, 20th - Duluth Courthouse
 27th - Morse Town Hall

April: 3rd, 10th - Duluth Courthouse
 24th - Gilbert City Hall

May: 1st, 8th - Duluth Courthouse
 22nd - Hibbing City Council Chambers
 (29th is fifth Tuesday)

June: 5th, 12th - Duluth Courthouse
 26th - Semer's Park Pavilion

July: 3rd, 10th - Duluth Courthouse
 24th - Hibbing City Council Chambers
 (31st is fifth Tuesday)

August: 7th - Duluth Courthouse
 14th - Mt. Iron Community Center
 (August 21st and 28th - no meetings)

September: 4th, 11th - Duluth Courthouse
 25th - Morse Town Hall

October: 2nd, 9th - Duluth Courthouse
 23rd - Virginia City Hall
 (30th is fifth Tuesday)

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November: 6th, 13th - Duluth Courthouse
27th - Hibbing City Council Chambers

December: 11th - Duluth Courthouse
18th - Morse Town Hall
(December 25th - no meeting)

NOTE: The following Tuesdays were eliminated for the reasons indicated:
January 16th, April 17th, May 15th, June 19th, September 18th, October 16th,
November 20th - Third Tuesdays reserved for workshops

February 5th and 6th - Duluth/St. Louis County Days at the Capitol
March 6th - NACo Conference
July 17th - NACo Annual Conference
December 4th - AMC Annual Conference
December 25th - Christmas Holiday

Unanimously adopted. January 2, 2007. No. 1

BY COMMISSIONER NELSON:

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 Human Services Committee
Chair - Commissioner Steve O'Neil

Environment and Natural Resources Committee
Chair - Commissioner Keith Nelson

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 Peg Sweeney

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will meet in 2007 as a Committee of the Whole immediately following the County Board meeting on Tuesdays, according to the following schedule:

January: 2nd, 9th - Duluth Courthouse
23rd - Leonidas City Hall
(30th is fifth Tuesday)

February: 13th, 20th - Duluth Courthouse
27th - Hibbing City Council Chambers

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March: 13th, 20th - Duluth Courthouse
27th - Morse Town Hall, Ely

April: 3rd, 10th - Duluth Courthouse
24th - Gilbert City Hall

May: 1st, 8th - Duluth Courthouse
22nd - Hibbing City Council Chambers
(29th is fifth Tuesday)

June: 5th, 12th - Duluth Courthouse
26th - Semer's Park Pavilion, Ely

July: 3rd, 10th - Duluth Courthouse
24th - Hibbing City Council Chambers
(31st is fifth Tuesday)

August: 7th - Duluth Courthouse
14th - Mt. Iron Community Center
(August 21st and 28th - no meetings)

September: 4th, 11th - Duluth Courthouse
25th - Morse Town Hall, Ely

October: 2nd, 9th - Duluth Courthouse
23rd - Virginia City Hall
(30th is fifth Tuesday)

November: 6th, 13th - Duluth Courthouse
27th - Hibbing City Council Chambers

December: 11th - Duluth Courthouse
18th - Morse Town Hall, Ely
(December 25th - no meeting)

NOTE: The following Tuesdays were eliminated for the reasons indicated:
January 16th, April 17th, May 15th, June 19th, September 18th, October 16th,
November 20th - Third Tuesdays reserved for workshops

February 5th and 6th - Duluth/St. Louis County Days at the Capitol
March 6th - NACo Conference
July 17th - NACo Annual Conference
December 4th - AMC Annual Conference
December 25th - Christmas Holiday

Unanimously adopted. January 2, 2007. No. 2

BY COMMISSIONER FORSMAN:

RESOLVED, the St. Louis County Board hereby extends its grateful appreciation to James Laumeyer for his fifteen-plus years of professional labor relations service as a citizen volunteer on the St. Louis County Grievance Board.

Unanimously adopted. January 2, 2007. No. 3

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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, 2007:
Commissioner Dennis Fink
Commissioner Keith Nelson
Unanimously adopted. January 2, 2007. No. 4

BY COMMISSIONER NELSON:

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, 2007.
Unanimously adopted. January 2, 2007. No. 5

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, 2007:

Commissioner Peg Sweeney
Commissioner Keith Nelson
Commissioner Steve O'Neil
Commissioner Steve Raukar (alternate)
Unanimously adopted. January 2, 2007. No. 6

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints the following as their representatives on the Arrowhead Regional Development Commission for three-year term expiring December 31, 2009:

Commissioner Steve Raukar
Commissioner Peg Sweeney
Commissioner Dennis Fink (alternate)
Unanimously adopted. January 2, 2007. No. 7

BY COMMISSIONER FORSMAN:

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, 2007:

Commissioner Steve O'Neil
Commissioner Peg Sweeney (alternate)
Unanimously adopted. January 2, 2007. No. 8

BY COMMISSIONER O'NEIL:

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, 2009:

Commissioner Mike Forsman
Commissioner Dennis Fink (alternate)
Unanimously adopted. January 2, 2007. No. 9

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board hereby appoints Commissioner Steve O'Neil as an alternate representative to the Association of Minnesota Counties District 1 Policy Committee - Human Services.

Unanimously adopted. January 2, 2007. No. 10

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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RESOLVED, that Commissioner Mike Forsman and Commissioner Keith Nelson are hereby appointed to the St. Louis County Election Canvassing Board for any special elections to be held in the year 2007.

Unanimously adopted. January 2, 2007. No. 11

BY COMMISSIONER NELSON:

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, 2007:

Commissioner Mike Forsman

Commissioner Peg Sweeney (alternate)

Unanimously adopted. January 2, 2007. No. 12

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, 2007:

Commissioner Mike Forsman

Commissioner Keith Nelson (alternate)

Unanimously adopted. January 2, 2007. No. 13

BY COMMISSIONER NELSON:

RESOLVED, that the St. Louis County Board hereby appoints the following as a representative to the Lake Superior Public Access - Joint Powers Board for a two-year term expiring December 31, 2008:

Commissioner Dennis Fink

Commissioner Steve O'Neil (alternate)

Unanimously adopted. January 2, 2007. No. 14

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board hereby appoints one Commissioner as their representative on the Duluth Law Library Board for a one-year term expiring December 31, 2007:

Commissioner Peg Sweeney

Unanimously adopted. January 2, 2007. No. 15

BY COMMISSIONER NELSON:

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 expiring December 31, 2007:

Commissioner Steve O'Neil

Unanimously adopted. January 2, 2007. No. 16

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board hereby appoints two Commissioners as their representatives on the Liquor Licensing Committee:

Commissioner Peg Sweeney

Commissioner Keith Nelson

Unanimously adopted. January 2, 2007. No. 17

BY COMMISSIONER NELSON:

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, 2007:

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Commissioner William J. Kron
Commissioner Steve Raukar
Commissioner Peg Sweeney (alternate)
Unanimously adopted. January 2, 2007. No. 18

BY COMMISSIONER RAUKAR:

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, 2007:
Commissioner Keith Nelson
Commissioner Mike Forsman (alternate)
Unanimously adopted. January 2, 2007. No. 19

BY COMMISSIONER O'NEIL:

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, 2007:
Commissioner Peg Sweeney
Commissioner Bill Kron (alternate)
Unanimously adopted. January 2, 2007. No. 20

BY COMMISSIONER NELSON:

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, 2007:
Commissioner Dennis Fink
Commissioner Bill Kron
Commissioner Steve O'Neil (alternate)
Unanimously adopted. January 2, 2007. No. 21

BY COMMISSIONER RAUKAR:

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, 2007:
Commissioner Dennis Fink
Commissioner Keith Nelson (alternate)
Unanimously adopted. January 2, 2007. No. 22

BY COMMISSIONER O'NEIL:

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, 2007:
Commissioner Peg Sweeney
Commissioner Keith Nelson
Unanimously adopted. January 2, 2007. No. 23

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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, 2007:

Commissioner Bill Kron

Commissioner Keith Nelson

Commissioner Steve Raukar

Commissioner Peg Sweeney (alternate)

Unanimously adopted. January 2, 2007. No. 24

BY COMMISSIONER NELSON:

RESOLVED, that the Director of Purchasing is hereby authorized to enter into a contract with the Duluth News Tribune for the 2007 Legal Advertising services, in accordance with the specifications of Bid No. 4652 and their bid for Item 1 (Official Newspaper) as follows:

	<u>Per Inch</u>
1. Official Newspaper	
A. Legal Notices	\$2.10
B. Board Proceedings	\$2.10
C. Notice of Expiration of Redemption	
1st Publication	\$2.10
2nd Publication	\$2.10
D. Financial Statement	
1st Publication	\$2.10

RESOLVED FURTHER, that the Director of Purchasing is hereby authorized to enter into a contract with the Gilbert Herald for the 2007 Legal Advertising services, in accordance with the specifications of Bid No. 4652 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

Unanimously adopted. January 2, 2007. No. 25

BY COMMISSIONER O'NEIL:

WHEREAS, the Human Development Center helps people with mental illness remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, the Department of Public Health and Human Services has contracted with the Human Development Center to provide needed community mental health services in southern St. Louis County; and

WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of south St. Louis County; and

WHEREAS, the Department wishes to continue the agreements with the Human Development Center;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute two Agreements with the Human Development Center for the period January 1, 2007, to December 31, 2007:

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- | | | |
|----|---|----------------------------|
| 1) | Children:
Targeted Case Management:
(Fund 230, Agency 232008) | \$500 per month per client |
| 2) | Adults:
Targeted Case Management:
(Fund 230, Agency 232006) | \$350 per month per client |

Unanimously adopted. January 2, 2007. No. 26

BY COMMISSIONER NELSON:

WHEREAS, the Range Mental Health Center helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and
WHEREAS, the Department of Public Health and Human Services has contracted with the Range Mental Health Center to provide needed community mental health services in northern St. Louis County; and

WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance for various mental health services for residents of northern St. Louis County; and

WHEREAS, the Department wishes to renew the agreements with the Range Mental Health Center;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute the following Agreements with the Range Mental Health Center for the period January 1, 2007, to December 31, 2007:

1. Targeted case management for children: \$675 per month per client (7-10 cases per month).
2. Other children's mental health services not to exceed \$61,650, to be paid from Fund 230, Agency 232008, Object 601600.
3. Targeted case management for adults: \$340 per month per client (maximum 60 cases).
4. Other adult mental health services not to exceed \$101,088, to be paid from Fund 230, Agency 232006, Object 604400.

Unanimously adopted. January 2, 2007. No. 27

At 11:31 A.M. on Tuesday, January 2, 2007, upon motion of Commissioner O'Neil, supported by Commissioner Fink, the Board of County Commissioners adjourned.

Bill Kron, 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 9, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of January, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Commissioner Nelson, supported by Commissioner Sweeney, made a motion to remove from the agenda a public hearing scheduled for 9:35 A.M. to consider suspension/revocation of liquor licenses for non payment of real estate or personal property taxes when due because all establishments have paid their taxes. Chair Kron asked if anyone in attendance wished to address the issue and no one chose to do so; seven yeas - zero nays.

Chair Kron announced that he will be continuing - on a twice monthly basis - the Volunteer Excellence Awards program established in 2006 by Commissioner Nelson.

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

Sam Haddad, Public Works employee, asked if cuts to the County Attorney budget and the subsequent attempt to hire a health insurance consultant would have been considered if Attorney Alan Mitchell had won reelection.

Dave Crego, Public Works employee, highlighted the plight of Vietnam Veterans, the elimination of the blacksmith positions in Public Works and asked why the County would consider hiring former County Attorney Mitchell as a consultant.

Dick Hallfrisch, retired County employee, said he did not want comments he made at last week's Board meeting misconstrued regarding the County health insurance plan.

Scott Cameron, Duluth, submitted more signed petitions objecting to hiring former County Attorney Mitchell as a consultant for health insurance issues.

Bob Tammen, Soudan, said he was a Vietnam Veteran and Commissioner Forsman has always supported veteran efforts.

Warner Wirta, Duluth, asked the Board to consider holding more evening meetings.

Mike O'Donnell, Teamsters, objected to Commissioner comments about possible future increased insurance co-pays that are a negotiation matter.

Keith Young, Teamsters, said there is public perception the Board is circumventing voters by attempting to hire the former County Attorney as a consultant and he urged the Board to give County Attorney Ford a chance to do her job.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve purchase of vehicles for various departments for 2007. Dana Frey, County Administrator, detailed time lines for inclusion of vehicle financing in the proposed equipment note that may be issued later this year. Commissioners Nelson and Sweeney noted the large number of local vendors that were awarded vehicle purchase bids.

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Commissioner Raukar pointed out the more than \$53,000 in state sales taxes that will be paid on these vehicles; seven yeas - zero nays. Resolution No. 32.

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

At 10:12 A.M. in the forenoon of Tuesday, January 9, 2007, Commissioner Fink, supported by Commissioner Nelson, moved to recess the Board until 11:00 A.M. on January 9, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:12 A.M. on Tuesday, January 9, 2007, and the regular order of business resumed with all members present.

County Administrator Dana Frey introduced Scott Anderson, an attorney with Ratwik, Roszak and Maloney, who will be representing the County in the legal action filed by County Attorney Melanie Ford regarding her starting salary and departmental budget. Attorney Anderson said the Board is allowed by statute to go into closed session for litigation purposes and he recommended the Board do so. Commissioner Fink, supported by Commissioner Raukar, moved to go into closed session for litigation purposes; seven yeas - zero nays.

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 2007.--58633

Elizabeth A. Storaasli, Dryer, Storaasli, Knutson & Pommerville, Ltd., submitting Notice of Appeal, Affidavit of Melanie Ford, and Memorandum of Law in the matter of the St. Louis County Attorney Budget and Salary for 2007.--58634

James P. Peters, Peters & Peters, PLC, submitting Summons and Complaint for Declaratory and Injunctive Relief, in the matter of Wetlands Action Group, Robert Tammen, Pat Tammen, Leonard Anderson, Lori Andresen, Elanne Palcich versus Saint Louis County and the Saint Louis County Board of Commissioners.--58635

James P. Peters, Peters & Peters, PLC, regarding The Big Lake Association versus Saint Louis County Planning Commission, et al, Minnesota Court of Appeals Case No. A06-2305.--58636

St. Louis and Lake Counties Regional Railroad Authority submitting agendas and minutes for their meetings held in the year 2007.--58637

Sid Inman, Financial Advisor, Ehlers & Associates, regarding the Duluth Economic Development Authority and the City of Duluth's proposed modification to the Development Program for Development District No. 17 and the proposed establishment of Tax Increment Financing District No. 24 Duluth Renaissance Project.--58638

Gary Eckenberg, Deputy County Administrator, submitting a copy of the publication from the Association of Minnesota Counties offering a brief outline of the duties and responsibilities of the County Attorney's Offices throughout the state.--58639

System Implementation Agreement between St. Louis County, Minnesota, and Tiburon, Inc., for an automated computer system.--07-01

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Employee Safety & Development Training Contract between St. Louis County and Keenan Consulting, LLC, for two Team Building sessions.--07-02

Letter of Agreement Governing Use of Historic Site between St. Louis County and the State of Minnesota, through the Minnesota Historical Society's State Historic Preservation Officer, for preservation of the Duluth Union Depot.--07-03

Amendment No. 1 to Grant Contract No. 2006-NGTF-00382/9300-2207 between the State of Minnesota, through its Commissioner of Public Safety, Office of Justice Programs, and the St. Louis County Sheriff's Office for funding multi-jurisdictional narcotics task forces. --07-04

Service Contract No. 4624 between the County of St. Louis and Waste Management of MN, Inc., for garbage and recycling pick-up and disposal service.--07-05

Service Contract No. 4624 between the County of St. Louis and North Shore Sanitary for garbage and recycling pick-up and disposal service.--07-06

Grant Agreement, Contract No. 20679, between the St. Louis County Board of Commissioners and Community Action Duluth for providing a pilot project for integrated services for participants of the Minnesota Family Investment Program Employment Services.--07-07ss

Grant Agreement, Contract No. 20712, between the St. Louis County Board of Commissioners and Kootasca Community Action, Inc., for providing a pilot project for integrated services for participants of the Minnesota Family Investment Program Employment Services.--07-08ss

Grant Agreement, Contract No. 20677, between the St. Louis County Board of Commissioners and Lakes and Pines Community Action Council, Inc., for providing a pilot project for integrated services for participants of the Minnesota Family Investment Program Employment Services.--07-09ss

Grant Agreement, Contract No. 20713, between the St. Louis County Board of Commissioners and Minnesota Chippewa Tribe for providing a pilot project for integrated services for participants of the Minnesota Family Investment Program Employment Services.--07-10ss

Addendum to Purchase Agreement, Contract No. 12552E, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for semi-independent living services.--07-11ss

Chronic Disease Management Agreement between St. Louis County and St. Mary's Duluth Clinic Health System.--07-12

Amendment No. 1 to MN/DOT Contract No. 86188 for State Project 6915-129, Trunk Highway No. 53, between the State of Minnesota, through its Commissioner of Transportation, St. Louis County, City of Duluth, and Short Elliot Hendrickson, Inc.--07-13

Service Contract, Contract No. 4624, between the County of St. Louis and Nor-Land Sanitary Service, Inc., for garbage and recycling pick-up and disposal service.--07-14

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 Virginia.--07-15

Employee Safety & Development Training Contract between St. Louis County and Ann Harrington for one session of Compassionate Communications: Tools and Techniques for Non-Violent Communications.--07-16

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Project Contract, Contract No. 2006-003430, between the County of St. Louis and the Range Cornice Heating and Sheet Metal for the construction of the new St. Louis County Hibbing Annex Room L-100 State Office Space.--[07-17](#)

Project Contract, Contract No. 4659, between the County of St. Louis and Commercial Construction North, Inc., for the construction of the new St. Louis County Hibbing Annex Room L-100 State Office Space.--[07-18](#)

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for modifying the reception area on the main floor of the Hibbing Annex Building.--[07-19](#)

Agreement for Professional Services between the County of St. Louis and Brian Toivonen for providing GIS support and mapping for the 911 Communications Division.--[07-20](#)

Addendum to Purchase Agreement, Contract No. 13929A, between the St. Louis County Board of Commissioners and A & E Homes, Inc., for SLS for adults.--[07-21ss](#)

Addendum to Purchase Agreement, Contract No. 13235E, between the St. Louis County Board of Commissioners and ARC Northland for DD respite care.--[07-22ss](#)

Addendum to Purchase Agreement, Contract No. 13300E, between the St. Louis County Board of Commissioners and Julie and Michael Balmer - Amity House for SLS for adults.--[07-23ss](#)

Addendum to Purchase Agreement, Contract No. 13301D, between the St. Louis County Board of Commissioners and Carey Special Needs Foster Home for SLS for adults and children.--[07-24ss](#)

Addendum to Purchase Agreement, Contract No. 13627D, between the St. Louis County Board of Commissioners and Caromin House, Inc. - 60th Avenue East (MA MR/RC Waiver Services) for SLS for adults.--[07-25ss](#)

Addendum to Purchase Agreement, Contract No. 13303F, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - Our Place A for SLS for adults.--[07-26ss](#)

Addendum to Purchase Agreement, Contract No. 13304F, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - Our Place B for SLS for adults.--[07-27ss](#)

Addendum to Purchase Agreement, Contract No. 13616D, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - 1623 North Place for SLS for adults.--[07-28ss](#)

Addendum to Purchase Agreement, Contract No. 13617D, between the St. Louis County Board of Commissioners and Covenant Enabling Residence II of Minnesota, Inc. - 1625 North Place for SLS for adults.--[07-29ss](#)

Addendum to Purchase Agreement, Contract No. 13428E, between the St. Louis County Board of Commissioners and Dallmann Adult Foster Home for SLS for adults.--[07-30ss](#)

Addendum to Purchase Agreement, Contract No. 13281E, between the St. Louis County Board of Commissioners and DeRung/Bonk Adult Foster Care, Inc., for SLS for adults.--[07-31ss](#)

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Addendum to Purchase Agreement, Contract No. 13647C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Bishop Woods for SLS for children and adults.--[07-32ss](#)

Addendum to Purchase Agreement, Contract No. 13213F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Daniels for SLS for children and adults.--[07-33ss](#)

Addendum to Purchase Agreement, Contract No. 13212E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - East Fifth for SLS for adults.--[07-34ss](#)

Addendum to Purchase Agreement, Contract No. 13659C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Fairview for SLS for adults.--[07-35ss](#)

Addendum to Purchase Agreement, Contract No. 13221E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Galere for SLS for adults.--[07-36ss](#)

Addendum to Purchase Agreement, Contract No. 13215E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Gateway for SLS for adults.--[07-37ss](#)

Addendum to Purchase Agreement, Contract No. 13222F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Glendale for SLS for adults.--[07-38ss](#)

Addendum to Purchase Agreement, Contract No. 13219F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Jitney for SLS for adults.--[07-39ss](#)

Addendum to Purchase Agreement, Contract No. 13482E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Lambert for SLS for adults.--[07-40ss](#)

Addendum to Purchase Agreement, Contract No. 13224F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Mankato for SLS for adults.--[07-41ss](#)

Addendum to Purchase Agreement, Contract No. 13745C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Melrose for SLS for children and adults.--[07-42ss](#)

Addendum to Purchase Agreement, Contract No. 13436D, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Meridian for SLS for adults.--[07-43ss](#)

Addendum to Purchase Agreement, Contract No. 13223F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Merritt for SLS for adults.--[07-44ss](#)

Addendum to Purchase Agreement, Contract No. 13220F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Northside for SLS for adults.--[07-45ss](#)

Addendum to Purchase Agreement, Contract No. 13218E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Noumenon for SLS for adults.--[07-46ss](#)

Addendum to Purchase Agreement, Contract No. 13217E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Piedmont for SLS for adults.--[07-47ss](#)

Addendum to Purchase Agreement, Contract No. 13502E, between the St. Louis County Board of

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Commissioners and Duluth Regional Care Center, Inc. - Riverside for SLS for adults.--[07-48ss](#)

Addendum to Purchase Agreement, Contract No. 13202F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Rockridge for SLS for adults.--[07-49ss](#)

Addendum to Purchase Agreement, Contract No. 13205E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - SLS Foster Support.--[07-50ss](#)

Addendum to Purchase Agreement, Contract No. 13203F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triggs for SLS for children and adults.--[07-51ss](#)

Addendum to Purchase Agreement, Contract No. 13739C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 1, for SLS for adults.--[07-52ss](#)

Addendum to Purchase Agreement, Contract No. 13740C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 2, for SLS for adults.--[07-53ss](#)

Addendum to Purchase Agreement, Contract No. 13741C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 3, for SLS for adults.--[07-54ss](#)

Addendum to Purchase Agreement, Contract No. 13204E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Valley for SLS for adults.--[07-55ss](#)

Addendum to Purchase Agreement, Contract No. 13211F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Wheeler for SLS for adults.--[07-56ss](#)

Addendum to Purchase Agreement, Contract No. 13214E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Winona for SLS for adults.--[07-57ss](#)

Addendum to Purchase Agreement, Contract No. 13216F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Woodland for SLS for adults.--[07-58ss](#)

Addendum to Purchase Agreement, Contract No. 13207E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - In-Home Family Support Services.--[07-59ss](#)

Addendum to Purchase Agreement, Contract No. 13206E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Respite Care Services.--[07-60ss](#)

Addendum to Purchase Agreement, Contract No. 13319E, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 1, for SLS for adults.--[07-61ss](#)

Addendum to Purchase Agreement, Contract No. 13320E, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 2, for SLS for adults.--[07-62ss](#)

Addendum to Purchase Agreement, Contract No. 13321E, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 3, for SLS for adults.--[07-63ss](#)

Addendum to Purchase Agreement, Contract No. 13881B, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 4, for SLS for adults.--[07-64ss](#)

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Addendum to Purchase Agreement, Contract No. 13323E, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc., No. 5, for SLS for adults.--[07-65ss](#)

Addendum to Purchase Agreement, Contract No. 13432D, between the St. Louis County Board of Commissioners and Matthew and Yvette Lange - Respite Care Services.--[07-66ss](#)

Addendum to Purchase Agreement, Contract No. 13957A, between the St. Louis County Board of Commissioners and Claudette Lentz Adult Foster Home for SLS for adults.--[07-67ss](#)

Addendum to Purchase Agreement, Contract No. 13958A, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for SLS for adults.--[07-68ss](#)

Addendum to Purchase Agreement, Contract No. 13991A, between the St. Louis County Board of Commissioners and Northland AFC, Inc. - White Pine Trail (Carlton County) for SLS for adults.--[07-69ss](#)

Addendum to Purchase Agreement, Contract No. 13651C, between the St. Louis County Board of Commissioners and Cole Schneider - Possibilities Plus - Grand for SLS for adults.--[07-70ss](#)

Addendum to Purchase Agreement, Contract No. 13927A, between the St. Louis County Board of Commissioners and Cole Schneider - Possibilities Plus - Vinland for SLS for children and adults.--[07-71ss](#)

Addendum to Purchase Agreement, Contract No. 13194F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Chester Creek for SLS for adults.--[07-72ss](#)

Addendum to Purchase Agreement, Contract No. 13193F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Hunter's Park for SLS for adults.--[07-73ss](#)

Addendum to Purchase Agreement, Contract No. 13816B, between the St. Louis County Board of Commissioners and Residential Services of Northern MN, Inc. (RSI) - Jefferson for SLS for adults.--[07-74ss](#)

Addendum to Purchase Agreement, Contract No. 13315F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Morley Park for SLS for adults.--[07-75ss](#)

Addendum to Purchase Agreement, Contract No. 13195F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Piedmont for SLS for adults.--[07-76ss](#)

Addendum to Purchase Agreement, Contract No. 13192F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Westbrook for SLS for adults.--[07-77ss](#)

Addendum to Purchase Agreement, Contract No. 13197E, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Respite Care Services (MA MR/RC Waiver).--[07-78ss](#)

Addendum to Purchase Agreement, Contract No. 13196E, between the St. Louis County Board of

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Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - MA MR/RC Waiver In-Home Family Support Services.--[07-79ss](#)

Addendum to Purchase Agreement, Contract No. 13327E, between the St. Louis County Board of Commissioners and Nora Renne Adult Foster Home for SLS for adults.--[07-80ss](#)

Addendum to Purchase Agreement, Contract No. 13430E, between the St. Louis County Board of Commissioners and Range Respite.--[07-81ss](#)

Addendum to Purchase Agreement, Contract No. 13397E, between the St. Louis County Board of Commissioners and Winter Homes, Inc. - West for SLS for adults.--[07-82ss](#)

Addendum to Purchase Agreement, Contract No. 13396E, between the St. Louis County Board of Commissioners and Winter Homes, Inc., for SLS for adults.--[07-83ss](#)

Addendum to Purchase Agreement, Contract No. 13271E, between the St. Louis County Board of Commissioners and Woodsview Home for SLS for adults.--[07-84ss](#)

Addendum to Purchase Agreement, Contract No. 13769B, between the St. Louis County Board of Commissioners and Welter Adult Foster Home for SLS for adults.--[07-85ss](#)

Addendum to Purchase Agreement, Contract No. 13230E, between the St. Louis County Board of Commissioners and Tuominen Adult Foster Home for SLS for adults.--[07-86ss](#)

Addendum to Purchase Agreement, Contract No. 13631C, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home for SLS for adults.--[07-87ss](#)

Addendum to Purchase Agreement, Contract No. 13355E, between the St. Louis County Board of Commissioners and Seeland Adult Foster Home for SLS for adults.--[07-88ss](#)

Addendum to Purchase Agreement, Contract No. 13316E, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, Inc., for DD in-home family support services and respite care.--[07-89ss](#)

Grant Agreement, Contract No. 20678, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for providing a pilot project for integrated services for participants of the Minnesota Family Investment Program Employment Services.--[07-90ss](#)

Grant Agreement, Contract No. 20672, between the St. Louis County Board of Commissioners and Mental Health Consumer/Survivor Network of Minnesota for adult mental health initiative flex fund grant.--[07-91ss](#)

Grant Agreement, Contract No. 20674, between the St. Louis County Board of Commissioners and Mental Health Consumer/Survivor Network of Minnesota for adult mental health initiative flex fund grant.--[07-92ss](#)

Addendum to Purchase Agreement, Contract No. 14067A, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc., for non-residential services.--[07-93ss](#)

Addendum to Purchase Agreement, Contract No. 13875A, between the St. Louis County Board of Commissioners and Care At Home, Inc., for supplies and equipment.--[07-94ss](#)

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Addendum to Purchase Agreement, Contract No. 14061A, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota, Inc., for non-residential services.--[07-95ss](#)

Addendum to Purchase Agreement, Contract No. 14022A, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care and out-of-home respite services.--[07-96ss](#)

Addendum to Purchase Agreement, Contract No. 13549B, between the St. Louis County Board of Commissioners and Derungs Adult Foster Care Home for adult foster care services.--[07-97ss](#)

Addendum to Purchase Agreement, Contract No. 13981A, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., for non-residential services.--[07-98ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Sandra J. Eberl for adult foster care/respite care.--[07-99ss](#)

Group Residential Housing Rate Agreement, Contract No. 50475, between the St. Louis County Board of Commissioners and Sandra J. Eberl.--[07-100ss](#)

Group Residential Housing Rate Agreement, Contract No. 50490, between the St. Louis County Board of Commissioners and Diamond Willow Leonidas Suites.--[07-101ss](#)

Group Residential Housing Rate Agreement, Contract No. 50489, between the St. Louis County Board of Commissioners and Diamond Willow Wacoutah Suites.--[07-102ss](#)

Purchase of Service Agreement, Contract No. 14095, between the St. Louis County Board of Commissioners and Five Star Assisted Living Services, LLC, d/b/a Five Star Assisted Living, for assisted living (plus) and out-of-home respite services.--[07-103ss](#)

Addendum to Purchase Agreement, Contract No. 13942A, between the St. Louis County Board of Commissioners and Home Care Service Options of Duluth for home care services.--[07-104ss](#)

Purchase of Service Agreement, Contract No. 14084, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for supplies and equipment.--[07-105ss](#)

Purchase of Service Agreement, Contract No. 14085, between the St. Louis County Board of Commissioners and S.A.F.E. Harbor Homes, Inc., for adult foster care services.--[07-106ss](#)

Group Residential Housing Rate Agreement, Contract No. 50493, between the St. Louis County Board of Commissioners and S.A.F.E. Harbor Homes - Vinland.--[07-107ss](#)

Addendum to Purchase Agreement, Contract No. 14038A, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for non-residential services.--[07-108ss](#)

Addendum to Purchase Agreement, Contract No. 13980A, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC, for non-residential services.--[07-109ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Joseph Padden and SuAnna Padden for adult foster care/respite care.--[07-110ss](#)

Group Residential Housing Rate Agreement, Contract No. 50491, between the St. Louis County Board

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of Commissioners and Joseph Padden and SuAnna Padden.--[07-111ss](#)

Addendum to Purchase Agreement, Contract No. 13948B, between the St. Louis County Board of Commissioners and Range Center, Inc., for non-residential services.--[07-112ss](#)

Addendum to Purchase Agreement, Contract No. 14050A, 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.--[07-113ss](#)

Addendum to Purchase Agreement, Contract No. 13234E, between the St. Louis County Board of Commissioners and Carole Wick for DD - respite care.--[07-114ss](#)

Addendum to Purchase Agreement, Contract No. 13326E, between the St. Louis County Board of Commissioners and Worry - Free Respite for DD - respite care.--[07-115ss](#)

Purchase of Service Agreement, Contract No. 14083, between the St. Louis County Board of Commissioners and the Town of White for chore services - snowplowing.--[07-116ss](#)

Addendum to Purchase Agreement, Contract No. 14024A, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for non-residential services.--[07-117ss](#)

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 Jacqueline Sullivan.--[07-118ss](#)

Addendum to Purchase Agreement, Contract No. 14060A, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for non-residential services.--[07-119ss](#)

Addendum to Purchase Agreement, Contract No. 14047A, 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.--[07-120ss](#)

Addendum to Purchase Agreement, Contract No. 13943A, between the St. Louis County Board of Commissioners and the City of Duluth for home delivered meals.--[07-121ss](#)

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County and the City of Eveleth.--[07-122](#)

Service Contract, Contract No. 4624, between the County of St. Louis and Hartel's/DBJ Disposal Company for garbage and recycling pick-up and disposal service.--[07-123](#)

Service Contract, Contract No. 4624, between the County of St. Louis and Howard Waste Paper, Inc., for garbage and recycling pick-up and disposal service.--[07-124](#)

Project Contract, Contract No. 2006-003429, between the County of St. Louis and Johnson Controls, Inc., Systems and Services Division, for the construction of the new St. Louis County Hibbing Annex Room L-100 State Office Space.--[07-125](#)

Agreement for Professional Services between the County of St. Louis and Gary Kuyava for duties of a county agricultural inspector.--[07-126](#)

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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.--07-127ss

Minnesota Special Supplemental Nutrition Program for Women, Infants and Children Program Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County for January 1, 2006, through December 31, 2010.--07-128ss

Service Contract, Contract No. 4624, between the County of St. Louis and Crist Garbage Service for garbage and recycling pick-up and disposal service.--07-129

Employee Safety & Development Training Contract between St. Louis County and Mary McHardy for one session of Pre-Retirement Planning (Psychological Considerations of Retirement).--07-130

Amendment between the County of St. Louis and Maria Stalzer Wyant Cuzzo for training/presentation services - How to Handle the Difficult Conversations.--07-131

Grant Agreement, Contract No. 20676, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for Food Support Employment and Training Services.--07-132

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 28 through 31, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

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. 58631, are hereby approved:

Real Estate - Sandra Bushnell, \$973.34; John Filander, \$21.06; Ryan Forstrom, \$497.60; Taylor Housley, \$247.12; Ryan Johnston, \$427.60; Suz Laitala-Toscano, \$463.90; Thomas Massich, \$613.62; Jeffrey Norlund, \$617.60; Michael Schlender, \$862.48; Richard Wallestad, \$39.87; Richard Weberg, \$534.70.

Personal Property - David Onan II, \$1,210.32; Marian Zaudtke, \$37.92.

Adopted January 9, 2007. No. 28

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated December 22, 2006, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 9, 2007. No. 29

WHEREAS, the County of St. Louis is planning to implement County State Aid Construction Projects in 2007 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, the County is prepared to proceed with the construction of these projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in the Public Works Department State Aid Regular/Municipal Construction Account; and

WHEREAS, the advance is based on the need to deliver the following projects:

Project # SP 69-606-017

\$ 1,000,000

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Project # SP 69-607-40	\$ 500,000
Project # SP 69-613-28	\$ 650,000
Project # SP 69-643-14	\$ 5,350,000
Total Advance Amount	\$ 7,500,000

WHEREAS, repayment of the advanced funds will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 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 2008 year allocations until fully repaid. Adopted January 9, 2007. No. 30

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to purchase used radio equipment from the City of Toronto, Ontario, Canada, for the sum of \$51,633.70 USD; payable from Fund 100, Agency 129003, and Fund 100, Agency 136001. Adopted January 9, 2007. No. 31

BY COMMISSIONER RAUKAR:

WHEREAS, the Purchasing Department has prepared bid specifications for new 2007 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. 4656, and State of Minnesota Contract Releases, 2007 vehicles as follows:

- 1.0 Thirteen (13) 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 \$20,890.15 each delivered to Duluth for a total of \$271,571.95, (this vehicle is not subject to state sales tax) for a total purchase price of \$271,571.95, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666100 (sheriff automobiles).
- 2.0 Six (6) Class IIA, mid-size, four door sedans, with police package, from Mike Motors of Ely, MN, at their low specification bid price of \$18,363.00 each delivered to Virginia for a total of \$110,178.00, plus 6.5% State Sales Tax of \$1,193.60 per unit, for a total purchase price of \$117,339.57. Of that total, \$80,045.56 is payable from Fund 100 (General), Agency 129000 (Sheriff), Object Code 666100 (automobiles), and \$37,294.01 is payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666100 (sheriff automobiles).
- 2.1 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 \$18,363.00 each delivered to Virginia for a total of \$146,904.00, plus 6.5% State Sales Tax of \$1,193.60 per unit, for a total purchase price of \$156,452.76, payable from Fund 715 (County Garage), Agency 715002 (Virginia Garage), Object Code 666100 (automobiles).

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- 3.0 Four (4) Class IIA, mid-size, four door sedans, from Car/Truck City of Pine City, MN, at their State of Minnesota Contract price of \$14,989.85 each delivered to Duluth for a total of \$59,959.40, plus 6.5% State Sales Tax of \$974.34 per unit, for a total purchase price of \$63,856.76, payable from Fund 715 (County Garage), Agency 715001 (Duluth Garage), Object Code 666100 (automobiles).
- 3.1 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 \$14,989.85 each delivered to Virginia for a total of \$14,989.85, plus 6.5% State Sales Tax of \$974.34 per unit, for a total purchase price of \$15,964.19, payable from Fund 715 (County Garage), Agency 715002 (Virginia Garage), Object Code 666100 (automobiles).
- 3.2 Two (2) Class IIA, mid-size, four door sedan, from Car/Truck City of Pine City, MN, at their State of Minnesota Contract price of \$14,989.85 each delivered to Duluth for a total of \$29,979.70, plus 6.5% State Sales Tax of \$974.34 per unit, for a total purchase price of \$31,928.38, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666100 (Public Works automobiles).
- 4.0 Two (2) Class II, mid-size, four door sedans, from Luther Family Chevrolet of Duluth, MN, at their low specification bid price of \$14,698.00 each delivered to Virginia for a total of \$29,396.00, plus 6.5% State Sales Tax of \$955.37 per unit, for a total purchase price of \$31,306.74, payable from Fund 715 (County Garage), Agency 715002 (Virginia Garage), Object Code 666100 (automobiles).
- 5.0 One (1) 5500 GVWR, mid size, 2-wheel drive, pickup trucks with 6.5 ft. box, from Elk River Ford/Dodge of Elk River, MN, at their State of Minnesota Contract price of \$14,384.00 each delivered to Duluth for a total of \$14,384.00, plus 6.5% State Sales Tax of \$934.96 per unit, for a total purchase price of \$15,318.96, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans)
- 6.0 Three (3) 6000 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 \$14,472.15 each delivered to Duluth for a total of \$43,416.45, plus 6.5% State Sales Tax of \$940.69 per unit, for a total purchase price of \$46,238.52, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans).
- 6.1 Three (3) 6000 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 \$14,437.15 each delivered to Virginia for a total of \$43,311.45, plus 6.5% State Sales Tax of \$938.41 per unit, for a total purchase price of \$46,126.69, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans).
- 7.0 One (1) 6050 GVWR, full size, extended cab, 2-wheel drive, pickup truck with 6.3 ft. box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$15,828.15 each delivered to Duluth for a total of \$15,828.15, plus 6.5% State Sales Tax of \$1,028.83 per unit, for a total purchase price of \$16,856.98, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans).
- 7.1 Three (3) 6050 GVWR, full size, extended cab, 2-wheel drive, pickup truck with 6.3 ft. box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$15,793.15 each delivered to Virginia for a total of \$47,379.45, plus 6.5% State Sales Tax of \$1,026.55 per unit, for a total purchase price of \$50,459.11, payable from Fund 436 (Equipment Note),

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Agency 436001, Object Code 666200 (pickups/vans).

- 8.0 One (1) 6250 GVWR, full size, extended 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 \$19,101.15 each delivered to Duluth for a total of \$19,101.15, plus 6.5% State Sales Tax of \$1,241.57 per unit, for a total purchase price of \$20,342.72, payable from Fund 240 (Forfeited Tax), Agency 241003 (Resource Manager), Object Code 666200 (pickups/vans).
- 8.1 Three (3) 6250 GVWR, full size, extended 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 \$19,101.15 each delivered to Duluth for a total of \$57,303.45, plus 6.5% State Sales Tax of \$1,241.57 per unit, for a total purchase price of \$61,028.17, payable from Fund 240 (Forfeited Tax), Agency 241008 (Pike Lake), Object Code 666200 (pickups/vans).
- 8.2 One (1) 6250 GVWR, full size, extended 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 \$19,066.15 each delivered to Virginia for a total of \$19,066.15, plus 6.5% State Sales Tax of \$1,239.30 per unit, for a total purchase price of \$20,305.45, payable from Fund 240 (Forfeited Tax), Agency 241007 (Virginia), Object Code 666200 (pickups/vans).
- 8.3 One (1) 6250 GVWR, full size, extended 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 \$19,066.15 each delivered to Virginia for a total of \$19,066.15, plus 6.5% State Sales Tax of \$1,239.30 per unit, for a total purchase price of \$20,305.45, payable from Fund 600 (Solid Waste), Agency 600001 (Administration), Object Code 666200 (pickups/vans).
- 9.0 One (1) 6700 GVWR, full size, crew cab, 4-wheel drive, pickup truck with 6.3 ft. box, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$23,510.14 each delivered to Virginia for a total of \$23,510.14, plus 6.5% State Sales Tax of \$1,528.16 per unit, for a total purchase price of \$25,038.30, payable from Fund 100 (General Fund), Agency 122001 (Land Survey Department), Object Code 666200 (pickups/vans).
- 10.0 Two (2) 8200 GVWR, full size, 2-wheel drive, pickup trucks with 8 ft. box, from Elk River Ford/Dodge of Elk River, MN, at their State of Minnesota Contract price of \$16,567.00 each delivered to Duluth for a total of \$33,134.00, plus 6.5% State Sales Tax of \$1,076.86 per unit, for a total purchase price of \$35,287.71, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans).
- 10.1 Two (2) 8200 GVWR, full size, 2-wheel drive, pickup trucks with 8 ft. box, from Elk River Ford/Dodge of Elk River, MN, at their State of Minnesota Contract price of \$16,567.00 each delivered to Virginia for a total of \$33,134.00, plus 6.5% State Sales Tax of \$1,076.86 per unit, for a total purchase price of \$35,287.71, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickups/vans).
- 11.0 Six (6) 6500 GVWR, full size, 4-wheel drive, sport utility vehicle with Special Service Package, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$25,644.84 each delivered to Virginia for a total of \$153,869.04, (this vehicle is not subject to state sales tax) for a total purchase price of \$153,869.04, payable from Fund 436 (Equipment Note), Agency 436001, Object Code 666200 (pickup/vans).
- 12.0 Two (2) 8600 GVWR, full size, 4-wheel drive, sport utility vehicle, from Mike Motors of Ely, MN, at their low specification bid price of \$33,950.00 each delivered to Virginia for a

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total of \$67,900.00, (this vehicle is not subject to state sales tax) for a total purchase price of \$67,900.00, payable from Fund 100 (General), Agency 133001 (Rescue Squad), Object Code 666200 (pickups/vans).

- 13.0 One (1) 7 passenger minivans, from Mike Motors of Ely, MN, at their low specification bid price of \$19,406.00 each delivered to Virginia for a total of \$19,406.00, plus 6.5% State Sales Tax of \$1,261.39 per unit, for a total purchase price of \$20,667.39, payable from Fund 100 (General), Agency 129000 (Sheriff), Object 666200 (pickups/vans).
- 14.0 One (1) 9100 GVWR, 15 passenger van, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$21,111.88 each delivered to Duluth for a total of \$21,111.88, plus 6.5% State Sales Tax of \$1,372.27 per unit, for a total purchase price of \$22,484.15, payable from Fund 100 (General Fund), Agency 122001 (Land Survey Department), Object Code 666200 (pickups/vans).
- 14.1 One (1) 9100 GVWR, 15 passenger van, from Lundgren Motors of Eveleth, MN, at their low specification bid price of \$21,086.88 each delivered to Virginia for a total of \$21,086.88, plus 6.5% State Sales Tax of \$1,370.65 per unit, for a total purchase price of \$22,457.53, payable from Fund 715 (County Garage), Agency 715001 (Duluth Garage), Object Code 666200 (pickups/vans).

Unanimously adopted. January 9, 2007. No. 32

At 11:17 A.M. on Tuesday, January 9, 2007, upon motion of Commissioner Fink, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 23, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of January, 2007, at 9:37 A.M. in the Leonidas City Hall, Eveleth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

David Trach, Mayor of Leonidas, welcomed the Board to the city and briefly described some of the projects being initiated in the community.

Chair Kron 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, said the St. Louis County Laundry located at Chris Jensen Health and Rehabilitation Center is under constant fire and he urged the Board to consider renewing laundry service contracts. Mr. Stenerson praised efforts of Laundry Manager Ellis Thompson to keep the enterprise going.

Frank Jenko, steelworker from Chisholm, expressed concern over the continuing influx of foreign steel and said any help from the County would be appreciated.

Ellis Thompson, St. Louis County Laundry Manager, said he received an instruction from Administration not to renew laundry contracts, a move which could cost the facility more than \$400,000 per year. Mr. Thompson said he is willing to meet with Administration to work out any difficulties to save laundry jobs.

Dana Frey, County Administrator, explained that a large laundry contract with the University of Minnesota Duluth (UMD) was taken care of over the weekend.

Chair Kron ruled that further discussion of the laundry issue will be part of the Committee of the Whole meeting that will follow the Board meeting.

Scott Mead, Pequaywan Township, said the township opposes any plans to open the area for a proposed ATV trail.

Joe Begich, Eveleth, said County Road 101 is in desperate need of repair. Mr. Begich also expressed concern that a train derailment could result in a disastrous chemical spill for the Eveleth area.

Jodi Cooper, Eveleth, echoed Mr. Begich's sentiments about C. R. 101 and she urged the Board to consider making necessary repairs.

At 10:15 A.M., a public hearing was convened pursuant to County Board Resolution No. 696, adopted December 9, 2006, to consider the adequacy of the final Environmental Impact Statement (EIS) on a proposed residential development by U. S. Steel on Lake Vermilion (3 Bays on Vermilion). The following persons addressed the issue:

Barbara Hayden, Planning Director, described the proposed development and explained why an EIS was needed. The Planning Commission and the Planning Department recommend approval of the adequacy of the EIS, according to Director Hayden.

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Kelly Henry, SEH, consultant that prepared the EIS, made a detailed presentation of the scope and impact of the proposed development.

Peter Coyle, Attorney representing U. S. Steel, emphasized the EIS is a guide and many hurdles still need to be cleared before the project becomes a reality. Attorney Coyle said U. S. Steel accepts responsibility for full compliance with all regulations.

Dennis Hendricks, U. S. Steel, said his company supports the findings in the EIS.

John Ostergren, Sensible Advocates for the Vermilion Environment (SAVE), said the EIS is not adequate and fails to properly address dockage, fishery and septic issues. He suggested restarting the review once a final plan/document is submitted by U. S. Steel.

Steven Lotz, Vermilion Lake resident, said local government tax benefit estimates contained in the EIS are erroneous.

Walt Moe, Tower, objected to the project because of the impact to fishing on Vermilion. The project as proposed endangers Lake Vermilion, according to Mr. Moe.

After further discussion, Commissioner Sweeney, supported by Commissioner Fink, moved to close the hearing at 12:05 P.M.; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to accept the adequacy of the EIS; seven yeas - zero nays. Resolution No. 45.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve a professional services contract with Ecumen Consulting Services to provide a temporary Nursing Home Administrator; seven yeas - zero nays. Resolution No. 46.

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

Land Commissioner submitting appraisal reports for the sale of timber for the year 2007.--58640

County Auditor submitting applications for license to sell intoxicating liquor for the year 2007.--58641

St. Louis County Board Committee of the Whole submitting minutes of their meetings for the year 2007.--58642

Solid Waste Subcommittee submitting minutes and agendas for their meetings held during the year 2007.--58643

Sewage Subcommittee submitting minutes of their meetings for the year 2007.--58644

Elizabeth A. Storaasli, Dryer, Storaasli, Knutson & Pommerville, Ltd., submitting Notice of Appeal, Affidavit of Melanie Ford, Memorandum of Law, and Motion for Consolidation and Affidavit of Elizabeth A. Storaasli.--58645

Ellis Thompson, St. Louis County Laundry Manager, submitting information regarding the laundry contracts and difficulties trying to save laundry jobs.--58646

Documentation from public hearing held on January 23, 2007, to consider the adequacy of the final Environmental Impact Statement on a residential development proposed by U.S. Steel.--58647-D

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Software Products Order Agreement between Mitchell Humphrey & Company and St. Louis County.--
07-133

Employee Safety & Development Training Contract between St. Louis County and Aligned Advantage
for two sessions of Beyond Belief: The Power of Our Thoughts in All We Do.--07-134

Employee Safety & Development Training Contract between St. Louis County and Aligned Advantage
for two sessions of Coaching on Paper. --07-135

Agreement for Subscription between Eco Partners, Inc., and St. Louis County for one year subscription
to the publication Trash Talk!--07-136

Project Contract No. 4639 between the County of St. Louis and Four Seasons Energy Efficient &
Roofing, Inc., for Chris Jensen, Spruce Cedar Roof Replacement.--07-137

Agreement for Professional Services between the County of St. Louis and Engineering Partners
Company, LLC, for Chris Jensen Storage Building Soils Testing.--07-138

Service Contract No. 4661 between the County of St. Louis and Service Printers of Duluth, Inc., for
Land Sale Book & Available Land List Printing Service for 2007.--07-139

Addendum to Purchase Agreement, Contract No. 13282, between the St. Louis County Board of
Commissioners and Family Support, Inc., of Moose Lake for specialist services.--07-140ss

Agreement for Professional Services between St. Louis County and Lisa Marlow to inventory existing
gravel pits and potential aggregate resources in townships.--07-141

Public Health Preparedness and Response to Bio Terrorism Grant Project Agreement Amendment II
between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--07-142

Regional Landfill Daily Operations Agreement between St. Louis County and Kangas Excavating, Inc.--
07-143

Service Contract No. 4655 between the County of St. Louis and Northern Minnesota Recycling, Inc.,
for Haulage Service at the French Township Canister Site: Compacted Solid Waste Roll-Off Container
and Demolition Debris Roll-Off Container.--07-144

Service Contract No. 4567 between the County of St. Louis and Northland Supply, Inc., d/b/a Whistle
Cleaning Service, for Janitorial/Custodial Services for the Land Department in Pike Lake and 9-1-1
Center.--07-145

Service Contract No. 4567-A between the County of St. Louis and Northland Supply, Inc., d/b/a Whistle
Cleaning Service, for Janitorial/Custodial Services for the senior centers in Duluth.--07-146

Service Contract No. 4658 between the County of St. Louis and Northern Minnesota Recycling, Inc.,
for Haulage Service at the Cotton Canister Site: Compacted Solid Waste Roll-Off Container.--07-147

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc.,
for Emergency Hibbing Courthouse Air Quality Improvement Project.--07-148

Lease between St. Louis County and the State of Minnesota, Department of Administration, acting for
the Department of Employment and Economic Development, for 950 feet of office space known as Suite

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L-100 on the lower level of the Hibbing Annex Building.--07-149

Amendment No. 3 to Lease Agreement No. 11264 between St. Louis County and the State of Minnesota, Department of Administration, acting for the Department of Transportation, for 33,162 feet of exclusive and shared truck storage, maintenance and related use space in the Pike Lake Joint Maintenance Facility.--07-150

Amendment to Service Agreement for Collection of Residential and Commercial Recyclable Materials between St. Louis County, on behalf of the Solid Waste Department, and the City of Hibbing.--07-151

Employee Safety & Development Training Contract between St. Louis County and Leaders in Motion for one session of DISC! Understanding Yourself and Others.--07-152

Employee Safety & Development Training Contract between St. Louis County and ARK Management Associates for one session of Excavation and Trenching Competent Person.--07-153

Engineering Services Agreement between the County of St. Louis and Northeast Technical Services for conducting Carbon Monoxide/Carbon Dioxide Investigation and Analysis at the Regional Landfill.--07-154

Agreement for Professional Services between the County of St. Louis and Ayres Associates for Proctor Fairgrounds Tank Removal - Final Phase - Petrofund Reimbursement.--07-155

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 28 through 31, 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 December 12, 2006, are hereby approved.

Adopted January 23, 2007. No. 33

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 19, 2006, are hereby approved.

Adopted January 23, 2007. No. 34

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 2, 2007, are hereby approved.

Adopted January 23, 2007. No. 35

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 9, 2007, are hereby approved.

Adopted January 23, 2007. No. 36

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. 58640, is hereby approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted January 23, 2007. No. 37

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 22 (totaling \$473,788.85), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor

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is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted January 23, 2007. No. 38

RESOLVED, that the worker's compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 5, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted January 23, 2007. No. 39

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. 58641;
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:

Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, On-Sale Intoxicating Liquor License No. CMB07107 and Sunday On-Sale Intoxicating Liquor License No. SUN07107, transfer.
Adopted January 23, 2007. No. 40

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of four (4) motor graders: #2285, a 1995 Galion 850B, #5481, a 1995 John Deere 772BH, #6332, a 1993 John Deere 770BH and #7397, a 1994 John Deere 772BH; and
WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from two area vendors selling motor graders acceptable to the Department; and
WHEREAS, Nortrax of Duluth with a State of Minnesota contract available through RDO of Minneapolis, MN, provided the least costly four wheel drive motor grader model, a John Deere 770D for the Sixth Highway District a with trade-in price of \$153,215.50; and
WHEREAS, Ziegler, Inc., of Duluth, MN, provided the lowest State contract pricing for three (3) low hour 2006 Caterpillar 143H six wheel drive motor graders, \$207,118 for the Second Highway District, \$172,018 for the Fifth Highway District and \$175,693 for the Seventh Highway District; and
WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$46,022.89 for a total cost to the County of \$754,067.39;
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 and RDO Equipment Co. of Minneapolis, MN, for a with trade-in purchase of a 2007 John Deere 770D motor grader at the State contract price plus applicable sales taxes and that the Director of Purchasing is authorized to issue a purchase order to Ziegler, Inc., of Duluth for the with trade-in purchase of three (3) 2006 Caterpillar 143H motor graders at the State contract price plus applicable sales taxes, payable from Fund 200, Agency 202020, Object 666400.
Adopted January 23, 2007. No. 41

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of articulating loaders #3291, a 1988 John Deere 644E, and #7188, a 1994 Case 721; and
WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from all appropriate area vendors; and

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WHEREAS, St. Joseph Equipment, Inc., of Duluth, Minnesota, provided the lowest with trade-in State contract prices of \$115,655 for a Case 821E for the Third Highway District and a with trade-in price of \$112,580 for a Case 821E for the Seventh Highway District; and

WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$14,835.28 for a total cost to the County of \$243,070.28;

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., of Duluth, Minnesota, for two 2007 Case 821 articulating loaders at their with trade-in prices plus applicable State of Minnesota taxes, payable from Fund 200, Agency 202020, Object 666400.

Adopted January 23, 2007. No. 42

WHEREAS, the annual Public Safety Expo has been hosted by the St. Louis County Sheriff since its inception seven years ago; and

WHEREAS, the Expo has experienced a very positive response from the public, as demonstrated by the growth in attendance each year; and

WHEREAS, formal recognition of the Public Safety Expo by the St. Louis County Board will help insure the future of the Expo;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners recognizes the Public Safety Expo as a valuable, annual public event and authorizes the Sheriff to establish a new Agency, 129011, within the Sheriff's Office to hold any county financial activity associated with the Expo;

RESOLVED FURTHER, the Board authorizes the Sheriff to initiate and participate in fund raising activities in support of the Expo;

RESOLVED FURTHER, that, at year's end, any contributions and revenues in excess of expenditures shall be designated for the Public Safety Expo in the General Fund fund balance.

Adopted January 23, 2007. No. 43

RESOLVED, that the St. Louis County Board hereby authorizes the appropriate County officials to execute a contract addendum with Lakeland Pathology, P.A., for Medical Examiner services as defined in the original agreement and addenda, but reflecting updated rates for those services, payable from General Fund 100, Sheriff's Office, Medical Examiner 131001.

Adopted January 23, 2007. No. 44

BY COMMISSIONER FINK:

WHEREAS, U.S. Steel has proposed a residential development; and

WHEREAS, the scope of the project requires a mandatory Environmental Impact Statement (EIS); and

WHEREAS, the Minnesota Environmental Quality Board has identified St. Louis County as the responsible governmental unit (RGU) for the environmental review; and

WHEREAS, the County Board, as the RGU, determined the scope of the EIS; and

WHEREAS, an EIS has been prepared in accordance with Minnesota Rule Chapter 4410 and St. Louis County policy; and

WHEREAS, the St. Louis County Planning Commission has thoroughly reviewed the EIS and found it to be adequate; and

WHEREAS, the Board has the ultimate responsibility for determining the adequacy of the EIS; and

WHEREAS, the final EIS has been distributed for public review and comment; and

WHEREAS, the St. Louis County Board held a public hearing on the final EIS on

January 23, 2007; and

WHEREAS, the St. Louis County Board considered the findings of the Planning Commission, the recommendations of staff, and all testimony, written and verbal, as presented;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners makes the following findings:

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1. The County Board is the RGU ultimately responsible for determining the scope of the draft EIS utilized in this matter;
2. The County Board is the RGU ultimately responsible for making the determination of adequacy of the final EIS;
3. The County Board has relied upon the work, input and recommendations of the St. Louis County Planning Commission in making its decisions in this matter;
4. The County Board has reviewed the final EIS, the recommendation of the Planning Commission, and written, public and transcribed comments received during the course of the preparation of the draft and final EIS documents;
5. The County Board is capable of providing an objective appraisal of the potential impacts of the project proposed by U.S. Steel, has the technical ability to assess the impacts of the project, and has the primary jurisdiction over the project;
6. The final EIS adequately addresses the potentially significant issues and each alternative raised in the Board's scoping decision;
7. Extensive research was conducted and documented, with all costs borne by the project proposer, analyzing the environmental, economic, employment, and sociological impacts of the project alternatives indicated in the Board's scoping decision;
8. Additional information regarding the potential environmental, economic, employment, and sociological impacts of the project alternatives indicated in the Board's scoping decision cannot reasonably be obtained without significant increases in the cost of the environmental review, and the value of such additional information neither outweighs the expected costs at this time, nor substantially changes the voluminous information contained in the final EIS;
9. A no build option has been included in the final EIS analysis and compared to and with the analysis and comparisons of the reasonable alternatives identified in the Board's scoping decision;
10. The final EIS allows analysis and discussion, for those uses that meet the underlying need for or purpose of the proposed project, of reasonable alternative sites, alternative technologies, modified designs or layouts, modified scale or magnitude, and alternatives incorporating reasonable mitigation measures identified through any comments received during the comment periods for EIS scoping or for the draft EIS;
11. The final EIS thoroughly discusses the environmental, economic, employment, and sociological impacts for the proposed project and each alternative identified in the Board's scoping decision, including potentially significant direct or indirect, adverse, or beneficial effects generated;
12. The final EIS provides responses to the substantive comments received during the draft EIS review concerning issues related to the Board's scoping decision;
13. The final EIS was prepared for the RGU by an independent contractor in compliance with Minnesota statutes and rules.
14. Based on the foregoing statements and findings, the St. Louis County Board determines that the final EIS published in the EQB monitor on December 18, 2006, is adequate, and directs the Planning Director to notify all persons receiving copies of the final EIS pursuant to Minnesota

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Rule 4410.2700, subpart 3, of this determination within five days, and to publish a public notice of the decision in the EQB Monitor.

Unanimously adopted. January 23, 2007. No. 45

BY COMMISSIONER O'NEIL:

WHEREAS, the County is required by state law to provide a licensed Administrator at the Chris Jensen Health and Rehabilitation Center; and

WHEREAS, the County desires to engage Ecumen Consulting Services in the performance of certain professional services and Ecumen Consulting Services desires to be so engaged; and

WHEREAS, Ecumen Consulting Services has the knowledge, skill, experience, and ability to provide and perform said consulting services for the County;

NOW, THEREFORE, BE IT RESOLVED, that the County will enter into a professional services contract with Ecumen Consulting Services effective January 15, 2007, through July 31, 2007, to provide a full-time licensed Nursing Home Administrator and to assist in recruiting a permanent Administrator, in an amount not to exceed \$100,000, payable from Fund 625, Agency 625000, Object 629900.

Unanimously adopted. January 23, 2007. No. 46

At 12:28 P.M. on Tuesday, January 23, 2007, upon motion of Commissioner Sweeney, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 13, 2007

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of February, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, but no one chose to do so.

After approval of the Consent Agenda, Chair Kron once again asked if anyone wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Mike O'Donnell, Teamsters, said a tentative contract agreement will be presented to Commissioners later today.

Dr. George Jennings, Hibbing, expressed support for a county-wide smoking ban and said economic effects of a ban will be minimal.

Jill Rogers, Duluth, said Carlton County passed a non smoking ordinance today.

Commissioner Raukar, supported by Commissioner O'Neil, moved to authorize Chris Jensen Health and Rehabilitation Center to write-off \$48,954.47 of bad debts as uncollectible. The following persons addressed the issue:

Dana Frey, County Administrator, explained reasons for the write-offs and said corrective measures were being instituted to prevent future clerical/paperwork errors that occurred in these cases.

Ben Manley, Auditor's Office, said staffing shortages caused the billing errors and changes have been made to minimize and/or eliminate future write-offs.

Donald Dicklich, County Auditor, said adequate billing procedures are a cooperative effort of the entire staff at Chris Jensen.

After further discussion, the write-offs were approved; seven yeas - zero nays. Resolution No. 68.

Commissioner Nelson, supported by Commissioner Sweeney, moved to table consideration of a lease agreement with Duluth MSA Limited Partnership for a communications tower site in Township 62 North, Range 12 West; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Raukar, moved to table consideration of a lease

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agreement with Duluth MSA Limited Partnership for a communication tower site in Township 59 North, Range 15 West; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Sweeney, moved to authorize execution of agreements with the North and South St. Louis County Soil and Water Conservation Districts for provision of professional services to landowners for wetland, shore land and water management. County Administrator Frey said this was an annual authorization and the amount reflected a 1% efficiency dividend reduction. Commissioner Fink offered a friendly amendment - not accepted by the makers - to reinstate the 1% efficiency dividend reduction. Commissioner Fink then offered the reinstatement as a formal amendment but the motion died without support. Commissioner Raukar said the efficiency dividend reduction could be reviewed at mid-year to determine if it posed an undue hardship to the districts. After further discussion, the resolution was approved; five yeas - two nays, Commissioners Fink and Sweeney. Resolution No. 69.

Commissioner Fink, supported by Commissioner O'Neil, moved to approve amendments to the St. Louis County Conflict of Interest Policy including a section addressing the Internal Audit function. County Administrator Frey explained changes to the policy. Commissioner Fink amended his motion to revise the language changes regarding acceptance or solicitation of gifts to be more reflective of Minnesota Statutes. After further discussion of the proposed changes, Commissioner Raukar, supported by Commissioner Nelson, moved to table the matter; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to establish a closed session for litigation purposes for 10:30 A.M.; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Raukar, moved to establish a closed session for labor negotiations for 1:30 P.M.; seven yeas - zero nays.

Commissioner Nelson noted continuing costs of employee training listed in the Communications List. Commissioner Nelson highlighted a recent presentation at the Range Association of Municipalities and Schools (RAMS) by John C. Elmore, President of Minnesota Steel.

Commissioner Raukar also attended the presentation and said construction of the fully integrated steel facility near Nashwauk was an exciting prospect.

Commissioner Forsman said new technology to be used by Minnesota Steel will result in highly efficient steel production.

Commissioner Fink said St. Louis County will be hosting a methamphetamine discussion on March 1 at the Central Hillside Community Club.

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 2007.--
58648

County Auditor submitting applications for Lawful Gambling License applications for the year 2007.--
58649

Mine Inspector submitting notices of inspections, accidents, and to fence mining property during the year 2007.--58650

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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 2006.--[58651](#)

Land Commissioner submitting applications for repurchases of tax forfeited property for the year 2007.--[58652](#)

Civil Service Director submitting specifications for various classifications for the year 2007.--[58653](#)

Liquor Licensing Committee submitting minutes for the year 2007.--[58654](#)

Leah M. Klitzke, Registered Professional Reporter, Advantage/Bruns Court Reporting, submitting a transcript from the proceedings of the St. Louis County Planning Commission and a Certificate of Transcript Delivery.--[58655-D](#)

Leanne G. Litfin, Assistant Attorney General, State of Minnesota, submitting the State of Minnesota's Notice of Motion and Motion, Memorandum of Law in Support of Motion to Dismiss, Affidavit of Leanne G. Litfin and proposed Order to dismiss appeal in the matter of State of Minnesota versus Duluth Keystone, LLC, et al.--[58656](#)

Employee Safety & Development Training Contract between St. Louis County and American Red Cross for Adult CPR, Infant and Child CPR, and First Aid Training sessions.--[07-156](#)

Project Contract No. 4654 between the County of St. Louis and Drennen Forestry Services, Inc., for tree planting for spring 2007, 2008, 2009, 2010 and 2011.--[07-157](#)

Amendment to Agreement for Software and Services of Independent Contractor between the County of St. Louis, through its County Sheriff, and Constellation Justice Systems for the implementation of the DAMION Shield and DAMION Jail applications systems.--[07-158](#)

Project Contract No. 4650 between the County of St. Louis and Max Gray for renovation of St. Louis County Motor Pool.--[07-159](#)

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 Pandemic Influenza Preparedness.--[07-160](#)

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Office of Traffic Safety, and the Duluth Police Department for the Safe & Sober campaign.--[07-161](#)

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for two sessions of Increasing Personal Productivity: Time Management for Busy People.--[07-162](#)

Interim Professional Staffing Agreement between the St. Louis County Chris Jensen Health and Rehabilitation Center and Ecumen Services for a full-time licensed Nursing Home Administrator.--[07-163](#)

Service Contract No. 4647 between the County of St. Louis and APi Electric Company for miscellaneous electrical services.--[7-164](#)

Project Contract No. 4651 between the County of St. Louis and RJS Construction Group, LLC, for a storage building at Chris Jensen Health and Rehabilitation Center.--[07-165](#)

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Professional Services Contract between St. Louis County, through its Management Information Systems, and Constellation Justice Systems to refresh the NEMESIS Shield RMS and JMS Test and Training databases.--[07-166](#)

Addendum No. 2 to Lease No. 2005-002144 between Vukonich Properties and St. Louis County for lease of Olcott Plaza in Virginia for ACT Program for the St. Louis County Public Health and Human Services Department.--[07-167](#)

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.--[07-168](#)

Agreement for Professional Services between the County of St. Louis and Twin Ports Testing, Inc., for construction materials testing/inspection for the new storage building at the Chris Jensen site.--[07-169](#)

State of Minnesota Income Contract for bare-root tree seedlings for delivery in Spring 2007.--[07-170](#)

Project Contract No. 4649 between the County of St. Louis and H.G. Harvey for exterior repairs and upgrades for building integrity, ADA access, roof repairs and energy conservation at the Northland Building in Virginia.--[07-171](#)

Grant Agreement, Contract No. 20714, between the St. Louis County Board of Commissioners and Arrowhead Regional Corrections for providing children's mental health screenings.--[07-172ss](#)

Addendum to Purchase Agreement, Contract No. 14022B, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care and out-of-home respite services.--[07-173ss](#)

Group Residential Housing Rate Agreement, Contract No. 50502, between the St. Louis County Board of Commissioners and Community Connection - Anoka House.--[07-174ss](#)

Group Residential Housing Rate Agreement, Contract No. 50498, between the St. Louis County Board of Commissioners and Community Connection - Arlington House.--[07-175ss](#)

Group Residential Housing Rate Agreement, Contract No. 50503, between the St. Louis County Board of Commissioners and Community Connection - Gilead House.--[07-176ss](#)

Group Residential Housing Rate Agreement, Contract No. 50504, between the St. Louis County Board of Commissioners and Community Connection - Hillside House.--[07-177ss](#)

Group Residential Housing Rate Agreement, Contract No. 50499, between the St. Louis County Board of Commissioners and Community Connection - Lakeside House.--[07-178ss](#)

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for two sessions of Ethics in the Workplace.--[07-179](#)

Group Residential Housing Rate Agreement, Contract No. 50500, between the St. Louis County Board of Commissioners and Community Connection - Missouri House.--[07-180ss](#)

Group Residential Housing Rate Agreement, Contract No. 50501, between the St. Louis County Board of Commissioners and Community Connection - Owatonna House.--[07-181ss](#)

Addendum to Purchase Agreement, Contract No. 14041A, between the St. Louis County Board of

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Commissioners and Tender Loving Care of Duluth, Inc., for adult foster care services.--07-182ss

Group Residential Housing Rate Agreement, Contract No. 50495, between the St. Louis County Board of Commissioners and TLC Morris Thomas.--07-183ss

Group Residential Housing Rate Agreement, Contract No. 50496, between the St. Louis County Board of Commissioners and Stepping Stones for Living - Skyline.--07-184ss

Addendum to Purchase Agreement, Contract No. 14042B, between the St. Louis County Board of Commissioners and Stepping Stones for Living, LLC, for adult foster care services.--07-185ss

Addendum to Purchase Agreement, Contract No. 13628E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Palisade Circle for semi-independent living services for adults.--07-186ss

Group Residential Housing Rate Agreement, Contract No. 50509, between the St. Louis County Board of Commissioners and Trillium Services, Inc. (Palisade Circle).--07-187ss

Addendum to Purchase Agreement, Contract No. 13081E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center(SILS) for semi-independent living services.--07-188ss

Grant Agreement, Contract No. 20675, between the St. Louis County Board of Commissioners and the City of Duluth for food support employment and training services.--07-189ss

Purchase of Service Agreement, Contract No. 14109, between the St. Louis County Board of Commissioners and Range Mental Health Center for chemical dependency treatment services.--07-190ss

Purchase of Service Agreement, Contract No. 14108, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc., for chemical dependency treatment services.--07-191ss

Purchase of Service Agreement, Contract No. 14094, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for chemical dependent treatment services.--07-192ss

Purchase of Service Agreement, Contract No. 14092, between the St. Louis County Board of Commissioners and Duluth Bethel Society for chemical dependency treatment services.--07-193ss

Purchase of Service Agreement, Contract No. 14091, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., for chemical dependency treatment services.--07-194ss

Addendum to Purchase Agreement, Contract No. 13906A, between the St. Louis County Board of Commissioners and Capstone Services, LLC - Respite Care.--07-195ss

Addendum to Purchase Agreement, Contract No. 13353E, between the St. Louis County Board of Commissioners and Macor Adult Foster Home I for semi-independent living services for adults.--07-196ss

Addendum to Purchase Agreement, Contract No. 14057A, between the St. Louis County Board of Commissioners and Alternatives in Motion (SLS-Waiver Service) for semi-independent living services for adults.--07-197ss

Addendum to Purchase Agreement, Contract No. 13768B, between the St. Louis County Board of

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Commissioners and Welsh Adult Foster Care for semi-independent living services for adults.--07-198ss

Addendum to Purchase Agreement, Contract No. 13270E, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home for semi-independent living services for adults.--07-199ss

Purchase of Service Agreement, Contract No. 14087, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth, LLC, for adult foster care services.--07-200ss

Group Residential Housing Rate Agreement, Contract No. 50494, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - Peabody.--07-201ss

Addendum to Purchase Agreement, Contract No. 13233E, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) - MA MR/RC Waiver Supported Employment.--07-202ss

Addendum to Purchase Agreement, Contract No. 13614D, between the St. Louis County Board of Commissioners and Employment Links (MA MR/RC Waiver Supported Employment).--07-203ss

Addendum to Purchase Agreement, Contract No. 13298E, between the St. Louis County Board of Commissioners and CHOICE, Unlimited - Work by Design - SES (MA MR/RC Waiver Supported Employment).--07-204ss

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for two sessions of Being Effective Change Agents in Your Workplace.--07-205

Addendum to Purchase Agreement, Contract No. 13231E, between the St. Louis County Board of Commissioners and Lakewind, Inc., for semi-independent living services for adults.--07-206ss

Addendum to Purchase Agreement, Contract No. 13503D, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (MA MR/RC Waiver Supported Employment and Transportation - Extended).--07-207ss

Addendum to Purchase Agreement, Contract No. 13225E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - MA MR/RC Waiver Supported Employment.--07-208ss

Addendum to Purchase Agreement, Contract No. 13622D, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota - Carlson (MA MR/RC Waivered Services).--07-209ss

Addendum to Purchase Agreement, Contract No. 13623D, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota - Southridge (MA MR/RC Waivered Services).--07-210ss

Addendum to Purchase Agreement, Contract No. 14047B, 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.--07-211ss

Addendum to Purchase Agreement, Contract No. 13624D, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota - Westgate (MA MR/RC Waivered Services).--07-212ss

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Addendum to Purchase Agreement, Contract No. 14069A, between the St. Louis County Board of Commissioners and UDAC, Inc., for non-residential services.--07-213ss

Addendum to Purchase Agreement, Contract No. 13988A, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services.--07-214ss

Addendum to Purchase Agreement, Contract No. 13067E, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (CCSA), for day training & habilitation services & transportation.--07-215ss

Addendum to Purchase Agreement, Contract No. 13068E, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (MA MR/RC Waiver) for day training & habilitation services & transportation.--07-216ss

Addendum to Purchase Agreement, Contract No. 13356E, between the St. Louis County Board of Commissioners and J.E. and Associates for specialist services.--07-217ss

Group Residential Housing Rate Agreement, Contract No. 50497, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - No. 27.--07-218ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Kathy Brevik and Louis Brevik for adult foster care/respice care.--07-219ss

Group Residential Housing Rate Agreement, Contract No. 50505, between the St. Louis County Board of Commissioners and Kathy Brevik and Louis Brevik - Brevik Support Services.--07-220ss

Addendum to Purchase Agreement, Contract No. 14039A, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for adult foster care services.--07-221ss

Employee Safety & Development Training Contract between St. Louis County and Clark Bennett for two sessions of Defensive Driving.--07-222

Employee Safety & Development Training Contract between St. Louis County and NESC for sixteen sessions of Adobe Acrobat Conversion and Security; Adobe Acrobat Forms; Excel Introduction; Excel Intermediate: Charts; Excel Intermediate: Data Analysis and Pivot Tables; Google Search - Searching the Internet with Google; Word Intermediate: Envelopes, Labels & Shortcuts; Word Intermediate: Mail Merge; and Word Intermediate: Styles and Templates.--07-223

Employee Safety & Development Training Contract between St. Louis County and NESC for seven sessions of Access Advanced - Forms; Access Advanced - Macros; Access Advanced - Switchboard; Access Intermediate - Formatting Forms and Reports; Access Intermediate - Import Data; DotNetNuke - Text HTML - The Module to Know; and Google Search - Searching the Internet with Google.--07-224

Amendment to Peat Lease No. C21920001 between St. Louis County, through its Land Department, and Northwoods Organics, Inc.--07-225

Amendment to Minnesota Department of Transportation Agreement No. 89713 between the State of Minnesota, through its Commissioner of Transportation, and St. Louis County for preliminary engineering for continued design of the Mesabi Trail.--07-226

Fire Protection Services Agreement between the City of Babbitt and the County of St. Louis for

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Unorganized Township 61-12 and 61-13.--07-227

Fire Protection Services Agreement between the Bearville Township Volunteer Fire Department and the County of St. Louis for Unorganized Township 62-21.--07-228

Fire Protection Services Agreement between the Central Lakes Volunteer Fire Department and the County of St. Louis for Unorganized Township 56-17.--07-229

Fire Protection Services Agreement between the City of Chisholm and the County of St. Louis for Unorganized Township 59-21.--07-230

Fire Protection Services Agreement between Colvin Township and the County of St. Louis for Unorganized Township 55-15.--07-231

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 63-17.--07-232

Fire Protection Services Agreement between the City of Cook and the County of St. Louis for Unorganized Township 62-17.--07-233

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.--07-234

Fire Protection Services Agreement between the Evergreen Volunteer Fire Department and the County of St. Louis for Unorganized Townships 60-19 and 60-20.--07-235

Fire Protection Services Agreement between the City of Floodwood and the County of St. Louis for Unorganized Township 52-21.--07-236

Fire Protection Services Agreement between French Township and the County of St. Louis for Unorganized Township 59-21.--07-237

Fire Protection Services Agreement between the Gnesen Volunteer Fire Department and the County of St. Louis for Unorganized Township 53-15.--07-238

Fire Protection Services Agreement between the Greenwood Township Volunteer Fire Department and the County of St. Louis for Unorganized Township 63-15.--07-239

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.--07-240

Fire Protection Services Agreement between the Lakeland Volunteer Fire Department and the County of St. Louis for Unorganized Township 57-16.--07-241

Fire Protection Services Agreement between the Makinen Volunteer Fire Department and the County of St. Louis for Unorganized Township 56-16.--07-242

Fire Protection Services Agreement between the Northland Volunteer Fire Department and the County of St. Louis for Unorganized Township 53-16.--07-243

Fire Protection Services Agreement between the City of Orr and the County of St. Louis for Unorganized Townships 63-19 and 66-20.--07-244

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Fire Protection Services Agreement between the Pequaywan Lake Volunteer Fire Department and the County of St. Louis for Unorganized Township 54-13.--07-245

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.--07-246

Fire Protection Services Agreement between the Silica Volunteer Fire Department and the County of St. Louis for Unorganized Township 55-21.--07-247

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. 34.--07-248ss

Agreement for Professional Nursing Services between St. Louis County, through its Public Health and Human Services Department, and the Duluth Regional Care Center for Community Alternative Care Client No. 03.--07-249ss

Purchase of Service Agreement, Contract No. 14089, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc., for on-call nursing services.--07-250ss

Amendment No. 1 to Lease 2004-001950 between St. Louis County and the Northern Communities Credit Union of Duluth for office space on the first floor of the Government Services Center in Duluth and one parking space in the GSC ramp.--07-251

Service Contract No. 4624 between the County of St. Louis and A-1 Disposal for garbage and recycling pick-up and disposal service.--07-252

Addendum to Agreement between St. Louis County and Applied Insights North.--07-253

Upon motion of Commissioner Raukar, supported by Commissioner Nelson, Resolutions No. 47 through 67, 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 January 23, 2007, are hereby approved.
Adopted February 13, 2007. No. 47

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated January 19, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted February 13, 2007. No. 48

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 2, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted February 13, 2007. No. 49

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

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Company successfully closing on their purchase of the SW 1/4 of NW 1/4 and W 1/2 of SW 1/4, Section 15, Township 63 North, Range 12 West; and

WHEREAS, Minnesota Shores Land Company is actually purchasing property described as the SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4, Section 15, Township 63 North, Range 12 West;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 600, adopted on November 14, 2006, is amended so that said easement is contingent on Minnesota Shores Land Company successfully closing on their purchase of the SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4, Section 15, Township 63 North, Range 12 West.

Adopted February 13, 2007. No. 50

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, 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. 58648, 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 February 13, 2007. No. 51

WHEREAS, the Land Department has reviewed a request of Northern Natural Gas for a gas pipeline 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, Subd. 4, authorizes the St. Louis County Auditor to grant easements for utilities;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Northern Natural Gas described as follows: A 35 foot wide perpetual easement for pipeline purposes over, under and across part of the following described property: Government Lot 2, Section 6, Township 58-1/2 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

Said 35 foot perpetual easement for pipeline purposes, lies 10.00 feet northwesterly and 25.00 feet southeasterly of the following described line, said line is parallel with and 10.00 feet southeasterly of the southeasterly right of way line of State Trunk Highway No. 53: Commencing at the northeast corner of said Government Lot 2; thence South 88 degrees 23 minutes 31 seconds West, bearings based on Saint Louis County, Minnesota, Central Zone, Coordinate Grid, along the north line of said Government Lot 2, a distance of 67.55 feet to the point of beginning of said line to be described; thence South 28 degrees 54 minutes 19 seconds West, a distance of 625.77 feet to the south line of said Government Lot 2 and said line there terminating. The sidelines of said easement to be prolonged or shortened to terminate on said north line of Government Lot 2 and said south line of Government Lot 2. This easement is 625 feet in length and contains 0.50 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$750.00 land use fee, \$175.00 administration fee, and \$46.00 recording fee; for a total of \$971.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 13, 2007. No. 52

WHEREAS, St. Louis County Board Resolution No. 684, dated December 19, 2006, authorized the reinstatement of Repurchase Contract No. C22020078 between Dawna Greenwood and St. Louis County under Contract No. C22020078; and

WHEREAS, Repurchase Contract No. C22020078 between Dawna Greenwood and St. Louis County

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should be reinstated under a new contract;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 684, dated December 19, 2006, is hereby amended so that Repurchase Contract No. C22020078 between Dawna Greenwood and St. Louis County is reinstated under Contract No. C22060252.

Adopted February 13, 2007. No. 53

WHEREAS, St. Louis County Board Resolution No. 683, dated December 19, 2006, authorized the reinstatement of Repurchase Contract No. C22010107 between Budget Battery, c/o J.C. Olson and St. Louis County under Contract No. C22010107; and

WHEREAS, Repurchase Contract No. C22010107 between Budget Battery, c/o J.C. Olson and St. Louis County should be reinstated under a new contract;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County Board Resolution No. 683, dated December 19, 2006 is hereby amended so that Repurchase Contract No. C22010107 between Budget Battery, c/o J.C. Olson and St. Louis County is reinstated under Contract No. C22060201.

Adopted February 13, 2007. No. 54

WHEREAS, the Minnesota Board of Water and Soil Resources has awarded a 2007 Natural Resources Block Grant in the amount of \$129,447 to St. Louis County for wetland, shoreland, and water plan purposes;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board accepts the 2007 Natural Resources Block Grant (NRBG) in the amount of \$129,447 and authorizes appropriate County officials to execute the grant agreement and documents related thereto;

RESOLVED FURTHER, the St. Louis County Board authorizes a local match of \$108,905 from the Planning Department budget funds and the 2007 County allocation to the Soil and Water Conservation Districts;

RESOLVED FURTHER, the Planning Department budget is amended to include receipt of \$129,447 from the Natural Resources Block Grant, with said funds to be deposited into Fund 100, Agency 109999, Grant 10902, Year 2007.

Adopted February 13, 2007. No. 55

WHEREAS, County Property Management has worked with the County Attorney's Office to develop a master space plan for offices in the Duluth Courthouse, the Duluth Government Service Center, the Hibbing Courthouse, and the Virginia Courthouse; and

WHEREAS, County Property Management wishes to proceed with its master space plan for the County Attorney's Office in Hibbing to improve the layout, meet data privacy requirements, improve security, upgrade the heating, ventilation and air conditioning, improve indoor air quality, and increase energy efficiency; and

WHEREAS, bids were solicited and opened by County Purchasing on December 27, 2006, and Commercial Construction of Hibbing, Minnesota, submitted the lowest bid in the amount of \$83,385.

NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with Commercial Construction of Hibbing, Minnesota, for an amount of \$83,385.

Funds are available from Fund 400, Agency 400008.

Adopted February 13, 2007. No. 56

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 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. 58649, for the following organization:

Irving Community Association to operate out of Burns Bar, Rice Lake Township, 5092 Howard Gnesen Road, Duluth, MN 55803, NEW.

Adopted February 13, 2007. No. 57

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RESOLVED, that the St. Louis County Board Chair, County Auditor, and County Attorney are authorized to ratify the 2006 lease and renew the lease with the South St. Louis County Fair Association (Lessee) for the Proctor Fairgrounds, for the period January 1, 2007, through December 31, 2011, for an annual revenue of \$1.00 to be allocated to the County's General Fund.

Adopted February 13, 2007. No. 58

WHEREAS, the St. Louis County Board supports the goals of reducing the amount of junk mail and virus threats reaching user workstations and improving e-mail communication capabilities and staff productivity.

NOW, THEREFORE BE IT RESOLVED, that the County Board of Commissioners authorizes the MIS Department to enter into an initial three year contract with Milestone Systems, Inc., for the licensing, configuration and ongoing support of the IronPort Anti-Spam and Sophos Anti-Virus software and associated appliance at a total price of \$53,087.96, plus Minnesota State Sales Taxes of \$3,450.72, for a total of \$56,538.68.

RESOLVED FURTHER, that the MIS Department is authorized to continue ongoing annual Platinum Support after the initial three year period at a rate mutually agreed upon between the MIS Department and Milestone Systems, Inc., as long as the County utilizes this product.

RESOLVED FURTHER, that the funding for this contract and future ongoing Platinum Support is payable from Fund 750, Agency 750001, Object 634800.

Adopted February 13, 2007. No. 59

WHEREAS, the Public Health and Human Services has an existing relationship with MN Program Development, Inc./Duluth Family Visitation Center (MPDI) through a purchased service contract for supervised visitation services; and

WHEREAS, MPDI wishes to apply for a Federal Office on Violence Against Women (OVW) grant entitled "Safe Havens"; and

WHEREAS, the Safe Havens grant defines an eligible applicant for the grant to be a local unit of government, and therefore, MPDI is requesting the St. Louis County Public Health and Human Services partner with them in the application of the grant;

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners hereby authorizes the Public Health and Human Services Department to apply for the OVW Safe Havens grant on behalf of MPDI;

RESOLVED FURTHER, the Board authorizes the Department to execute an agreement with MPDI, subject to County Attorney approval, that specifies the duties as fiscal agent for the grant, and allows the Department to withhold a 5% fee for fiscal administration of the OVW Safe Havens grant.

Adopted February 13, 2007. No. 60

WHEREAS, the St. Louis County Medical Examiner investigates certain human deaths in St. Louis County; and

WHEREAS, such investigations include deaths involving human bodies that are to be cremated, buried at sea, dissected, or otherwise disposed of in a manner making subsequent exhumation impossible;

NOW, THEREFORE, BE IT RESOLVED, that effective March 1, 2007, the St. Louis County Board of Commissioners hereby authorizes the Medical Examiner, through the Sheriff's Office, to charge a fee of \$50.00 per human body cremation authorization; and

RESOLVED FURTHER, the Sheriff's Office shall send invoice for these cremation approval services to the involved funeral home and these fees shall be deposited in Fund 100, Agency 131000.

Adopted February 13, 2007. No. 61

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 Northeastern 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 Sheriff's Office to enter into a contract with Northeast Service Cooperative for one year not to exceed \$50,000 including expenses;
RESOLVED FURTHER, that funding for this contract is payable from NEMESIS Subscriber fees - Fund 150, Agency 150001, Object 629900.
Adopted February 13, 2007. No. 62

WHEREAS, St. Louis County and its public safety partners have undertaken significant responsibility for the development, implementation, and growth of an enormous public safety project entitled the Northeast Minnesota Enforcement and Safety Information System (NEMESIS); and
WHEREAS, Mr. Michael R. Dean possesses specialized skills that are valuable in the management, implementation, and on-going development of NEMESIS; and
WHEREAS, contracting with Mr. Dean to oversee the NEMESIS project would be in the best interest of St. Louis County and regional partners as this project continues to grow and evolve;
NOW, THEREFORE, BE IT RESOLVED, that commencing Feb. 2, 2007, and ending August 31, 2007, the Sheriff and appropriate County Officials are authorized to enter into a professional services contract with Michael R. Dean for tasks that will involve management, development, and continued implementation of NEMESIS; and
RESOLVED FURTHER, this contract shall be automatically renewed for a period of two years, unless terminated as agreed upon in Mr. Dean's contract. The County shall compensate Contractor at the rate of \$100.00 per hour, not to exceed 500 hours for each six month period, payable from the NEMESIS Fund 150001.
Adopted February 13, 2007. No. 63

RESOLVED, that a public hearing will be held at 9:35 A.M. on February 27, 2007, in the Hibbing City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Ash-Ka-Nam Resort and Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19.
Adopted February 13, 2007. No. 64

WHEREAS, the St. Louis County Board of Commissioners desires that County building construction contracts require the use of domestically produced steel and iron products and materials for projects of sufficient value to require formal bidding;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes County Administration, County Attorney, and other appropriate County officials to draft language to be used in formally bid building construction projects that requires the use of domestic steel and iron materials and components.
Adopted February 13, 2007. No. 65

RESOLVED, the St. Louis County Board of Commissioners hereby appoints James R. Hill to serve as the citizen volunteer on the St. Louis County Grievance Board for a two-year term ending December 31, 2008.
Adopted February 13, 2007. No. 66

RESOLVED, the Board adopts the new job classification titled Energy Management Coordinator and allocates it to Salary Grade B25 on the Civil Service Basic Unit Pay Plan, effective immediately.
Adopted February 13, 2007. No. 67

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BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes Chris Jensen Health & Rehabilitation Center to write off bad debts in the amount of \$48,954.47 as follows:

Resident # 1, in the amount of \$12,956.91, for services provided in 2006.

Resident # 2, in the amount of \$35,997.56, for services provided in 2006.

RESOLVED FURTHER, that the write off of bad debts shall be charged to Fund 625 (Chris Jensen), Agency 625019 (Administration), Object 637700 (Bad Debt).

Unanimously adopted. February 13, 2007. No. 68

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Board of Commissioners has allocated \$118,800 from the Environmental Trust Fund Shoreland Sales for 2007 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 2007 Natural Resources Block Grant in the amount of \$129,447 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 the 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)	\$59,400.00
Wetlands, shoreland and water management (NRBG-pass through)	\$10,237.00
Wetland Conservation Act administration (NRBG)	\$15,000.00
Water Management Plan implementation (NRBG)	<u>\$ 5,328.50</u>
Subtotal	\$89,965.50

North St. Louis County Soil and Water Conservation District

Technical assistance to land owners (Environmental Trust)	\$59,400.00
Wetlands, shoreland and water management (NRBG-pass through)	\$10,237.00
Wetland Conservation Act administration (NRBG)	\$15,000.00
Wetland TAC agendas and minutes (NRBG)	\$ 2,000.00
Water Management Plan implementation (NRBG)	<u>\$ 5,328.50</u>
Subtotal	\$91,965.50

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

Nays - Commissioners Fink and Sweeney - 2

Adopted February 13, 2007. No. 69

At 10:30 A.M. on Tuesday, February 13, 2007, upon motion of Commissioner Raukar, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Bill Kron, 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 20, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 20th day of February, 2007, at 9:37 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron 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 Forsman, supported by Commissioner Nelson, moved to approve the Consent Agenda with Item No. 16 removed (waiver for Billy's, a bar/restaurant in Rice Lake, to stay open after 1:00 A.M. to accommodate John Beargrease Sled Dog Marathon participants) because the sled dog race has been cancelled; seven yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Raukar, moved to approve submission of a draft for Ordinance No. 60 (Smoking Ordinance) and to direct Administration to begin the process of establishing public hearings. Commissioner Fink said it may be preferable to refer the matter back to Committee to establish parameters for public hearings. Commissioner Nelson saw no reason to slow the process and questioned the need to refer the matter to committee. Commissioner Forsman noted a definition correction for vehicles. County Attorney Melanie Ford said a few other clerical errors in the draft needed correction. After further discussion, the makers withdrew their original motion and moved to refer the matter back to Committee of the Whole; six yeas - one nay, Commissioner Nelson.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a lease of tax forfeited land located in T62 North, R12W, to MSA Limited Partnerships for a communications tower site. Robert Krepps, Land Commissioner, said this was a joint effort of the Sheriff, Land Department and the County Attorney to secure antenna space for 9-1-1 on the proposed tower; seven yeas - zero nays. Resolution No. 101.

Commissioner Nelson, supported by Commissioner Sweeney, moved to approve a lease of tax forfeited land located in T59N, R15W, to MSA Limited Partnerships for a communications tower site; seven yeas - zero nays. Resolution No. 102.

Commissioner Raukar, supported by Commissioner Sweeney, moved to allocate \$50,000 from the Economic Development Fund for use completing a study of passenger rail service between Minneapolis and Duluth. The motion included changing the destination description to "between the Twin Cities and the Twin Ports". Commissioner Sweeney requested inclusion of the same language change in the accompanying board letter. After further discussion, the allocation was approved; seven yeas - zero nays. Resolution No. 103.

Commissioner Fink, supported by Commissioner Sweeney, moved to amend the St. Louis County Conflict of Interest Policy to include a section addressing the Internal Audit Function and to revise the Acceptance of Gifts or Favors Section. Gary Eckenberg, Deputy County Administrator, explained policy changes. The makers amended their motion to include state statute language limiting gifts or favors to "\$5.00 or less". Commissioner Nelson offered a friendly amendment - accepted by the makers - to indicate the \$5.00 or less was for a "trinket or memento". Commissioner Nelson also asked that the policy be communicated with employees to make them aware of the changes. The amended resolution

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was approved; seven yeas - zero nays. Resolution No. 104.

Commissioner Fink, supported by Commissioner Sweeney, moved to suspend the rules to consider approving a labor agreement with AFSCME Council 5 for the Civil Service Basic Bargaining Unit; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the two-year contract. Commissioner Nelson said he opposed the agreement because it failed to address rising health insurance costs; six yeas - one nay, Commissioner Nelson. Resolution No. 105.

Commissioner Fink, supported by Commissioner Raukar, moved to suspend the rules to consider approving a labor agreement with AFSCME Council 5 for the Merit Basic Bargaining Unit; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the two-year contract. Commissioner Nelson opposed this agreement because it also failed to address rising health insurance costs; six yeas - one nay, Commissioner Nelson. Resolution No. 106.

Commissioner Fink, supported by Commissioner Sweeney, moved to suspend the rules to consider authorizing a joint powers agreement with the State of Minnesota for the temporary secure housing of jail inmates; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the joint powers agreement. The following persons addressed the issue:

Sheriff Ross Litman said a prisoner being held at the County Jail is in need of medical attention the County is unable to provide. The State of Minnesota is able to accommodate the prisoner at a cost of \$255 per day, but requires a joint powers agreement.

Scott Anderson, Attorney representing the County Board on another matter, said he has experience in these cases and he explained why the State of Minnesota insists on a joint powers agreement.

After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 107.

Commissioner Fink, supported by Commissioner Raukar, moved to go to closed session for litigation purposes; seven yeas - zero nays. Scott Anderson, Attorney representing St. Louis County in a legal dispute with County Attorney Melanie Ford, explained reasons for the closed session.

At 11:15 A.M. in the forenoon of Tuesday, February 20, 2007, Chair Kron moved to recess the Board until 11:45 A.M. on February 20, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:00 P.M. on Tuesday, February 20, 2007, and the regular order of business resumed with all members.

Commissioner Forsman, supported by Commissioner O'Neil, moved to approve a resolution settling the legal dispute with St. Louis County Attorney Melanie Ford. Attorney Scott Anderson detailed the settlement negotiated with Attorney Ford. After some discussion, Commissioner Nelson offered a friendly amendment - not accepted by the makers - to delay action on the settlement until the court rules on the jurisdictional issues of the case. Commissioner Nelson, supported by Commissioner Fink, moved to formally amend the motion to delay the settlement until after the jurisdictional ruling. Attorney Anderson pointed out the agreement was made with the understanding that litigation was over and the amendment would effectively negate the settlement. Commissioner Nelson then withdrew his amendment. Lengthy discussion ensued about the effect of the settlement on other elected official salaries (Auditor and Sheriff) and costs to the taxpayers for settlement versus continuation of the legal battle. Commissioner Raukar asked for a division of the question with the salary issue voted on separately. Attorney Anderson indicated it would be a deal breaker if the salary offer was defeated. County Attorney Ford said taxpayers will get her very best efforts as County Attorney. After further discussion, the settlement resolution was approved; four yeas - three nays, Commissioners Fink, Nelson

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and Raukar. Resolution No. 108.

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

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 2007.--[58657](#)

County Auditor submitting applications for license to sell tobacco products for the year 2007.--[58658](#)

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 07-52 regarding Reclassification of State Tax Forfeited Land (Non-Conservation).--[58659](#)

County Auditor submitting applications for permits authorizing the consumption of and display of intoxicating liquors for the year 2007.--[58660](#)

Land Commissioner submitting applications for special sales of tax forfeited lands for the year 2007.--[58661](#)

Planning Director submitting various plats for approval during 2007.--[58662](#)

Dana Frey, County Administrator, submitting Board Letter No. 07-75 regarding to St. Louis County policy for Legislative Protocol.--[58663](#)

Monthly reports of the Sheriff for cash received and disbursed in the year 2007.--[58664](#)

John M. Gassert, Rudy, Gassert, Yetka & Pritchett, submitting Summons and Complaint in the matter of Fond du Lac Band of Lake Superior Chippewa versus Eugene F. Stewart; a Partnership consisting of Eugene F. Stewart and Gerald Collins, Both General Partners; County of St. Louis; Milton G. Thielke and Edith E. Thielke.--[58665](#)

Dana Frey, County Administrator, and Don Dicklich, County Auditor, submitting Revised Board Letter No. 07-05 regarding St. Louis County Conflict of Interest Policy Amendment.--[58666](#)

Settlement of Salary and Budget Appeals between the County of St. Louis, acting through its Board of Commissioners, and Melanie Ford, St. Louis County Attorney, and the County Attorney's Office.--[07-254](#)

Lease Agreement between the County of St. Louis and the South St. Louis County Fair Association for conducting a county fair and agricultural exhibition.--[07-255](#)

Agreement for Professional Services between the County of St. Louis and Mary Dawson to assist with clerical support for the NEMESIS project.--[07-256](#)

Agreement for Professional Services between the County of St. Louis and Milestone Systems, Inc., for the IronPort Anti-Spam and Sophos Anti-Virus software.--[07-257](#)

Civil Service Basic Bargaining Unit Agreement for 2006/2007.--[07-258](#)

Merit Basic Bargaining Unit Agreement for 2006/2007.--[07-259](#)

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 70

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through 100, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 8,939,461.77
184	Extension Service	64,598.90
200	Public Works	2,568,252.80
230	Social Services	7,697,821.63
240	Forfeited Tax	623,038.81
250	St. Louis County HRA	775.00
600	Solid Waste Authorities	774,121.01
625	Chris Jensen Health & Rehab.	1,107,050.54
650	Laundry	79,173.38
660	Community Food Services	96,642.21
670	Supervised Living Facilities	220,968.81
700	Printing	26,483.00
715	County Garage	63,380.33
750	Management Information Systems	388,462.59
760	Telecommunications	99,181.21
925	Arrowhead Regional Corrections	1,944,531.20
955	Community Health Services	131,084.12
989	Regional Railroad Authority	<u>52,969.46</u>
		\$24,877,996.77

Adopted February 20, 2007. No. 70

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. 58631, are hereby approved:

Real Estate - Randolph Adams, \$988.20; Peter Bagley, \$16.56; Daniel & Diana Bird, \$616.76; Ronald Borough, \$878.86; City of Hibbing, \$519.38; Erick Filby, \$304.86; Curt Frazer, \$1,033.56; Jedediah Gabel, \$533.50; Timothy Gillen, \$169.44; Lawrence Goldman, \$65.98; Daniel Houle, \$380.68; Aaron Isaacson, \$302.28; Karen Potter, \$382.32; Allen Kujala, \$172.60; Kimberly Lindstrom, \$4,927.70; Misti Massie, \$448.30; Michael McKune, \$460.00; Lacey Olson, \$190.00; Blaine Peterson, \$88.82; Robert Petrusa, \$352.38; Michael Vanarman, \$569.38; Victor Zimm, \$52.03.

Personal Property - Carrie Bly, \$73.06; City of Chisholm, \$882.50; Dana Elsen, \$7.34; Al Grover, \$29.84.

Adopted February 20, 2007. No. 71

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. 58640, is hereby approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted February 20, 2007. No. 72

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. 58658, 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:

Landers, LLC, d/b/a Porky's Bar & Grill, Gnesen Township, Tobacco Products License No. T06227, transfer.

Adopted February 20, 2007. No. 73

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. 58641;

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:

Landers, LLC, d/b/a Porky's Bar & Grill, Gnesen Township, On-Sale Intoxicating Liquor License No. CMB07108 and Sunday On-Sale Intoxicating Liquor License No. SUN07108.

Adopted February 20, 2007. No. 74

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Comstock Lake Fourth Division on December 8, 2005; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Comstock Lake Fourth Division; and

WHEREAS, the developer has provided financial assurance in lieu of road completion; 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 Comstock Lake Fourth Division, located in Section 26, Township 55 North, Range 15 West (Unorganized).

Adopted February 20, 2007. No. 75

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of North View Shores Retreat on September 8, 2005; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of North View Shores 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 North View Shores Retreat, located in Section 1, Township 56 North, Range 16 West (Unorganized).

Adopted February 20, 2007. No. 76

WHEREAS, pursuant to Minnesota Statute 282.01a, Subd. 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 Eveleth-Virginia Airport Authority has requested conveyance of State tax forfeited land

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legally described as:

Parcel Code: 340-10-2845
NW 1/4 OF SE 1/4 EX N 430 FT
Section 15, Township 57, Range 17; and

WHEREAS, the purpose of acquiring this property is to extend the runway to meet F.A.A. requirements;
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 Eveleth-Virginia
Airport Authority for runway extension to comply with F.A.A. requirements.

RESOLVED FURTHER, that the Eveleth-Virginia Airport Authority pay the following fees: 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 to be deposited in Fund 240 (Forfeited Tax Fund).

Adopted February 20, 2007. No. 77

WHEREAS, pursuant to Minnesota Statute 282.01a, Subd. 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 Lakewood has requested conveyance of State tax forfeited land legally
described as:

Parcel Code: 415-0010-06116
Section 21, Township 51N, Range 13W
PART OF SW 1/4 OF NW 1/4 BEG 33 FT E AND 240 7/10 FT N OF SW CORNER THENCE N 104
FT THENCE E 85 FT TO A CERTAIN CREEK THENCE SELY ALONG SAID CREEK TO A POINT
DUE E OF POINT OF BEG THENCE W 200 FT TO POINT OF BEGINNING Containing .33 Acres
more or less

WHEREAS, the purpose of acquiring this property is to provide a park and recreation area for the
Community Center;

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 Lakewood
for a park and recreation area which is an authorized public use.

RESOLVED FURTHER, that the Town of Lakewood pay the following fees: Administration Fee of
\$150.00, Deed Fee \$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).

Adopted February 20, 2007. No. 78

WHEREAS, Pursuant to Minnesota Statutes 282.01a, Subd. 1a, 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 Western Lake Superior Sanitary District (WLSSD) has requested conveyance of State
tax forfeited land legally described as:

Lot 3, Block 17
Oneota Duluth, Township 49 North, Range 14 West, Section 7
Parcel Code: 10-3610-640
LDKEY 32119

WHEREAS, the purpose of acquiring this land is for sanitary sewer pumping station improvements.

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 WLSSD for the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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authorized public use.

RESOLVED FURTHER, the St. Louis County Board approves the conveyance, pursuant of Minnesota Statutes, Section 282.01, Subd. 1a, of the above described State tax forfeited land to the WLSSD 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 February 20, 2007. No. 79

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, 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. 58648, 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 February 20, 2007. No. 80

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. 58659 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. 58659 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 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. 58659 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 February 20, 2007. No. 81

WHEREAS, pursuant to the dictates of Minnesota Statutes, Section 163.11, Subdivision 5A, a joint City of Chisholm - St. Louis County hearing was held on October 11, 2005, in concurrence with County Board Resolution No. 468 adopted September 27, 2005; and

WHEREAS, the City of Chisholm and all interested persons were heard; and

WHEREAS, the City of Chisholm adopted resolution 05-009 on November 22, 2005, which stated it would accept the revocation of Cemetery Road upon completion of reclaim/blacktop overlay of the road; and

WHEREAS, St. Louis County advertised, awarded and completed a reclaim/blacktop overlay of Cemetery Road under Project M.P. 66-1301 (County Project 1301) during the 2006 construction season and finalized this project on January 25, 2007;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes, Section 163.11

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Subdivision 1, the St. Louis Board of Commissioners does hereby revoke to the City of Chisholm, Cemetery Road described as beginning at the Center of Section 17, Township 58 North, Range 20 West, and running thence easterly to State Highway No. 73 a distance of approximately 4,500 feet.

RESOLVED FURTHER, that the Clerk of the County Board forward two certified copies of the resolution to the City of Chisholm.

Adopted February 20, 2007. No. 82

WHEREAS, the County of St. Louis has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project Numbers:

C.P. 3750 - Rail Road Crossing Marking Improvements, \$70,000;

C.P. 3751 - Intersection Lighting, \$65,000;

C.P. 3735 - Traffic Signal Improvements, \$50,000;

C.P. 9325 - Guard Rail Installation, \$112,000; and

WHEREAS, the Commissioner of Transportation has given notice that funding for these local road improvement projects are available; and

WHEREAS, the amount of the grant has been determined to be a total of \$297,000, which will be determined by reason of the lowest responsible bid for two of the projects, and through Force Account Agreements on two of the projects;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, Section 174.52, Subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road projects, but not required.

Adopted February 20, 2007. No. 83

WHEREAS, the St. Louis County Public Works Department plans to resurface County-State Aid Highway (C-SAH) No. 13 (County Project 8256, S.P. 69-613-028) from north of C-SAH 14 to north of Trunk Highway (TH) 2 as outlined in the project identified as S.P. 69-613-028, C.P. 8256; and

WHEREAS, the project consists of improvements to TH 2 by the State of Minnesota, and improvements to the intersection traffic control system located at the intersection of C-SAH 13 and TH 2 as outlined in the project identified as State Project No. 6908-57; and

WHEREAS, the State's share will include the construction costs for the State portion of the project, the lump sum of \$4,650 for preliminary engineering, and eight percent of the State's construction cost for construction engineering; and

WHEREAS, the State funds will be receipted into Fund 220, Agency 220156.

NOW, THEREFORE BE IT RESOLVED, that the appropriate County Officials are hereby authorized to enter into Agreement No. 90585 with the State of Minnesota, Department of Transportation and authorize any amendments approved by the County Attorney's Office.

Adopted February 20, 2007. No. 84

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 2007.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are authorized to enter into an agreement with Lockridge, Grindal & Nauen in 2007 for an amount not to exceed \$52,020.00.

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

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Adopted February 20, 2007. No. 85

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 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. 58649, for the following organization:

Irving Community Association to operate out of Porky's, Gnesen Township, 7047 Rice Lake Road, Duluth, MN 55803, pull tabs with dispensing device, New;

Piedmont Heights Hockey Association to operate out of Saginaw Grand Lake Station, Solway Township, 6993 Highway 2, Saginaw, MN 55779, pull-tabs and tipboards, New.

Adopted February 20, 2007. No. 86

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

WHEREAS, in 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 continue to provide leadership with Northland Fetal Alcohol Spectrum Disorders (FASD) Connection, a collaborative between St. Louis County, Arc Northland and Hayskids Foundation 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, 2007, through December 31, 2007; and

WHEREAS, the grant requires a local match of 10% (\$15,000); \$6,000 of which will be contributed in-kind by Arc Northland and \$9,000 in-kind by St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, 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, 2007, through December 31, 2007; 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, Arrowhead Center, Dennis Falk & Associates, and Range Mental Health Center to utilize grant funds to address issues related to FASD.

Adopted February 20, 2007. No. 87

WHEREAS, the St. Louis County Public Health and Human Services Department seeks to assure that children have a safe and permanent living arrangement; and

WHEREAS, the St. Louis County Public Health and Human Services Department and the Minnesota Department of Human Services recognize the value and strength of families jointly making permanent living decisions for their children; and

WHEREAS, the Minnesota Department of Human Services awarded \$184,708 for the Family Group Decision Making project for the period January 1, 2007, through December 31, 2007; and

WHEREAS, the St. Louis County Public Health and Human Services Department has contracted with Carlton County Public Health and Human Services and Fond du Lac Human Services since October 1, 2004, to provide Family Group Decision Making services, and

WHEREAS, the St. Louis County Public Health and Human Services Department wishes to renew these Agreements;

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the Minnesota Department of Human Services grant for Family Group Decision Making in the amount of \$184,708 for the period January 1, 2007, through December 31, 2007, and authorizes the appropriate County officials to increase the County budget, to make other budget changes as required to carry out grant activities, and to deposit such funds into Fund 230, Agency/Org 232099, Revenue Source 540217;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into contracts with Carlton County Public Health and Human Services and Fond du Lac Human Services to render specific Family Group Decision Making services to be paid from Fund 230, Agency/Org 232008, Object 602400;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to maintain the authorized staffing complement of the St. Louis County Public Health and Human Services Department with 1 FTE Social Worker, thus continuing to implement Family Group Decision Making within St. Louis County utilizing the grant funds;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to execute this grant agreement with the Minnesota Department of Human Services for Family Group Decision Making for the period of January 1, 2007 through December 31, 2007.

Adopted February 20, 2007. No. 88

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 46, zoning maps;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, March 20, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning Government Lot 3, Section 20, Township 60 North, Range 18 West (Unorganized).

Adopted February 20, 2007. No. 89

WHEREAS, the Planning Commission initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on May 11, 2006, and 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 46, zoning maps;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, March 27, 2007, at 9:35 A.M., Morse Town Hall, Ely, Minnesota, to consider rezoning portions of Sections 22 and 23, Township 58 North, Range 15 West (Town of White).

Adopted February 20, 2007. No. 90

WHEREAS, the Planning Commission initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on December 14, 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 46, zoning maps;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, March 27, 2007, at 9:40 A.M., Morse Town Hall, Ely, Minnesota, to consider rezoning portions of Sections 9, 16, 17, 18, 19 and 20, Township 63 North, Range 12 West (Town of Morse).

Adopted February 20, 2007. No. 91

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WHEREAS, a petition was presented to the St. Louis County Board by the owners of the NE 1/4, Section 30, Township 56, Range 16, County of St. Louis, State of 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 Minnesota Statutes, Section 164.08, Subd. 2, a public hearing shall be held at 9:40 A.M. on March 13, 2007, in the City of Duluth at the St. Louis County Courthouse, to hear the petition of Scott A. Boyd and Rita L. Christenson-Boyd 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. 58607.

Adopted February 20, 2007. No. 92

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subd. 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: That part of SW 1/4 of SW 1/4 lying within a parcel beg on W line of Sec 24 1177.03 ft of S of NW cor thence NELY along a line parallel with & 44.5 ft SEly at right angles from centerline of Fond Du Lac branch main track to a pt on S line of Pulasky St thence E along S line 90 ft to E line of SW 1/4 of SW 1/4 Sec 13 thence SWly to a pt on S line of SW 1/4 of SW 1/4 383.2 ft W of SE 1/16th cor of forty thence W along S line of forty 29.80 ft thence SWly along a line parallel with and distant 194.5 ft Ely at rt angles to track centerline to W line of Sec 24 thence N along W line to pt of beg and ex that part of 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 W 1/4 with the SEly right of way line of Burlington Northern formerly Duluth transfer track of Pacific Railway as located thence N89deg 38'10" E along said S line 115.91 ft to the pt of beg of the line to be described thence N 32 deg 43'19" E 389.84 ft thence N 43 deg 56'11" E 347.41 ft to the S line of Pulasky St and there terminating, Twp 49N, Rng 15W, Section 13. Parcel Code: 10-2744-50, LDKEY: 62078

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.

Adopted February 20, 2007. No. 93

RESOLVED, that the St. Louis County Board approves the addition of two (2) Utility Workers and two (2) Forestry Tech/Forester positions funded as follows: 1 Utility Worker and 1 Forestry Tech/Forester from 240-241007 (Forfeited Tax Fund - Virginia), and 1 Utility Worker and 1 Forestry Tech/Forester from 240-241008 (Forfeited Tax Fund - Pike Lake).

Adopted February 20, 2007. No. 94

WHEREAS, the City of Duluth has a Senior Dining Program which 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 and serve congregate meals at these locations for the past ten years; and

WHEREAS, the City of Duluth 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 with the City of Duluth for the period from January 1, 2007, through December 31, 2007, 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

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may prescribe; and

WHEREAS, Duluth MSA Limited Partnership wishes to renew Miscellaneous Lease No. L12930001 for a telecommunications tower on State tax forfeited land located on a 12.9 acre site in the SW 1/4 of the NW 1/4 of Section 2 and the SE 1/4 of the NE 1/4 of Section 3, Township 62 North, Range 12 West, for a lease period ending December 31, 2015, and a one time fee for a 10 year lease of five thousand seven hundred dollars (\$5,700.00); and

WHEREAS, Duluth MSA Limited Partnership wishes to sublease part of the site to American Tower Delaware Corporation under the terms and conditions set forth in the lease which includes providing free tower space between the 375-foot and 425-foot levels to the St. Louis County Communications Department;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Auditor to lease State tax forfeited land described as: A 12.9 acre site located in the SW 1/4 of the NW 1/4 of Section 2 and the SE 1/4 of the NE 1/4 of Section 3, Township 62 North, Range 12 West, to Duluth MSA Limited Partnership for a telecommunications tower site for a lease period ending December 31, 2015, and a lease fee of \$5,700.00 to be deposited into Fund 240 (Forfeited Tax Fund), and under the terms and conditions set forth by the St. Louis County Land Commissioner and Sheriff. RESOLVED FURTHER, St. Louis County and American Tower Delaware Corporation agree that space between the 375-foot and 425-foot levels of the tower, 50 feet in expanse shall be provided to the St. Louis County Telecommunications Department free of charge for the duration of the lessee's use of the site and under terms more specifically set forth in the Site Lease Agreement.

Unanimously adopted. February 20, 2007. No. 101

WHEREAS, Minnesota Statutes, Section 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease State tax forfeited land to individuals, corporations or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, Duluth MSA Limited Partnership wishes to renew Miscellaneous Lease No. L05910003 for a telecommunications tower on State tax forfeited land located on a five acre site in the SW 1/4 of the SE 1/4, Section 15, Township 59 North, Range 15 West, St. Louis County, Minnesota, for a lease period ending December 31, 2011, and a one time fee for a 10 year lease of five thousand seven hundred dollars (\$5,700.00); and

WHEREAS, Duluth MSA Limited Partnership wishes to sublease part of the site to American Tower Delaware Corporation under the terms and conditions set forth in the lease which includes providing free tower space between the 300-foot and 350-foot levels to the St. Louis County Communications Department;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Auditor to lease State tax forfeited land described as: A 5.78 acre site on the SW 1/4 of the SE 1/4, Section 15, Township 59 North, Range 15 West, to Duluth MSA Limited Partnership for a telecommunications tower site for a lease period ending December 31, 2011, and a lease fee of \$5,700.00 to be deposited into Fund 240 (Forfeited Tax Fund), and under the terms and conditions set forth by the St. Louis County Land Commissioner and Sheriff.

RESOLVED FURTHER, St. Louis County and American Tower Delaware Corporation agree that space between the 300-foot and 350-foot levels of the tower, 50 feet in expanse shall be provided to the St. Louis County Telecommunications Department free of charge for the duration of the lessee's use of the site and under terms more specifically set forth in the Site Lease Agreement.

Unanimously adopted. February 20, 2007. No. 102

BY COMMISSIONER RAUKAR:

WHEREAS, the St. Louis County Economic Development Committee met on December 11, 2006, and reviewed a proposal for a passenger rail study between the Twin Cities and the Twin Ports; and

WHEREAS, following the presentation, the St. Louis County Economic Development Committee recommended \$50,000 in funding from the Economic Development Fund for the study with the St. Louis

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and Lake Counties Regional Rail Authority serving as fiscal agent for the study; and WHEREAS, the St. Louis County Board of Commissioners affirms the recommendation of the St. Louis County Economic Development Committee; NOW, THEREFORE, BE IT RESOLVED, that St. Louis County authorizes \$50,000 from the Economic Development Fund, Fund 178, Agency 178001, to be used to complete the feasibility study for passenger rail service between the Twin Cities and the Twin Ports; and RESOLVED FURTHER, that the appropriate County officials are authorized to execute a funding agreement with the St. Louis and Lake Counties Regional Rail Authority to complete the study. Unanimously adopted. February 20, 2007. No. 103

BY COMMISSIONER FINK:

WHEREAS, the State Auditor noted the need for objectivity in the internal audit function in its 2005 fiscal audit of St. Louis County; and WHEREAS, the audit report pointed to specific policies and measures to achieve objectivity; and WHEREAS, County Commissioners have suggested changes to the section entitled "Acceptance of Gifts and Favors" to coincide with MN Statutes 471.895 and Minnesota Statutes 10A.071; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes an amended St. Louis County Conflict of Interest Policy as follows:

ST. LOUIS COUNTY CONFLICT OF INTEREST POLICY

It is the intent of St. Louis County, through the establishment of a mission statement and principles of conduct, to preserve the public's trust and confidence. A consideration vital to such trust and confidence is the issue of conflict of interest. The goal of the St. Louis County conflict of interest policy is to recognize and eliminate those situations of conflict, potential conflict or the appearance of conflict of interest. The following identifies the major areas where conflict of interest may arise:

Outside Employment. Any outside employment may not conflict with an employee's/official's job duties. A conflict occurs when the employee/official has the opportunity to affect the outcome of County decisions which may directly or indirectly benefit them through their outside employment.

Government Data Use. The appropriate and proper use of government data to assure the security and the personal privacy of all citizens is of utmost importance. St. Louis County officials/employees are prohibited from using privileged government data obtained through their position to further their own private interests.

Financial Interests. An official/employee shall not use his or her position to influence the purchase of services or products, when immediate family members defined as spouse, child, sibling, parent or grandparent, have a financial interest, direct or indirect, in the supplier, contractor or provider.

Service on Boards and Commissions. Appointed County employees are encouraged to serve their communities through advising roles on boards or commissions. However, they may serve only in an ex-officio capacity on the governing boards of agencies or companies which provide services or products to the County, when their position in the County allows them to influence the contracts with the agency or company.

Acceptance of Gifts or Favors. County officials/employees shall not accept nor solicit gifts, gratuities or other favors, as referenced in MN Statutes 471.895 and 10A.071 (limited to \$5 or less trinket or memento), from persons, agencies, businesses, contractors or organizations which contract for supplies, services or products to the County.

Use of County Time, Property and Information. Officials/employees of the County shall not use County time, supplies, property or equipment for anything other than official County business, except as

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provided by County resolution.

Administration of Conflict of Interest Policy. It is the responsibility of each official/employee to identify the potential for conflict of interest and to avoid such situations. Employees should be specifically aware of situations addressed in Minnesota Statutes 382.18, 471.87, 282.016, and 15.054. The official/employee shall bring the issue of a potential conflict of interest to the attention of the County Administrator, County Attorney, or the employee's immediate supervisor upon identification of the conflict. Should the matter not be resolved between the employee and immediate supervisor the issue shall be brought to the department head for resolution in consultation with the County Administrator and the County Attorney. The record keeping duties for administration of the conflict of interest policy shall be the responsibility of the personnel department.

Departmental Codes. Individual departments may establish more restrictive policies, provided they are consistent with the intent of this general policy.

Internal Audit Function. The employee of the Auditor's Office appointed to fill the internal auditor position shall report any issue of a potential conflict of interest to the County Auditor unless the issue involves a conflict with the County Auditor, in which case the matter shall be brought to the attention of the County Administrator and the Personnel Director.

Violation of These Provisions. The violation of any of the provisions of the conflict of interest policy shall be grounds for disciplinary action. Officials/employees may still be subject to civil or criminal penalties in accordance with law.
Unanimously adopted. February 20, 2007. No. 104

Upon motion of Commissioner Fink, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 105 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the 2006/2007 Civil Service Basic Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-258, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Adopted February 20, 2007. No. 105

Upon motion of Commissioner Fink, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 106 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the 2006/2007 Merit Basic Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-259, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Adopted February 20, 2007. No. 106

Upon motion of Commissioner Fink, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 107 which was not on the agenda.

BY COMMISSIONER SWEENEY:

WHEREAS, the St. Louis County Sheriff's Office requires the occasional assistance of the Department

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of Corrections for the boarding of inmates requiring special needs;
WHEREAS, the State of Minnesota, acting through its Commissioner of Corrections, requires a Joint Powers Agreement rendering such assistance;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Sheriff's Office to enter into a Joint Powers Agreement with the State of Minnesota, acting through its Commissioner of Corrections.
Unanimously adopted. February 20, 2007. No. 107

BY COMMISSIONER FORSMAN:

RESOLUTION AUTHORIZING THE SETTLEMENT OF COUNTY ATTORNEY
SALARY AND BUDGET APPEALS

WHEREAS, St. Louis County and the St. Louis County Attorney Melanie Ford have resolved the salary and budget appeals for the budget year 2007;
NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The County Attorney is authorized to add one full-time entry-level clerical secretary to the Criminal Division of the County Attorney's Office.
2. The 2007 salary for the St. Louis County Attorney is hereby established to be in the amount of \$112,322 (2007 Management Compensation Pay Plan, U33E, Step D), retroactive to the date the County Attorney took office. This salary is subject to change and further increases during the 2007 calendar year in the same manner and to the same extent as any other salary increases granted to other St. Louis County elected officials and employees who are not members of a labor bargaining unit.
3. St. Louis County shall pay to the County Attorney the amount of \$2,500 as and for an amount representing attorneys' fees incurred in appealing the budget for the St. Louis County Attorney's Office for the budget year 2007.
4. The Board Chair of the St. Louis County Board of Commissioners is hereby authorized to execute any and all documents necessary for the settlement of the salary and budget appeals on behalf of St. Louis County.

Yeas - Commissioners O'Neil, Forsman, Sweeney, and Chair Kron - 4

Nays - Commissioners Fink, Nelson, and Raukar - 3

Adopted February 20, 2007. No. 108

At 3:05 P.M. on Tuesday, February 20, 2007, upon motion of Commissioner Fink, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 27, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of February, 2007, at 9:45 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Commissioner Raukar presented a Volunteer Excellence Award to Bob Kitchen, life-time Hibbing resident, for his years of volunteer service. The Centennial Fountain and brick walkway on the City Hall Grounds, the Hull Rust Mineview Park and service as chair of Hibbing's Aviation Days are among the many projects that Mr. Kitchen has been actively involved with. Currently, he is promoting construction of a stage and public address system at the Hibbing cemetery for Veterans Day programs. Mr. Kitchen thanked the Board for the recognition and said he accepted the award with the understanding that all of his fellow volunteers would have a piece of the plaque.

Chair Kron congratulated Gary Eckenberg, Deputy County Administrator, who will receive the NeighborWorks America Dorothy Richardson Award for his years of service working to improve the Lincoln Park neighborhood in Duluth.

At 9:57 A.M., a public hearing was convened pursuant to County Board Resolution No. 64, adopted February 13, 2007, to consider granting an off-sale intoxicating liquor license to Ash-Ka-Nam Resort and Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19. Melanie Ford, County Attorney, advised the Board that: all required county departments had reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicants and, after discussion of the propriety and location of the establishment, recommended approval; all required notices were given and insurance certificates submitted. Commissioner Forsman said he spoke with the applicants - who were unable to stay for the hearing because of a funeral - and they said they understood and would abide by provisions of County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 10:04 A.M., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 121.

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

Cheryl Bisping, Virginia, thanked the Board for considering enactment of a non smoking ordinance and she urged adoption of a comprehensive ban.

Cynthia Kafut Hagen, Hibbing, also urged the Board to enact a comprehensive ordinance.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve an agreement with the University of Minnesota (UM) for a research project proposal entitled Optimal Manpower Planning and Shift Scheduling for Snow and Ice Removal in the amount of \$146,787. The following persons addressed the issue:

Marcus Hall, Public Works Director, described the project. In response to Commissioner questions, Director Hall said he would search for any additional funding sources.

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

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Donald Dicklich, County Auditor, cautioned about UM policies of funneling large portions of grant funding to Central Administration.

After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 122.

Chair Kron said that at the beginning of all future Board meetings there will be a moment of silence in honor of U. S. troops serving throughout the world.

Commissioner O'Neil said St. Louis County needs people interested in being foster parents and he urged citizens to consider taking in foster children.

Commissioner Nelson thanked the Board for their continuing support of Iron Range Youth In Action.

At the request of Commissioner Sweeney, Chair Kron asked for a moment of silence to honor U. S. military personnel.

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

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 2007.--58667

Steve Raukar, Seventh District Commissioner, submitting information regarding the Volunteer Recognition Award given to Robert Kitchen for his years of volunteer service and dedication to the City of Hibbing.--58668

Documentation from public hearing held on February 27, 2007, to consider the granting of an Off-Sale Intoxicating Liquor License to Ash-Ka-Nam Resort and Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19.--58669

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, Resolutions No. 109 through 120, 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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 3,892,397.67
184	Extension Service	77,653.59
200	Public Works	1,834,859.18
230	Social Services	3,747,506.79
240	Forfeited Tax	229,033.85
250	St. Louis County HRA	3,797.26
600	Solid Waste Authorities	248,138.88
625	Chris Jensen Health & Rehab.	1,218,871.12
650	Laundry	53,524.13
660	Community Food Services	48,882.33
670	Supervised Living Facilities	34,978.19
700	Printing	8,984.30

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

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715	County Garage	59,402.31
750	Management Information Systems	325,313.94
760	Telecommunications	74,200.30
925	Arrowhead Regional Corrections	903,437.43
955	Community Health Services	31,721.55
989	Regional Railroad Authority	<u>89,236.86</u>
		\$ 12,881,939.68

Adopted February 27, 2007. No. 109

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated February 16, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 27, 2007. No. 110

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. 58658, 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:

Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake Township, Tobacco Products License No. T07228, transfer.

Adopted February 27, 2007. No. 111

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. 58641;

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 March 5, 2007, through June 30, 2007:

Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake Township, Combination On/Off Sale Intoxicating Liquor License No. CMB07109 and Sunday On-Sale Intoxicating Liquor License No. SUN07109.

Adopted February 27, 2007. No. 112

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. 58661; 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 of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; and

WHEREAS, these parcels of land have been classified as non-conservation land pursuant to Minnesota

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

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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. 58661, 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. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

BE IT FURTHER RESOLVED, that the Land Commissioner shall give at least 30 days notice of its sale to all adjoining owners.

Adopted February 27, 2007. No. 113

WHEREAS, the parcels described in County Board File No. 58667 are currently dedicated as Memorial Forest; and

WHEREAS, pursuant to Minnesota Statutes 459.06, Subd. 3, any State 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. 58667 are more suitable for purposes other than forest management.

NOW, THEREFORE, BE IT RESOLVED, that the parcels described in County Board File No. 58667 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 February 27, 2007. No. 114

WHEREAS, the St. Louis County Board supports the goals of improving the County's telecommunications systems, and converging the County's telecommunications infrastructure thus reducing ongoing operating costs;

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the Management Information Systems Department to accept the Telecommunications Master Planning Proposal, dated February 2, 2007, and enter into a contract with Elert and Associates, Inc., at the proposed cost of \$36,600.00 plus expenses.

RESOLVED FURTHER, that the funding for this contract is payable from Telecommunications Fund 760, Agency 760001, Object 629900.

Adopted February 27, 2007. No. 115

RESOLVED, that the following six current Public Health and Human Services Advisory Committee members are hereby reappointed by the St. Louis County Board of Commissioners to serve an additional 3-year term of membership:

<u>Member Name</u>	<u>Term Expires</u>
Sue Bratulich	January 1, 2010
Kathy Heltzer	January 1, 2010
Anthony Kuznik	January 1, 2010
Rudy Semeja	January 1, 2010
Jim Taray	January 1, 2010

Adopted February 27, 2007. No. 116

RESOLVED, that a public hearing will be held at 9:40 A.M. on March 20, 2007, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Porky's Bar & Grill, Gnesen Township.

Adopted February 27, 2007. No. 117

WHEREAS, the Federal Emergency Management Agency (FEMA) had previously donated three camper trailers to St. Louis County after the Red River flood disaster in 1999; and

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WHEREAS, one of those three trailers has been used only infrequently by the Sheriff's Office and Rescue Squad since it was received by St. Louis County; and
WHEREAS, the Minnesota Wing of the Civil Air Patrol has need of this equipment; and
WHEREAS, donation of this equipment would enhance the search and rescue capabilities of Civil Air Patrol within St. Louis County and the region;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff to transfer ownership of St. Louis County camper/trailer VIN#1N110TP21V1055113 to the Minnesota Wing of the Civil Air Patrol;
RESOLVED FURTHER, the County Board donates this trailer to the Civil Air Patrol free of charge for purposes of enhancing the search and rescue capabilities of this volunteer organization.
Adopted February 27, 2007. No. 118

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 Chairman of the Board and the Auditor are hereby authorized and directed on behalf of St. Louis County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 90702", a copy of which agreement was before the County Board and which is made a part hereof by reference. This agreement corresponds with the Advance Construction Process for the County's share on SP 69-613-028, County Project No. 8256, with State Aid Funds, Fund 220, Agency 220156, used for the County share.
Adopted February 27, 2007. No. 119

WHEREAS, Minnesota Session Laws 2006, Chapter 236, Section 39, authorizes the private sale of State tax forfeited land bordering public water subject to the establishment of a permanent easement and associated land management plan approved by the St. Louis County Land Commissioner and the Commissioner of Natural Resources, issued in accordance with Minnesota Statutes, Section 282.37; and
WHEREAS, Minnesota Statutes, Section 282.37, authorizes the Commissioner of Revenue upon recommendation of the County Board to grant a permanent easement on State tax forfeited land bordering lakes and streams, such easement to be held in the name of the State Department of Natural Resources;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Commissioner of Revenue to grant the following permanent easement to the State Department of Natural Resources: A strip of land lying in Government Lot 4, Section 27, T51N, R20W: Said strip covering the area between the ordinary high water level of the east bank of the St. Louis River to a line running parallel to the river a distance of 450 feet in a landward direction from the east bank.
Adopted February 27, 2007. No. 120

BY COMMISSIONER FORSMAN:

WHEREAS, Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19, 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 27, 2007, 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 Ash-Ka-Nam 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.

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

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NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB07107) shall be issued to Ash-Ka-Nam Resort & Lodge, LLC, d/b/a Ash-Ka-Nam, Unorganized Township 68-19;

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 license holder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted. February 27, 2007. No. 121

WHEREAS, the County of St. Louis has been presented with a Research Project Proposal from the University of Minnesota for Optimal Manpower Planning and Shift Scheduling for Snow and Ice Removal; and

WHEREAS, the principal investigator for the proposal is Diwakar Gupta, Ph.D., Professor & Director of Graduate Studies, Mechanical Engineering Department, University of Minnesota; and

WHEREAS, it has been determined by the St. Louis County Public Works Director/Highway Engineer that it would be in the County's best interest to be the test site for the proposal; and

WHEREAS, the amount of the proposal has been determined to be a total of \$146,787.00.

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County Officials are hereby authorized to enter into an agreement with the University of Minnesota for Optimal Manpower Planning and Shift Scheduling for Snow and Ice Removal in the amount of \$146,787.00, payable in the following terms from Regular State Aid Maintenance Funds, Fund 200, Agency 205003, Revenue Source 521602, through Fund 200, Agency 200008, Obj. 626600:

Year 1 (2007) - \$50,000.00;

Year 2 (2008) - \$50,000.00;

Year 3 (2009) - \$46,787.00.

Unanimously adopted. February 27, 2007. No. 122

At 10:37 A.M. on Tuesday, February 27, 2007, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 13, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of March, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil presented Volunteer Excellence Awards to the following dentists who have provided free dental services to the poor and homeless: John Wainio, Mike Bussa, Richard Oase, Tim Langguth, Gary DeLoia, Thomas Seidelman, Norman Nordgren, Michael Johnson, Ronald Sandeno, Peder D. Morse and William Dols. Tim Langguth thanked the Board for the recognition and said many others not listed provide or help provide these services.

Commissioner Nelson noted that today was township election and/or annual meeting day.

Chair Kron opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. A large number of persons present were interested in addressing an item on Committee of the Whole Agenda regarding a draft Cloquet Valley State Forest ATV Management Plan. Chair Kron allowed the issue to be addressed and the following chose to do so:

Robert Krepps, Land Commissioner, said the Minnesota Department of Natural Resources (DNR) is asking for County Board concurrence to submit a draft plan for public hearings. The committee agenda item merely begins the process and does not involve approval of a final plan, according to Land Commissioner Krepps.

Duane Rudolph, Fayal, described the economic impact of ATVs and said many disabled individuals need ATV trail routes to enjoy nature. Mr. Rudolph asked the Board to support the "managed" rather than "limited" approach to ATV trails.

Scott Mead, Pequaywan, said managed trail systems are not well managed and destruction/damage by ATV users is common. Mr. Mead urged creation of a more limited plan for the area.

Ron Almos, Hoyt Lakes, urged the managed approach to ATV trails.

Mike Levig, Arrowhead ATV Club, said his organization does extensive work with trails and conducts classes on proper ATV operation and safety. Mr. Levig supported the managed plan.

Tom Miller, Pequaywan, said ATVs do minimal damage to the environment and he hoped solutions will be found respecting everyone's rights.

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Tom Alvar, Town of Duluth, said any trail decisions should consider minimizing adverse effects to the environment.

Patty Rutka, Saginaw, said ATV riders are responsible and help maintain trails. Ms. Rutka supported a managed plan.

Wayne Lakso, Duluth, belongs to an ATV group that uses the Cloquet Forest for weekly outings and he supports a managed plan with designated trails.

Jerry Flaschberger, Mt. Iron, said a managed plan keeps trails open but allows for closure of trails that are unsafe or hazardous to the environment.

Philip Linn, Hibbing, said he enjoys nature and uses his ATV in a respectful manner. Mr. Linn supported the managed approach.

Len Hardy, Nashwauk, said there will soon be one million ATVs in use and trails are needed.

Rebecca Rutka, Saginaw, said ATV recreation is a family activity that is not destructive to the forest. Ms. Rutka said disabled people need to use an ATV to enjoy nature.

Matt Stonich, Duluth, said the limited approach will make it more difficult for ATV riders to find areas to recreate.

Jack Benolker, Nashwauk, encouraged a managed approach which opens doors to grant funding for trail and other improvements.

At 10:42 A.M. in the forenoon of Tuesday, March 13, 2007, Chair Kron moved to recess the Board until 10:47 A.M. on March 13, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:54 A.M. on Tuesday, March 13, 2007, and the regular order of business resumed with all members.

At 10:54 A.M., a public hearing was convened pursuant to County Board Resolution No. 92, adopted February 20, 2007, to consider a petition submitted by Scott A. Boyd and Rita Christenson-Boyd to establish a cartway two rods in width to provide access to their property located in the NE 1/4, Township 56, Range 16 (unorganized). The following persons addressed the issue:

Tim Lee, Assistant County Attorney, said the petition was reviewed and met all statutory requirements. The County, in setting the hearing, failed to allow enough time for the petitioners to serve a 30-day notice on the affected landowner as required by the county cartway petition policy. The notice time was, however, within statutory guidelines, according to Attorney Lee. Attorney Lee also suggested the following three contingencies if the cartway is granted: 1) securing of easements across tax forfeited land for other portions of the access; 2) submission of a centerline description for the cartway; 3) proof of service on the affected landowners.

Mark Olson, Public Works, described the proposed cartway access route. Damages were estimated at \$750 plus \$1325 for Public Works expenses.

Mike Pexa, Attorney representing the petitioners, said all statutory requirements have been met and the petitioners have no current plans to develop their property. Attorney Pexa, in response to questions from Commissioners, said attempts to contact the affected landowners elicited no response(s).

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

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At 11:38 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Nelson, supported by Commissioner Raukar, moved to approve the cartway with the three contingencies suggested by Attorney Lee and payment of damages and Public Works expenses by the petitioners. Commissioners Fink and Sweeney both objected to granting the cartway until there was proof of response from the affected landowners. After further discussion, the cartway was granted with the County Attorney's Office directed to prepare a Findings of Fact, Conclusion and Order; five yeas - two nays, Commissioners Fink and Sweeney. Resolution No. 135.

At 11:45 A.M. in the forenoon of Tuesday, March 13, 2007, Chair Kron moved to recess the Board until 11:50 A.M. on March 13, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:50 A.M. on Tuesday, March 13, 2007, and the regular order of business resumed with all members.

Commissioner O'Neil, supported by Commissioner Nelson, moved to establish a series of public hearings on a proposed ordinance to protect the public from the harmful effects of second hand smoke. Commissioner Nelson asked Administration to enlist the aid of other county departments such as Planning to develop a more in-depth survey for persons attending the public hearings than the one included in the agenda packet. Commissioner Raukar offered a friendly amendment - accepted by the makers - to add language to the resolution directing that a list of options reflective of amendments discussed and made at the February 13 Committee of the Whole meeting should be presented to attendees for review, consideration and comment at the public hearings. Commissioner Sweeney offered another friendly amendment - accepted by the makers - to change the time of the April 26 hearing in the Duluth Courthouse to 1:30 P.M. so there would be at least one day meeting in the Duluth area. After further discussion, the resolution was approved; six yeas - one nay, Chair Kron. Resolution No. 136.

Commissioner Sweeney, supported by Commissioner Forsman, moved to authorize the Sheriff to apply for and accept the DNR 2007 Boat and Water Safety Grant in the amount of \$97,043. Commissioner Fink questioned whether the application and acceptance should be separate resolutions. Dana Frey, County Administrator, said County Board policy for recurring grants requires only one resolution. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 137.

Commissioner Nelson suggested everyone not get too excited about recent reports about high speed rail service from the Twin Cities - there is much to do before it becomes a reality.

Commissioner Sweeney said she was disturbed about development in the Bayview Heights Forest area and she asked Administration to investigate discrepancies in what Duluth told the Board when forfeited land was transferred.

Commissioner Raukar said he met with members of the Congressional delegation and he was hopeful that high speed rail service plans will move at a quick pace.

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

Civil Service Director submitting Personnel Transactions for the year 2007.--58670

Barry D. Lesar, Inspector of Mines, submitting the Annual Report of the Inspector of Mines for 2006.--58671-D

Leah M. Klitzke, RPR, Advantage (Bruns) Court Reporting, submitting Amended Certificate of Filing

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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and Delivery, Court of Appeals Case No. A06-2305, in the matter of the Big Lake Association versus Saint Louis County Planning Commission, the County of Saint Louis, Minnesota, Big Lake Properties, LLC, John A. Swenson, Sheryl L. Swenson, George P. Nall.--[58672](#)

Thomas F. Andrew, Andrew & Bransky, P.A., submitting Summons and Complaint in the matter of Ruth Marleen Hall Walczynski versus St. Louis County.--[58673](#)

James P. Peters, Peters & Peters, PLC, submitting Summons and Complaint in the matter of the Big Lake Association, Carla Arneson, Daniel E. Churchill, and Stephen J. Snyder versus Saint Louis County, the Saint Louis County Planning Commission, and Scott J. Smith, in his official capacity as Physical Planning Manager.--[58674](#)

Documentation from public hearing held on March 13, 2007, to hear the petition of 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.--[58675-D](#)

Dana Frey, County Administrator, submitting Board Letter No. 07-94 regarding establishing public hearings on the proposed ordinance designed to prevent exposure of the public to the harmful effects of second-hand tobacco smoke.--[58676](#)

Documentation relative to usage of all-terrain vehicles (ATVs) in Minnesota and the economic impact.--[58677](#)

Employee Safety & Development Training Contract between St. Louis County and Ann Harrington for Compassionate Communications: Tools and Techniques for Non-Violent Communications.--[07-260](#)

Purchase of Service Agreement, Contract No. 14082, between the St. Louis County Board of Commissioners and ADT Security Services, Inc., for supplies and equipment.--[07-261ss](#)

Purchase of Service Agreement, Contract No. 13964, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., for adult foster care and out-of-home respite services. --[07-262ss](#)

Agreement for Professional Services between the County of St. Louis and John Ivey Thomas Associates, Inc., for Chris Jensen Window Replacement.--[07-263](#)

Agreement for Professional Services between the County of St. Louis and Foster Jacobs & Johnson, Inc., for ADA upgrades for Depot Facility restrooms and elevator.--[07-264](#)

Agreement for Professional Services between the County of St. Louis and Krech Ojard & Associates for ADA upgrades for Depot Facility restrooms and elevator.--[07-265](#)

Agreement for Professional Services between the County of St. Louis and Stanius Johnson Architects for space planning for the Second Floor of Duluth Courthouse including Administration, County Auditor, and County Assessor functions.--[07-266](#)

Professional Services Contract between the County of St. Louis and Lockridge Grindal Nauen, P.L.L.P., for consultant services to assist with federal legislative and administrative matters.--[07-267](#)

Agreement for Respite Services between the County of St. Louis, through its Department of Public Health and Human Services, and St. Mary's Medical Center for Community Alternative Care clients.--[07-268ss](#)

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

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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, on behalf of the Adams Clinic - Hibbing.--07-269ss

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.--07-270ss

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, on behalf of the Virginia Clinic.--07-271ss

Addendum to Purchase Agreement, Contract No. 13982A, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for non-residential services.--07-272ss

Agreement between the County of St. Louis and the City of Virginia for the reconstruction of County-State Aid Highway 7 (Hoover Road) from C-SAH 103 to 9th Street North in Virginia.--07-273

Agreement for Professional Services between the County of St. Louis and the North St. Louis County Soil and Water Conservation District.--07-274

Amendment to Agreement between St. Louis County and Kabetogama Lake Association, Inc., for canister site lease.--07-275

Miscellaneous Lease No. L12930001 between St. Louis County, through its Land Commissioner, and Duluth MSA Limited Partnership, d/b/a Verizon Wireless, for a telecommunications antenna tower.--07-276

Miscellaneous Lease No. L05910001 between St. Louis County, through its Land Commissioner, and Duluth MSA Limited Partnership, d/b/a Verizon Wireless, for a telecommunications antenna tower.--07-277

Lease Agreement between the County of St. Louis and the South St. Louis County Fair Association for conducting a county fair and agricultural exhibition during the years 2007 through 2011.--07-278

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 123 through 134, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 13, 2007, are hereby approved.
Adopted March 13, 2007. No. 123

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 20, 2007, are hereby approved.
Adopted March 13, 2007. No. 124

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 27, 2007, are hereby approved.
Adopted March 13, 2007. No. 125

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

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

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File No. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,811,879.30
184	Extension Service	24,546.77
200	Public Works	3,635,924.93
230	Social Services	4,345,314.71
240	Forfeited Tax	400,851.34
250	St. Louis County HRA	27,278.98
600	Solid Waste Authorities	393,910.01
625	Chris Jensen Health & Rehab.	816,221.29
650	Laundry	72,127.36
660	Community Food Services	128,961.82
670	Supervised Living Facilities	49,821.97
700	Printing	11,122.03
715	County Garage	73,334.73
750	Management Information Systems	412,009.29
760	Telecommunications	81,416.39
925	Arrowhead Regional Corrections	1,324,793.58
955	Community Health Services	215,026.65
989	Regional Railroad Authority	<u>66,349.67</u>
		\$ 16,890,890.82

Adopted March 13, 2007. No. 126

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 2, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted March 13, 2007. No. 127

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 liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58660:

Ely Golf Club Corp., Inc., d/b/a Ely Golf Club, Morse Township, Permit No. BC081;

James Saugestad, d/b/a Melrude Pub, Ellsburg Township, Permit No. S0813.

Adopted March 13, 2007. No. 128

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. 58641;

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:

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

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Britt Bottle Shop, Inc., d/b/a Britt Bait & Liquor, Unorganized Township 60-18, Off-Sale Intoxicating Liquor License No. OFSL0719, corporate name change from Britt Bait & Liquor, Inc.
Adopted March 13, 2007. No. 129

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, 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, 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. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subdivision 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted March 13, 2007. No. 130

RESOLVED, that St. Louis County Board Resolution No. 461, dated August 15, 2006, is amended to correct the legal description of a utility easement crossing State tax forfeited land granted to Lake Country Power. The corrected legal description is as follows:

An easement for power distribution over under and across a parcel described as follows: The west 33.00 feet of the east 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.

Adopted March 13, 2007. No. 131

WHEREAS, the St. Louis County Planning Department relies on the Planning Commission to hear proposals and conduct hearings to gain public input on recommendations regarding planning and zoning changes and initiatives; and

WHEREAS, the citizen volunteers who comprise the Planning Commission are committed to the Commission's activities and serve the County well; and

WHEREAS, the St. Louis County Board of Commissioners established per diem rates for the County Planning Commission through Resolution No. 115, dated February 8, 2000;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Resolution No. 115, dated February 8, 2000, to increase the per diem rate for the Planning Commission to \$75 per day.

Adopted March 13, 2007. No. 132

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on November 20, 2006, January 22, 2007, and the agreement of the affected Department Heads, the Civil Service classifications of Administrative Assistant, Advisor on Alcoholism, Biometrician, Court Clerk Supervisor, Court Financial Coordinator (Grade 19), Court Financial Coordinator (Grade 21), Court Specialist I (Grade B14), Court Specialist I (Grade B16), Court Specialist II (Grade B17), Court Specialist II (Grade B18), Deputy Court Administrator, Environmental Health Director, Epidemiologist, Health Information Coordinator (Grade C14), Health Information Coordinator (Grade C16), Laboratory Aide, Laboratory Technician, Land Use Forester, Laundry Production Supervisor, Occupational Safety & Health Coordinator, Outreach Worker - Health Department, Probate Registrar (Grade B19), Probate Registrar (Grade B21), Public Health Laboratory Coordinator, Public Health Supervisor, Reproduction Services Apprentice, Reproduction Unit Supervisor, Sanitarian Aide, Solid Waste Worker I, Staff Development Coordinator, Survey Drafting Specialist, and Veterans Service Office Supervisor be abolished effective immediately.

RESOLVED FURTHER, that pursuant to the recommendation of the Civil Service/Personnel Director

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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and the agreement of the affected Department Heads, the unclassified positions of Chief Deputy County Administrator, Communications Director, Court Administrator, Court Division Chief Deputy, Director of Public Health and Long Term Medical Care, Social Services Director; and the Merit System position of Volunteer Services Coordinator be abolished effective immediately.

Adopted March 13, 2007. No. 133

RESOLVED, that a public hearing will be held at 9:35 A.M. on April 3, 2007, at the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake Township.

Adopted March 13, 2007. No. 134

BY COMMISSIONER NELSON:

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 Scott A. Boyd and Rita L. Christenson-Boyd for a cartway, on file in the office of the County Auditor, identified as County Board Document File No. 58675.

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

Nays - Commissioners Fink and Sweeney - 2

Adopted March 13, 2007. No. 135

BY COMMISSIONER O'NEIL:

WHEREAS, it is the proper role, and one of the powers and responsibilities of County Boards to provide for the protection of the general health and welfare of county residents; and

WHEREAS, the St. Louis County Board of Commissioners has discussed various proposals for an ordinance to prevent the exposure of the public to the harmful effects of second-hand tobacco smoke; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners recommends the draft of St. Louis County Ordinance No. 60 identified in County Board File No. 58676, to be moved forward to public hearings;

RESOLVED FURTHER, a list of options reflective of amendments discussed and made at the February 13th Committee of the Whole meeting be presented to attendees for review, consideration and comment;

RESOLVED FURTHER, public hearings to consider St. Louis County Ordinance No. 60 are hereby established to allow for the most convenient opportunities for public comment by the citizens of St. Louis County:

April 16, 2007 (Monday)	5:00 p.m.	Cotton Town Hall, Cotton
April 17, 2007 (Tuesday)	5:00 p.m.	Hermantown Public Safety Bldg, Hermantown
April 24, 2007 (Tuesday)	5:00 p.m.	American Legion & Community Center, Orr
April 26, 2007 (Thursday)	1:30 p.m.	St. Louis County Courthouse, Duluth
April 30, 2007 (Monday)	1:00-5:00 p.m.	John F. Kennedy Elementary School Cafeteria, Ely
May 3, 2007 (Thursday)	5:00 p.m.	Mt. Iron Community Center, Mt. Iron
May 7, 2007 (Monday)	1:00 p.m.	City Council Chambers, City Hall, Hibbing
May 22, 2007 (Tuesday)	9:30 a.m.	City Council Chambers, City Hall, Hibbing (final hearing)

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

Nays - Chair Kron - 1

Adopted March 13, 2007. No. 136

BY COMMISSIONER SWEENEY:

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;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the Sheriff to apply for and accept the Minnesota Department of Natural Resources 2007 Boat and Water Safety Grant, in the amount of \$97,043 for the period January 1, 2007, through June 30, 2008;

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 2007.

Unanimously adopted. March 13, 2007. No. 137

At 12:33 P.M. on Tuesday, March 13, 2007, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 MARCH 20, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 20th day of March, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

At 9:35 A.M., a public hearing was convened pursuant to County Board Resolution No. 89, adopted February 20, 2007, to consider amending Ordinance No. 46 by rezoning a portion of Government Lot 3, Section 20, Township 60 North, Range 18 West (unorganized). Barbara Hayden, Planning Director, said the rezoning is necessary to correct an error discovered by the Planning Commission. No one else chose to address the issue.

At 9:37 A.M., Commissioner Nelson, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Nelson, moved to approve the rezoning amendment; seven yeas - zero nays. Resolution No. 153.

At 9:40 A.M., a public hearing was convened pursuant to County Board Resolution No. 117, adopted February 27, 2007, to consider granting an off-sale intoxicating liquor license to Porky's Bar & Grill, Gnesen Township. Melanie Ford, County Attorney, advised the Board that: all required County departments reviewed the application and recommended approval; the Town of Gnesen 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; all required notices were given; and, the necessary insurance certificate submitted. No one else chose to address the issue.

At 9:43 A.M., Commissioner Sweeney, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 154.

Commissioner Nelson said he wanted to recognize citizens who work hard on committees such as the Planning Commission.

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

John Westmoreland, AFSCME Council 5, said he would be meeting with individual Commissioners concerning the closing of state-operated group homes.

Christina Beloy, AFSCME, said if the homes are privatized, jobs will be lost and patients/residents will receive fewer services.

Marsh Stenerson, AFSCME, related the story of a friend who has a child in a state-operated home that is slated for closing.

Commissioner Raukar said the state is not living up to its obligations. Commissioner Sweeney said privatization often leads to serious problems such as those experienced at Walter Reed Hospital.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Commissioner O'Neil, supported by Commissioner Nelson, moved to approve reappointment of members to the Individual Sewage Treatment Systems Technical Advisory Committee; seven yeas - zero nays. Resolution No. 155.

Commissioner O'Neil, supported by Commissioner Raukar, moved to reconsider Resolution No. 136, adopted March 13, 2007, establishing public hearings regarding a proposed smoking ordinance; seven yeas - zero nays. Commissioner O'Neil, supported by Commissioner Forsman, moved to amend the hearing schedule to adjust hearing times for the April 30 meeting in Ely (1:00 P.M. start with no set ending time) and the May 7 meeting in Hibbing (to begin at 3:00 P.M. instead of 1:00 P.M.); seven yeas - zero nays. Resolution No. 156.

Commissioner Fink, supported by Commissioner Forsman, moved to approve concurrence with the Minnesota Department of Natural Resources (DNR) on establishing public hearings on the draft Cloquet Valley State Forest ATV/OHV Management Plan. Kristin Larson, Pequaywan Township, said various groups including The League of Women Voters, Izaak Walton League, Friends of the Boundary Waters and Friends of the Cloquet Valley State Forest, prefer a "limited" plan rather than a "managed" plan because of difficult enforcement. Ms. Larson urged the Board to request the DNR to consider a "limited" trail management plan. Commissioner Nelson offered a friendly amendment to delete the second "Whereas" that referred to the County not having taken formal action on a "limited" or "managed" plan. Commissioner Fink accepted the friendly amendment but the supporter, Commissioner Forsman, did not accept the friendly amendment and withdrew his support of the motion. Commissioner Fink, supported by Commissioner Forsman, then moved to resubmit the original resolution for consideration, which was approved; six yeas - one nay, Commissioner Nelson. Resolution No. 157.

Commissioner Nelson, supported by Commissioner Forsman, moved to reclassify and offer for sale tax forfeited land, located on Joshua Avenue in Duluth, to the adjoining landowner (Option 2). Cindy Voigt, City of Duluth, asked the Board to keep the land in conservation status for one more year to allow the city time to determine if an easement will be needed for a connector route (Option 3). If the sale is allowed, Ms. Voigt asked if a conditional easement could be placed on the property to save time and cost if the Joshua Street route is selected. After discussion about honoring requests from affected jurisdictions, Commissioner Raukar suggested - but did not offer - a tabling motion to determine if a contingency could be added to an adjoining owner sale. The resolution to reclassify and sell the property was then approved; five yeas - two nays, Commissioners O'Neil and Kron. Resolution No. 158.

Commissioner Nelson, supported by Commissioner Forsman, moved to grant final plat approval to the Plat of Pats Trace, Section 15, Unorganized Township 63 North, Range 17 West. County Attorney Ford said there are a few outstanding issues with the plat that should be resolved in the next week. Commissioner Fink, supported by Commissioner Forsman, moved to table the matter to the March 27 Board meeting; seven yeas - zero nays.

Commissioner Nelson noted costs for Employee Development classes listed on the Board Communications totaled \$11,940 and he questioned why some of the courses are not done internally. Chair Kron said other discussion items should be deferred to the end of Committee of the Whole.

Commissioner Fink said the deadline for submission of bills at the state legislature is at hand and he presented a brief update of proposed legislation impacting St. Louis County.

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 2007.--58678

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Highway Engineer submitting award of bids for county construction projects for the year 2007.--58679

Sales of County fee land for year 2007.--58680

Documentation from public hearing held on March 20, 2007, to consider the granting of an Off-Sale Intoxicating Liquor License to Porky's Bar & Grill, Gnesen Township.--58681

Documentation from public hearing held on March 20, 2007, to consider amending Ordinance No. 46 by rezoning Government Lot 3, Section 20, Township 60 North, Range 18 West (Unorganized).--58682

State of Minnesota Department of Transportation Cooperative Construction Agreement No. 90585 with St. Louis County for state cost for mill and overlay construction on County-State Aid Highway No. 13, S.P. 69-613-028.--07-279

Agreement for Professional Services between the County of St. Louis and Peter Handberg for Depot Site Property Ownership Investigation.--07-280

Employee Safety & Development Training Contract between St. Louis County and Keenan Consulting, LLC, for Leadership Development training.--07-281

Employee Safety & Development Training Contract between St. Louis County and Keenan Consulting, LLC, for Team Building training.--07-282

Employee Safety & Development Training Contract between St. Louis County and University of MN - CTAP for Traffic Control Training.--07-283

Employee Safety & Development Training Contract between St. Louis County and SMDC for nine sessions of Mindfulness - Based Stress Reduction Program.--07-284

Agreement for Professional Services between St. Louis County and Michael R. Dean for tasks involving the management, development and continued implementation of NEMESIS.--07-285

Addendum to Parking Space Lease between the County of St. Louis and Kegler's, Inc., d/b/a The Incline Station Bowling Center.--07-286

Purchase of Service Agreement, Contract No. 14120, between the St. Louis County Board of Commissioners and Woodland Hills for intervention and care for children.--07-287ss

Purchase of Service Agreement, Contract No. 14119, between the St. Louis County Board of Commissioners and Mesabi Academy of Kids Peace, Inc., for a program for intervention and care for children.--07-288ss

Purchase of Service Agreement, Contract No. 14118, between the St. Louis County Board of Commissioners and Arrowhead House, Inc., for Intensive Residential Treatment Services.--07-289ss

Purchase of Service Agreement, Contract No. 14097, between the St. Louis County Board of Commissioners and Makalu, Inc., d/b/a Fresh Start, for Intensive Residential Treatment Services.--07-290ss

Amendment No. 3 to Lease between St. Louis County and Richard and Lynn Vukonich for 2458 square feet of floor space in the Virginia U S Bank Building for operation of the Assessor's Office.--07-291

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Amendment No. 3 to Lease between St. Louis County and Richard and Lynn Vukonich for 565 square of floor space in the Virginia U S Bank Building for operation of the Recorder's Office.--[07-292](#)

Amendment No. 3 Lease between St. Louis County and Richard and Lynn Vukonich for 733 square feet of floor space in the Virginia U S Bank Building for operation of the Veterans' Affairs Office.--[07-293](#)

Group Residential Housing Rate Agreement, Contract No. 50508, between the St. Louis County Board of Commissioners and Alternative Opportunities - Redwing.--[07-294ss](#)

Group Residential Housing Rate Agreement, Contract No. 50515, between the St. Louis County Board of Commissioners and Focus on Living - West 4th Street.--[07-295ss](#)

Group Residential Housing Rate Agreement, Contract No. 50513, between the St. Louis County Board of Commissioners and Lamb House Brookston.--[07-296ss](#)

Group Residential Housing Rate Agreement, Contract No. 50514, between the St. Louis County Board of Commissioners and Lamb House McCamus.--[07-297ss](#)

Group Residential Housing Rate Agreement, Contract No. 50507, between the St. Louis County Board of Commissioners and Expanding Horizons.--[07-298ss](#)

Addendum to Purchase Agreement, Contract No. 14070A, between the St. Louis County Board of Commissioners and Alternative Opportunities, Inc., for adult foster care services.--[07-299ss](#)

Addendum to Purchase Agreement, Contract No. 13969B, between the St. Louis County Board of Commissioners and Focus on Living, Inc., for adult foster care services.--[07-300ss](#)

Addendum to Purchase Agreement, Contract No. 14007A, between the St. Louis County Board of Commissioners and The Lamb House, Inc., for assisted living plus services.--[07-301ss](#)

Purchase of Service Agreement, Contract No. 14090, between the St. Louis County Board of Commissioners and Expanding Horizons, Inc., for adult foster care services.--[07-302ss](#)

Addendum to Purchase Agreement, Contract No. 13928A, between the St. Louis County Board of Commissioners and Jan Evans Adult Foster Care for semi-independent living services.--[07-303ss](#)

Addendum to Purchase Agreement, Contract No. 13843B, between the St. Louis County Board of Commissioners and Lifeway Services, LLC - Proctor House for semi-independent living services.--[07-304ss](#)

Addendum to Purchase Agreement, Contract No. 13462B, between the St. Louis County Board of Commissioners and Lifeway Services, LLC, for semi-independent living services.--[07-305ss](#)

Addendum to Purchase Agreement, Contract No. 13325E, between the St. Louis County Board of Commissioners and Peterson Adult Foster Home for semi-independent living services.--[07-306ss](#)

Addendum to Purchase Agreement, Contract No. 13340E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), for semi-independent living services.--[07-307ss](#)

Addendum to Purchase Agreement, Contract No. 13342E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - In Home Family Support.--

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07-308ss

Addendum to Purchase Agreement, Contract No. 13343F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Mountain Iron for semi-independent living services.--07-309ss

Addendum to Purchase Agreement, Contract No. 13344F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Heritage for semi-independent living services.--07-310ss

Addendum to Purchase Agreement, Contract No. 13345E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass for semi-independent living services.--07-311ss

Addendum to Purchase Agreement, Contract No. 13346E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik for semi-independent living services.--07-312ss

Addendum to Purchase Agreement, Contract No. 13347E, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora for semi-independent living services.--07-313ss

Purchase of Service Agreement, Contract No. 14111, between the St. Louis County Board of Commissioners and Range Mental Health Center for targeted case management - adults.--07-314ss

Grant Agreement, Contract No. 20700, between the St. Louis County Board of Commissioners and Range Mental Health Center for mental health integrative services for adults. --07-315ss

Cooperative Agreement, Contract No. 14130, between the St. Louis County Board of Commissioners and Range Mental Health Center for targeted case management - children.--07-316ss

Purchase of Service Agreement, Contract No. 14128, between the St. Louis County Board of Commissioners and Human Development Center for child mental health - targeted case management.--07-317ss

Grant Agreement, Contract No. 20720, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee for family group decision making.--07-318ss

Grant Agreement, Contract No. 20717, between the St. Louis County Board of Commissioners and Carlton County Public Health and Human Services for family group decision making.--07-319ss

Grant Agreement, Contract No. 20700, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for adult mental health integrated fund.--07-320ss

Grant Agreement, Contract No. 20702, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for adult mental health integrated fund.--07-321ss

Grant Agreement, Contract No. 20704, between the St. Louis County Board of Commissioners and Range Mental Health Center for sub-acute detoxification and hold services.--07-322ss

Addendum to Purchase Agreement, Contract No. 30110B, between the St. Louis County Board of Commissioners and Johnston, Villegas-Grubbs and Associates, LLC, for rate tool development.--

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07-323ss

University of Minnesota Services Agreement between the Regents of the University of Minnesota and the St. Louis County Land Department for program partner of the Boulder Lake Management Area.--
07-324

Agreement for Professional Services between the County of St. Louis and Abe Environmental Systems for Duluth Courthouse - Property Management Office Mechanical System Design.--07-325

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, Mount Royal Medical Center, and St. Luke's Pediatric Associates.--07-326ss

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 138 through 152, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

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. 58640, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted March 20, 2007. No. 138

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 permits authorizing the consumption and display of intoxicating liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58660:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Permit No. S0816;

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Permit No. S0818;

Vernon James Skoglund, d/b/a Silver Fox Lodge, Gnesen Township, Permit No. S0811;

Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Cherry Township, Permit No. S0819.

Adopted March 20, 2007. No. 139

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 15 (totaling \$358,931.92), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted March 20, 2007. No. 140

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. 3745, Crack Sealing 2007, along with a \$200 administrative fee. The funds received from Lake County will be receipted into Fund 200, Agency 201046.

Adopted March 20, 2007. No. 141

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RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Eveleth 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. 3745, Crack Sealing 2007, along with a \$200 administrative fee. The funds received from the City of Eveleth will be receipted into Fund 200, Agency 201046.

Adopted March 20, 2007. No. 142

RESOLVED, that the appropriate County officials are hereby authorized to enter into an agreement with the City of Babbitt 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. 3745, Crack Sealing 2007, along with a \$200 administrative fee. The funds received from the City of Babbitt will be receipted into Fund 200, Agency 201046.

Adopted March 20, 2007. No. 143

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 "Lots 10 Through 17, Block 1, Caribou Lake Tracts, Town of Grand Lake"; 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.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Minnesota Statutes, Section 465.035, the St. Louis County Board authorizes the appropriate County officials to prepare the necessary documents to transfer County fee land for a public use, described as "Lots 10 Through 17, Block 1, Caribou Lake Tracts, Town of Grand Lake," to Grand Lake Township for a fee of \$500.

RESOLVED FURTHER, the \$500 land transfer administrative fee will be directed into the County's General Fund (Fund 100, Agency 128014, Object 583100).

RESOLVED FURTHER, that Resolution No. 06-672, dated December 19, 2006, is hereby rescinded. Adopted March 20, 2007. No. 144

WHEREAS, St. Louis County has leased office space to the North St. Louis County Soil and Water Conservation District at the Northland Office Building in Virginia, Minnesota, since March 1, 2004; and WHEREAS, said Conservation District's lease expires on February 28, 2007, and it is still in need of office space in Virginia, Minnesota; and

WHEREAS, St. Louis County and North St. Louis County Soil and Water Conservation District have negotiated a new annual lease rate of \$2,598.40 (10.15/sq. ft.) for a one year period beginning March 1, 2007, through February 29, 2008, with five (5) one year options to renew.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Property Management Department to enter into a one (1) year lease agreement with five (5) one year options to renew and renegotiate the terms with North St. Louis County Soil and Water Conservation District. Lease to be renewed annually thereafter at the same terms and conditions as original lease, except as modified by any subsequent lease addenda.

Adopted March 20, 2007. No. 145

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, 2007, 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 by increasing the funding and adding duties related to pandemic flu preparedness; and

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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 III to the Public Health Preparedness and Response to Bioterrorism Grant Project Agreement with the Community Health Services Board in the amount of \$82,324 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 and 2007 budgets.

Adopted March 20, 2007. No. 146

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 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 0029 T/B 060 Range 21 N 1/2 of SW 1/4 of NE 1/4); and

WHEREAS, the Federal Recreational Trails Program requires a twenty year bridge maintenance commitment;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor said 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 PathBlazers Snowmobile Club agrees to maintain the trail and the snowmobile bridge for no less than twenty years;

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 insured's on said general liability policy, the landowners over whose lands the trail may extend;

RESOLVED FURTHER, County Board Resolution 116, adopted February 14, 2006, is hereby rescinded.

Adopted March 20, 2007. No. 147

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 Trail Hawks Snowmobile Club has made application to the Minnesota Trail Assistance Program, and has requested that St. Louis County serve as the local government sponsor for the

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following trail extension proposal to be funded by the State of Minnesota Trail Assistance Program and the Federal Recreational Trails Program: Develop four miles of snowmobile trail between State Highway 37 West and State Highway 37 East; and

WHEREAS, the Federal Recreational Trails Program requires a twenty year bridge maintenance commitment;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County agrees to sponsor said 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 trail;

RESOLVED FURTHER, that the location of the new trail 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 Trail Hawks Snowmobile Club agrees to maintain the trail for no less than twenty years; and

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 Trail Hawks Snowmobile Club 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 insured's on said general liability policy, the landowners over whose lands the trail may extend.

Adopted March 20, 2007. No. 148

WHEREAS, the St. Louis County Sheriff's Volunteer Rescue Squad, a 501c(3) organization, has been serving the citizens of St. Louis County since 1958 through response to public safety emergencies, public safety training, and assists to other agencies; and

WHEREAS, the Rescue Squad is a non-profit organization organized under the laws of Minnesota for the purpose of providing support to the Sheriff's Office and desires to continue to provide support; and

WHEREAS, the Sheriff accepts the services offered by the Rescue Squad and would like to enter into an agreement with the Rescue Squad to memorialize the terms and conditions of these services;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff and County Auditor to enter into an agreement with the St. Louis County Sheriff's Volunteer Rescue Squad.

Adopted March 20, 2007. No. 149

RESOLVED, the Board adopts the new job classification titled HR/Payroll System Analyst and allocates it to Salary Grade B20/H20 on the Civil Service Basic and Confidential Bargaining Unit Pay Plans, effective immediately.

Adopted March 20, 2007. No. 150

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 83-1293, C.P. 1293, located at C-SAH 83 from C-SAH 27 to C.R. 213 near Zim, MN, length 0.75 mi., 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 12, 2007, 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 Board of County Commissioners of St. Louis County, Minnesota, 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.

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<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Materials, LLC d/b/a Northland Bituminous	4843 Rice Lake Rd Duluth, MN 55803	\$144,282.86

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project: payable from Fund 200, Agency 203154, Object 652800.
Adopted March 20, 2007. No. 151

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

M.P. 234-1229 (low), C.P. 1229, located at C.R. 234 from C.R. 898 (Lindahl Road) to C-SAH 48 (Lavaque Bypass Road) north of Hermantown, MN, length 1.85 Miles, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 694-1232, C.P. 1232, located at C.R. 694 from C-SAH 48 (Lavaque Bypass Road) to C.R. 297 north of Hermantown, MN, length 0.53 Mile, 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., March 12, 2007, 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 Board of County Commissioners of St. Louis County, Minnesota, in regular session duly convened, hereby approves the award of contract on the above combined projects 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	\$384,530.20

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. 234-1229 (low):	Fund 200, Agency 203083, Object 652800	\$ 301,281.65
M.P. 694-1232:	Fund 200, Agency 203085, Object 652800	\$ 83,248.55

Adopted March 20, 2007. No. 152

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 46, zoning maps; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on March 20, 2007; 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;

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance No. 46, County Zoning Maps, from MUNS-4 to SMU-7 for Government Lot 3, Section 20, Township 60 North, Range 18 West (Unorganized);

RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance No. 46 shall be April 20, 2007.

Unanimously adopted. March 20, 2007. No. 153

BY COMMISSIONER SWEENEY:

WHEREAS, Porky's Bar & Grill, Gnesen 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 20, 2007, 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 Porky's Bar & Grill 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 CMB07108) shall be issued to Porky's Bar & Grill, Gnesen 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 license holder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted. March 20, 2007. No. 154

BY COMMISSIONER O'NEIL:

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the reappointment of the following members to the Individual Sewage Treatment Systems Technical Advisory Committee:

Terms expiring December 31, 2008

James Bertucci, A-1 Sewage Service, Eveleth, MN

Barbara McCarthy, Minnesota Pollution Control Agency, Duluth, MN

Tom Rovinsky, Lakehead Trucking, Inc., Duluth, MN

Bob Whitmyer, Matrix Soils & Systems, Duluth, MN

Terms expiring December 31, 2009

Dan Belden, Western Lake Superior Sanitary District, Duluth, MN

Nick Bougalis, Bougalis Construction, Hibbing, MN

Wade Klingsporn, Soil & Water Conservation District, Virginia, MN

Unanimously adopted. March 20, 2007. No. 155

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BY COMMISSIONER O'NEIL:

RESOLVED, that Resolution No. 136, adopted March 13, 2007, is hereby amended by changing times established for allowing public comment by the citizens of St. Louis County relative to the proposed ordinance to prevent the exposure of the public to the harmful effects of second-hand tobacco smoke:

April 16, 2007 (Monday)	5:00 p.m.	Cotton Town Hall, Cotton
April 17, 2007 (Tuesday)	5:00 p.m.	Hermantown Public Safety Bldg, Hermantown
April 24, 2007 (Tuesday)	5:00 p.m.	American Legion & Community Center, Orr
April 26, 2007 (Thursday)	1:30 p.m.	St. Louis County Courthouse, Duluth
April 30, 2007 (Monday)	1:00 p.m.	John F. Kennedy Elementary School Cafeteria, Ely
May 3, 2007 (Thursday)	5:00 p.m.	Mt. Iron Community Center, Mt. Iron
May 7, 2007 (Monday)	3:00 p.m.	City Council Chambers, City Hall, Hibbing
May 22, 2007 (Tuesday)	9:30 a.m.	City Council Chambers, City Hall, Hibbing (final hearing)

Unanimously adopted. March 20, 2007. No. 156

BY COMMISSIONER FINK:

WHEREAS, the Minnesota Department of Natural Resources and St. Louis County Land Department have prepared a draft Cloquet Valley State Forest All-Terrain Vehicle/Off-Highway Vehicle (ATV/OHV) Management Plan based on the Managed Scenario and are proposing to hold public hearings;

WHEREAS, the St. Louis County Board has not taken formal action on the "limited" or "managed" designation as defined by state rules;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners concur with the Minnesota Department of Natural Resources' and St. Louis County Land Department's proposal to hold public hearings on the draft Cloquet Valley State Forest ATV/OHV Management Plan;

RESOLVED FURTHER, that public comment from the hearings will be used to develop the final plan which will address implementation, monitoring, and effectiveness.

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

Nays - Commissioner Nelson - 1

Adopted March 20, 2007. No. 157

BY COMMISSIONER NELSON:

WHEREAS, an adjoining land owner has requested to purchase the following described State tax forfeited land in the City of Duluth:

Lots 33-35, Block 9, Home Acres First Division,
Parcel codes: 10-2230-4150, 10-2230-4160, 10-2230-4170;

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, 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 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 within 60 days of the date on which this resolution is delivered to the clerk of the Municipality; and

WHEREAS, said parcel of land is not withdrawn from sale pursuant to Minnesota Statutes Sections

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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 parcel of land cannot be improved because it is 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;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the reclassification and sale of the State tax forfeited land described above, and the County Auditor is hereby authorized to offer said land at private sale to the adjacent property owners to encourage return of the land to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, 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; and, upon approval, that the Land Commissioner shall give at least 30 days notice of its sale to all adjoining owners.

Yeas - Commissioners Fink, Forsman, Sweeney, Nelson, and Raukar - 5

Nays - Commissioner O'Neil and Chair Kron - 2

Adopted March 20, 2007. No. 158

At 10:58 A.M. on Tuesday, March 20, 2007, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 27, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of March, 2007, at 9:37 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, Mike Forsman, Keith Nelson, Steve Raukar and Chair Bill Kron - 6. Absent: Commissioner Peg Sweeney - 1.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Forsman presented a Volunteer Excellence Award to the Babbitt Lions Club. The sixty-nine member club was chartered in 1973 and has been involved in numerous community projects in the Babbitt area including medical awareness programs, construction of ramps and docks for the disabled and other assistance programs for the poor and disadvantaged. Al Marolt, Bill Kruger, Joe Sherman and Dale Kastin were present to accept the award.

At 9:45 A.M., a public hearing was convened pursuant to County Board Resolution No. 90, adopted February 20, 2007, to consider rezoning portions of Sections 22 and 23, Township 58 North, Range 15 West (Town of White). Scott Smith, Planning Department, described the rezoning which was approved by the Planning Commission. No one else chose to address the issue.

At 9:48 A.M., Commissioner Nelson, supported by Commissioner Forsman, moved to close the public hearing; six yeas - zero nays. Commissioner Fink, supported by Commissioner Forsman, moved to approve the rezoning; six yeas - zero nays. Resolution No. 174.

At 9:49 A.M., a public hearing was convened pursuant to County Board Resolution No. 91, adopted February 20, 2007, to consider rezoning portions of Sections 9, 16, 17, 18, 19 and 20, Township 63 North, Range 12 West (Town of Morse). Scott Smith, Planning Department described the rezoning which was requested by Little Long Lake residents and would be more restrictive than current zoning. In response to a question from Commissioner Fink, Smith said the Minnesota Department of Natural Resources (DNR) has not issued a formal response to the rezoning. Commissioner Forsman said he will abstain from voting on the proposed rezoning because of a conflict of interest. No one else chose to address the issue.

At 9:54 A.M., Commissioner Raukar, supported by Commissioner O'Neil, moved to close the hearing; six yeas, zero nays. Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the rezoning; four yeas - one nay, Commissioner Fink with Commissioner Forsman abstaining. Resolution No. 175.

Chair Kron 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 Forsman, moved to approve and authorize implementation of Heading Home St. Louis County: A Ten-Year Plan to End Homelessness. Philip Mangano, Executive Director, U. S. Interagency Council on Homelessness, said there are 300 homelessness plans moving forward nationwide and he urged the County to adopt the ten-year plan. The Bush Administration is committed to funding programs for the homeless and in communities where plans have been adopted there has been significant progress diminishing homelessness within the first two years, according to Director Mangano. Benefits of a homelessness plan include: fewer homeless people, which include a disproportionate number of children and military veterans; increased availability

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of funding resources - both public and private; taxpayer savings from less costly health care and law enforcement; and, an improved quality of life in the community. Commissioner Nelson said he would support the plan but feared it may lead to an influx of homeless to St. Louis County. Commissioner Fink said he would not support the plan because it did not satisfactorily address budgetary matters - how much will it cost and what happens if federal and state funding commitments are not forthcoming? Commissioner O'Neil said funding commitments appear to be in place and expected savings after two years will help fund future programs. Commissioner Forsman said rural homeless are not always noticed or counted because they stay with relatives or friends. Chair Kron characterized the ten-year plan as a noble endeavor. Commissioner Raukar noted the plan was flexible and could be adjusted as deemed appropriate. After further discussion, the plan was approved; five yeas - one nay, Commissioner Fink. Resolution No. 175.

At 11:10 A.M. in the forenoon of Tuesday, March 27, 2007, Chair Kron moved to recess the Board until 11:15 A.M. on March 27, 2007, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 11:15 A.M. on Tuesday, March 27, 2007, and the regular order of business resumed with all members except Commissioner Sweeney.

Final plat approval for Plat of Pats Trace, located in Section 15, Township 63 North, Range 17 West (unorganized), moved by Commissioner Nelson, supported by Commissioner Forsman, and tabled at the March 20 Board meeting, was back on the floor for discussion. Commissioner Fink said language revisions were complete. The resolution was then approved; six yeas - zero nays. Resolution No. 177.

Commissioner Nelson, supported by Commissioner Raukar, moved to authorize the Land Commissioner to seek bids to demolish the dilapidated Virginia Hotel because it poses a serious health and safety hazard. In response to a question from Commissioner Fink, Dana Frey, County Administrator, said proceeds from sale of the property after demolition will go to the forfeited land trust pursuant to Minnesota statutes; six yeas - zero nays. Resolution No. 178.

Commissioner Fink, supported by Commissioner Forsman, moved to table a proposed resolution directing the Land Commissioner and County Attorney to consider the implications of a request by Lake County for St. Louis County to act as an intervener in lawsuits filed by other parties against the U. S. Forest Service; six yeas - zero nays.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider approving a labor agreement with the Health Care Basic Bargaining Unit for the period October 1, 2006, through September 31, 2007; six yeas - zero nays. Commissioner Fink, supported by Commissioner O'Neil, moved to approve the contract. Administrator Frey said the agreement was similar to what other bargaining units received. Marsh Stenerson, AFSCME, in response to a question from Commissioner Fink, said the dates are in line with availability of state funding. Commissioner Nelson said he will not support the agreement because it does not adequately address employee health care issues; five yeas - one nay, Commissioner Nelson. Resolution No. 179.

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

William D. Paul, William Paul Law Office, submitting Summons and Complaint in the matter of Walsh Excavating, Inc., versus Merrimac Construction Company, Inc., and St. Louis County.--58683

Mike Forsman, Fourth District Commissioner, submitting information regarding the Volunteer Recognition Award given to the Babbitt Lions Club for the numerous community projects in the Babbitt area.--58684

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Philip Mangano, Executive Director, U.S. Interagency Council on Homelessness, submitting information regarding Homelessness in America and urging the County to adopt a ten-year plan.--[58685](#)

Documentation from public hearing held on March 27, 2007, to consider amending Ordinance No. 46 by rezoning portions of Sections 22 and 23, Township 58 North, Range 15 West (Town of White).--[58686](#)

Documentation from public hearing held on March 27, 2007, to consider amending portions of Sections 9, 16, 17, 18, 19, and 20, Township 63 North, Range 12 West (Town of Morse).--[58687](#)

Documentation regarding authorization to seek bids to demolish the Virginia Hotel.--[58688](#)

Health Care Basic Bargaining Unit Agreement for October 1, 2006, through September 30, 2007.--[07-327](#)

State of Minnesota Agency Agreement No. 90702 between the Department of Transportation and St. Louis County for federal participation in advance construction for S.P. 69-613-28, M.P. STPX 6906 (123).--[07-328](#)

Amendment for Agreement for Balkan Township Canister Site Operation between St. Louis County and the Township of Balkan.--[07-329](#)

Project Contract No. 4662 between the County of St. Louis and Commercial Construction of Hibbing for County Attorney's Office Remodel - Hibbing Annex.--[07-330](#)

Employee Safety and Development Training Contract between St. Louis County and Lake Superior College for two sessions of Fork Lift Training.--[07-331](#)

Addendum to Purchase Agreement, Contract No. 14026A, between the St. Louis County Board of Commissioners and Lutheran Social Service Family Resource Center for non-residential services.--[07-332ss](#)

Addendum to Purchase Agreement, Contract No. 14037B, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota for home care services.--[07-333ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Judith Clark for adult foster care/respice care.--[07-334ss](#)

Group Residential Housing Rate Agreement, Contract No. 50510, between the St. Louis County Board of Commissioners and Judith Clark.--[07-335ss](#)

Group Residential Housing Rate Agreement, Contract No. 50516, between the St. Louis County Board of Commissioners and Amy C. Welsh.--[07-336ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Amy C. Welsh for adult foster care/respice care.--[07-337ss](#)

Addendum to Purchase Agreement, Contract No. 13632C, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC), for extended employment services.--[07-338ss](#)

Addendum to Purchase Agreement, Contract No. 13633C, between the St. Louis County Board of

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Commissioners and Goodwill Industries Vocational Enterprises, Inc., for extended employment services.--[07-339ss](#)

Grant Agreement, Contract No. 20722, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training for MFIP/DWP/E3 grant services.--[07-340ss](#)

Grant Agreement, Contract No. 20721, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for MFIP/DWP/E3 grant services.--[07-341ss](#)

Addendum to Contract No. 20676 between the St. Louis County Board and Arrowhead Economic Opportunity Agency for food support employment and training services.--[07-342ss](#)

Purchase of Services Agreement, Contract No. 20698, between St. Louis County and Sexual Assault Program of Northern St. Louis County for public service grant.--[07-343ss](#)

Purchase of Services Agreement, Contract No. 20695, between St. Louis County and Range Women's Advocates for public service grant.--[07-344ss](#)

Purchase of Services Agreement, Contract No. 20690, between St. Louis County and Lake Superior Community Health Center for public service grant.--[07-345ss](#)

Purchase of Services Agreement, Contract No. 20689, between St. Louis County and Indian Legal Assistance Program for public service grant.--[07-346ss](#)

Purchase of Services Agreement, Contract No. 20688, between St. Louis County and First Witness for public service grant.--[07-347ss](#)

Purchase of Services Agreement, Contract No. 20687, between St. Louis County and Ely Community Resource for public service grant.--[07-348ss](#)

Purchase of Services Agreement, Contract No. 20686, between St. Louis County and Elder Services Network for public service grant.--[07-349ss](#)

Purchase of Services Agreement, Contract No. 20683, between St. Louis County and Arrowhead Center for public service grant.--[07-350ss](#)

Purchase of Services Agreement, Contract No. 20682, between St. Louis County and AEOA - Senior Services for public service grant.--[07-351ss](#)

Purchase of Services Agreement, Contract No. 20681, between St. Louis County and AEOA - Retired Senior Volunteer Program for public service grant.--[07-352ss](#)

Group Residential Housing Rate Agreement, Contract No. 50512, between the St. Louis County Board of Commissioners and Robert R. Shofner.--[07-353ss](#)

Group Residential Housing Rate Agreement, Contract No. 50511, between the St. Louis County Board of Commissioners and Andrew T. Shofner and Sharon C. Shofner.--[07-354ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Robert R. Shofner for adult foster care/respite care.--[07-355ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Andrew T. Shofner

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and Sharon C. Shofner for adult foster care/respice care.--07-356ss

Purchase of Service Agreement, Contract No. 14088, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for adult foster care and out-of-home respice services.--07-357ss

Addendum to Purchase Agreement, Contract No. 14035A, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for non-residential services. --07-358ss

Addendum to Purchase Agreement, Contract No. 13479D, between the St. Louis County Board of Commissioners and ARC Northland for respice care services.--07-359ss

Addendum to Purchase Agreement, Contract No. 14047C, between the St. Louis County Board of Commissioners and Residential Services of Northeastern Minnesota, Inc., for adult foster care and out-of-home respice services.--07-360ss

Group Residential Housing Rate Agreement, Contract No. 50517, between the St. Louis County Board of Commissioners and Lifeway-Springvale.--07-361ss

Addendum to Purchase Agreement, Contract No. 13888C, between the St. Louis County Board of Commissioners and Lifeway Services, LLC., for adult foster care services.--07-362ss

Addendum to Purchase Agreement, Contract No. 11032B, between the St. Louis County Board of Commissioners and Virginia Regional Medical Center for respice services.--07-363ss

Addendum to Purchase Agreement, Contract No. 14045A, between the St. Louis County Board of Commissioners and Transitional Senior Housing for adult foster care and out-of-home respice services.--07-364ss

Group Residential Housing Rate Agreement, Contract No. 50506, between the St. Louis County Board of Commissioners and Timothy Majchrzak and Bobbie Jo Majchrzak.--07-365ss

Group Residential Housing Rate Agreement, Contract No. 50521, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. (Olsen House).--07-366ss

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.--07-367ss

Agreement for Respite Services between the County of St. Louis, through its Department of Public Health and Human Services, and St. Mary's Medical Center for Community Alternative Care clients.--07-368ss

Project Contract No. 4576 between the County of St. Louis and Bill Gruska Construction Company for Cook Transfer Station Receiving Pad Extension (2005).--07-369

Agreement for Placement of County Roll-Off Recycling Containers for Collection of Recyclable Materials between St. Louis County and the City of Aurora (2005).--07-370

Project Contract No. 4568 between the County of St. Louis and B.A. Oxford Construction, Inc., for Regional Landfill Concrete Work (2005).--07-371

Supply Contract No. 45601 between the County of St. Louis and H & L Mesabi for Grader Blades and Cutting Edges (2005).--07-372

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Supply Contract No. 45601 between the County of St. Louis and Ziegler, Inc., for Grader Blades and Cutting Edges (2005).--07-373

Upon motion of Commissioner Nelson, supported by Commissioner Raukar, Resolutions No. 159 through 173, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 13, 2007, are hereby approved.

Adopted March 27, 2007. No. 159

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 20, 2007, are hereby approved.

Adopted March 27, 2007. No. 160

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 permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58660: Kathryn Pauline Brown, d/b/a K.T.'s Floodwood Lake Resort & Campground, Cedar Valley Township, Permit No. S0817.

Adopted March 27, 2007. No. 161

WHEREAS, St. Louis County requires the services of a competent Contractor to provide tire management and recycling service to the Solid Waste, Public Works and Motor Pool facilities; and WHEREAS, the County Solid Waste Department operates a comprehensive solid waste management program including management of waste tires; and

WHEREAS, the County requires the services of a private contractor to collect, haul and properly dispose of tires consolidated at its sites; and

WHEREAS, Greenman Technologies of Minnesota, Inc., is willing and able to provide the service;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County to enter into a contract for the term of two (2) years with the possibility of a one (1) year extension with Greenman Technologies of Minnesota, Inc., for collection, haulage and proper disposal of waste tires at \$105 per ton for tires up to 24 1/2 inches, and \$175 per ton for tires over 24 1/2 inches, payable from Fund 601004 (Recycling).

Adopted March 27, 2007. No. 162

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a 3 mile segment of County State Aid Highway (C-SAH) No. 4 within the City of Duluth and Rice Lake Township. Controlled access was acquired along with additional right of way in conjunction with this project; and

WHEREAS, the St. Louis County Public Works Department has received a request from the Minnesota Pollution Control Agency(MPCA) to relocate an existing legal access entrance along C-SAH No. 4; and WHEREAS, the MPCA is planning for landfill closure and remediation activities that require access to their property at a more suitable location. This new entrance relocation would better serve MPCA monitoring of the landfill area; and

WHEREAS, the St. Louis County Public Works Department has reviewed the request and has determined that the relocation of the entrance is acceptable.

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 March 27, 2007. No. 163

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs and paddlewheel), on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization: Hermantown Amateur Hockey Association to operate out of Blue Max Resort, 6139 Lavaque Road, Duluth, MN 55803, Fredenberg Township, NEW.
Adopted March 27, 2007. No. 164

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 acknowledged a need to access methadone treatment as a chemical dependency treatment option; and
WHEREAS, Colonial Management, LP, d/b/a Lake Superior Treatment Center, Duluth, MN, is a licensed methadone chemical dependency treatment provider;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to negotiate and execute a contract with Colonial Management Group, LP, d/b/a Lake Superior Treatment Center, Duluth, MN, for the provision of methadone outpatient chemical dependency treatment services to individuals eligible to receive funding through the Consolidated Chemical Dependency Treatment Fund.
Budget Reference: 230 232006 605600
Adopted March 27, 2007. No. 165

WHEREAS, the fiscal year 2006 budget bill, "Deficit Reduction Act of 2005", was signed into law by President Bush on February 8, 2006, and the new law makes major funding changes to the child support program; and
WHEREAS, the Deficit Reduction Act prohibits child support programs from claiming federal matching funds for reimbursable activities paid for with performance incentive funds; and
WHEREAS, St. Louis County could experience a loss of approximately \$1,100,000 in federal matching funds due to incentive matching annually, which are used to pay for Child Support Program operating expenditures; and
WHEREAS, St. Louis County families enrolled in the Child Support Program stand to lose upwards of \$2,200,000 in child support collected; and
WHEREAS, if the Deficit Reduction Act is not corrected and staff resources are lost, families and children will suffer and may have to apply for other federal and state assistance programs;
NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners urges federal congressional representatives to support legislation, specifically H.R.1386 and S. 803, in order to reinstate authority to use performance incentives as match for federal funding, as well as other corrective changes.
Adopted March 27, 2007. No. 166

WHEREAS, Chris Jensen Health and Rehabilitation Center must contract with staffing agencies to provide temporary supplemental care staff when shift positions are not filled by employees; and
WHEREAS, Health Star Staffing has the ability to supply temporary personnel who are qualified and competent to fill the positions;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes a contract with Health Star Staffing for temporary supplemental care staff at Chris Jensen Health and Rehabilitation Center through June 8, 2008, payable from 625-625002-626400 (RNs), 625-625003-626400 (LPNs) and 625-625004-626400 (NARs).
Adopted March 27, 2007. No. 167

WHEREAS, Chris Jensen Health and Rehabilitation Center must contract with staffing agencies to provide temporary supplemental care staff when shift positions are not filled by employees; and
WHEREAS, PRN Health Services, Inc., has the ability to supply temporary personnel who are qualified and competent to fill the positions;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes a contract with PRN Health Services, Inc., for temporary supplemental care staff at Chris Jensen Health and Rehabilitation Center through October 31, 2007, payable from 625-625002-626400 (RNs), 625-625003-626400 (LPNs) and 625-625004-626400 (NARs).

Adopted March 27, 2007. No. 168

WHEREAS, the State of Minnesota Department of Public Safety through the Homeland Security and Emergency Management Division has made available \$57,000.00 in funding from the ARMER program for interoperable communications equipment for the seven international border counties; and

WHEREAS, the St. Louis County Sheriff's Office has been asked by the Director of the ARMER program to act as the grant administrator and fiscal agent for this funding; and

WHEREAS, the St. Louis County Sheriff's Office has a good working relationship with the Minnesota Department of Public Safety, Homeland Security and Emergency Management Division; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment as a result of this funding;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for the 2007 ARMER Border funding for interoperable communications equipment and act as the fiscal agent on behalf of the seven county border region in the amount of \$57,000.00; and

RESOLVED FURTHER, that if this grant is secured, the grant will be accounted for in Fund 100, Agency 129999, Grant 12939, Year 2007.

Adopted March 27, 2007. No. 169

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 on behalf of St. Louis County with SMDC Health Systems to provide medical services at the County Jail from January 1, 2007, through December 31, 2008. The contract fees shall be payable from Fund 100, Agency 137002, Object 626400.

Adopted March 27, 2007. No. 170

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-643-015, C.P. 3736, located at C-SAH 43 (Fish Lake, Emerson, and Beaver River Roads) From C-SAH 48 (Lavaque Road) to C-SAH 4 (Rice Lake Road) north of Duluth, MN, length 4.16 mi. consisting of Clearing;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., March 19, 2007; and

WHEREAS, the Public Works Department has reviewed the bids and determined that since the low bidder's amount was over the engineer's estimate by an unacceptable amount (37.83%), that the bids shall be rejected; and

WHEREAS, in the judgment of this Board it is in the best interest of St. Louis County to reject the bid;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby rejects the bid on the above referenced project.

Adopted March 27, 2007. No. 171

WHEREAS, bids have been received by the County Auditor for the following combined projects: M.P. 308-1297(low), C.P. 1297, located at C.R. 308 from 1.1 mile south of T.H. 53 to T.H. 53, north of Virginia, MN; length 1.1 mile, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 659-1298, C.P. 1298, located at C.R. 659 from 1.1 mile west of C.R. 308 to C.R. 308, north of Virginia, MN; length 1.1 mile, 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., March 19, 2007, 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, in regular session duly convened, hereby approves the award of contract on the above referenced combined projects 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	\$484,371.06

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project: payable from:

M.P. 308-1297(low):	Fund 200, Agency 203155, Object 652800	\$233,518.24
M.P. 659-1298:	Fund 200, Agency 203156, Object 652800	\$250,852.82

Adopted March 27, 2007. No. 172

WHEREAS, Resolution No. 389, adopted June 26, 2006, authorized the County Auditor through April 2007 to loan cash flow monies up to \$4,300,000 to Chris Jensen Health and Rehabilitation; and

WHEREAS, in the 2005 Audit, the State Auditor found that the loans to Chris Jensen did not conform to Generally Accepted Accounting Principles (GAAP); and

WHEREAS, the County Auditor and County Administrator agree with this State Audit finding;

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is authorized to transfer \$4,159,625 of General Fund cash flow monies under Minnesota Statutes 385.32 to the Chris Jensen Health and Rehabilitation Fund to eliminate the deficit cash balance at year end 2006, that the transfer is deemed to be irrevocable and the County Auditor is not required to reverse the transaction.

BE IT FURTHER RESOLVED that the County Auditor is authorized to loan cash flow monies under Minnesota Statutes 385.32 to the Chris Jensen Health & Rehabilitation Center Fund through 2007 on a monthly revolving basis up to \$1,300,000 and shall monthly notify Administration and Commissioners of same.

Adopted March 27, 2007. No. 173

BY COMMISSIONER FINK:

WHEREAS, the Planning Commission initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on May 11, 2006, and 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 March 27, 2007; 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-2 to FAM-3 for the SW 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4, Section 22, and the SW 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4, Section 23, all in T58N, R15W (Town of White);

RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance No. 46 shall be April 27, 2007.

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

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Unanimously adopted. March 27, 2007. No. 174

BY COMMISSIONER O'NEIL:

WHEREAS, the Planning Commission initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on December 14, 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 March 27, 2007; 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, for portions of Sections 9, 16, 17, 18, 19 and 20, T63N, R12W (Town of Morse), as proposed.

RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance No. 46 shall be April 27, 2007.

Yeas - Commissioners O'Neil, Nelson, Raukar, and Chair Kron - 4

Nays - Commissioner Fink - 1

Absent - Commissioner Sweeney - 1

Abstained - Commissioner Forsman - 1

Adopted March 27, 2007. No. 175

WHEREAS, on August 9, 2005, the St. Louis County Board passed Resolution No. 402 which authorized the St. Louis County Planning and Public Health and Human Service Departments to work with the Committee to End Homelessness to develop a Ten Year Plan to End Chronic Homelessness in St. Louis County; and

WHEREAS, the City of Duluth and St. Louis County merged their two efforts to end homelessness; and

WHEREAS, a diverse group was assembled to create the End Homelessness In Ten Committee (EHIT), following nationally determined best practices; and

WHEREAS, the planning process was informed by community input from a variety of stakeholders through a series of 11 focus groups held throughout the county, and participants included law enforcement personnel, homeless persons (youths, single adults, and families), Housing and Redevelopment Authority (HRA) directors, representatives of the business community, school superintendents, ministers, and veterans as well as direct service providers who work with homelessness on a daily basis; and

WHEREAS, recent research indicates that successful Ten-Year Plans require both "closing the front door" by preventing future homelessness, and "opening the back door" by offering new housing options that accept the homeless as they are; and

WHEREAS, the Heading Home Plan embraces the shift from managing homelessness to ending it; and

WHEREAS, on January 4, 2007, the Public Health and Human Services Advisory Committee recommended that the St. Louis County Board approve and implement the St. Louis County Ten Year Plan to End Homelessness;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves and authorizes the implementation of Heading Home St. Louis County: A Ten Year Plan to End Homelessness.

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

Nays - Commissioner Fink - 1

Absent - Commissioner Sweeney - 1

Adopted March 27, 2007. No. 176

BY COMMISSIONER NELSON:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Pats Trace on July 21, 2005; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Pats Trace; 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 Pats Trace, located in Section 15, T63N, R17W (Unorganized).

Unanimously adopted. March 27, 2007. No. 177

WHEREAS, the Virginia Hotel, located at 221-223 Chestnut Street, Virginia, Minnesota, forfeited to the State of Minnesota for non-payment of taxes on December 1, 2004; and

WHEREAS, it has been determined that the Virginia Hotel is especially liable to fire and is situated as to endanger life or limb or other buildings or property in the vicinity because of age, dilapidated condition, or other defect; and

WHEREAS, an application for a Community Development Block Grant for financial assistance to demolish the structure was rejected; and

WHEREAS, the Land Department is seeking a one-time-only funding method to pay for demolition of the structure with potential financial assistance from the City of Virginia and others;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners thereby authorizes the County Auditor to seek bids for demolition of the Virginia Hotel and remove a serious health and safety hazard with funding from Fund 240-241003 [Forfeited Tax Fund - Resource Management] and possible financial assistance from the City of Virginia and others;

RESOLVED FURTHER, the Land Department's 2007 budget will be amended to reflect the added costs required to demolish the Virginia Hotel.

Unanimously adopted. March 27, 2007. No. 178

Upon motion of Commissioner Fink, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 179 which was not on the agenda.

BY COMMISSIONER FINK:

RESOLVED, that the Health Care Basic Bargaining Unit Agreement dated October 1, 2006, to September 31, 2007, a copy of which is on file in Contract File No. 07-327, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

Yeas - Commissioners Fink, O'Neil, Forsman, Raukar, and Chair Kron - 5

Nays - Commissioner Nelson - 1

Absent - Commissioner Sweeney - 1

Adopted March 27, 2007. No. 179

At 11:25 A.M. on Tuesday, March 27, 2007, upon motion of Commissioner Forsman, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 3, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of April, 2007, at 9:41 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. Troops serving throughout the world.

Commissioner O'Neil read a proclamation declaring April as National Child Abuse Prevention Month. Lee Yang, Duluth, Angela Spaeth, Duluth, and Reverend Karen Schuder, Duluth, were on hand for the presentation. Lee Yang explained the "blue ribbon campaign" theme and presented a brief history of Child Abuse Prevention Month.

Chair Kron noted that today marked the third anniversary of County employment for Administrator Dana Frey.

At 9:51 A.M., a public hearing was convened pursuant to County Board Resolution No. 134, adopted March 13, 2007, to consider granting an off-sale intoxicating liquor license to Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake Township. Melanie Ford, County Attorney, advised the Board that: all required County departments reviewed the application and recommended approval; the Town of Rice Lake reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussion of the location and propriety of the establishment, recommended approval; all required notices were given; and, proper insurance certificates were submitted. Paul Conito, owner, said he understood and would abide by Minnesota Statutes and the provisions of County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:56 A.M., Commissioner Sweeney, supported by Commissioner Nelson, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating liquor license; seven yeas - zero nays. Resolution No. 187.

At the request of Commissioner O'Neil, Item No. 6 (abolishment of obsolete job classifications in the MIS Department) was removed from the Consent Agenda for separate consideration under Central Management and Intergovernmental Committee because the affected bargaining unit was meeting soon with MIS and requested a delay. Commissioner Raukar asked for an update/report regarding Item No. 7 (participation in the Joint Property Tax Study Group). Commissioner Forsman, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Item No. 6 from the Consent Agenda (abolishment of obsolete job classifications) was then considered. Commissioner O'Neil, supported by Commissioner Sweeney, moved to table the matter to the May 1, 2007, County Board meeting; seven yeas - zero nays.

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

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Commissioner Nelson questioned tabling an agenda item when there was no motion on the floor. After some discussion, the regular order of business resumed.

Commissioner Fink, supported by Commissioner Sweeney, moved to direct the Land Commissioner and County Attorney to consider the implications of a request by Lake County to have St. Louis County act as an intervener in lawsuits brought against the U. S. Forest Service by other parties. Because the resolution needed revision, Commissioner Fink, supported by Commissioner Raukar, moved to table the matter to the April 10 Board meeting; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider adoption of the Health Care Supervisors' Bargaining Unit Agreement for the period of October 1, 2006, through September 30, 2007; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the agreement. Dick Griffith, Assistant Civil Service Director, said the odd time frame is the result of the availability of state reimbursements/funding. Commissioner Nelson said he will not support the agreement because it does not address employee health insurance issues; six yeas - one nay, Commissioner Nelson. Resolution No. 188.

Commissioner Fink, supported by Commissioner Sweeney, moved to go to closed session at 10:30 A.M. for litigation purposes; seven yeas - zero nays.

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

Documentation from public hearing held on April 3, 2007, to consider the granting of an off-sale intoxicating liquor license to Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake Township.--58689

Labor/Management Health Insurance Committee submitting agendas and minutes of their meetings in the year 2007.--58690

Health Care Supervisors' Bargaining Unit Agreement for October 1, 2006, through September 30, 2007.--07-374

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., for renovating and expanding the County Attorney's Office on the fourth floor of the Government Services Center Building.--07-375

Purchase of Service Agreement, Contract No. 14121, between the St. Louis County Board of Commissioners and Northwood Children's Services for children's residential services.--07-376ss

Agreement for Professional Services between the County of St. Louis and the South St. Louis County Soil & Water Conservation District.--07-377

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, Resolutions No. 180 through 186, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 20, 2007, are hereby approved.

Adopted April 3, 2007. No. 180

WHEREAS, on February 28, 2006, the County Board passed Resolution No. 162 approving the sale of several tracts of undivided interest in several parcels of State Tax Forfeit Land to the City of Biwabik;

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and

WHEREAS, the City of Biwabik requests to purchase the undivided interest by a land sale contract with 10% down payment of 7,615.00 plus fees;

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 City of Biwabik for the purchase of State Tax Forfeited land with a 10 percent down payment of \$7,615, plus recording fee of \$46.00, and 3 percent assurance fee of \$2,284.50, for a total down payment of \$9,945.50, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, the balance of the contract shall be paid in 10 equal annual installments of \$6,835.50 plus 10 percent interest on the unpaid balance.

Adopted April 3, 2007. No. 181

WHEREAS, St. Louis County has leased office space for various County departments at the JFK Business Complex from Ely Independent School District No. 696 since 1982; and

WHEREAS, St. Louis County is still in need of office space for various County departments in Ely, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, the appropriate County officials are hereby authorized to enter into a new 3-year lease agreement, commencing January 1, 2007, through December 31, 2010, with Ely Independent School District #696 with the option to extend the lease annually thereafter.

The lease costs payable from:

Assessor	Fund 100, Agency 118001, Object 634200
PHHS	Fund 230, Agency 230011, Object 634200
Commissioner	Fund 100, Agency 104001, Object 634200
Veterans	Fund 100, Agency 124001, Object 634200

Adopted April 3, 2007. No. 182

WHEREAS, the St. Louis County Board of Commissioners approved the submittal of the Northeast Minnesota Regional Job Opportunity Building Zone (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 70 acres in the Duluth Seaway Port Authority Harbor subzone number 104; and

WHEREAS, the Duluth Seaway Port Authority wishes to reallocate 20,000 square feet from parcel number 010-3910-07360 to parcel number 010-9080-00110; and

WHEREAS, the Job Opportunity Building Zone 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 104 within the Duluth Seaway Port Authority Harbor subzone as follows:

* Remove 20,000 square feet from parcel number 010-3910-07360

* Add 20,000 square feet to parcel number 010-9080-00110

Adopted April 3, 2007. No. 183

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs and paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

American Legion Post 480 to operate out of Meyer's Minnows Gas & More, 3302 Highway 53, Gheen, MN 55771, Unorganized Township 63-19, Renewal.

Adopted April 3, 2007. No. 184

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes participation in the Joint Property Tax Study Group for 2007 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, 2007, through December 31, 2007, payable from Fund 100, Agency 105001, Object 629900.
Adopted April 3, 2007. No. 185

WHEREAS, the St. Louis County Sheriff's Office needs to complete a microwave communications link from the tower on Observation Road to the Government Services Center; and
WHEREAS, the St. Louis County Sheriff's Office is eligible to apply for a grant from the FY2007 Infrastructure Protection Program: Port Security for this project; and
WHEREAS, the microwave link proposed would enhance our communications capabilities in the port area; and
WHEREAS, the St. Louis County Sheriff's Office has responsibility for water emergencies and recoveries in the port area;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for the 2007 Infrastructure Protection Program Grant for Port Security in the amount of \$119,280; and
RESOLVED FURTHER, that if this grant is awarded, the required 25 percent local match of \$29,820 is located in the 2008 Radio Maintenance budget, Fund 100 (General Fund), Agency 136001 (Radio Maintenance), 665400 budget (Telecom); and
RESOLVED FURTHER, that if received, the grant would be accounted for in Fund 100 (General Fund), Agency 129999 (Grants), 12938 (Port Security Grant).
Adopted April 3, 2007. No. 186

BY COMMISSIONER SWEENEY:

WHEREAS, Island Lake Inn, Inc., d/b/a The Fall Inn, Rice 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 April 3, 2007, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and
WHEREAS, with regard to the application for said license The Fall Inn has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and
WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.
NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB109) shall be issued to Island Lake Inn, Inc., d/b/a The Fall Inn, Rice Lake 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 license holder sells the licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.
Adopted April 3, 2007. No. 187

Upon motion of Commissioner Fink, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 188 which was not on the agenda.

BY COMMISSIONER FINK:

RESOLVED, that the Health Care Supervisors' Bargaining Unit Agreement, dated October 1, 2006, to

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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September 30, 2007, a copy of which is on file in Contract File No. 07-374, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Unanimously adopted. April 3, 2007. No. 188

At 10:25 A.M. on Tuesday, April 3, 2007, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 10, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of April, 2007, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Chair Kron presented a Volunteer Excellence Award to Debbie Isabell Nelson for years of outstanding volunteer service on behalf of residents of Morgan Park. Ms. Nelson thanked the Board for the award, adding it is all about the people who support community volunteer efforts.

Commissioner Sweeney read a proclamation designating the week of April 8-14, 2007, as National Telecommunications Week. Sheriff Ross Litman praised the employees of 9-1-1 and presented the following 9-1-1 Lifesaver Awards:

Fire Rescue. The Ely Fire Department was recognized for rescuing the pilot of a downed small aircraft. Chief Louis Gerzin and Tom Erchul, Ely Fire Department, accepted the award and described rescue efforts over extremely difficult terrain.

Citizens Award. John Asuma - who was unable to attend the ceremony - was recognized for his rescue of a neighbor who became trapped in a burning field.

9-1-1 Communications Award. Suzanne Hill, 9-1-1 Emergency Communications Specialist, was recognized for her extraordinary efforts convincing a suicidal caller not to take his own life.

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

Mary Theuer, AFSCME, described the plight of County Financial Workers who have been trying to get a job audit since 1998. The increasing complexity of the job dictates that an audit be conducted to determine fair classification/compensation.

Barb Breimon, Financial Worker, Public Health and Human Services Department, explained some of the complexities.

Ken Palar, County Financial Worker, said training requirements for the positions have increased and he asked the Board to consider allowing a presentation at a future Committee of the Whole meeting.

Dana Frey, County Administrator, said an item to be discussed later at the Board meeting - a market compensation study to be conducted by Fox Lawson - may help determine if a classification/compensation adjustment is needed for Financial Workers.

Henry Banks, Duluth, expressed deep concern about a verbal exchange made at the February 27 County Board meeting between Commissioner Nelson and Chair Kron comparing the smoking ordinance and slavery. Mr. Banks asked for an apology in lieu of a suspension or censure.

Portia Johnson, Duluth, and Vice-President of the NAACP, said she was appalled by the remarks and

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said the issue of slavery should never be used in such a comparison. Ms. Johnson also asked for a public apology.

Denita Williams, Duluth Pastor, said it is sometimes easy to disregard elements of society but Commissioners have to remember they represent everyone.

Wayne Patterson, Duluth, said the comments were reprehensible, adding that even though smoking may be stupid choice, it is a choice and slavery was never a choice. Mr. Patterson asked the Board to consider repercussions before making any such comments/comparisons in the future.

Commissioner Kron apologized for his part and said using the comparison was inappropriate.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to authorize an 18-month contract with Arrowhead Regional Development Commission for service as fiscal agent for the Transition Team/Harbor Centers, Inc., process designed to move financial responsibility for the funding and operations of the Rainbow and Lincoln Park Senior Centers to Harbor Centers, Inc. Ann Busche, Director of Public Health and Human Services, explained funding for the transition; seven yeas - zero nays. Resolution No. 198.

A resolution granting the Land Commissioner authority to consider requests to have St. Louis County act as an intervener in lawsuits by other parties against the U. S. Forest Service, tabled from the April 3 meeting, was then discussed. A motion by Commissioner Fink, supported by Commissioner Sweeney, was made at the April 3 meeting and was now back on the table for consideration. The makers amended the motion by substituting a revised resolution. Commissioner Fink explained the intent of the resolution. Commissioner Raukar said he wanted to hear from Land Commissioner Robert Krepps before approving the measure. After further discussion, Commissioner Raukar, supported by Commissioner Sweeney, moved to table the matter to the April 24 County Board meeting; six yeas - one nay, Commissioner Fink.

Commissioner Fink, supported by Commissioner Sweeney, moved to authorize a contract with Fox Lawson and Associates to conduct a market compensation study of identified County jobs. The following persons addressed the issue:

Donald Dicklich, County Auditor, said this proposal is for a salary study and not an overall compensation analysis.

Dick Griffith, Assistant Civil Service Director, said in other phases of the overall study, total compensation will be factored in and included as part of any future proposals. The study is needed to get the process of evaluating positions started.

Marsh Stenerson, AFSCME, said comparisons may be misleading if compared to other underpaid positions. Mr. Stenerson urged an internal as well as external audit.

Barb Breimon, County Financial Worker, said any comparisons should not use the current job description for Financial Worker because it is out-of-date.

Ken Palar, County Financial Worker, urged the Board to insist on an internal study as well as an external study.

Melinda Nelson, County Financial Worker, said the study was fine but action needs to be taken soon on the status of financial workers.

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Commissioner Forsman said he would support the study because it was not a management salary study. Commissioner Nelson said the resolution amounted to hiring an outside firm to do Civil Service's job. After further discussion, the resolution was approved; six yeas - one nay, Commissioner Nelson. Resolution No. 199.

Commissioner Nelson, supported by Commissioner Forsman, moved to suspend the rules to consider changing the location of the April 24, 2007, Board meeting from Gilbert City Hall to the Fayal Town Hall; seven yeas - zero nays. Commissioner Nelson, supported by Commissioner Forsman, moved to change the meeting location; seven yeas - zero nays. Resolution No. 200.

Discussion ensued about comments made earlier in the meeting by the public about the slavery comparison issue. Commissioner Raukar said the comparison was a blemish on the Board. Commissioner Sweeney said the Board should adopt a code of ethics and she apologized for not taking action at the February 27 Board meeting when the initial comments were made. Commissioner Forsman said public officials need to be held to higher standards because comments made can be hurtful and offensive. Commissioner Nelson said he reacted poorly to the original comparison and he apologized if anyone was offended by his remarks. Commissioner Nelson added that he still will always support his constituents. Chair Kron said development of a code of ethics is a good idea.

Commissioner Fink said the Transportation Alliance will hold a rally at the Capitol on April 12 in support of more funding for transportation. Commissioner Fink urged Commissioners to attend if possible. Commissioner Forsman said he will attend the rally, noting the difference of opinion between the legislature and the governor on how transportation funding should be distributed.

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. 07-140 regarding Classification of December 18, 2006, Forfeitures as Non-Conservation.--58691

St. Louis County Financial Workers submitting Financial Worker Classification Audit Request.--58692

St. Louis County 911 Lifesaver Awards given to Suzanne Hill, John Asuma and the Ely Fire Department.--58693

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for one session of *Customer Service*.--07-378

Employee Safety & Development Training Contract between St. Louis County and Fire Fighters Mutual Aid Association for eight sessions of *Fire Extinguisher Classroom and Hands-On Training*.--07-379

Grant Agreement between the Minnesota Organization on Fetal Alcohol Syndrome and the St. Louis County Public Health and Human Services.--07-380ss

Public Health Preparedness and Response to Bio Terrorism Grant Project, Amendment III, between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--07-381ss

Lease Agreement between the County of St. Louis and North St. Louis County Soil and Water Conservation District for office space on the first floor of the Northland Office Building in Virginia.--07-382

Agreement for Professional Services between the County of St. Louis and Elert and Associates for

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improving telecommunications systems.--07-383

Agreement for Professional Services between the County of St. Louis and Ayres Associates for Virginia Courthouse parking lot rehabilitation and additional design and construction services. --07-384

Purchase of Service Agreement, Contract No. 14098, between the St. Louis County Board of Commissioners and Amber, Inc., d/b/a Merritt House, for intensive residential treatment services.--07-385ss

Agreement, Contract No. 14115, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Assertive Community Treatment Team South. --07-386ss

Agreement, Contract No. 14112, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Arrowhead Center, Inc., and Occupational Development Center, Inc., for Assertive Community Treatment Team North.--07-387ss

Employee Safety & Development Training Contract between St. Louis County and Clark Bennett for two sessions of *Defensive Driving*.--07-388

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for two sessions of *Gratitude in the Workplace: Key to Increased Job Satisfaction*.--07-389

Employee Safety & Development Training Contract between St. Louis County and James Laumeier for two sessions of *Change - Use it to the Supervisor's Advantage*.--07-390

Employee Safety & Development Training Contract between St. Louis County and Leaders in Motion for two sessions of *How Leaders Lead: Leading Edge Principles for Managers*.--07-391

Training Contract between St. Louis County and Patricia Merrier for two sessions of *Plain English*.--07-392

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*.--07-393

Training Contract between St. Louis County and Neil Tift for two sessions of *He Said, She Said*.--07-394

Training Contract between St. Louis County and Denny Falk for one session of *Using Logic Models to Integrate Planning, Action and Evaluation*.--07-395

Employee Safety & Development Training Contract between St. Louis County and Starting Fresh Coaching, LLC, for two sessions of *How to Show Up at 110 Percent at Work and Life*.--07-396

Training Contract between St. Louis County and Dr. Andrew Lundgren for two sessions of *Pain Management*.--07-397

Upon motion of Commissioner Fink, supported by Commissioner Raukar, Resolutions No. 189 through 197, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FINK:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the

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meeting of March 27, 2007, are hereby approved.
Adopted April 10, 2007. No. 189

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,782,691.03
184	Extension Service	39,627.61
200	Public Works	2,446,036.42
230	Social Services	4,987,550.00
240	Forfeited Tax	377,903.17
250	St. Louis County HRA	6,993.11
600	Solid Waste Authorities	338,453.98
625	Chris Jensen Health & Rehab.	1,157,591.42
650	Laundry	77,111.19
660	Community Food Services	94,350.44
670	Supervised Living Facilities	51,566.37
700	Printing	11,468.79
715	County Garage	162,320.67
750	Management Information Systems	428,407.21
760	Telecommunications	102,683.13
925	Arrowhead Regional Corrections	1,135,641.35
955	Community Health Services	38,294.90
989	Regional Railroad Authority	<u>107,657.06</u>
		\$ 16,346,347.85

Adopted April 10, 2007. No. 190

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated March 30, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 10, 2007. No. 191

WHEREAS, all parcels described in County Board File No. 58691 forfeited to the State of Minnesota on December 18, 2006, 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, Subd. 1; and

WHEREAS, the Land Department has recommended that the parcels described in County Board File No. 58691 be classified as non-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, some 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. 58691 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

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municipalities or towns which the parcels are located;

NOW, THEREFORE, BE IT RESOLVED, that all State tax forfeited parcels described in County Board File No. 58691 be classified as non-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 April 10, 2007. No. 192

WHEREAS, the Duluth Housing and Redevelopment Authority (HRA) has offered to purchase the following described State tax forfeited lands for the appraised value of \$107,500.00 plus fees for the purpose of a mixed income housing development:

Legal: Lots 2, 4, 11, 12, 16, S 25 Ft of Lot 21, W 1/2 of Lot 28, 29, Block 2

Lot 7, Block 3

Lot 11, Block 4

Lots 1, 19, Block 5

Lots 3, 5, Nly 25 Ft of Lot 7, S 1/2 of Lot 9, 11, 12, 16, 17, 18, 19, 20, 22, N 1/2 Lot 23, N 1/2 Lot 24, Block 7

Lot 1, N ly 1/2 Lot 2, S 1/2 of Lot 2, N 1/2 of Lot 3, Sly 1/2 of Lot 3, S 25 Ft of Lot 4, N 25 Ft of Lot 4, 5, 7, S 25 Ft of Lot 8, N 25 ft of Lot 9, N 25 Ft of Lot 10, 11, 12, 15, 22, 23, 24, 25, Block 8

Lot 22, Block 9

Edgebrook Division of Duluth AND All Ex Ely 65 Ft, Block 33 Lester Park 3rd Division

City of Duluth

Parcel Codes: 10-1390-50, 70, 140, 150, 190, 250, 340, 350, 440, 590, 760, 940, 1160, 1180, 1210, 1230, 1260, 1270, 1310, 1320, 1330, 1340, 1350, 1370, 1380, 1400, 1440, 1450, 1460, 1470, 1480, 1490, 1500, 1510, 1530, 1540, 1570, 1590, 1600, 1610, 1640, 1710, 1720, 1730, 1740, 1980 and 10-2850-1420

LDKEYS 27926, 27927, 27928, 27929, 27930, 27931, 27932, 27933, 27934, 27936, 57413, 27937, 27942, 27943, 27944, 27945, 27946, 27947, 27948, 27949, 27950, 27951, 27952, 27953, 27954, 27955, 27956, 27957, 27958, 27959, 27960, 27961, 27962, 27963, 27964, 27965, 27966, 27967, 27968, 27969, 27970, 27971, 27972, 27973, 27974, 27977, 54769

7.47 Acres (+-325,530 square feet)

WHEREAS, Minnesota Statute 282.01, Subd. 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, Subd 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 Duluth HRA for the appraised value of \$107,500.00 plus the following fees: 3% assurance fee of \$3,225.00, deed fee of \$25.00, deed tax of \$354.75, and a recording fee of \$806.00, for a total of \$111,910.75 to be deposited into Fund 240-Forfeited Tax Fund and notice of classification and sale will be transmitted to the Clerk of the 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 Duluth HRA does not purchase said lands.

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Adopted April 10, 2007. No. 193

WHEREAS, the City of Floodwood has requested to purchase the following described State Tax Forfeited parcels for the appraised price of \$92,000.00 plus fees:

Parcel No. 1: Government Lot 4, Section 27, Township 51 North, Range 20 West

Parcel No. 2: SE 1/4 of NE 1/4, Section 27, Township 51 North, Range 20 West

for the purpose of sale or exchange to payoff the balance owed for the City of Floodwood Business Park; and

WHEREAS, Minnesota Statute 282.01, Subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for a public purpose; 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, 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, Minnesota Session Laws 2006, Chapter 236, Section 39, authorized the private sale of Parcel No. 1, subject to the establishment of a permanent easement and associated land management plan approved by the St. Louis County Land Commissioner and the Commissioner of Natural Resources; and

WHEREAS, St. Louis County Board Resolution No. 120, adopted on February 27, 2007, authorized the Commissioner of Revenue to grant the following permanent easement to the State Department of Natural Resources: A strip of land lying in Government Lot 4, Section 27, T51N, R20W: Said strip covering the area between the ordinary high water level of the east bank of the St. Louis River to a line running parallel to the river a distance of 450 feet in a landward direction from the east bank; and

WHEREAS, the Minnesota Department of Natural Resources has provided St. Louis County with a land management plan as required by Minnesota Session Laws 2006, Chapter 236, Section 39; and

WHEREAS, the Department of Natural Resources has approved the sale of Parcel No. 2, which is located outside the municipal boundaries of the City of Floodwood and within a county that contains state forest land, to the City of Floodwood for public purpose as required by Minnesota Statutes, Section 282.01, Subd. 3;

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 Floodwood for the appraised value of \$92,000.00 plus the following fees: 3% assurance fee of \$2,760.00, deed fee of \$25.00, deed tax of \$303.60, and recording fee of \$46.00; for a total of \$95,134.60 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 10, 2007. No. 194

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 Ely for the reconstruction of County-State Aid Highway (C-SAH) 154 (4th Ave.) between C-SAH 155 (James Street), and C-SAH 152 (Camp Street), in the City of Ely, Minnesota.

RESOLVED FURTHER, the City will approve the Road Plan and pay the City of Ely Non-Participating local share items listed in the Estimated Quantities in the Plan. The City portion will be receipted into Fund 220, Agency 220179, Object 652700.

Adopted April 10, 2007. No. 195

WHEREAS, the Commissioner of Transportation has advised the County Public Works Department that pursuant to Minnesota Statutes, Section 161.36 (2), the Department of Transportation (Mn/DOT) will request the conversion of the project identified as the economic Development Corridor between Hoyt Lakes and Babbitt to federal funding of eligible costs, on the following schedule within thirty days after the Annual Federal Appropriations bill is passed, and Mn/DOT has received both the Apportionment and obligation authority:

Federal Fiscal Year 2005 \$ 410,627

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M.P. 832-1015, C.P. 1015:
Fund 200, Agency 203092, Object 652800 \$318,938.09
Adopted April 10, 2007. No. 197

BY COMMISSIONER O'NEIL:

WHEREAS, St. Louis County is currently involved in a transitional planning process with the Arrowhead Regional Development Commission (ARDC) to move responsibility for funding and operation of the Rainbow and Lincoln Park Senior Centers to Harbor Centers, Inc.; and
WHEREAS, this transition is scheduled to be completed on December 31, 2007; and
WHEREAS, ARDC will continue to serve as a fiscal agent for the Transition Team/Harbor Centers, Inc., and will provide technical assistance throughout the transition process;
NOW, THEREFORE, BE IT RESOLVED, that St. Louis County is authorized to enter into a contract from 1/1/06 through 12/31/07 with ARDC at a cost not to exceed \$128,362 to serve as a fiscal agent for the Transition Team/Harbor Centers, Inc., and to provide technical assistance related to this transition during the contract period. The contract is to be paid from Fund 230, Agency 232042, Object 629900; and
RESOLVED FURTHER, that the Board authorizes the County Auditor to transfer \$30,455 from fund balance in Fund 670, Agency 670099, Object 697600 Assisted Living, to Fund 230, Agency 232042, Object 590100; and
RESOLVED FURTHER, that the Board authorizes the County Auditor to transfer \$48,907 from personnel services to professional services (Object 629900) in the 2007 budget for Fund 230, Agency 232042; and
RESOLVED FURTHER, that the Department of Public Health and Human Services shall not fill the vacant Information Specialist I position within Agency 23042 until alternative funding is identified, but in no case before January 1, 2008.
RESOLVED FURTHER, the Board authorizes the appropriate County officials to execute this Agreement on behalf of the County.
Unanimously adopted. April 10, 2007. No. 198

BY COMMISSIONER FINK:

WHEREAS, St. Louis County will experience diminishing availability of skilled people to fill jobs vacated by retiring baby-boomers; and
WHEREAS, some St. Louis County classifications are already experiencing recruitment and retention problems; and
WHEREAS, Fox Lawson and Associates is a Minnesota company with extensive experience consulting with local governments and with conducting salary studies.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes a contract with Fox Lawson and Associates to conduct a market compensation study from March 1, 2007, through October 1, 2007, in an amount not to exceed \$65,000, payable from Fund 100 (General Fund), Agency 104001 (Administration), Object 629900 (Other Professional).
Yeas - Commissioners Fink, O'Neil, Forsman, Sweeney, Raukar, and Chair Kron - 6
Nays - Commissioner Nelson - 1
Adopted April 10, 2007. No. 199

Upon motion of Commissioner Nelson, supported by Commissioner Forsman, the rules were suspended to adopted Resolution No. 200 which was not on the agenda.

BY COMMISSIONER NELSON:

RESOLVED, that the meeting location for the April 24, 2007, St. Louis County Board meeting, as noted in Resolution No. 07-01 to be held at the Gilbert City Hall, is hereby moved to the Fayal Town Hall, Eveleth, Minnesota.
Unanimously adopted. April 10, 2007. No. 200

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At 12:17 P.M. on Tuesday, April 10, 2007, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 24, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of April, 2007, at 9:35 A.M. in the Fayal Town Hall, Eveleth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Commissioner Nelson presented a Volunteer Excellence Award to Leonard Youngman, Virginia, for his tireless volunteer efforts at the Virginia Regional Medical Center and Convalescent Center. Mr. Youngman is 96 years old. Mary Hooper, Volunteer Coordinator at the Center, said Mr. Youngman is an inspiration and always there when needed. Rich Cummings, Activities Coordinator, said words cannot describe the work of Mr. Youngman, who maintains the social calendar of a twenty-five-year-old.

Chair Kron 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, Virginia, said the County does not enforce installation of legally-compliant mailbox supports in rural areas.

Don Anderson, Palo, said he supports a smoking ban because of the dangers of second-hand smoke and also asked about the status of reconstruction plans for the remainder of County Road 4 in Colvin.

Robert Krepps, Land Commissioner, updated the Board on the status of the timber contract turn backs and resales. All turn backs have been resold and although the new contracts have resulted in less income for the County, Land Commissioner Krepps said he believes it was a worthwhile effort in support of the embattled logging industry.

Commissioner O'Neil requested removal of Item No. 22 (Homelessness grant) from the Consent Agenda because of a possible conflict of interest. Commissioner Nelson asked that Item No. 10 (conveyance of an unused tractor/mower to the South St. Louis County Fair) be removed for separate consideration under Finance and Budget Committee. Commissioner Sweeney, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to grant authority to the Land Commissioner to consider requests for the County to act as an intervener in lawsuits against the U. S. Forest Service by other parties. The matter had previously been tabled at the March 27, April 3 and April 10 Board meetings. The following persons addressed the issue:

Robert Krepps, Land Commissioner, said the time period to intervene in the original Lake County case has passed but litigation involving the Echo Trail dispute is still in the works. Mr. Krepps said he always reviews/monitors litigation and proposed legislation that may affect St. Louis County. He has discussed the proposed resolution with the County Attorney and said it is a Board decision to make it an actual policy.

Melanie Ford, County Attorney, said the resolution does not grant authority to proceed as an intervener without County Board approval.

Dana Frey, County Administrator, said if the Board believes the resolution grants certain authority, then maybe it does.

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Commissioner Fink said the new policy will save time if another matter of interest arises. Commissioner Raukar said it may be preferable to just make it a policy and remove all references to Lake County from the resolution. After further discussion, Commissioner O'Neil, supported by Commissioner Sweeney, moved to table the matter to the May 1 Board meeting; four yeas - three nays, Commissioners Fink, Forsman and Nelson.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules to consider a 2006-2007 bargaining unit agreement with Teamsters Local 320; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the agreement. Commissioner Fink questioned why a copy of the agreement was not provided. Commissioner Nelson said he would not support the agreement because of unresolved health insurance issues; six yeas - one nay, Commissioner Nelson. Resolution No. 226.

Commissioner Sweeney, supported by Commissioner Raukar, moved to authorize an agreement with Angie VanDeHey for consulting services related to the implementation of the Northeastern Minnesota Enforcement and Safety Information System (NEMESIS); seven yeas - zero nays. Resolution No. 227.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules to consider adoption of a new job description and pay plan for unclassified Bailiff-Court Security; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the job description; seven yeas - zero nays. Resolution No. 228.

Commissioner Sweeney, supported by Commissioner Forsman moved to approve Item No. 22 from the Consent Agenda (a grant application to the Minnesota Housing Finance Agency Family Prevention and Assistance Program). Commissioner O'Neil said he would abstain from voting because of a possible conflict of interest. The following persons addressed the issue:

Donald Dicklich, County Auditor, explained how specific grant funding is handled and said funds cannot be transferred to other entities if not explicitly allowed in the grant agreement.

Vicki Maher, Public Health and Human Services, said this grant is separate from the recently approved Ten Year Plan to End Homelessness and she explained where funding is distributed.

After brief discussion, the grant authorization was approved; six yeas with Commissioner O'Neil abstaining. Resolution No. 229.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve conveyance of a 1981 International tractor with a flail motor from Public Works to the South St. Louis County Fair Association. Marcus Hall, Public Works Director, explained the procedure for offering unused equipment of little value to other public entities and said the \$1,000 value for the tractor was an estimate based on a typical trade-in. Commissioner Nelson said the estimated value of \$1,000 was too low and he said he submitted pictures to local dealers who placed the value at between \$4,000 and \$6,000. Commissioner Nelson offered a friendly amendment - not accepted by the makers - to set the value at \$5,000 and appropriate \$10,000 from the Forest Recreation Fund to reimburse Public Works \$5,000 and also grant \$5,000 to the St. Louis County Agricultural Society for the Chisholm Fair site. Commissioner Nelson, supported by Commissioner Forsman, moved to formally offer the amendment. After discussion concerning whether \$5,000 was a fair value and if this was just another "north/south" issue, the amendment was approved; four yeas - three nays, Commissioners O'Neil, Sweeney and Chair Kron. The motion, as amended, was then approved; four yeas - three nays, Commissioners O'Neil, Sweeney and Chair Kron. Resolution No. 230.

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

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meeting:

County Auditor submitting applications for license to sell 3.2 percent malt liquor for the year 2007.--58694

Walter Hautala, Executive Secretary, St. Louis County Promotional Bureau, relative to changing the name of the St. Louis County 4-H Camp to Camp Eshquaguma.--58695

Scott C. Neff, Trenti Law Firm, submitting Notice of Intent, Petition for Annexation, Waiver of Notice, and Ordinance No. 2007-1 in the matter of the petition of Thomas Indihar for annexation of private lands to the City of McKinley.--58696

Dana Frey, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 07-163 regarding Job Description and Pay Plan for New Unclassified position of Bailiff - Court Security.--58697

Tom Friend, Virginia, submitting Minnesota Statutes 2005, Section 169.072, regarding unauthorized mailbox installation.--58698

Keith Nelson, Sixth District Commissioner, submitting pictures of the 1981 International tractor with flail motor to be conveyed to the South St. Louis County Fair Association.--58699

Teamsters' Local No. 320 Bargaining Unit Agreement for 2006/2007.--07-398

Agreement for Professional Services between St. Louis County and Mary Durward to assist with data entry of assessment details from physical records into the County's MCIS CAMA System.--07-399

Agreement for Professional Services between St. Louis County and Margaret Dunsmore to assist with the data entry of assessment details from physical records into the County's MCIS CAMA System.--07-400

Agreement for Professional Services between St. Louis County and Joy Neumann to assist with data entry of assessment details from physical records into the County's MCIS CAMA System.--07-401

Northeastern Minnesota Obesity Prevention Project Active Living Community Assessment and Engagement Agreement for Services between the Carlton-Cook-Lake-St. Louis Community Health Board and St. Louis County.--07-402ss

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 Fairview Clinic System.--07-403ss

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for Bituminous Surfacing and Aggregate Shouldering on M.P. 83-1293, C.P. 1293.--07-404

Purchase of Service Agreement, Contract 14072, between the St. Louis County Board of Commissioners and DHS Community Support Services for non-residential services.--07-405ss

Agreement for Health Services for the St. Louis County Jail between the County of St. Louis, through the Sheriff, and SMDC Health Systems.--07-406

Federal Boating Safety Supplement Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, Bureau of Information and Education, and the St. Louis County

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Sheriff's Department.--07-407

Annual County Boat and Water Safety Grant Agreement between the State of Minnesota, through its Commissioner of Natural Resources, Bureau of Information and Education, and the St. Louis County Sheriff's Department.--07-408

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 treatment services.--07-409ss

Agreement between the County of St. Louis and Ulland Brothers, Inc., for M.P. 234-1229 (low), C.P. 1229; M.P. 694-1232, C.P. 1232, for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering.--07-410

Agreement between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for M.P. 308-1297 (low), C.P. 1297; M.P. 659-1298, C.P. 1298, for Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface and Aggregate Shoulders.--07-411

Minnesota Board of Water and Soil Resources 2007 Natural Resources Block Grant Agreement between the State of Minnesota and St. Louis County.--07-412

Job Opportunity Building Zone Business Subsidy Agreement between the City of Mountain Iron and Mountain Timber Wood Products, Inc.--07-413

Agreement for Professional Services between the County of St. Louis and Mary Durward to assist with computer mapping for emergency communications.--07-414

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 201 through 225, 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 April 3, 2007, are hereby approved.

Adopted April 24, 2007. No. 201

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 10, 2007, are hereby approved.

Adopted April 24, 2007. No. 202

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. 58631, are hereby approved:

Real Estate - Donald Beichler, \$558.80; Derek Bennett, \$704.00; Gerald Benz, \$741.14; Walter Bogart, \$220.76; Christopher Butler, \$148.84; Jeremy Craycraft, \$218.60; Mark Denno, \$241.54; Gary Dimberio, \$596.96; Gary Eilola, \$454.70; Peter Hansen, \$200.60; Ahmad Helal, \$292.80; HRA of Duluth, \$1,312.46; Tad Johnson, \$519.50; James Knutson, \$399.04; Lucille Kubis, \$280.24; Lake Sup Reg Fam Cen, \$4,082.16; Adam Leonzal, \$527.52; Deborah Leonzal, \$290.86; Casey Lombardi, \$576.40; Christophe Magnuson, \$282.94; Norman Mahla, \$205.90; Walter Mahnke, \$240.90; Penny Michaud, \$546.56; Rob Miller, \$580.56; Mount of Olives Chur, \$17,415.34; James Naus, \$1,684.30; William Peterson, \$518.46; Timothy Poulin, \$574.32; Michael Prest, \$257.92; Benjamin Ray, \$514.30; Leann R. Scalia, \$941.38; Theodore Schlafke, \$281.50; Carolyn Schmidt, \$306.27; Mary Seitz,

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\$1,355.80; Ronald Sluka, \$279.24; Charles Steffen, \$396.00; Troy Sunnarborg, \$252.60; Ricky Switzer, \$282.04; Judith Thompson, \$292.66; Michael Tollefson, \$138.40; Krystal Vines, \$334.44; Logan Waldriff, \$166.00; Timothy Walters, \$282.40; Paul Wojciak, \$239.20; Josh Worcester, \$589.02; Lawrence Zwak, \$207.82.

Personal Property - Seth Hatton, \$67.48; Nichole Oleary, \$15.64.

Adopted April 24, 2007. No. 203

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 13, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 24, 2007. No. 204

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 29 (totaling \$863,734.50), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted April 24, 2007. No. 205

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. 58658, 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:

Tanski Liquor Corporation, d/b/a Tanski's Ridgeview Lanes, Rice Lake Township, Tobacco Products License No. T07229, new.

Adopted April 24, 2007. No. 206

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. 58694;

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, 2008:

Misty, Inc., d/b/a Fredenberg Minnoette, Fredenberg Township, Off-Sale 3.2 Percent Malt Liquor License No. B08196, change of officers.

Adopted April 24, 2007. No. 207

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. 58667 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, Section 84.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of State

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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;

NOW, THEREFORE, 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, June 14, 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 April 24, 2007. No. 208

WHEREAS, the Land Department has reviewed a request of Emily Lanin of Brainerd, Minnesota, for a roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Lanin'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 Statute Section 282.04, Subd. 4(a), is hereby authorized to grant a roadway easement across State tax forfeited land to Emily Lanin described as follows: A perpetual non-exclusive easement for ingress and egress 20.00 feet in width over, under, and across a portion of Government Lot 7, Section 7, Township 62 North, Range 16 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 northeast corner of said Government Lot 7; thence southerly on the east line of said Government Lot 7 a distance of 100.03 feet to the south line of the north 100.00 feet of said Government Lot 7; thence westerly on said south line of the north 100.00 feet on an assigned azimuth of 270 degrees, 06 minutes, 06 seconds, a distance of 235.00 feet to the point of beginning of said easement and the centerline of an existing road where the next course will follow said centerline; thence at an azimuth of 312 degrees a distance of 53 feet more or less to the southerly right-of-way of the proposed St. Louis County Highway No. 77 reconstruction and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement contains 1,070 square feet (0.02 acres) more or less.

BE IT FURTHER RESOLVED, that the granting of this easement is conditioned upon payment of \$78.00 land use fee, \$150.00 administration fee, and \$46.00 recording fee; for a total of \$274.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 24, 2007. No. 209

RESOLVED, that the appropriate St. Louis 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. 3746, Striping 2007. The funds received from Lake County will be receipted into Fund 200, Agency 201047.

Adopted April 24, 2007. No. 210

RESOLVED, that the appropriate St. Louis County officials are hereby authorized to enter into an agreement with the City of Hermantown 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. 3746, Striping 2007. The funds received from the City of Hermantown will be receipted into Fund 200, Agency 201047.

Adopted April 24, 2007. No. 211

RESOLVED, that the appropriate St. Louis County officials are hereby authorized to enter into an agreement with the City of Virginia 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. 3746, Striping 2007. The funds received from the City of Virginia will be receipted into Fund 200, Agency 201047. Adopted April 24,

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2007. No. 212

RESOLVED, that the appropriate St. Louis County officials are hereby authorized to enter into an agreement with the Town of Pequaywan 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. 3746, Striping 2007. The funds received from the Town of Pequaywan will be receipted into Fund 200, Agency 201047. Adopted April 24, 2007. No. 213

WHEREAS, the State of Minnesota, Department of Transportation, will provide payment under the terms of Agreement No. 90534 for the use of County Road 476 and County-State Aid Highway 77 as a detour route during the construction of State Project No. 6902-23 (T.H. 1=160); and WHEREAS, the State is willing to pay for road life consumed by the detours on County Road 476 and County-State Aid No. 77 based on the income determined by the "Gas Tax Method" in the amount of \$1,071.84; NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are hereby authorized to enter into Agreement No. 90534 with the State of Minnesota, Department of Transportation, and approve any amendments approved by the County Attorney's Office; and RESOLVED FURTHER, that the State reimbursement in the amount of \$1,071.84 shall be receipted into Fund 200, Agency 205003. Adopted April 24, 2007. No. 214

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3745, Crack Sealing Project, County Project No. 3745, located at various locations consisting of Crack Sealing. WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 9, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northwest Sealing	1441 Lind Road Cloquet, MN 55720	\$130,585.95

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 201046, Object 653300. Adopted April 24, 2007. No. 215

WHEREAS, bids have been received by the County Auditor for the following combined projects: S.A.P. 69-030-013(low), County Project No. 3750, located at various C-SAH Routes in St. Louis County consisting of RR Xing Pavement Marking Improvements.

C.P. 3746, County Project No. 3746, located at various locations in St. Louis and Lake Counties consisting of Highway Striping.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 9, 2007, and this Board has, with the County Highway Engineer, determined the lowest bidder of said

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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 combined projects 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	\$519,922.99

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:
S.A.P. 69-030-013(low), C.P. 3750: Fund 220, Agency 220210, Object 652700 \$ 56,902.90
C.P. 3746: Fund 200, Agency 201047, Object 651800 \$463,020.09
Adopted April 24, 2007. No. 216

WHEREAS, bids have been received by the County Auditor for the following combined projects:
M.P. 898-1027 (low), County Project No. 1027, located at C.R. 898 (Lindahl Road) from C.R. 899 (Halie Road) to C-SAH 14 (Thompson Hill Road), W. of Proctor, MN; length 0.95 mile, consisting of Bituminous Reclamation, Salvage Aggregate, Geotextile Fabric, Aggregate Base, Bituminous Surfacing and Aggregate Shouldering;

M.P. 899-1028, County Project No. 1028, located at C.R. 899 (Halie Road) from C-SAH 13 (Midway Road) to C.R. 898, (Lindahl Road) W. of Proctor, MN; length 0.85 mile, consisting of Bituminous Reclamation, Salvage Aggregate, Geotextile Fabric, 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 9, 2007, 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 combined projects 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	\$422,378.19

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. 898-1027 (low): Fund 200, Agency 203100, Object 652800 \$197,599.48
M.P. 899-1028: Fund 200, Agency 203175, Object 652800 \$224,778.71
Adopted April 24, 2007. No. 217

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 696-1238,

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County Project No. 1238, located at C.R. 696 (St. Louis River Road) from C-SAH 98 (Canosia Road) to C-SAH 13 (Midway Road) NW of Proctor, MN, length 4.0 miles, consisting of Reclamation, Bituminous Surfacing, Aggregate Shouldering, and Guardrail.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 9, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$683,703.20

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 Fund 200, Agency 203182, Object 652800.

Adopted April 24, 2007. No. 218

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 25-1273, County Project No. 1273, located at C-SAH 25 From T.H. 53 to 680 feet E. of T.H. 53 in Cook, MN, length 0.1 mile, consisting of Reclamation, Bituminous Surfacing, Aggregate Shouldering.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 9, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	Box 728 Gilbert, MN 55741	\$49,148.25

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 203108, Object 652800.

Adopted April 24, 2007. No. 219

RESOLVED, that County Board Resolution No. 62, adopted February 13, 2007, authorizing the Sheriff to enter into a one-year contract with Northeast Service Cooperative for implementation of the NEMESIS criminal justice system, is hereby rescinded.

Adopted April 24, 2007. No. 220

WHEREAS, Phase I of the HVAC upgrade to the St. Louis County Courthouse in Duluth was completed in 2002 and included the core mechanical, electrical, plumbing, fire protection, and other infrastructure systems, equipment, and equipment space utilization; and

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WHEREAS, Phase II was completed in 2005 which connected the east side of the Courthouse HVAC and mechanical infrastructure to the Phase I core infrastructure; and

WHEREAS, Phase III will connect the west side of the Courthouse HVAC and mechanical infrastructure to the Phase I core infrastructure; and

WHEREAS, St. Louis County Purchasing solicited a Request for Proposal for the design development, bid document creation, bid review, and project administration services for the Duluth Courthouse HVAC Upgrade - Phase III, which were opened on March 20, 2007, with the following results:

Architectural Resources, Incorporated - Hibbing, MN	\$161,000
The Design Group - Hibbing, MN	\$181,440
LHB Engineers & Architects - Duluth, MN	\$196,000

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the appropriate County officials to execute an agreement with Architectural Resources, Incorporated, of Hibbing, Minnesota, for an amount of \$161,000, payable from Capital Improvement Bond Proceeds 2005A, Fund 433.

Adopted April 24, 2007. No. 221

WHEREAS, the Spruce/Cedar units of the Chris Jensen Health and Rehabilitation Center do not have central air conditioning; and

WHEREAS, the Spruce/Cedar units have the mechanical and ventilation capabilities to accommodate the addition of cooling into the air supply; and

WHEREAS, this project will bring the air quality up to current standards and increase resident and staff comfort, completing the cooling project for the entire facility; and

WHEREAS, St. Louis County Purchasing solicited bids for the installation of air conditioning in the Spruce/Cedar units, and Bid Number 4677 was opened on March 30, 2007, with the following results:

Jamar Mechanical, Duluth, MN	\$ 79,885
A.G. O'Brien Mechanical, Duluth, MN	\$ 81,764
Energy & Air Incorporated, Duluth, MN	\$ 91,987
Stout Mechanical, Duluth, MN	\$106,700

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board hereby authorizes the appropriate County officials to execute an agreement with Jamar Mechanical of Duluth, Minnesota, in the amount of \$79,885, payable from Fund 400, Agency 400026.

Adopted April 24, 2007. No. 222

**RESOLUTION MAKING A DECLARATION OF OFFICIAL
INTENT UNDER U.S. TREASURY REGULATIONS SECTION 1.150-2**

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

WHEREAS, the County intends to finance "capital equipment" pursuant to and within the meaning of Minnesota Statutes Section 373.01, Subdivision 3, for public safety, road maintenance and data processing (the "Equipment") from proceeds of an issue of tax-exempt obligations; and

WHEREAS, the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2 promulgated thereunder, require that in order for an issuer or conduit borrower to use the proceeds of an issue of tax-exempt obligations to reimburse an original expenditure paid before the issue date of the obligations, an issuer or conduit borrower must adopt an official intent for the original expenditure not later than 60 days after payment thereof.

NOW, THEREFORE, BE IT RESOLVED, by the County, as follows:

Section 1. Authority. Pursuant to authority contained in Minnesota Statutes, Section 373.01 (the "Act")

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and Minnesota Statutes, Chapter 475, the Board does hereby direct the issuance and sale of \$5,000,000 General Obligation Capital Equipment Notes, Series 2007 of the County (the "Notes"), for the purpose of providing funds to purchase capital equipment as authorized by the Act and for the payment of costs of issuance of the Notes.

Section 2. Official Terms of Offering, Repayment of Notes. The official terms of offering and the form, specifications and provisions for repayment of the Notes shall be set forth in a subsequent resolutions of the Board.

Section 3. Official Intent. This resolution constitutes a declaration of official intent under Treasury Regulations Section 1.150-2. The County reasonably expects to reimburse expenditures with respect to the capital equipment purchases being financed.

Adopted April 24, 2007. No. 223

WHEREAS, the City of Duluth operates the Senior Site Meals Program that provides a hot, nutritional meals at eight Senior Dining sites at convenient locations in Duluth; and

WHEREAS, the City of Duluth has contracted with the Department of Public Health and Human Services to provide raw and partially prepared food for these senior site meals for at least eight 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 St. Louis County and the City of Duluth for the period January 1, 2007, through December 31, 2007, for the Community Food Service to provide meals for the Senior Site Meals Program, to be received into Fund 660, Agency 660001, Revenue 551301;

RESOLVED FURTHER, that the City of Duluth will purchase meals for the eight Senior Dining sites from the Community Food Service at the following rates which are 5 percent higher than the 2006 rates:

	<u>Proposed 2007 Rates</u>
Regular meals	\$3.56
Meals with pre-preparation	\$3.83
Ready-to-serve meals	\$4.33
Meatless meals	\$2.31
Packaged frozen meals	\$2.59

Adopted April 24, 2007. No. 224

RESOLVED, that the St. Louis County Board of Commissioners hereby increases the County Attorney's Office personnel complement by 0.2 FTE effective immediately for the remainder of the 2007 budget year, to allow for adequate staffing to fulfill a contract for prosecution services to the City of Hibbing, in Fund 100, Agency 113000, Object 610100.

Adopted April 24, 2007. No. 225

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 226 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the 2006/2007 Teamsters' Local No. 320 Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-398, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Adopted April 24, 2007. No. 226

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WHEREAS, the St. Louis County Board supports the goals of sharing criminal justice information and systems and sharing the costs of providing those systems among the subscribing agencies in the region; and

WHEREAS, the Northeastern Minnesota Enforcement and Safety Information System (NEMESIS) is being developed and implemented in support of these goals; and

WHEREAS, it is desirable to further deploy and fully implement the computerized information systems that make up NEMESIS;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Sheriff's Office to enter into a contract with Angie VanDeHey for one year at the proposed hourly rate not to exceed \$70,000 per year;

RESOLVED FURTHER, that funding for this contract is payable from NEMESIS Subscriber fees - Fund 150, Agency 150001, Object 629900.

Unanimously adopted. April 24, 2007. No. 227

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 228 which was not on the agenda.

BY COMMISSIONER SWEENEY:

WHEREAS, the Sheriff's Office is responsible for providing court security; and

WHEREAS, security needs within the Court system and within St. Louis County's three Courthouses have become more evident; and

WHEREAS, these increased security needs require a significant change in the essential job functions of the Bailiffs;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners adopts the Unclassified position of Bailiff - Court Security and its proposed pay plan as identified in County Board File No. 58697, effective immediately.

Unanimously adopted. April 24, 2007. No. 228

WHEREAS, the Minnesota Housing Finance Agency awards grant funds to counties to fund services for the homeless and those at risk of homelessness; and

WHEREAS, St. Louis County has received funding from the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program since the 1995-1997 biennium to fund services for the homeless and those at risk of homelessness;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Public Health and Human Services Department to submit a grant application in an amount up to \$801,065 to the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program for the 2008-2009 biennium.

Yeas - Commissioners Fink, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 6

Nays - None

Abstained - Commissioner O'Neil - 1

Adopted April 24, 2007. No. 229

BY COMMISSIONER NELSON:

WHEREAS, the Public Works Department no longer has need for Unit No. 5440, a 1981 International 340 tractor with a rear flail mower; and

WHEREAS, the Public Works Department contacted other St. Louis County departments and there is no need for the 1981 tractor mower in other departments; and

WHEREAS, the St. Louis County Board of Commissioners has established the value of the tractor mower combination to be \$5,000; and

WHEREAS, the South St. Louis County Fair Association has need for the tractor, the Commissioners wish to convey the tractor for the Fair's use, and to provide for equal treatment to the St. Louis County Agricultural Society for the Chisholm Fair site;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to convey Unit No. 5440, a 1981 International 340 tractor, Serial Number 50004B003265, and attached flail mower to the South St. Louis County Fair Association at no cost; and RESOLVED FURTHER, that Public Works Fund 200, Agency 205000, will be reimbursed \$5,000 from the Forest Recreation Fund (Fund 290, Agency 290002); and RESOLVED FURTHER, that St. Louis County will grant \$5,000 to the St. Louis County Agricultural Society for the Chisholm Fair site, payable from the Forest Recreation Fund, Fund 290, Agency 290002. Yeas - Commissioners Fink, Forsman, Nelson, and Raukar - 4
Nays - Commissioners O'Neil, Sweeney, and Chair Kron - 3
Adopted April 24, 2007. No. 230

At 11:25 A.M. on Tuesday, April 24, 2007, upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 1, 2007

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of May, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Chair Kron 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 Forsman, moved to amend County Board Resolution No. 156, adopted March 20, 2007, to adjust a hearing time (May 22 in Hibbing from 9:30 A.M. to 5:00 P.M.) and to add four additional hearing dates (Hoyt Lakes, Floodwood and two in Duluth) to the scheduled series of public hearings to allow public comment on the proposed ordinance prohibiting smoking in public places and places of work. Commissioner Fink said the Board has heard all there is to hear on the matter and adding more hearings doesn't accomplish anything. Commissioner Sweeney said she will be in Washington D.C. on two of the new hearing dates and she asked for a division of the question with the hearing time adjustment separated from the establishment of new hearing dates. After further discussion, the adjustment in the hearing time for the Hibbing meeting was approved; seven yeas - zero nays. The establishment of four new hearing dates was then approved; five yeas - two nays, Commissioners Fink and Sweeney. Resolution No. 254.

Commissioner Fink, supported by Commissioner Sweeney, moved to abolish obsolete job classifications in the MIS Department. Dick Griffith, Assistant Civil Service Director, said a meeting between Civil Service and the affected bargaining unit (AFSCME) has not yet taken place and he asked the Board to table the matter. Commissioner Fink said this has been delayed long enough and he did not agree to a tabling motion. Commissioner O'Neil, supported by Commissioner Raukar, moved to table the matter to the May 22 Board meeting; five yeas - two nays, Commissioners Fink and Nelson.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve a policy allowing the Land Commissioner to consider requests for the County to join as intervener in lawsuits brought against the U.S. Forest Service by other parties. This matter was tabled at the March 27, April 3, April 10, and April 24 Board meetings. Dana Frey, County Administrator, explained revisions to the original resolution and said he discussed the matter with the Land Commissioner and County Attorney. Commissioner Raukar said he had just seen the revised resolution for the first time and he made a motion, supported by Commissioner Nelson, to table the matter to the May 8 Board meeting to allow Commissioners time to study the new policy resolution; five yeas - two nays, Commissioners Fink and Forsman.

Commissioner O'Neil, supported by Commissioner Nelson, moved to support state legislation designed

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to protect wild rice from contamination by genetic engineering. The following chose to address the issue:

Dana Frey, County Administrator, listed the House and Senate authors of the bill currently being considered.

Thomas Howes, Cloquet, representing tribal organizations, said the proposed legislation deals exclusively with wild rice, which is a very important part of the cultural life of Native Americans in Minnesota.

Allen Richardson, Duluth, who is the legislative outreach worker on the wild rice issue, said Minnesota wild rice is unique and the legislation simply seeks to protect the resource.

Commissioner Fink said he would not support the proposal because it sets a precedent whereby environmental impact statement requirements could be extended to other products. After further discussion, the resolution of support was approved; six yeas - one nay, Commissioner Fink. Resolution No. 255.

Commissioner Raukar, supported by Commissioner Sweeney, moved to suspend the rules to consider approving the Civil Service Confidential Bargaining Unit Agreement for 2006-2007; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioners Forsman, moved to approve the agreement; six yeas - one nay, Commissioner Nelson. Resolution No. 256.

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

June Ivon Eichner, Duluth, in support of the smoking ban legislation.--58700

Confidential Public Employees Bargaining Unit Agreement for 2006/2007.--07-415

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. 35.--07-416ss

Agreement for Professional Services between the County of St. Louis and WSB & Associates, Incorporated, for environmental analysis and documentation and to design the new connection of County-State Aid Highway 70 to County-State Aid Highway 110, County Project No. 9316, between Hoyt Lakes and Babbitt.--07-417

Group Residential Housing Rate Agreement, Contract No. 50518, between the St. Louis County Board of Commissioners and Teen Challenge Duluth Campus.--07-418ss

Grant Agreement, Contract No. 20726, between the St. Louis County Board of Commissioners and Human Development Center for adolescent services grant.--07-419ss

Agreement, Contract No. 14113, between the St. Louis County Board of Commissioners and the Human Development Center for Assertive Community Treatment Team South.--07-420ss

Purchase of Service Agreement, Contract No. 14110, between the St. Louis County Board of Commissioners and the Human Development Center for Mental Health - Targeted Case Management (MH - TCM) for Adults.--07-421ss

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Purchase of Service Agreement, Contract No. 14123, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Family Resource Center - Range Youth Shelter) for group home residential/shelter service.--07-422ss

Purchase of Service Agreement, Contract No. 14124, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Foster Care Program) for foster care licensing and placement.--07-423ss

Purchase of Service Agreement, Contract No. 14122, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for group home residential service and diagnostic 25-day evaluation.--07-424ss

Agreement for Professional Services between the County of St. Louis and Ayres Associates for Depot Boundary Survey.--07-425

Agreement for Professional Services between the County of St. Louis and DSGW Architects for Virginia Annex Remodeling Project.--07-426

Grant Agreement, Contract No. 20723, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC), for MFIP/DWP/E-3 services.--07-427ss

Purchase of Services Contract No. 20684 between St. Louis County and Bethany Crisis Nursery for public service grant.--07-428ss

Purchase of Services Contract No. 20715 between St. Louis County and Valley Youth Center for public service grant.--07-429ss

Purchase of Services Contract No. 20697 between St. Louis County and The Salvation Army for public service grant.--07-430ss

Purchase of Services Contract No. 20696 between St. Louis County and Safe Haven Shelter for Battered Women for public service grant.--07-431ss

Purchase of Services Contract No. 20694 between St. Louis County and Program for Aid to Victims of Sexual Assault, Inc. (PAVSA), for public service grant.--07-432ss

Purchase of Services Contract No. 20685 between St. Louis County and Copeland Community Center for public service grant.--07-433ss

Purchase of Services Contract No. 20680 between St. Louis County and AEOA - Lives in Transition for public service grant.--07-434ss

Purchase of Service Agreement, Contract No. 14129, between the St. Louis County Board of Commissioners and Fond du Lac Foster Care Licensing and Placement Agency.--07-435ss

Upon motion of Commissioner Forsman, supported by Commissioner Sweeney, Resolutions No. 231 through 253, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

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

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58631, are hereby approved:

Real Estate - Michael Anick, \$149.92; Jane Baddin, \$204.75; Tara Baumgardner, \$297.60; Donald Benkusky, \$89.81; Nicholas Bigo, \$571.90; William Blackwood, \$816.22; Ruth Boudreau, \$439.78; Byron Bray, \$568.56; Gary Eilola, \$435.90; Curtis Frazee, \$595.42; Gary Gilbertson, \$163.30; Brent Harju, \$255.76; Dave Hill, \$484.18; John Jablonski, \$253.76; Joshua Jacobson, \$299.32; Michael Jasper, \$1,696.64; John Jelatis, \$290.32; Jeremy Jensen, \$332.66; Rebecca Johannesson, \$503.20; Earl Keller, \$488.58; Hinako Kuwamoto, \$571.66; Brian Levy, \$290.14; Jeffery Linn, \$574.26; Jerome Malone, \$441.84; Thomas Martin, \$114.46; James Mase, \$202.76; Jennifer Patton, \$272.32; PDGG LLP, \$5,238.50; Gerald Powers, \$565.60; Robert Prout, \$548.70; Peter Quigley, \$262.32; Joseph Rybos, \$255.32; Rocco Salvatore, \$113.42; Sally Saylor, \$526.28; Alice Skorich, \$275.74; Raymond Solvin, \$130.04; Julie Sorensen, \$590.08; Alan Steinberg, \$241.76.

Personal Property- Kirby Scholz, \$243.66.

Adopted May 1, 2007. No. 231

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. 58641;

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, 2008:

Sandy Point Lodge, Inc., d/b/a Sandy Point Lodge, Kabetogama Township, On-Sale Intoxicating Liquor License No. ON0830 and Sunday On-Sale Intoxicating Liquor License No. ONS0830, change of officers.

Adopted May 1, 2007. No. 232

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. 58694, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 - Leander Club, Town of Unorganized 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0727, for June 30, 2007 (rain date July 1, 2007).

Adopted May 1, 2007. No. 233

WHEREAS, the St. Louis County Director of Purchasing solicited bids for ground application of herbicides on State tax forfeited lands for the year 2007; and

WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only bid in the amount of \$120,525.00; and

WHEREAS, the bid submitted is lower than estimated and is considered reasonable by Land Department staff.

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 ground application of herbicides for chemical site preparation and chemical release during the summer of 2007, in accordance with the specifications of Bid No. 4683, and subject to approval of the County Attorney, at its low specification bid price of \$120,525.00, payable from Fund 290, Agency 290001.

Adopted May 1, 2007. No. 234

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WHEREAS, the Land Department has reviewed a request from the Babbitt ATV/Snowmobile Club for a 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, Subd. 4, authorizes the St. Louis County Auditor to grant easements for recreational trails;

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 Babbitt ATV/Snowmobile Club. The description of the easement is: An easement for recreational trail purposes 66.00 feet in width, 33.00 feet on each side of the centerline described as follows: Commencing at the southwest corner of the south 660.00 feet of the west 860.00 feet of the northeast one-quarter of the northeast one-quarter of Section 15, Township 59 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence northerly on the west line of said south 660 feet of the west 860 feet a distance of 90.00 feet to the point of beginning; thence northeasterly to a point on the north line of said south 660 feet of the west 860 feet, said point being 220.00 feet west of the northeast corner of said south 660 feet of the west 860 feet and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 909 feet in length and contains 1.38 acres more or less.

The granting of this easement is conditioned upon payment of \$1,794.00 land use fee, \$150.00 administration fee and \$46.00 recording fee, for a total cost of \$1,990.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted May 1, 2007. No. 235

WHEREAS, the Land Department has reviewed a request of Eileen C. Zemlin Trust, David Anderson, Schmidt Family Trust, Tammy and Frank Vittorio, David L. Kohne, and Larry Moe 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 their 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, Subd. 4(a), is hereby authorized to grant a non-exclusive easement for roadway purposes to Eileen C. Zemlin Trust, David Anderson, Schmidt Family Trust, Tammy and Frank Vittorio, David L. Kohne, and Larry Moe.

The description of the easement is: A perpetual non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the northeast quarter of the southeast quarter of Section 04, Township 55 North, Range 12 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 center of said Section 04; thence easterly on the east-west quarter line of said section on an assigned azimuth of 87 degrees 55 minutes 10 seconds (0=North) a distance of 1323.2 feet to the northwest corner of said northeast quarter of the southeast quarter; thence continuing on the north line of said quarter a distance of 467.76 feet to the point of beginning and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 124 degrees 00 minutes 00 seconds a distance of 550.0 feet; thence at an azimuth of 99 degrees 00 minutes 00 seconds a distance of 415.5 feet more or less to the east line of said northeast quarter of the southeast quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 1065 feet in length and contains 0.72 acres more or less.

The granting of this easement is conditioned upon payment of \$686.00 land use fee, \$250.00 timber damage fee, \$150.00 administration fee and \$46.00 recording fee; for a total of \$1,132.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted May 1, 2007. No. 236

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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WHEREAS, the Land Department has reviewed a request of Glenn A. Beckman, Eileen C. Zemlin Trust, David Anderson, Schmidt Family Trust, Tammy and Frank Vittorio, David L. Kohne, and Larry Moe 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 their 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, Subd. 4(a), is hereby authorized to grant a non-exclusive easement for roadway purposes to Glenn A. Beckman, Eileen C. Zemlin Trust, David Anderson, Schmidt Family Trust, Tammy and Frank Vittorio, David L. Kohne, and Larry Moe.

The description of the easement is: A perpetual non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the south 33 feet of the south 513 feet of that part lying east of the town road in the southeast quarter of the northwest quarter of Section 04, Township 55 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 105 feet in length and contains 0.08 acres more or less and,

A perpetual non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the southwest quarter of the northeast quarter of Section 04, Township 55 North, Range 12 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 center of said section 04; thence northerly on the north-south quarter line of said section a distance of 16.50 feet to the point of beginning; thence parallel to the east-west quarter line of said section and at an assigned azimuth of 87 degrees 55 minutes 10 seconds (0=North) a distance of 564.45 feet and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 31 degrees 00 minutes 00 seconds a distance of 179.70 feet; thence at an azimuth of 44 degrees 00 minutes 00 seconds a distance of 265.0 feet; thence at an azimuth of 53 degrees 00 minutes 00 seconds a distance of 250.0 feet; thence at an azimuth of 90 degrees 00 minutes 00 seconds a distance of 130.0 feet; thence at an azimuth of 127 degrees 00 minutes 00 seconds a distance of 178 feet more or less to the east line of said south-west quarter of the northeast quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 1558 feet in length and contains 1.19 acres more or less.

The granting of this easement is conditioned upon payment of \$1,650.00 land use, \$150.00 timber damage fee, \$150.00 administration fee and \$46.00 recording fee; for a total of \$1,996.00 to be deposited into Fund 240 - Forfeited Tax Fund.

Adopted May 1, 2007. No. 237

WHEREAS, the Land Department has reviewed a request of Lake Country Power for a utility easement for an underground electrical powerline 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, Subd. 4, authorizes the St. Louis County Auditor to grant easements for electrical powerlines;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Lake Country Power described as follows:

A 20.00-foot wide easement for utilities under and across portions of Government Lot 7 in Section 21, Government Lot 1 in Section 28 and the east one-half of Section 29; all in Township 56 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Assuming the east line of said Section 29 to bear North 01 degree 33 minutes 32 seconds East and from

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the northeast corner of said Section 29 run South 16 degrees 09 minutes 31 seconds West, a distance of 4525.83 feet to point on said centerline; thence North 35 degrees 14 minutes 46 seconds West a distance of 96.18 feet; thence North 29 degrees 45 minutes 54 seconds West a distance of 99.17 feet; thence North 26 degrees 11 minutes 10 seconds West a distance of 120.27 feet; thence North 19 degrees 26 minutes 33 seconds West a distance of 13.30 feet to the south line of the northwest quarter of the southeast quarter of said Section 29 and the point of beginning of said easement on the tax-forfeited trust lands; thence continuing on the previous bearing of N 19 degrees 26 minutes 33 seconds West a distance of 403.84 feet; thence N 04 degrees 29 minutes 43 seconds West a distance of 220.46 feet; thence North 07 degrees 33 minutes 09 seconds East a distance of 69.13 feet; thence North 28 degrees 34 minutes 39 seconds East a distance of 85.07 feet; thence North 05 degrees 25 minutes 28 seconds East a distance of 53.25 feet; thence North 31 degrees 47 minutes 32 seconds West a distance of 147.90 feet; thence North 52 degrees 15 minutes 51 seconds West a distance of 68.74 feet; thence North 45 degrees 14 minutes 30 seconds West a distance of 51.36 feet; thence North 27 degrees 18 minutes 46 seconds West a distance of 53.47 feet; thence North 14 degrees 16 minutes 24 seconds West a distance of 116.96 feet; thence North 27 degrees 22 minutes 57 seconds West a distance of 58.04 feet; thence North 36 degrees 18 minutes 16 seconds West a distance of 192.00 feet; thence North 45 degrees 58 minutes 43 seconds West a distance of 72.04 feet; thence North 56 degrees 04 minutes 05 seconds West a distance of 63.17 feet; thence North 47 degrees 19 minutes 57 seconds West a distance of 141.09 feet; thence North 03 degrees 54 minutes 05 seconds West a distance of 61.95 feet; thence North 21 degrees 03 minutes 40 seconds East a distance of 74.91 feet; thence North 35 degrees 25 minutes 21 seconds East a distance of 55.05 feet; thence North 49 degrees 26 minutes 34 seconds East a distance of 54.91 feet; thence North 79 degrees 13 minutes 45 seconds East a distance of 32.83 feet; thence South 87 degrees 35 minutes 10 seconds East a distance of 65.00 feet; thence North 71 degrees 17 minutes 29 seconds East a distance of 61.92 feet; thence North 62 degrees 18 minutes 49 seconds East a distance of 256.75 feet; thence North 50 degrees 32 minutes 21 seconds East a distance of 83.93 feet; thence North 34 degrees 08 minutes 12 seconds East a distance of 109.98 feet; thence North 28 degrees 35 minutes 15 seconds East a distance of 68.00 feet; thence North 14 degrees 06 minutes 27 seconds East a distance of 172.57 feet; thence North 26 degrees 12 minutes 13 seconds East a distance of 54.64 feet; thence North 33 degrees 39 minutes 00 seconds East a distance of 78.17 feet; thence North 22 degrees 19 minutes 39 seconds East a distance of 94.98 feet; thence North 28 degrees 00 minutes 55 seconds East a distance of 98.98 feet; thence North 22 degrees 18 minutes 35 seconds East a distance of 140.82 feet; thence North 54 degrees 04 minutes 23 seconds East a distance of 47.87 feet; thence North 74 degrees 47 minutes 54 seconds East a distance of 132.78 feet; thence North 59 degrees 38 minutes 34 seconds East a distance of 129.89 feet; thence North 39 degrees 59 minutes 56 seconds East a distance of 119.28 feet; thence North 26 degrees 22 minutes 36 seconds East a distance of 79.91 feet; thence North 13 degrees 19 minutes 32 seconds East a distance of 214.04 feet; thence North 38 degrees 50 minutes 02 seconds East a distance of 88.94 feet; thence North 51 degrees 38 minutes 23 seconds East a distance of 191.83 feet; thence North 62 degrees 09 minutes 02 seconds East a distance of 181.07 feet; thence North 65 degrees 40 minutes 41 seconds East a distance of 281.28 feet; thence North 50 degrees 16 minutes 03 seconds East a distance of 171.44 feet; thence North 36 degrees 54 minutes 40 seconds East a distance of 102.88 feet; thence North 09 degrees 53 minutes 34 seconds East a distance of 230.05 feet; thence North 13 degrees 10 minutes 00 seconds East a distance of 505.25 feet; thence North 04 degrees 03 minutes 45 seconds East a distance of 326.52 feet; thence North 06 degrees 22 minutes 14 seconds West a distance of 200.16 feet; thence North 08 degrees 17 minutes 37 seconds East a distance of 173.87 feet; thence North 16 degrees 59 minutes 17 seconds East a distance of 175.07 feet; thence North 37 degrees 28 minutes 53 seconds East a distance of 17 feet more or less to the north line of said Government Lot 7 of Section 21 and there terminate. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 6,731 feet in length and contains 3.09 acres more or less.

The granting of this easement is conditioned upon payment of \$3,090.00 land use fee, \$175.00 administration fee, and \$46.00 recording fee; for a total of \$3,311.00 to be deposited into Fund 240 -

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Forfeited Tax Fund.
Adopted May 7, 2007. No. 238

WHEREAS, the contract for the purchase of State tax forfeited land described in County Board File No. 58648, 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 St Louis County Board does hereby approve the cancellation of contract for purchase of State tax forfeited land listed by the County Auditor in County Board File No. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subd. 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted May 7, 2007. No. 239

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. 4681, to furnish and apply 415,800 gallons of 38 percent Liquid Calcium Chloride, at their low specification bid of \$329,463.29, which includes approximately \$20,208.09 of State of Minnesota Sales Tax based on both material and application cost being taxable, from Fund 200 Agency 202010, Object 653400 (Dust Control).

Adopted May 7, 2007. No. 240

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with Braun Intertec Corporation of Hibbing, MN, and approve any amendments approved by the County Attorney's office and the appropriate County officials are hereby authorized to sign the agreement with Braun Intertec Corporation for geotechnical exploration services of the proposed reconstruction of C-SAH 23 near Nett Lake, MN, S.P. 69-623-031, C.P. 9320. The estimated total cost of these design services is \$55,500.00, payable from Fund 200, Agency 200019, Object 626600.

Adopted May 7, 2007. No. 241

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs and tipboards) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Cook Timberwolves Snowmobile Club to operate out of Log Cabin, 8571 Highway 53, Angora, MN 55703, Angora Township, NEW.

Adopted May 7, 2007. No. 242

WHEREAS, the Minnesota Department of Natural Resources, Western Lake Superior Sanitary District, the Minnesota Pollution Control Agency, and St. Louis County have partnered on the green roof concept for the Motor Pool facility in Duluth as a pilot project for this area; and

WHEREAS, the green roof will be available for education, demonstration, and investigation purposes for the above listed public agencies; and

WHEREAS, the green roof will increase the insulation value of the roof, lower energy costs, cool the building during the summer, and extend the life of the roof to an estimated 60 years; and

WHEREAS, the green roof will require minimal maintenance, and reduce run-off into Lake Superior;
NOW, THEREFORE, BE IT RESOLVED, St. Louis County Board of Commissioners authorizes the acceptance of the Minnesota Lake Superior Coastal Grant No. 306A-03-07 in the amount of \$50,000 (payable to Fund 400, Agency 400011) for the installation of a green roof system on the County's Duluth Motor Pool building.

RESOLVED FURTHER, the County's funding contribution of approximately \$50,000 for the project

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is available from Fund 400, Agency 400011.
Adopted May 1, 2007. No. 243

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, 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 the Fairview Clinics in St. Louis County (Hibbing, Chisholm and Mt. Iron) and St. Luke's Pediatric Associates, Duluth;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the acceptance of \$408,200, which is already budgeted for 2007, 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 for \$30,000; St. Mary's/Duluth Clinic Health System for \$10,000; P.S. Rudie & Associates for \$4,000; and Fairview Clinic System for \$6,000, from January 1, 2007, through December 31, 2007, payable from Fund 230, Agency 233999, Grant 23301, Year 2007;
RESOLVED FURTHER, that the appropriate County officials are authorized to execute these contracts.
Adopted May 1, 2007. No. 244

RESOLVED, that pursuant to the recommendation of the Civil Service Commission on April 9, 2007, and the agreement of the affected Department Head, the classification of Highway Maintenance Worker is abolished effective immediately.
Adopted May 1, 2007. No. 245

WHEREAS, it is beneficial to each county to have the appropriate public safety agencies respond to calls for service; and
WHEREAS, in certain county border telephone exchange areas, the 9-1-1 call is not answered by the Public Service Answering Point in the same county that the call was initiated in;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners approves the Call Handling Agreement with Carlton County to assure that 9-1-1 calls are handled in the most effective manner.
Adopted May 1, 2007. No. 246

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for and accept the 2007 State of Minnesota, Emergency Management Performance Grant (EMPG), in the estimated amount of \$46,000 to \$57,000, which will be budgeted in Fund 100, Agency 132999, Grant 13203, Year 2007.
Adopted May 1, 2007. No. 247

RESOLVED, that the St. Louis County Board hereby appoints Marcus Hall as the Public Works Director/County Highway Engineer for the time period of May 1, 2007, and terminating May, 2011.
RESOLVED FURTHER, that Marcus Hall shall be compensated at the biweekly rate of \$4,410.26 (U31, Step MIV 4 on the 2007 Management Compensation Plan) with all other benefits as provided in the St. Louis County Management Compensation Plan.
Adopted May 1, 2007. No. 248

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WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3678, C.P. 3678, located at Ely Joint Use Maintenance Facility consisting of Bituminous Surfacing, Concrete Curb and Gutter, Concrete Walk, Landscaping and Striping.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 16, 2007, 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 Rd. Duluth, MN 55803	\$564,863.25

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 203181, Object 652800.

Adopted May 1, 2007. No. 249

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-030-012, C.P. 9325, located at various locations, consisting of Steel Plate Beam Guardrail; and

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 23, 2007, 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, it is the judgment of this Board that it is in the best interest of St. Louis County to award said contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that 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>
H & R Construction	P.O. Box 756 Dalton, MN 56324	\$337,070.05

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project, payable from: Fund 220, Agency 220208, Object 652700.

Adopted May 1, 2007. No. 250

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 5-1472, C.P. 1472, located on C-SAH 5, from 450 feet South of C-SAH 65 (Green Rock Road) to Bridge over the Sturgeon River, North of Hibbing, MN, length 2.2 miles, consisting of By-Pass Lane, Turn Lane, Reclamation, Bituminous Surfacing and Bituminous Shouldering; and

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 23, 2007, 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, it is the judgment of this Board that it is in the best interest of St. Louis County to award said contract to the lowest responsible bidder.

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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>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$800,440.20

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: Fund 200, Agency 203086, Object 652800.

Adopted May 1, 2007. No. 251

WHEREAS, on November 16, 2006, Mr. Kim Ross of 4955 Spirit Lake Road, Mountain Iron, MN 55768, requested a 16 foot permanent easement along a small portion of the northerly property line of the County Public Works Tower tool house property, which is mostly wetlands; and

WHEREAS, upon review by County staff it was determined that the easement would not impact any future County operations or needs; and

WHEREAS, the North St. Louis Soil and Water Conservation District provided the Army Corps of Engineers with a letter stating that no wetland mitigation will be necessary; and

WHEREAS, the permanent easement is legally described as: A 16 foot access easement for the purposes of ingress and egress, over, under, and across part of the Southeast Quarter of Section 31, Township 62 North, Range 15 West of the Fourth Principal Meridian, the centerline of said easement further described as: Commencing at the southeast corner of said Section 31; thence North 00 degrees 01 minutes 40 seconds West, assigned bearing along the east line of said Section 31, 1122.51 feet; thence North 89 degrees 23 minutes 56 seconds West 417.43 feet to the westerly line of a 66 foot strip reserved for the City of Tower for street purposes; thence South 17 degrees 49 minutes 10 seconds East along the westerly edge of said 66 foot strip 4.215 feet the Point of beginning of said centerline; thence North 89 degrees 23 minutes 56 seconds West 261.19 feet and there terminating; the sidelines of said easement are to be retracted or extended to the westerly edge of said 66 foot strip.

NOW, THEREFORE, BE IT RESOLVED, the County Property Acquisition Team recommends the St. Louis County Board of Commissioners authorize the appropriate County officials execute and record an easement of the above stated legal description for Mr. Kim Ross, 4955 Spirit Lake Road, Mountain Iron, Minnesota 55768, for an amount of \$1,000.

FURTHER RESOLVED, proceeds from the easement will be allocated to Fund 100, Agency 128014. Adopted May 1, 2007. No. 252

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 the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2007:

John Vigen, Duluth
Lee Conradi, Duluth

(Commissioner District #1)
(Commissioner District #2)

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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)

RESOLVED FURTHER, that the Special Board is:

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 No. 635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current County rate (from Assessor's Department, Object No. 635500 - Non-employee travel).
5. Directed to convene at 10:00 A.M., June 14, 2007, in the County Board Room, Courthouse, Duluth, MN.

Adopted May 1, 2007. No. 253

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Board has established a series of public hearings by Resolution No. 136, adopted March 13, 2007, and amended by Resolution No. 156, adopted March 20, 2007, to allow convenient opportunities for citizens to comment on a proposed ordinance to prevent exposure to the harmful effects of second-hand tobacco smoke; and

WHEREAS, Commissioners have been contacted by constituents requesting additional public hearing dates and/or time changes.

NOW, THEREFORE BE IT RESOLVED, that County Board Resolution No. 136, adopted March 13, 2007, and as amended by Resolution No. 156, adopted March 20, 2007, establishing a series of public hearing dates to allow public comment relative to a proposed ordinance (No. 60) intended to prevent exposure of the public to the harmful effects of second-hand tobacco smoke is hereby amended as follows:

Meeting time changed:

May 22, 2007 (Tuesday)	5:00 P.M.	Hibbing City Council Chambers, Hibbing (Previously scheduled for 9:30 A.M.)
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Additional meeting dates added:

May 14, 2007 (Monday)	5:00 P.M.	Hoyt Lakes Community Bldg, Hoyt Lakes
May 15, 2007 (Tuesday)	5:00 P.M.	Downtown Fair Center, Floodwood
May 24, 2007 (Thursday)	5:00 P.M.	St. Louis County Courthouse, Duluth
June 5, 2007 (Tuesday)	9:35 A.M.	St. Louis County Courthouse, Duluth

Division of the question—

Meeting time changed:

Yeas - Commissioners Fink, O'Neil, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 7

Nays - None

Additional meeting dates:

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

Nays - Commissioners Fink and Sweeney - 2

Adopted May 1, 2007. No. 254

RESOLVED, that the St. Louis County Board of Commissioners hereby declares its support for a bill currently under consideration at the Minnesota State Legislature, identified as Senate File 2103, which

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is designed to protect wild rice from contamination by genetic engineering, and directs the County Auditor to notify the St. Louis County Legislative Delegation of this action.

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

Nays - Commissioner Fink - 1

Adopted May 1, 2007. No. 255

Upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the rules were suspended to adopt Resolution No. 256 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the 2006/2007 Confidential Public Employees Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-415, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Adopted May 1, 2007. No. 256

At 10:25 A.M. on Tuesday, May 1, 2007, upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 8, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of May, 2007, 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 Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 6. Absent: Commissioner Dennis Fink - 1.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil read a proclamation designating the month of May as Foster Care Month in St. Louis County. St. Louis County has more than 250 homes serving 350 children and youths along with 350 adult foster care facilities serving more than 1100 adults who are elderly or have disabilities. Commissioner O'Neil also recognized Sandy Ogston and her husband Tom who have provided care for the past 35 years to more than 150 children. On hand to accept the proclamation were Sandy Ogston, as well as Vicki Maher, Kathy Esson, Debby Henkin, Mark Snyder and Len Weiss from Health and Human Services.

Chair Kron 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 Sweeney, moved to approve transfer of \$100,000 from the Environmental Trust Fund to the Septic Loan Program Fund. Commissioner Sweeney suggested use of a Board Workshop to look at criteria for future loans, although there was a need to act today because the construction season is here. Commissioner Raukar said the Sewage Subcommittee might be the proper forum for discussion of income guidelines and loan capitations. Commissioner Nelson said the County must remain current on new technology to help rein in rising septic costs. Commissioner Forsman said the loan program, which currently charges a 6.19 percent annual rate, is not a giveaway program. Vicki Maher, Health and Human Services Department, provided information on outstanding loan amounts and funding available for new loan applications. After further discussion, the transfer was approved; six yeas - zero nays. Resolution No. 269.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a contract with Kangas Excavating, Inc., to excavate material and prepare a five-foot subbase prior to the construction of Phase 5 at the Regional Landfill. In response to concerns expressed at the May 1 Committee of the Whole by Commissioner Fink, Commissioner Nelson said the Solid Waste Subcommittee is pursuing alternate methods of solid waste disposal such as increased recycling and other resource recovery; six yeas - zero nays. Resolution No. 270.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the official terms of offering for issuance of \$5 million General Obligation Capital Equipment Notes, Series 2007. Dana Frey, County Administrator, explained this is the next step in the process to issue a \$5 million note to purchase needed equipment; six yeas - zero nays. Resolution No. 271.

Commissioner Raukar, supported by Commissioner Nelson, moved to grant authority to the Land Commissioner to respond to federal and state actions and proposals that may affect public land management. Robert Krepps, Land Commissioner, presented a brief history of the resolution/policy that has been tabled a number of times. Mr. Krepps said the resolution establishes a clear policy allowing the Land Commissioner to review and make recommendations to the Board; five yeas - one nay, Chair Kron.

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Resolution No. 272.

Commissioner Raukar, supported by Commissioner O'Neil, moved to suspend the rules to consider approving summer positions for the County Extension Service; six yeas - zero nays. Commissioner Raukar, supported by Commissioner Nelson, moved to approve transfer of funding for the positions. Gary Eckenberg, Deputy County Administrator, explained the need for the positions and said it was before the Board because it involved transfer of a carryover balance from 2006. In response to a question from Commissioner Raukar, Deputy Administrator Eckenberg said the hourly rate for interns was \$11.00 per hour for a three-month period, but he would have to check on the pay for the horticultural assistants. After further discussion, the resolution was approved; six yeas - zero nays. Resolution No. 273.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve a contribution of up to \$3,000 toward purchase of lobbying services from Smith, Esposito & Lyerly Company, Inc., for their work securing federal funding for the Trunk Highway 53 Corridor; six yeas - zero nays. Resolution No. 274.

County Administrator Frey said a closed labor negotiation session was not needed and would be rescheduled for the May 22 Board meeting in Hibbing.

Commissioner Sweeney said she will be in Washington, D.C., next week with the Chamber of Commerce regarding the mission of the 148th Fighter Group in Duluth.

Commissioner Nelson said he attended the grand opening of the new Youth Center in Chisholm, which was built with County assistance. Commissioner Raukar said the Chisholm Center was something to be proud of and there has been revived interest lately in building youth centers. Commissioner Forsman said the Chisholm facility was built with youth involvement, providing a sense of ownership.

Commissioner Sweeney noted the recent Employee Recognition Dinner and said she would be attending the Law Enforcement Memorial Breakfast on May 17.

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

David Hutchinson, M.D., Duluth, in favor of a strong and exception-free ban on smoking in public spaces and workplaces for individual and public health reasons.--58701

Lori Swanson, Attorney General, State of Minnesota, submitting condemnation of certain lands for trunk highway purposes in the matter of the State of Minnesota, by its Commissioner of Transportation, versus Bullyan Trail Sales, Inc., et al.--58702

Vicki Maher, Public Health and Human Services Department, submitting Update on Septic Loan Program.--58703

Agreement for Professional Services between the County of St. Louis and Short, Elliot, Hendrickson, Inc., for Chris Jensen and AJC parking lot and blacktop resurfacing project.--07-436

Agreement for Professional Services between the County of St. Louis and Scalzo Architects, Ltd., for Government Services Center Roof Repair/Replacement.--07-437

Sheriff's Office/Rescue Squad Agreement between St. Louis County, through its Sheriff's Office, and the St. Louis County Volunteer Rescue Squad, Inc., to aid and assist the Sheriff's Office.--07-438

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Employee Safety & Development Training Contract between St. Louis County and NESD for fourteen sessions of computer training.--[07-439](#)

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for Pre-Planning meeting and Leadership Development training.--[07-440](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 186-1014 (low), C.P. 1014; M.P. 832-1015, C.P. 1015, for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering.--[07-441](#)

Purchase of Service Agreement, Contract No. 14086, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Detox transportation services.--[07-442ss](#)

Purchase of Service Agreement, Contract No. 14093, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Consolidated Chemical Dependency Treatment Fund.--[07-443ss](#)

Grant Agreement, Contract No. 20703, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., for Sub-acute detoxification and hold services.--[07-444ss](#)

Purchase of Service Agreement, Contract No. 14126, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Family Resource Center - Supervised Visitation Program).--[07-445ss](#)

Purchase of Service Agreement, Contract No. 14125, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Crisis Shelter Supervised Visitation Program).--[07-446ss](#)

Purchase of Service Agreement, Contract No. 14127, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Youth Empowerment - Duluth & Positive Directions - Iron Range).--[07-447ss](#)

Agreement, Contract No. 14116, between the St. Louis County Board of Commissioners and Life House for Assertive Community Treatment Team South.--[07-448ss](#)

Purchase of Service Agreement, Contract No. 14132, between the St. Louis County Board of Commissioners and Bois Forte Reservation for family-based services.--[07-449ss](#)

Group Residential Housing Rate Agreement, Contract No. 50522, between the St. Louis County Board of Commissioners and Focus on Living - 402.--[07-450ss](#)

Group Residential Housing Rate Agreement, Contract No. 50523, between the St. Louis County Board of Commissioners and Focus on Living - 404.--[07-451ss](#)

Group Residential Housing Rate Agreement, Contract No. 50524, between the St. Louis County Board of Commissioners and Focus on Living - Proctor House.--[07-452ss](#)

Group Residential Housing Rate Agreement, Contract No. 50525, between the St. Louis County Board of Commissioners and Focus on Living - West.--[07-453ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14157, between the St. Louis

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County Board of Commissioners, through its Public Health and Human Services Department, and Focus on Living, Inc., for adult foster care services.--[07-454ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14157A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Focus on Living, Inc., for adult foster care services.--[07-455ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14134, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Tender Loving Care of Duluth, Inc., for adult foster care services.--[07-456ss](#)

Grant Agreement, Contract No. 20701, between the St. Louis County Board of Commissioners and Human Development Center for Adult Mental Health Integrated Fund.--[07-457ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14145A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Northwood Children's Home Society, Inc., d/b/a Northwood Children's Services, for child foster care services.--[07-458ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14145, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Northwood Children's Home Society, Inc., d/b/a Northwood Children's Services, for child foster care services.--[07-459ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14156, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Accessible Space, Inc., for assisted living plus services.--[07-460ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14101, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and East Range Development Achievement Center, Inc., for prevocational and transportation services.--[07-461ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14133, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Solway Serenity Acres for assisted living plus services.--[07-462ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14099, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and EBI, Inc., for adult foster care services.--[07-463ss](#)

Group Residential Housing Rate Agreement, Contract No. 50526, between the St. Louis County Board of Commissioners and Bluewater - East Superior Street.--[07-464ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14149A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Bluewater Residential Services, LLC, for adult foster care services.--[07-465ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14149, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Bluewater Residential Services, LLC, for adult foster care services.--[07-466ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14103, between the St. Louis

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County Board of Commissioners, through its Public Health and Human Services Department, and Northern Habilitative Services, Inc., d/b/a NHS - Northstar Specialized Services, for adult foster care services.--[07-467ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14102, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Northstar Specialized Services, Inc., d/b/a NHS - Northstar Specialized Services, for adult foster care services.--[07-468ss](#)

Purchase of Service Agreement, Contract No. 14107, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, d/b/a Arrowhead Meals on Wheels, for home delivered meals.--[07-469ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14153, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Solstice Corporation, d/b/a Golden Oaks, for assisted living plus services.--[07-470ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14165, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Reed's Boarding and Lodging, LLC, for residential care services.--[07-471ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14162, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Range Residential Alternatives for adult foster care services.--[07-472ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14117, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Trillium Services, Inc., for adult foster care services.--[07-473ss](#)

Purchase of Service Agreement, Contract No. 14105, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.--[07-474ss](#)

Purchase of Service Agreement, Contract No. 14106, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels for home delivered meals.--[07-475ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14158, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Innovative Living, Inc., for assisted living plus and adult foster care services.--[07-476ss](#)

Grant Contract between the State of Minnesota, through its Department of Natural Resources, Division of Forestry, and St. Louis County, through its Sheriff's Office, for FIREWISE Community Program.--[07-477](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 898-1027 (low), C.P. 1027, M.P. 899-1028, C.P. 1028, for Reclamation, Salvage Aggregate, Geotextile Fabric, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering.--[07-478](#)

Contract between the County of St. Louis and Traffic Marking Service, Inc., for S.A.P. 69-030-013 (low), C.P. 3750, M.P. 3746, for Railroad Crossing Pavement Marking Improvements and Highway Maintenance Striping.--[07-479](#)

Agreement between the County of Lake and County of St. Louis for M.P. 3745 - crack sealing various

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paved roads and highways.--07-480

Agreement between the County of St. Louis and Northwest Sealing for M.P. 3745 - crack sealing on various locations in St. Louis County.--07-481

Upon motion of Commissioner Sweeney, supported by Commissioner Forsman, Resolutions No. 257 through 268, 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 April 24, 2007, are hereby approved.

Adopted May 8, 2007. No. 257

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. 58631, are hereby approved:

Real Estate - Jon Aamodt, \$1,308.22; Steven Bedell, \$268.72; Robert Brantley, \$260.18; City of Mt. Iron, \$90.10; Delbert Driscoll, \$349.32; Jack Ervin, \$566.98; Benjamin Gasner, \$271.42; Elizabeth Hanson, \$278.62; William Heaser, \$261.08; Jo-Ed Partnership, \$2,532.34; Johnson Hopkins Canfield, \$1,625.12; Mark Larson, \$479.24; Peggy McFarland, \$606.58; Gregg Nelson, \$515.30; Kenneth Nguyen, \$245.86; Jason Pasch, \$521.90; Frank Pitoscia, \$216.44; Timothy Porter, \$529.48; State of MN, \$5.28; James Wang, \$558.32; Michael Williams, \$562.66.

Personal Property - Randall Babiracki, \$100.18.

Adopted May 8, 2007. No. 258

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated April 27, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 8, 2007. No. 259

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. 58658, is hereby approved and the County Auditor is authorized to issue the license as follows;

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 to the licenseholder:

Susan M. Piontek-Kopic, d/b/a Piontek's Minnows & Munchies, Fine Lakes Township, Tobacco Products License No. T0767.

Adopted May 8, 2007. No. 260

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. 58641;

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

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pro-rated refund of the license fees to the licenseholder;
FURTHER RESOLVED, that said license shall be effective through June 30, 2008:

Douglas Hammond, Inc., d/b/a Nokomis Restaurant and Bar, Duluth Township, Combination On/Off-Sale Intoxicating Liquor License No. CMB0894 and Sunday On-Sale Intoxicating Liquor License No. SUN0894, name change from Douglas Hammond, Inc., d/b/a Nokomis Restaurant and Cottages.

Adopted May 8, 2007. No. 261

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. 58694;

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:

MLAA, Inc., d/b/a Birch Forest Road, Leiding Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B0782, transfer.

Adopted May 8, 2007. 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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58641;

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 21, 2007, through June 30, 2007:

Lighthouse on Homestead, Inc., d/b/a The Lighthouse on Homestead, Duluth Township, On-Sale Intoxicating Liquor License No. ON0731 and Sunday On-Sale Intoxicating Liquor License No. ONS0731, new.

Adopted May 8, 2007. No. 263

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Towering Pines on May 11, 2006; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Towering Pines; 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 Towering Pines, located in Government Lots 6 and 7, Section 27, and the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4, Section 34, Township 63 North, Range 16 West (Greenwood).

Adopted May 8, 2007. No. 264

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WHEREAS, the Public Works Department 2007 equipment budget includes replacement of a heavy equipment trailer at the 7th Highway District and the addition of two bottom dump trailers for use throughout the county; and

WHEREAS, Public Works presented specifications to the Purchasing Department for preparation of Bid No. 4679 Detachable Gooseneck Trailer and Bottom Dump Trailer; and

WHEREAS, Globe Trailer Manufacturing, Inc., of Bradenton, Florida, provided the lowest bid price of \$43,756.50 for a 110,000 pound capacity detachable gooseneck equipment trailer; and

WHEREAS, Road Machinery & Supplies Co. is the low specification bidder for the purchase of two (2) bottom dump trailers with a price of \$35,900.00 each for a cost of \$71,800.00; and

WHEREAS, the purchases will be subject to State of Minnesota sales taxes of \$2,844.17 and \$4,667.00 respectively;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Globe Trailer Mfg., Inc. of Bradenton, Florida, for the purchase of one (1) Globe GTBN553-50 detachable gooseneck trailer at their low bid price of \$46,600.67 (tax included) and issue a purchase order to Road Machinery & Supplies Co. of Duluth, Minnesota, for the purchase of two (2) near new Load King 2066-40-3 bottom dump trailers at the low specification bid price of \$76,467.00 (tax included); payable from Fund 200, Agency 202020, Object 665900.

Adopted May 8, 2007. No. 265

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3737, Aggregate Crushing, Northern St. Louis located at various sites northern St. Louis County consisting of crush, screen, and stockpile aggregate, class 5 (Mod.); 104,900 Tons.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., April 30, 2007, 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>
Louis Leustek & Sons, Inc.	1715 E. Sheridan St. Ely, MN 55731	\$200,379.00

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 201051, Object 650200.

Adopted May 8, 2007. No. 266

WHEREAS, bids have been received by the County Auditor for the following combined projects: S.A.P. 69-701-004 (low), C.P. 9306, located at C-SAH 101 from 1.1 mile W. of T.H. 53 to T.H. 53 in Eveleth, MN; length 0.98 mile, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering.

M.P. 755-1281, C.P. 1281, located at C.R. 755 from C-SAH 101 to C.R. 761, in Eveleth, MN; length 0.5 mile, 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., April 30, 2007, and this Board has, with the County Highway Engineer, determined the lowest bidder

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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>
Mesabi Bituminous, Inc.	Box 728 Gilbert, MN 55741	\$481,990.80

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:
S.A.P. 69-701-004 (low): Fund 220, Agency 220175, Object 652700 \$307,868.50
M.P. 755-1281: Fund 200, Agency 203096, Object 652800 \$174,122.30
Adopted May 8, 2007. No. 267

WHEREAS, young adults are important to the local economy and community and improving the climate for them provides benefits for residents of all ages; and
WHEREAS, the Twin Ports area has a shortage of individuals in the 25-34 year old age group and those in this age range living here feel disconnected from the rest of the community; and
WHEREAS, the St. Louis County Board of Commissioners has made it a priority to open employment opportunities to young adults through restructuring county job eligibility requirements, developing a strong internship program, and encouraging active recruitment efforts; and
WHEREAS, a new plan to attract and retain young adults has been unveiled by the Duluth Superior Community Foundation and a series of concrete steps has been developed to reverse the decline in the number of young adults in this region; and
WHEREAS, plan recommendations include: creating a Young Leaders Advisory Committee and Fund, raising awareness of career and economic opportunities, creating positive vibes for young adults in the community, increasing connection between college and university students and the community, supporting young professionals' community initiatives and projects, and creating a one-stop-shop communication vehicle for housing, work, recreation, etc.;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners accepts and endorses the above recommendations created by the Duluth Superior Community Foundation Task Force, and agrees to apply these principles whenever possible in its planning, policy-making and practices.
Adopted May 8, 2007. No. 268

BY COMMISSIONER O'NEIL:

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 septic systems that have been determined to be imminent public health threats, failing systems, or non-conforming systems; and
WHEREAS, it has been determined that it would be beneficial to increase the funding available for loans;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the transfer of \$100,000 from the Environmental Trust Fund 500, Agency 00001, Object 695100, into the Septic Loan Program, Fund 280.
Unanimously adopted. May 8, 2007. No. 269

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BY COMMISSIONER NELSON:

WHEREAS, St. Louis County, through its Solid Waste Department, operates a Regional Landfill in Virginia, Minnesota, which serves as the primary disposal facility for mixed municipal solid waste generated in the Department's Solid Waste Management Area; and

WHEREAS, St. Louis County intends to construct Phase 5 at the Regional Landfill in 2008 and this work will require excavation of material as part of ongoing Landfill development; and

WHEREAS, the County has contracted with Kangas Excavating, Incorporated, (Kangas) to operate the Regional Landfill since 1993 and conduct pre-construction excavation for prior landfill phases since 2003; and

WHEREAS, Kangas has submitted a proposal competitive with the Engineer's estimates to excavate material and prepare a five foot subbase prior to Phase 5 construction in 2008; and

WHEREAS, Kangas will remove the overburden material and utilize it according to its characteristics; and

WHEREAS, the County has evaluated the Kangas proposal and determined that it is in the County's best interests to accept the proposal and that the costs proposed are reasonable and cost-effective;

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to enter into a contract with Kangas Excavating, Incorporated, subject to the approval of the County Attorney, to excavate material and prepare a five foot subbase prior to the construction of Phase 5 at the Regional Landfill. Total cost of the project is \$175,000 payable from Fund 26, Agency-48 Landfill based upon the following rates:

Schedule of Charges for Excavation of Phase 5 Landfill Cell

- a. \$2.00 per cu. yd. (truck load count) for excavation, haulage, and off-site disposal of waste material. The rate includes Cat 225 backhoe, operator, truck, and driver.
- b. 2.00 per cu. yd. (truck load count) for excavation, and stockpiling of material to be used by general contractor for construction of recompacted five foot subbase in Phase 5. The rate includes Cat 225 backhoe, operator, truck, and driver.
- c. \$90.00 per hour for dozer and operator for use in placement and leveling of the area the unusable excavated material will be placed.
- d. \$70.00 per hour for loader and operator for large rock and boulder removal.
- e. \$70 per hour for screener (if needed).
- f. \$110 per hour for Cat 225 backhoe (if needed) for activity other than items a. & b. listed above.
- g. \$60 per hour for compactor (sheep's foot)
- h. No charge for material used or stockpiled for Landfill cover.
- i. No charge for surplus material screened for use by the Contractor.

Unanimously adopted. May 8, 2007. No. 270

BY COMMISSIONER RAUKAR:

RESOLUTION OF ST. LOUIS COUNTY, MINNESOTA, APPROVING
OFFICIAL TERMS OF OFFERING FOR THE ISSUANCE OF \$5,000,000
GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2007

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

Section 1. Authority. Pursuant to authority contained in Minnesota Statutes, Section 373.01 (the "Act") and Minnesota Statutes, Chapter 475, the Board of County Commissioners does hereby direct the issuance and sale of \$5,000,000 General Obligation Capital Equipment Notes, Series 2007, of the County (the "Notes"), for the purpose of providing funds to purchase capital equipment as defined in the Act and for the payment of part of costs of issuance of the Notes.

Section 2. Official Terms of Offering. The County's administrative staff is hereby authorized and directed to work with Public Financial Management, Inc., financial advisor to the County, and Fryberger,

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Buchanan, Smith & Frederick, P.A., bond counsel, to solicit bids and arrange for the sale of the Notes in substantial compliance with the Official Terms of Offering attached hereto as Exhibit A. The bids shall be received by Public Financial Management, Inc. until 10:00 a.m. central time on June 5, 2007, and consideration for the award of the Notes will be by the Board at 2:00 p.m. central time on the same date.

Section 3. Repayment of Notes. The form, specifications and provisions for repayment of the Notes shall be set forth in a subsequent resolution of the Board.

Section 4. Consideration of Bids. The Board shall meet on June 5, 2007, in accordance with the Official Terms of Offering, to consider bids for the purchase of the Notes and to take whatever actions are necessary for the acceptance or rejection of the bids.

**EXHIBIT A
OFFICIAL TERMS OF OFFERING**

**ST. LOUIS COUNTY, MINNESOTA
\$5,000,000 GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES,
SERIES 2007**

Bids for the obligations described above (the "Obligations") will be received by St. Louis County, Minnesota (the "County"), on Tuesday, June 5, 2007, at 10:00 a.m., central time, at the office of Public Financial Management, Inc., 45 South Seventh Street, Suite 2800, Minneapolis, Minnesota, at which time they will be opened and tabulated. Consideration of the bids for award of the Obligations shall be by the Board of Commissioners at 2:00 p.m., central time, on the same day.

TYPE AND PURPOSE OF OBLIGATIONS

The Obligations are general obligations of the County for which its full faith, credit, and taxing powers will be pledged and will be issued for the purpose of providing funds to purchase capital equipment and for payment of costs of issuance of the Obligations. The Obligations are issued pursuant to Minnesota Statutes, Section 373.01 and Chapter 475, and will be payable from annual ad valorem taxes.

DETAILS OF OBLIGATIONS

The Obligations will be dated June 20, 2007, and will bear interest payable on June 1, 2008, and semiannually thereafter on each December 1 and June 1 (each referred to herein as an "Interest Payment Date"). Interest on the Obligations will be payable by check or draft mailed to the registered owner thereof shown on the note registration records maintained by the Note Registrar at the close of business on the 15th day (whether or not on a business day) of the month immediately preceding each Interest Payment Date. The Obligations will be in the denomination of \$5,000 or any integral multiple thereof and shall be in fully registered form.

The Obligations will mature on December 1 in the years and amounts as follows:

Year	Amount	Year	Amount
2008	\$1,115,000	2010	\$1,295,000
2009	\$1,245,000	2011	\$1,345,000

REDEMPTION

The Obligations are not subject to optional redemption prior to maturity.

TYPE OF BID

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A bid for not less than \$4,975,000 plus accrued interest on the total principal amount of the Obligations, shall be filed with Public Financial Management, Inc. prior to the time set for the opening of the bids. A bid shall be accompanied by a good faith deposit (the "Deposit") in the form of a certified or cashier's check or a Financial Surety Bond in the amount of \$50,000 payable to the order of the County. If a check is used, it must accompany each bid. 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 such bond must be submitted to Public Financial Management, Inc. prior to the opening of the bids. The Financial Surety Bond must identify each bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Obligations are awarded to a bidder utilizing a Financial Surety Bond, then the successful bidder is required to submit its Deposit to the County in the form of a cashier's check (or wire transfer such amount as instructed by the County) 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 County to satisfy the Deposit requirement. No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied to the purchase price of the Obligations. In the event the successful bidder fails to honor its accepted bid, the Deposit will be retained by the County as liquidated damages.

SUBMISSION OF BIDS

Public Financial Management, Inc. will assume no liability for the inability of the bidder to reach Public Financial Management, Inc. prior to the time of sale specified above. All bidders are advised that each proposal shall be deemed to constitute a contract between the bidder and the County to purchase the Obligations regardless of the manner by which the proposal is submitted.

Sealed Bidding. Proposals may be submitted in a sealed envelope marked "Bid for \$5,000,000 General Obligation Capital Equipment Notes, Series 2007" or by fax (612) 338-7264 to Public Financial Management, Inc. Signed proposals, without final price or coupons, may be submitted to Public Financial Management, Inc. prior to the time of sale. The bidder shall be responsible for submitting to Public Financial Management, Inc. the final proposal price and coupons, by telephone (612) 338-3535 or fax (612) 338-7264 for inclusions in the submitted proposal.

OR

Electronic Bidding. Electronic Bids may be submitted through PARITY® for purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all bids submitted to PARITY®. Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic bid in a timely manner and in compliance with the requirements of the Official Terms of Offering. Neither the County, its agents nor PARITY® shall have any duty or obligation to provide or ensure electronic access to any qualified prospective bidder, and neither the County, its agents nor PARITY® shall be responsible for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by PARITY®. The County is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Obligations, and PARITY® is not an agent of the County.

If any provisions of this Official Terms of Offering conflict with information provided by PARITY®, this Official Terms of Offering shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 40 W. 23rd Street, 5th Floor, New York City, New York 10010, Customer Support (212) 404-8102.

RATES

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Interest rates offered by bidders should be expressed in integral multiples of 1/8 or 1/20 of one percent. No rate specified for a maturity shall exceed the rate specified for any subsequent maturity. No rate nor the net effective rate for the entire issue of the Obligations shall exceed the maximum rate permitted by law. Obligations of the same maturity shall bear a single rate from the date of the Obligations to the date of maturity.

AWARD

The sale of the Obligations will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. TIC is computed as the discount rate which, when used with semiannual compounding to determine the present worth of the principal and interest payments as of the date of the Obligations, produces an amount equal to the purchase price. In the event of a tie, the sale of the Obligations will be awarded by lot. The County's computation of the TIC of each bid, in accordance with customary practice, will be controlling.

The County reserves the right to: (i) waive non-substantive informalities of any bid or of matters related to the receipt of bids and award of the Obligations; (ii) reject all bids without cause; (iii) reject any bid in which the County determines that the bidder failed to comply with the terms herein; and (iv) adjourn the sale if deemed expedient.

BOOK-ENTRY-ONLY SYSTEM

The Obligations will be issued as fully registered bonds, without coupons, and when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository of the Obligations. Individual purchases of the Obligations will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Individual purchasers will not receive physical delivery of bond certificates representing their interest in the Obligations purchased. Principal and interest will be paid to DTC, which will in turn remit such principal and interest to its participants, for subsequent disbursement to the beneficial owners of the Obligations.

BOND INSURANCE AT PURCHASER'S OPTION

If the Obligations qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Obligations. Any increased costs of issuance of the Obligations resulting from such purchase of insurance shall be paid by the purchaser, except that, if the County has requested and received a rating on the Obligations from a rating agency, the County will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Obligations have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Obligations.

THE NOTE REGISTRAR

The County will appoint the St. Louis County Auditor as the note registrar, transfer agent and paying agent (the "Note Registrar") for the Obligations. The County reserves the right to appoint a national banking association or trust company to serve as the Note Registrar. The County will pay the reasonable and customary charges for the services of the Note Registrar.

CUSIP NUMBERS

If the Obligations qualify for assignment of CUSIP numbers, such numbers will be typed on the Obligations, but neither the failure to type such numbers on any Obligations nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Obligations.

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The CUSIP Service Bureau's charge for the assignment of CUSIP identification numbers shall be paid by the purchaser. Application for CUSIP numbers is the obligation of the purchaser.

SETTLEMENT

Within 40 days after the sale, the County will deliver to the Note Registrar the typed Obligations ready for completion, authentication and delivery to DTC. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Fryberger, Buchanan, Smith & Frederick, P.A. of Duluth, Minnesota, and of customary closing papers, including a nonarbitrage certificate and a no-litigation certificate. Payment for the Obligations shall be made by the purchaser in federal or equivalent funds and shall be received by the County at its office or its designee not later than 1:00 p.m., central time, of the day of settlement. Except as compliance with the terms of payment shall have been made impossible by action of the County or its agents, the purchaser shall be liable to the County for any loss suffered by the County by reason of the purchaser's noncompliance with said terms for payment.

At settlement, the purchaser will be furnished a certificate signed by an appropriate officer of the County to the effect that the official statement prepared by the County did not, as of the date of the official statement, and does not, as of the date of settlement, contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

Simultaneously with or before delivery of the Obligations, the successful bidder shall furnish to the County a certificate acceptable to bond counsel to the effect that (1) the successful bidder has made a bona fide public offering of the Obligations and the initial reoffering prices, and (2) a substantial amount of the Obligations was sold to the public (excluding bond houses, brokers, and other intermediaries), at such initial reoffering prices.

TAX-EXEMPT STATUS

In the opinion of bond counsel, assuming compliance with certain covenants made by the County Council to satisfy pertinent requirements of present law, interest on the Obligations is not, under present law, includable in gross income of the recipient for federal income tax purposes or in taxable net income of individuals, trusts and estates for Minnesota income tax purposes, but such interest is includable in taxable income of corporations and financial institutions for purposes of the Minnesota franchise tax.

Interest on the Obligations is not an item of tax preference includable in alternative minimum taxable income for purposes of the federal alternative minimum tax applicable to all taxpayers or the Minnesota alternative minimum tax applicable to individuals, estates and trusts, but for purposes of computing the federal alternative minimum tax imposed on corporations, such interest is taken into account in determining adjusted current earnings.

The Obligations will be designated as "qualified tax-exempt obligations."

CONTINUING DISCLOSURE

In order to assist bidders for the Obligations to comply with SEC Rule 15c2-12(b)(5), the County will agree, for the benefit of the holders from time to time of the outstanding Obligations, in a continuing disclosure certificate, to provide annual reports of specified information and notice of the occurrence of certain material events. The County is the only "obligated person" with respect to the Obligations within the meaning of such rule. A description of the undertaking is set forth in the Official Statement. Failure of the County to enter into an undertaking substantially similar to that described in the Official Statement would relieve the successful bidder of its obligation to purchase the Obligations.

OFFICIAL STATEMENT

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The County has authorized the preparation of an Official Statement containing pertinent information relative to the Obligations, and said Official Statement will serve as a nearly-final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Obligations, together with any other information required by law, shall constitute a "Final Official Statement" of the County with respect to the Obligations, as that term is defined in Rule 15c2-12. By awarding the Obligations to any underwriter or underwriting syndicate submitting a bid therefor, 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 Obligations are awarded a reasonable number of copies of the Official Statement and the addendum or addenda described above. The County designates the senior managing underwriter of the syndicate to which the Obligations are awarded as its agent for purposes of distributing copies of the Final Official Statement to each participating underwriter. Any underwriter delivering a bid with respect to the Obligations agrees thereby that if its bid is accepted by the County (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all participating underwriters of the Obligations for purposes of assuring the receipt by each such participating underwriter of the Final Official Statement.

Any further information relating to the aforesaid sale will be furnished upon request to Public Financial Management, Inc., Financial Consultant to the County, 45 South Seventh Street, Suite 2800, Minneapolis, Minnesota 55402; telephone (612) 338-3535.

Dated: May 8, 2007.

BY ORDER OF THE BOARD OF COMMISSIONERS
Donald Dicklich, County Auditor

Unanimously adopted. May 8, 2007. No. 271

WHEREAS, the St. Louis County Board has from time to time received communications requesting that St. Louis County join as an intervener in future lawsuits against the U.S. Forest Service; and

WHEREAS, there are many Federal and State of Minnesota proposals, plans and other regulatory or legal actions that can and do affect land management across the public lands, including tax-forfeited lands within St. Louis County; and

WHEREAS, the St. Louis County Board of Commissioners recognizes the importance of the natural resources available on the public lands and the contributions these resources make to a healthy economy in Northeastern Minnesota and St. Louis County; and

WHEREAS, there are many regulatory and legal actions that affect the availability, proper utilization and management of our natural resources and that limit utilization of these public resources, including tax-forfeited lands managed by the St. Louis County Land Department; and

WHEREAS, occasions arise where there may be insufficient time for the county to formally respond to proposed Federal or State actions through the normal county board process to have optimal effect on these proposed policies; and

WHEREAS, the St. Louis County Board of Commissioners has appointed a Land Commissioner pursuant to Minnesota Statutes to manage tax-forfeited land in the county, including advising the board on the effect of these proposed Federal and State policies;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statutes Section 282.13, as amended from time to time, the St. Louis County Board of Commissioners directs and grants authority to the St. Louis County Land Commissioner, as a matter of policy, to act on behalf of the board in responding to proposed Federal and State of Minnesota regulatory actions, proposed plans and future litigation that may, in his or her opinion, have a direct and significant impact on public land management, including tax-forfeited land management, in St. Louis County. That authority includes undertaking analyses of pertinent issues and formulation of responses and strategies including, with concurrence of the Chair of the County Board, the Chair of the Environment and Natural Resources Committee and the County Administrator, issuance of a preliminary response on behalf of St. Louis

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County in instances when insufficient time is available to obtain formal board ratification. Such responses shall not be legally binding until this formal ratification is received, and board action necessary to obtain formal ratification must be sought at the next possible opportunity.

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

Nays - Chair Kron - 1

Absent - Commissioner Fink - 1

Adopted May 8, 2007. No. 272

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 273 which was not on the agenda.

BY COMMISSIONER RAUKAR:

WHEREAS, the County Extension Committee (CEC) met and discussed the need for additional assistance required during the summer months to provide effective programming in the 4-H Youth Development and Horticulture/Agriculture programs of the County Extension Service; and

WHEREAS, the Committee unanimously approved a recommendation to the County Board to hire the following three (3) part-time positions to meet this need in 2007:

- 1) One (1) intern to support the St. Louis County 4-H program activities and both north and south County fairs. This position would be located in Virginia Extension Service Office, from June 1 through August 31, 2007; and
- 2) Two (2) horticulture program assistants to support the season's high volume of consumer calls and requests, provide disease diagnosis, and assist with the St. Louis County Master Gardener Program. One position would be located in the Virginia Extension Office and one position in the Duluth Extension Office. These positions would begin approximately May 21, 2007, and be concluded on October 12, 2007.

NOW, THEREFORE BE IT RESOLVED, that the St. Louis County Board of Commissioners approves the positions of one (1) 4-H Intern and two (2) Horticulture Assistants for the County Extension Service locations in Virginia and Duluth for the 2007 summer season;

RESOLVED FURTHER, that \$5,200 for one 4-H Intern position is hereby reallocated from the County Extension Service carryover budget to Fund 184, Agency 184001, 610200; and that \$9,000 for two Horticulture Assistants is hereby reallocated from the County Extension Service carryover budget to Fund 184, Agency 184001, 610200.

Unanimously adopted. May 8, 2007. No. 273

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 \$3,000 toward the lobbying effort from April 1, 2007, through December 31, 2007, to secure funding for project priorities as named by the Task Force, with a similar amount from the City of International Falls and Koochiching County, for a total pool of \$9,000;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners agrees to contribute up to \$3,000 toward the purchase of services for lobbying from Smith, Esposito & Lylerly Company, Inc., and any necessary expenses they incur in the 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.

Unanimously adopted. May 8, 2007. No. 274

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At 10:18 A.M. on Tuesday, May 8, 2007, upon motion of Commissioner Sweeney, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Bill Kron, 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 22, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of May, 2007, at 9:40 A.M. in the City Council Chambers, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Sheriff Ross Litman presented a Volunteer Excellence Award to Rosie Marino, Chisholm, for her more than thirty-four years of volunteer service in the Chisholm area. Sheriff Litman said he met Ms. Marino in 2003 when she was preparing food for volunteers and law enforcement during the search to find Leanna Warner, a missing Chisholm child. Sheriff Litman said her efforts throughout the years prove that one person can make a difference.

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

Marshall Stenerson, AFSCME representative, said he was speaking on behalf of Chris Jensen Health and Rehabilitation Center employees who recently learned that housekeeping and food service chores at the facility may be privatized and employees using more than eight days of sick leave in a year may face termination. Changes are needed to make the facility financially viable, but it should be accomplished through communication and negotiation, according to Stenerson.

Bob Tammen, Soudan, said contrary to recent negative publicity, he received excellent service from the St. Louis County Veterans' Service Office in Virginia.

Anne Varda, Chisholm, said she supports the recent smoking ban enacted by the state, emphasizing that smokers' rights should not trump non smokers rights.

Neil Anderson, Zim, asked when the Ditch Committee might meet again and if anything will be done. Chair Kron asked Gary Eckenberg, Deputy County Administrator, to look into the matter.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to suspend the rules to consider withdrawal of a proposed smoking ordinance and cancellation of all remaining public hearings; seven yeas - zero nays. Commissioner O'Neil, supported by Commissioner Sweeney, moved to withdraw the proposed ordinance and cancel all remaining public hearings effective immediately. In response to a question from Commissioner Fink, County Attorney Melanie Ford said her office researched the law and found no law or rule prohibiting cancellation without notice. Commissioner Nelson said the Board is not finished with the issue and the hearings should go on in the event the state revisits the matter in the future. As a compromise, Commissioner Nelson suggested conducting the hearing scheduled for later in the day in the Hibbing City Council Chambers. Because of questions relating to costs and other issues arising from enactment of the statewide ban, Commissioner Fink suggested the hearings continue and serve as an educational forum for the public and affected businesses. Chair Kron asked the Board not to lose sight of the purpose of the resolution which is to withdraw an ordinance that is no longer necessary. Chair Kron said further hearings may create false impressions and expectations. Commissioner Raukar said the hearings produced a diverse mixture of comment but it was now time to wrap it up. After further discussion, Commissioner Sweeney, supported by Commissioner O'Neil, moved to call the question; five yeas - two nays, Commissioners Forsman and Nelson. The resolution

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to withdraw Ordinance No. 60 and cancel remaining public hearings was then approved; six yeas - one nay, Commissioner Nelson. Resolution No. 301.

A motion by Commissioner Fink, supported by Commissioner Sweeney, to abolish obsolete job classifications in the MIS Department - tabled at the May 1, 2007, County Board meeting - was on the floor for discussion. Dick Griffith, Assistant Civil Service Director, explained the purpose of the resolution and said seniority questions have been resolved. Marshall Stenerson, AFSCME, thanked the Board for their indulgence while employee issues were successfully worked out; seven yeas - zero nays. Resolution No. 302.

Commissioner Fink, supported by Commissioner Sweeney, moved to go to closed session at 11:00 A.M. for labor negotiation purposes; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve going to a closed session at 1:00 P.M. to consider two matters under litigation. Two separate resolutions were prepared for Board approval. County Attorney Ford briefly explained the nature of the litigations and the reason for closing the session; seven yeas - zero nays. Resolutions No. 303 and 304.

Consideration of acceptance of a Federal Boat and Water Safety Supplemental Sub-Grant for 2007 was removed from the agenda at the request of the Sheriff's Department. The acceptance had not been to Committee and would have required a rule suspension.

Commissioner Nelson submitted pictures from the recent fire at Ham Lake on the Gunflint Trail and said it is important to recognize everyone who worked hard to contain the fire.

Commissioner Sweeney described her recent trip to Washington, D.C., that will hopefully help preserve 1000 jobs related to the 148th Fighter Wing at the Duluth Air Base.

Commissioner Fink attended the Western Interstate Regional Conference where payments in lieu of taxes (PILT) and other federal funding was discussed. PILT funding will continue to be an ongoing debate, according to Commissioner Fink.

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

County Auditor submitting applications for license to sell wine for the year 2007.--[58704](#)

B. D. Lesar, Mine Inspector of St. Louis County, submitting Investigation and Accident Report for the Deane Driscoll fatality which occurred on April 18, 2007, at the Thunderbird Mine. --[58705](#)

Home and Community-Based Waiver Services Contract, Contract No. 14151, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for adult foster care services.--[07-482ss](#)

Group Residential Housing Rate Agreement, Contract No. 50530, between the St. Louis County Board of Commissioners and Northland AFC - Saginaw.--[07-483ss](#)

Land Department Service Contract between St. Louis County and Pro-Lawn & Landscaping for lawn and yard care on tax forfeited property.--[07-484](#)

Amendment No. 3 to Lease 2004-001878 between St. Louis County and Simon Property Group, L.P., for rental of Room L22B for operation of the St. Louis County Auditor License Center.--[07-485](#)

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and

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- Human Services, and Dennis R. Falk for Northland Fetal Alcohol Syndrome Connection.--07-486ss
- State of Minnesota, Department of Transportation, Detour Agreement No. 90534, with St. Louis County for S.P. 6902-23 (T.H. 1).--07-487
- Agreement between the County of St. Louis and the City of Ely for C-SAH 154 for improvements.--07-488
- Lease Agreement between the County of St. Louis and Ely Independent School District No. 696 for space in the JFK Business Complex for the Assessor, Public Health and Human Services, Veterans' Service, Commissioner, and two indoor parking spaces.--07-489
- Purchase of Service Agreement between the County of St. Louis, through its Department of Public Health and Human Services, and Arrowhead Center, Inc., for Northland Fetal Alcohol Syndrome Connection.--07-490ss
- Purchase of Service Agreement between the County of St. Louis, through its Department of Public Health and Human Services, and ARC Northland for Northland Fetal Alcohol Syndrome Connection.--07-491ss
- Contract between the County of St. Louis and Hardrives, Inc., for M.P. 696-1238, C.P. 1238, for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface, Aggregate Shouldering and Guardrail.--07-492
- Contract between the County of St. Louis and Mesabi Bituminous, Inc., for M.P. 25-1273, C.P. 1273, for Bituminous Pavement Reclamation, Bituminous Surfacing and Aggregate Shouldering.--07-493
- Group Residential Housing Rate Agreement, Contract No. 50528, between the St. Louis County Board of Commissioners and Northland AFC - Arrowhead.--07-494ss
- Group Residential Housing Rate Agreement, Contract No. 50529, between the St. Louis County Board of Commissioners and Northland AFC - Woodridge.--07-495ss
- Addendum to Contract No. 20675 between the St. Louis County Board and the City of Duluth for Food Support Employment and Training Services.--07-496ss
- Grant Agreement, Contract No. 20724, between the St. Louis County Board of Commissioners and the City of Duluth for Statewide Minnesota Family Investment Program Employment Services and Diversionary Work Program Services.--07-497ss
- Home and Community-Based Waiver Services Contract, Contract No. 14136, between the St. Louis County Board of Commissioners and Peterson Colonial Homes, Inc., for residential care services.--07-498ss
- Home and Community-Based Waiver Services Contract, Contract No. 14154, between the St. Louis County Board of Commissioners and Taylor SLS, Inc., for adult and child foster care.--07-499ss
- Group Residential Housing Rate Agreement, Contract No. 50519, between the St. Louis County Board of Commissioners and TBI Residential and Community Services No. 28.--07-500ss
- Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14148A, between St. Louis County, through its Department of Public Health and Human Services, and Carefree Living

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of Duluth, Inc., for adult foster care services.--[07-501ss](#)

Group Residential Housing Rate Agreement, Contract No. 50531, between the St. Louis County Board of Commissioners and Carefree Living - Lakewood.--[07-502ss](#)

Group Residential Housing Rate Agreement, Contract No. 50520, between the St. Louis County Board of Commissioners and Carefree Living - Lakewood.--[07-503ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14148, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Carefree Living of Duluth, Inc., for adult foster care.--[07-504ss](#)

Addendum to Purchase Agreement, Contract No. 13274G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Banyan for SLS for adults.--[07-505ss](#)

Addendum to Purchase Agreement, Contract No. 13275G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Barrington for SLS for adults.--[07-506ss](#)

Addendum to Purchase Agreement, Contract No. 13629E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Bradford for SLS for adults.--[07-507ss](#)

Addendum to Purchase Agreement, Contract No. 13613F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Cypress for SLS for adults.--[07-508ss](#)

Addendum to Purchase Agreement, Contract No. 13719E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Frasier for SLS for adults.--[07-509ss](#)

Addendum to Purchase Agreement, Contract No. 13276G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Hawthorne for SLS for adults.--[07-510ss](#)

Addendum to Purchase Agreement, Contract No. 13459F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Laurel for SLS for adults.--[07-511ss](#)

Addendum to Purchase Agreement, Contract No. 13458F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Logan for SLS for adults.--[07-512ss](#)

Addendum to Purchase Agreement, Contract No. 13724E, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for SLS for adults. --[07-513ss](#)

Addendum to Purchase Agreement, Contract No. 13612F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Sequoia for SLS for adults.--[07-514ss](#)

Addendum to Purchase Agreement, Contract No. 13278F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack for SLS for children and adults.--[07-515ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14155, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Family Counseling and Extended Services.--[07-516ss](#)

Agreement for Family Foster Care and Respite for Children, Community Alternatives for Disabled Individuals and Traumatic Brain Injury Waivers between the St. Louis County Board of Commissioners and Patricia S. Rongstad.--[07-517ss](#)

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Addendum to Purchase Agreement, Contract No. 14034B, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc., for non-residential services.--[07-518ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14166, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Arrowhead Senior Living Community, d/b/a St. Raphael's Health and Rehabilitation Center, for assisted living plus services.--[07-519ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14135, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Peace of Mind of Duluth, Inc., for adult foster care services.--[07-520ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14161, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Country Care for adult foster care services.--[07-521ss](#)

Addendum to Purchase Agreement, Contract No. 13647D, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Bishop Woods for SLS for children and adults.--[07-522ss](#)

Addendum to Purchase Agreement, Contract No. 13213G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Daniels for SLS for children and adults.--[07-523ss](#)

Addendum to Purchase Agreement, Contract No. 13212F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - East Fifth for SLS for adults.--[07-524ss](#)

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Addendum to Purchase Agreement, Contract No. 13252F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Phoenix for SLS for children.--07-678ss

Addendum to Purchase Agreement, Contract No. 13253G, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Quest Home for SLS for adults.--07-679ss

Addendum to Purchase Agreement, Contract No. 13254G, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Rosewood for SLS for adults.--07-680ss

Addendum to Purchase Agreement, Contract No. 13255G, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Taurus for SLS for adults.--07-681ss

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Addendum to Purchase Agreement, Contract No. 13625E, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Utah Home for SLS for adults.--07-682ss

Addendum to Purchase Agreement, Contract No. 13347F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora for SLS for adults.--07-683ss

Addendum to Purchase Agreement, Contract No. 13346F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik for SLS for adults.--07-684ss

Addendum to Purchase Agreement, Contract No. 13345F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass for SLS for adults.--07-685ss

Addendum to Purchase Agreement, Contract No. 13344G, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Heritage for SLS for adults.--07-686ss

Addendum to Purchase Agreement, Contract No. 13343G, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Mountain Iron for SLS for children and adults.--07-687ss

Addendum to Purchase Agreement, Contract No. 13355F, between the St. Louis County Board of Commissioners and Seeland Adult Foster Home for SLS for adults.--07-688ss

Addendum to Purchase Agreement, Contract No. 13323F, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 5 for SLS for adults.--07-689ss

Addendum to Purchase Agreement, Contract No. 13881C, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 4 for SLS for adults.--07-690ss

Addendum to Purchase Agreement, Contract No. 13321F, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 3 for SLS for adults.--07-691ss

Addendum to Purchase Agreement, Contract No. 13320F, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 2 for SLS for adults.--07-692ss

Addendum to Purchase Agreement, Contract No. 13319F, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 1 for SLS for adults.--07-693ss

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, L.L.P., for Government Services Center - Wind Turbine Installation and Connection.--07-694

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for three sessions of Consulting on Code of Conduct Policy.--07-695

Agreement for Nursing Personnel between the County of St. Louis, on behalf of Chris Jensen Health and Rehabilitation Center, and Health Star Staffing.--07-696ss

Agreement for Nursing Personnel between the County of St. Louis, on behalf of Chris Jensen Health

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and Rehabilitation Center, and PRN Health Services, Inc.--07-697ss

Contract between the County of St. Louis and H & R Construction Company for S.A.P. 69-030-012, C.P. 9325, for Steel Plate Beam Guardrail.--07-698

Agreement for Professional Services between the County of St. Louis, through its Land Department, and Wayne Edwards for real estate appraisal services.--07-699

Purchase of Service Agreement between St. Louis County, through its Department of Public Health and Human Services, and Range Mental Health Center, Inc., for the Northland Fetal Alcohol Syndrome Connection.--07-700ss

Home and Community-Based Waiver Services Contract, Contract No. 14100, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department and TBI Residential and Community Services, Inc.--07-701ss

Project Contract between the County of St. Louis and Amendola Builders, Inc., for horse barn girt relocation for the horse arena at the South St. Louis County Fairgrounds.--07-702

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 5-1472, C.P. 1472, to construct By-Pass Lane and Turn Lane, Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface, and Plant Mixed Bituminous Shoulders.--07-703

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, Resolutions No. 275 through 300, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 1, 2007, are hereby approved.

Adopted May 22, 2007. No. 275

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 8, 2007, are hereby approved.

Adopted May 22, 2007. No. 276

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,987,541.86
184	Extension Service	107,563.07
200	Public Works	2,245,199.24
230	Social Services	5,948,686.79
240	Forfeited Tax	588,579.37
250	St. Louis County HRA	1,475.00
600	Solid Waste Authorities	400,397.36
625	Chris Jensen Health & Rehab.	1,085,462.64
650	Laundry	70,179.75
660	Community Food Services	101,699.31
670	Supervised Living Facilities	52,885.91

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700	Printing	13,973.55
715	County Garage	268,713.56
750	Management Information Systems	301,448.82
760	Telecommunications	92,397.18
925	Arrowhead Regional Corrections	1,191,237.50
955	Community Health Services	43,688.73
989	Regional Railroad Authority	<u>2,063.51</u>
		\$ 17,563,193.15

Adopted May 22, 2007. No. 277

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. 58631, are hereby approved:

Real Estate - Tammy Adams, \$272.72; Cyndi Bolen, \$273.60; Fond du Lac Band of LK SU, \$1,080.62; William Gange, \$249.72; Dennis Hoelscher, \$417.88; Thomas Hougdahl, \$275.62; Christopher Hurst, \$271.20; George Virnig, \$288.16; Leslie Nilsson, \$407.18; Thomas Norton, \$589.86; Damien Paulson, \$216.16; Michael Perfetti, \$260.44; Robert Perfetti, \$517.50; Sunrise Gourmet Foods, \$1,154.12; Doyle Svedberg, \$1,309.58.

Adopted May 22, 2007. No. 278

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 11, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 22, 2007. No. 279

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. 58658, are 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:

Traci Melin, d/b/a Char Mars, Alborn Township, Tobacco Products License No. T07230, transfer;

Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T07231, transfer;

Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township, Tobacco Products License No. T07232, transfer.

Adopted May 22, 2007. No. 280

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58641;

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

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

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refund of the license fees to the licenseholders;
FURTHER RESOLVED, that said licenses shall be effective through June 30, 2008:

Traci Melin, d/b/a Char Mars, Alborn Township, On-Sale Intoxicating Liquor License No. CMB08111 and Sunday On-Sale Intoxicating Liquor License No. SUN08111, transfer;

Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township, On-Sale Intoxicating Liquor License No. CMB08110 and Sunday On-Sale Intoxicating Liquor License No. SUN08111, transfer.
Adopted May 22, 2007. No. 281

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. 58694, is hereby approved and the County Auditor is authorized to issue the license to the applicant:
Embarrass Region Fair Association, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0728, for July 21, 2007.
Adopted May 22, 2007. No. 282

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. 58694, is hereby approved and the County Auditor is authorized to issue the license to the applicant:
Embarrass Region Fair Association, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB0729, for August 25 and 26, 2007.
Adopted May 22, 2007. No. 283

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 temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58641:

Lake Superior Brewing Company, LLC, Temporary On-Sale Intoxicating Liquor License No. TL075, for June 9 and 10, 2007. Event is Old World Renaissance Faire, Grand Lake Township, north end of McGregor Road, off Highway 7, Twig (Kenneth Harnell property).
Adopted May 22, 2007. No. 284

WHEREAS, the St. Louis County Director of Purchasing solicited bids for Mechanical Site Scarification by Disc Trench on State tax forfeited lands for the year 2007; and
WHEREAS, Future Forests, Inc., of Askov, Minnesota, submitted the only bid in the amount of \$53,696.50; and
WHEREAS, the bid submitted is considered reasonable by Land Department staff;
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 Mechanical Site Scarification by Disc Trench on State tax forfeited lands during the summer of 2007, in accordance with the specifications of Bid No. 4684 , and subject to approval of the County Attorney, at its low specification bid price of \$53,696.50, payable from Fund 290, Agency 290001.
Adopted May 22, 2007. No. 285

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, Helmi Harrington has applied to repurchase the following parcel located in:

City of Duluth, LOT: 449 BLOCK: 081, Duluth Proper Second Division

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PARCEL CODE: 010-1140-03130
Address: 2801 West 1st Street, Duluth, MN

WHEREAS, Helmi Harrington 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 Helmi Harrington, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including total taxes and assessments of \$6,037.01, a repurchase application fee of \$114.00, a deed tax of \$19.92, a deed fee of \$25.00, and a recording fee of \$46.00; for a total of \$6,241.93 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 22, 2007. No. 286

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 (off-site gambling, raffles) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Gnesen Volunteer Fire Relief to conduct off-site gambling on October 20, 2007, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN 55803, Gnesen Township.

Adopted May 22, 2007. No. 287

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 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. 58649, for the following organization:

Minnesota Licensed Beverage Association Children's Fund to operate out of the following:

Dry Dock Bar, 2820 Midway Road, Duluth, MN 55810, Midway Township, RENEWAL;

Munger Tavern & Grill, 4003 Munger Shaw Road, Cloquet, MN 55720, Solway Township, RENEWAL.

Adopted May 22, 2007. No. 288

WHEREAS, Minnesota Statutes, Section 116J.993-116J.995, Business Subsidy Law, requires that a public hearing be conducted prior to granting any business subsidy in an amount greater than \$25,000 in value; and

WHEREAS, Cirrus Design Corporation has requested St. Louis County to consider \$277,700 tax abatement financing on the expansion of their Hermantown facility; and

WHEREAS, the St. Louis County Economic Development Committee met on July 14, 2006, and reviewed Cirrus Design Corporation's application for tax abatement financing; and

WHEREAS, the St. Louis County Economic Development Committee found it to meet statutory requirements of the public benefits of increasing the County tax base, provision of permanent employment opportunities within the County, and development of blighted areas that are expected to exceed the costs of tax abatement to the County and voted to recommend forwarding the Cirrus Design Corporation to the St. Louis County Board of Commissioners for action; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, June 5, 2007, at 9:30 A.M., at the St. Louis County Courthouse, Duluth, Minnesota, to solicit public input prior to considering the proposed business subsidy request.

Adopted May 22, 2007. No. 289

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3739, Aggregate Crushing, Southern St. Louis County located at various sites in northern St. Louis County consisting of crushing, screening, and stockpiling aggregate, class 5 (Mod.); 148,600 tons.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 7,

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2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Vogt's Dirt Service, LLC	47415 Sunrise Dr. Becida, MN 56678	\$257,476.00

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: Fund 200, Agency 201049, Object 650200.

Adopted May 22, 2007. No. 290

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-643-015, C.P. 3736, located on C-SAH 43 (Fish Lake, Emerson, and Beaver River Roads) from C-SAH 48 (Lavaque Road) to C-SAH 4 (Rice Lake Road) north of Duluth, MN, length 4.16 miles consisting of Clearing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 7, 2007, 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 combined projects 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	\$30,500.00

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: Fund 220, Agency 220209, Object 652700.

Adopted May 22, 2007. No. 291

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 licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58694;

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

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

FURTHER RESOLVED, that said licenses shall be effective through June 30, 2008:

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Anderson Outfitters, Inc., d/b/a Anderson Outfitters, Inc., Crane Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B0884, change of officers;

Ely Golf Club, Inc., d/b/a Ely Golf Club, Inc., Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License No. B0883, change of officers;

New Scenic Cafe, Inc., d/b/a New Scenic Cafe, Inc., Duluth Township, On-Sale 3.2 Percent Malt Liquor License No. B0885, change of officers.
Adopted May 22, 2007. No. 292

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, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.
Adopted May 22, 2007. No. 293

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 26, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.
Adopted May 22, 2007. No. 294

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. 58641;
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 fee to the licenseholder;
FURTHER RESOLVED, that said license shall be effective through June 30, 2008:

Eshquaguma Club, Inc., d/b/a Eshquaguma Club, Biwabik Township, Club On-Sale Intoxicating Liquor License No. CL082 and Sunday On-Sale Intoxicating Liquor License No. CLS082, change of officers.
Adopted May 22, 2007. No. 295

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. 58641;
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 fee to the licenseholder;
FURTHER RESOLVED, that said license shall be effective through June 30, 2008:

Riverside Inn of Side Lake, Inc., d/b/a Riverside Inn of Side Lake, Inc., French Township, Combination On/Off-Sale Intoxicating Liquor License No. CMB08112 and Sunday On-Sale Intoxicating Liquor

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License No. SUN08112, change of officers.
Adopted May 22, 2007. 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. 58641;
FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;
FURTHER RESOLVED, that said license is approved for On-Sale and Sunday On-Sale Intoxicating Liquor Licenses only;
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, 2008:

Elk Baron, Incorporated, d/b/a El-Roy, Unorganized Township 60-18, On-Sale Intoxicating Liquor License No. ON0832 and Sunday On-Sale Intoxicating Liquor License No. ONS0832, change of officers, previously held Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses. Adopted May 22, 2007. 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 an on-sale wine license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58704;
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, 2008:

New Scenic Cafe, Inc., d/b/a New Scenic Cafe, Inc., Duluth Township, On-Sale Wine License with Authorization to Sell/Serve Intoxicating Malt Liquor On-Sale, License No. WSB088, change of officers. Adopted May 22, 2007. No. 298

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. 58641;
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, 2008:

Britt Bottle Shop, Inc., d/b/a Britt Bottle Shop, Inc., Unorganized Township 60-18, Off-Sale Intoxicating Liquor License No. OFSL0819, name change from Britt Bottle Shop, Inc., d/b/a Britt Bait & Liquor. Adopted May 22, 2007. No. 299

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and

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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. 58641;
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 approved contingent on the County Auditor receiving Duluth Township approval;
FURTHER RESOLVED, that said license shall be effective through July 10, 2007, through June 30, 2008:

Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township, On-Sale Intoxicating Liquor License No. CMB08113 and Sunday On-Sale Intoxicating Liquor License No. SUN08113.
Adopted May 22, 2007. No. 300

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, the rules were suspended to adopted Resolution No. 301 which was not on the agenda.

BY COMMISSIONER O'NEIL:

WHEREAS, the State Legislature has conducted debate on a statewide smoking ban and on Saturday, May 12, 2007, both the House and the Senate completed voting and have approved the Freedom to Breathe Act, which prohibits smoking in most public places and places of work throughout the State of Minnesota; and

WHEREAS, Minnesota Governor Tim Pawlenty signed the bill into law on May 16, 2007; and

WHEREAS, the Freedom to Breathe Act will affect all public places and places of work in St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby withdraws Ordinance No. 60 from further consideration and cancels all subsequent public hearings on the matter effective immediately, including the hearings scheduled for May 22, 2007, at 5:00 P.M. in Hibbing; May 24, 2007, at 5:00 P.M. in Duluth; and June 5, 2007, at 9:35 A.M. in Duluth.

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

Nays - Commissioner Nelson - 1

Adopted May 22, 2007. No. 301

BY COMMISSIONER FINK:

RESOLVED, the Board authorizes abolishing the obsolete job classification titles of "Senior Systems Analyst", "Assistant Manager for Office Automation", "Manager of Telecommunications and Networks", "Computer Programmer Analyst", and "Personal Computer Support Technician II", effective immediately.

Unanimously adopted. May 22, 2007. No. 302

WHEREAS, the St. Louis County Board has received a report by an employee alleging misconduct by a county commissioner; and

WHEREAS, an investigation into those allegations was conducted pursuant to St. Louis County policy; and

WHEREAS, the employee has retained private counsel and submitted to the Board a proposal of settlement to avoid litigation over this matter; and

WHEREAS, the St. Louis County Attorney will provide legal advice to the County Board with respect to the evaluation of this settlement proposal and litigation strategy in this matter; and

WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order

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to render professional and adequate advice to the Board in this matter; and
WHEREAS, public discussion of this settlement proposal and litigation strategy in the presence of the employee and opposing counsel would benefit the employee and opposing counsel to the County's detriment; and
WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and
WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of May 22, 2007, to discuss with the County Attorney the strategy of defending these allegations and the specific settlement proposal submitted by the employee's attorney.
RESOLVED FURTHER, that no other pending public business will be discussed at this closed session. Unanimously adopted. May 22, 2007. No. 303

WHEREAS, St. Louis County and three of its employees are defendants in the case of Neil Anderson v. St. Louis County, et al.; and
WHEREAS, the plaintiff has retained private counsel and submitted to the County Attorney a settlement demand to resolve this matter; and
WHEREAS, the St. Louis County Attorney's Office will provide legal advice to the County Board with respect to the evaluation of this settlement demand and litigation strategy in this matter; and
WHEREAS, the Assistant County Attorney handling the case requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in this matter; and
WHEREAS, public discussion of this settlement proposal and litigation strategy in the presence of the opposing party and counsel would benefit the opposing party and counsel to the County's detriment; and
WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and
WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of May 22, 2007, to discuss with County Attorney personnel the strategy of defending these allegations and the specific settlement proposal submitted by the plaintiff's attorney.
RESOLVED FURTHER, that no other pending public business will be discussed at this closed session. Unanimously adopted. May 22, 2007. No. 304

At 10:52 A.M. on Tuesday, May 22, 2007, upon motion of Commissioner Raukar, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Bill Kron, 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

OFFICIAL PROCEEDINGS OF THE PUBLIC HEARINGS
ADOPTION OF PROPOSED SMOKING ORDINANCE
Nine hearings beginning April 16, 2007, and concluding May 15, 2007

At 5:02 P.M., on Monday, April 16, 2007 - pursuant to County Board Resolution No. 136, adopted March 13, 2007 - a public hearing was convened by Chair Kron at the Cotton Town Hall, Highway 53, Cotton, Minnesota, to receive public comment on a proposed ordinance to prevent exposure to the harmful effects of second-hand smoke (Ordinance No. 60). This was the first in a series of hearing locations that were selected to provide convenient opportunities for public comment. The following Commissioners were present for the hearing: Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Bill Kron, Chair. The following persons addressed the smoking ordinance issue:

Gary Eckenberg, Deputy County Administrator, briefly explained guidelines for speakers and distributed copies of the proposed ordinance and a survey to the audience.

Ann Busche, Public Health and Human Services Director, said Public Health and Human Services strongly supports adoption of a comprehensive smoking ordinance.

Gordon Aanerud, Carlton County Commissioner, said Carlton County recently adopted a comprehensive smoking ordinance that will take effect on June 1.

Kimberly Larson, Canyon, said she is a charitable gambling manager and a smoking ban will have a severe impact on gambling revenues that may result in layoffs.

Julia Crabb, Meadowlands, said smoking is still legal and she said incentives should be provided to assist bars with installation of good ventilation systems rather than imposition of a ban.

Kathy Burt, Eveleth, said she works at the Timber's Edge and is worried that a smoking ban may affect her employment.

Gene Kishel, Virginia, a retired doctor, said children are harmed by second-hand smoke and he advocated adoption of a comprehensive ban.

Dr. Mary Boylan, Duluth, said she supports a complete ban.

Sandy Simek, Cotton, owner of the Wilbert Café and El Toro, said costs and regulations are taking a toll on business and she would prefer a partial ban with an exemption for bars.

Carolyn Hage, Cotton, said it should be up to the business owner to determine whether or not to go smoke-free. A lot of false or misleading information is being distributed and this is just another example of government intrusion.

Steve Simek, Cotton, owner of the Wilbert Café and El Toro, asked why OSHA hasn't taken a stand on second hand smoke in the workplace. Mr. Simek said smoking should be a matter of business and personal choice and he preferred a voluntary compliance proposal.

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Alice Rosenholm, Halden, urged the Board to ask bar and restaurant workers what they really wanted and then pass a comprehensive ban.

Ed Borowiec, Angora, said he retired to Minnesota because it was always in the top five in many areas including health care. Recently, Minnesota has slipped behind other states and he asked for adoption of a comprehensive ordinance as one way to return the state to a national leadership position.

Guy Ross, Cotton, said he is a bartender at the El Toro and may be forced to find other employment if a smoking ban is instituted and business is adversely affected.

Heather Kowarsch, Kelsey, owner of the Boondocks in Forbes, said this is really a personal choice issue and she asked where do you draw the line.

Dennis Frazier, Zim, supported a comprehensive ban and said he had relatives who died unpleasant deaths as a result of smoking.

Ione Trembath, Eveleth, owner of Tuna's, said she had two heart attacks that were originally blamed on cigarette smoking, but were later found to have resulted from prescribed medication. She supported no ban.

At 5:55 P.M. in the afternoon of Monday, April 16, 2007, Chair Kron moved to recess the public hearing until 6:00 P.M. on Monday, April 16, 2007, in the Cotton Town Hall, Highway 53, Cotton, Minnesota.

The public hearing reconvened at 6:00 P.M. on Monday, April 16, 2007.

Tracee Matthews, Superior, who works at Tuna's in Eveleth, said a ban will severely affect her employment and she urged the Board to find a compromise solution.

Ben Stringer, Duluth, said there is no safe level of second-hand smoke and he supported adoption of a comprehensive ban to protect the public and workers.

Pat McKone, American Lung Association, said tobacco is the number one cause of premature death and studies have shown that ventilation systems do not work. The tobacco companies are supporting efforts of the hospitality industry to minimize or water down ordinances.

Caroline Soyring, Gilbert, said she fears the zealots are taking control of the government process. She urged the Board to seek a petition signed by at least 35 percent of registered voters before adopting a smoking ordinance.

Jim Taylor, Duluth, past president of the American Lung Association in Minnesota, said he has no problem with smokers who smoke outdoors. Mr. Taylor noted results of a secret Phillip Morris test/study in Germany and he said ventilation is not the answer.

Vickie Haugland Ross, Cotton, said she works for the hospitality industry and they are not currently receiving any funding from the tobacco companies. Ms. Ross said second-hand smoke risks are insignificant and the often-cited Surgeon General report lacks verifiable proof.

Richard Miller, Cotton, asked the Board to vote "no" on a smoking ban.

James O. Saugestad, Melrude, owner of Melrude Pub, said a smoking ban will probably put him out of business.

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Diane Langlee, Makinen, supported the smoking ban.

Don Langlee, Makinen, supported passage of a sensible ban and said dire predictions of business closings do not usually materialize when a smoking ban is enacted.

Jim Hofsommer, Palo-Markham, said a limited ban would be preferable because a comprehensive ban will cause economic problems.

Harry Westerlund, Makinen, said he has no problem with persons who smoke as long as they do not expose others to second-hand smoke. Mr. Westerlund is a member of his local Elk's Lodge and they have not taken a position on a smoking ban but will live with whatever is enacted.

Sharon Juola, Virginia, said she is often frustrated when she leaves a restaurant or bar reeking of cigarette smoke. While respecting the rights of others, she said the Board should err on the side of health rather than economics.

Willow Mazar, Duluth, said she is an environmentalist and fully supports a comprehensive smoking ban. Ms. Mazar said a ban is part of society's evolution away from tobacco use.

Rosie Loeffler-Kemp, Duluth, said her father died at a young age from smoking and she urged the Board to adopt a strong ordinance.

Butch Baasi, Iron, said there is already plenty of other types of smoke present at the small business he runs to be concerned with second-hand cigarette smoke. He advised the Board to stay away from the issue and not interfere with freedom of choice.

Paul Monacelli, Virginia, compared smoking to mine safety issues many years ago when mining companies were either unaware or unwilling to make changes until the government stepped in.

At 6:50 P.M. in the afternoon of Monday, April 16, 2007, Chair Kron moved to recess the public hearing until 5:00 P.M. on Tuesday, April 17, 2007, at the Hermantown Public Safety Building, Maple Grove Road, Hermantown, Minnesota.

The public hearing reconvened at 5:02 P.M. on Tuesday, April 17, 2007, with the following Commissioners present for the hearing: Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar and Bill Kron, Chair. Commissioner Dennis Fink was absent.

The following persons addressed the smoking ordinance issue:

Gary Eckenberg, Deputy County Administrator, explained the ground rules for speakers and procedures for submission of surveys.

Joan Linski, Duluth, works as a server and on behalf of all workers in the hospitality industry she asked for adoption of a strong ordinance.

Patrick Neve, Proctor bar owner, said there will be a large economic impact if a ban is adopted and he asked for a county-wide referendum on the issue.

Roger Raymond, Duluth, said the economic and tax base impact of a ban will be significant and even affect sponsorship of youth activities.

Deb Ortman, Hermantown, supported adoption of the strongest ordinance possible.

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Caroline Shallman, Duluth Township, said public safety and public health are of paramount concern and she supported a strong ordinance.

Michele Carlson, Hermantown, said costs to taxpayers from smoking (illnesses and work days missed) far outweigh losses that a smoking ban may cause. Ms. Carlson said the proposed ordinance, modeled after the City of Duluth ordinance, is not strong enough.

Tyler Carlson, Hermantown 8th Grader, said he wants to be able to breathe clean air when participating in any activity and he asked the Board to support a smoking ban to help foster healthful lifestyles.

Dee Mortinsen, Pike Lake, said she has lung cancer that most likely is attributable to exposure to second-hand smoke. Changes are needed to prevent others from contracting the disease.

Dr. Mark Boyce, Duluth, said he grew up in household with plenty of second-hand smoke and steps must be taken to stop the exposure.

Rachel Becker, Duluth bar owner, said she is subjected to second-hand smoke every day in her business. Ms. Becker said customers will still go to bars and restaurants even if there is a smoking ban.

Vali Sundquist, Proctor, said it is a personal choice to work around second-hand smoke and customers are free to choose where to go.

John Doberstein, Duluth Township, asked for adoption of the strongest possible ordinance for the good of the community. Mr. Doberstein said he enjoys going out to bars and restaurants and a smoking ban will make going out a much more enjoyable experience.

Jim Knapp, Hermantown, asked Board members to keep students who need jobs and often must work in bars and restaurants in mind when considering adopting this ordinance. While he knows many bar owners and has sympathy for their concerns, Mr. Knapp said there is really is no evidence they will sustain large economic hardships if a ban is adopted.

Diane Rauschenfels, Proctor School Superintendent, said second-hand smoke impairs the ability of children to learn and achieve.

Sharon Lund, Duluth, said the tobacco industry historically resisted efforts establishing the harmful effects of smoking and now attempts to stop or delay adoption of smoking ordinances by insisting there will be great economic hardship for the hospitality industry. California and New York City have adopted strong smoking ordinances and have actually seen an increase in business, according to Ms. Lund.

Ron Holmes, Hermantown, said he has nothing against smokers but would like some respect for the rights of non smokers.

Jerry Lundgren, Hermantown, said smoking decisions should be left up to the establishment owners. Mr. Lundgren suggested clear, visible signage alerting patrons that a bar or restaurant allows smoking.

Vicki Haugland Ross, Cotton, said health care costs resulting from exposure to second-hand smoke have been exaggerated. Restaurants and bars will suffer as a result of a smoking ban.

Sandy Simek, owner of the Wilbert Café and El Toro in Cotton, said adoption of an ordinance is a difficult decision, adding the impact on small, rural establishments may be far greater than on bars or restaurants located in urban areas of the county.

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Brian Copeland, Hermantown, said the debate is all about health versus economics and freedom of choice. Mr. Copeland supported a county-wide referendum.

At 6:03 P.M. in the afternoon of Tuesday, April 17, 2007, Chair Kron moved to recess the public hearing until 5:00 P.M. on Tuesday, April 24, 2007, at the American Legion and Community Center, Orr, Minnesota.

The public hearing reconvened at 5:00 P.M. on Tuesday, April 24, 2007, with the following Commissioners present: Dennis Fink, Steve O'Neil, Mike Forsman, Keith Nelson and Chair Kron. Commissioners Peg Sweeney and Steve Raukar were absent.

The following persons addressed the smoking ordinance:

Lisa Potswald, Deputy County Administrator, laid out the ground rules for the hearing and procedures for submission of surveys.

Carol Saranpaa, Duluth, said she grew up in Orr and suffers health problems whenever she is subjected to tobacco smoke. Ventilation systems are insufficient and she said business may increase for restaurants and bars that go completely smoke free.

Jim Ganahl, Beatty, stopped going to bars twenty years ago because of tobacco smoke. Mr. Gandahl said nicotine is not harmful, but other chemicals in the smoke are.

Julian Brznoznowski, Orr, said a complete ban will drive establishments out of business and the County shouldn't be telling businesses what they can or can't do.

Kathy Moore, Cook, said her employment and income will be impacted by a smoking ban.

Justin Tucheck, Cook, owner of a bar/restaurant, said a total ban would be detrimental and he cited statistics from Hennepin and Anoka Counties. Charitable gambling receipts will also suffer if a ban is imposed.

Angela Tucheck, Cook, owner of a bar/restaurant, said she is a non smoker who supports the rights of smokers. A ban would have a large economic impact on her business.

Michelle Horack, Orr, read a letter into the record from a doctor who supports a comprehensive smoking ban. Protection is needed for workers in the hospitality industry.

Shanette Juscak, Duluth, said she is a non smoker who chooses to work as a bartender and she urged the Board not to tell small businesses what to do.

Sheely "Oz" Aus, Proctor, said establishments could be required to clearly indicate or advertise that smoking is permitted and the County could offer incentives to those establishments willing to try smoke-free. This would be preferable to imposing a smoking ban.

Judy Neve, Proctor, urged the Board not to take any more rights away and she asked why Duluth Commissioners would support a stricter ban than what was approved by voters.

Rusty Erjevek, Melrude, said he works in the mines where air quality is much worse than in any bar or restaurant. Mr. Erjevek said he knows the risks and he urged the Board not to ban smoking in bars.

Jill Strom, Eveleth, said the debate is really freedom of choice and owners should be the ones deciding

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whether to allow smoking. An ordinance similar to Duluth's would be a good compromise.

Jessica Cox, Cook, said she will not patronize establishments that allow smoking.

Violet Hall, Greaney, owner of a bar, said she installed exhaust fans years ago that took care of the smoke problem. Ms. Hall suggested using the County Health Department to assist bar owners with ventilation systems to clear areas of smoke.

Steve Grey, Cotton, said his wife works at the Wilbert Café and he fears her hours will be cut back or eliminated if a smoking ordinance is enacted.

Kate Brady, Virginia, read a letter from Jeanne Emmons, Virginia, relating how she enjoys going to establishments in Beltrami County where a comprehensive smoking ban is in effect. Ms. Emmons played in a band for years but can no longer do so because of the effects of second-hand tobacco smoke.

Brad Young, Orr, said he was pleased the Board established the series of public hearings. Mr. Young said rural areas like Orr have a rugged pioneer, individualistic spirit and he urged the Board to compromise and allow smoking with proper ventilation.

Sandy Simek, Kelsey, said she is sympathetic to non smokers, but smoking is still a legal choice and education - not a smoking ban - is the best way to reduce or eliminate smoking.

Bruce Voigt, Cotton, said this is a freedom of choice issue and another example of too much government.

Vicki Ross, Cotton, said Iron Rangers are blue-collar and know what they want. A ban would hurt businesses and with less and less people smoking it may eventually become a non issue.

Dr. Charles Helleloid, Nett Lake, spoke in favor of a strong smoking ban because he has seen the results of tobacco smoke on his patients.

Vivian Arseneau, Orr, said her husband came back from WWII with nothing except his rights and soldiers coming back now have a right to smoke or not smoke. She urged the Board not to legislate.

Zoe Planton, Soudan, said she suffers from asthma and has a right to breathe clean air. By allowing smoking, a large segment of the population is excluded from bars and restaurants.

At 6:10 P.M. in the afternoon of Tuesday, April 24, 2007, Chair Kron moved to recess the public hearing until 1:30 P.M. on Thursday, April 26, 2007, in the County Board Room, Second Floor, Courthouse, Duluth, Minnesota.

The public hearing reconvened at 1:45 P.M. on Thursday, April 26, 2007, with the following Commissioners present: Dennis Fink, Steve O'Neil, Peg Sweeney, Keith Nelson and Chair Bill Kron. Absent were Commissioners Mike Forsman and Steve Raukar.

The following persons addressed the smoking issue:

Dana Frey, County Administrator, explained the purpose of the hearings and laid out the ground rules for speakers and procedures for submission of surveys.

Laurie Johnson, Duluth City Councilor, applauded efforts to implement a smoking ban in the County. Councilor Johnson said she hopes for a statewide ban soon.

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Deb Bloom, Hermantown, representing AFSCME, said her union supports a smoke free ordinance to protect workers and the public.

Dr. David Leuhr, Barnum, said he is pleased that Carlton County instituted a ban because it is an important health factor in cancer and heart disease.

Dr. Paul Zimmerman, Duluth, said smoke levels in bars and restaurants are much higher than in private homes. Second-hand smoke is a Class A carcinogen, according to Dr. Zimmerman.

Catherine Miller, CNP, Duluth, said she has a child with asthma and she strongly supports a comprehensive ordinance.

Mary Jurek, Proctor, manager at Mr. D's Bar in Duluth, said staff understands the conditions of employment and customers will go elsewhere if an ordinance is adopted that is more comprehensive than the current Duluth ordinance.

Dan LaPlante, Duluth, an employee of Mr. D's, said he is aware of the dangers from second-hand smoke but the Duluth ordinance works and anything more restrictive will cost jobs.

Glen Nodgaard, Duluth, said he quit smoking years ago and the current price for cigarettes is outrageous. He read a poem with a theme of remaining true to yourself.

Colin Minehart, Albert Lea, MN, who is a gambling site manager for a number locations in St. Louis County, said loss of charitable gambling revenues is part of the "collateral damage" from smoking bans.

Amanda Heimbach, Duluth, said the science behind second-hand smoke dangers is selective and she urged a compromise solution.

Jarod Imhof, Duluth, said according to Michael Siegel, Phd, a public health researcher, the public is being misled into believing exposure to second-hand smoke is far more dangerous than it really is.

Amanda Doberstein, Duluth, said she is a waitress and supports worker safety.

Jay Gellerstedt, Duluth, who works at the North Pole Bar, said he is a non smoker who thoroughly enjoys his profession. He asked the Board to adopt a Duluth-style ordinance.

Steve Cozzi, Duluth, said he wants to protect the rights of citizens and particularly veterans by allowing bar owners to decide if smoking should be allowed.

Mark Rutka, Duluth, said this is freedom of choice and the current Duluth ordinance is strict enough.

Bill Berg, Duluth, said a compromise is needed and if the County wants a stronger ordinance it should be subject to a countywide referendum.

Brian Pulling, Duluth, said he has worked in the hospitality industry for 28 years and smoking should be a personal choice. Mr. Pulling said cancer can be caused by many other factors.

Sister Lois Eckes, St. Scholastica, appealed to the moral belief that life should be protected at all times and at all costs with adoption of a comprehensive ordinance a step in the right direction.

Dr. David Hutchinson, Duluth, said he strongly supports a comprehensive ordinance because ventilation and barriers do not prevent exposure. Dr. Hutchinson said prevention is preferable to treatment.

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Romelle Jones, Moose Lake, said she is a former restaurant owner whose parents died of cancer. She converted the restaurant to smoke-free and business actually increased.

Kathy Heltzer, Duluth, a member of the Public Health and Human Services Advisory Committee, strongly endorsed a comprehensive ordinance to protect the public and workers.

Diane Bean, Duluth, said she has lost people close to her because of smoking and she urged the Board to pass a strong ban.

Al Terwey, Duluth, owner of Mr. D's, said the current Duluth ordinance is working and there is no need to go any further.

James Speed, Duluth, said he previously lived in a town where a ban was imposed and businesses closed. Non smokers can avoid establishments where smoking is allowed.

Mary Alice Harvey, Duluth, said she suffers from asthma and is much healthier when not exposed to tobacco smoke.

Linda Wiig, Duluth, said all workers need protection from the dangers of second-hand smoke.

At 2:55 P.M. in the afternoon of Thursday, April 26, 2007, Chair Kron moved to recess the public hearing until 3:00 P.M. on Thursday, April 26, 2007, in the County Board Room, Second Floor, Courthouse, Duluth, Minnesota.

The public hearing reconvened at 3:04 P.M. on Thursday, April 26, 2007, with the following Commissioners present: Dennis Fink, Steve O'Neil, Peg Sweeney, Keith Nelson and Chair Bill Kron. Absent were Commissioners Mike Forsman and Steve Raukar.

Testimony on the proposed smoking ordinance resumed with the following persons addressing the issue:

Carla Blomberg, Duluth, owner of Chester Creek Café, said the issue is sometimes a "class conflict" with age and economic status divisions. She supported a comprehensive ban.

Iver Bogen, Duluth, said he has no quarrel with smokers except in enclosed public spaces. Surveys of residents indicate a strong majority favor a smoking ban.

Kevin Skwira-Brown, Duluth, said a ban is the correct choice and cautioned the Board against using non scientific polling to make a decision.

Anna Owens, Duluth, said she was impressed with the process used by the Board to gather input before making a decision. Ms. Owens, who is a musician/singer, said choice is important but smoking prohibits her from pursuing her musical interests.

Heidi L. Smith, Duluth, said she would like to go to a bars and restaurants where there is no smoking. A large segment of the population is excluded from patronizing establishments because of the presence of second-hand smoke.

Judy Neve, Proctor, said Duluth citizens are being denied because results of a referendum supported the current Duluth ordinance.

Rick McArthur, Duluth, asked about sanctions that may be imposed if smoking occurs in a bar or restaurant.

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Kelly LeDoux, Duluth, said even though smoking is detrimental to health, this is a personal choice that should be left up to individuals and bar owners.

Doug Nyquist, Duluth, said the American flag represents freedom and the costs to maintain those freedoms and rights, including the right to free choice.

Keith McLaughlin, Duluth, said his mother contracted cancer as a result of exposure to second-hand smoke from his father. A strong smoking ban may prevent workers from contracting the disease.

Dennis Stoyanoff, Duluth, said the Board should not be telling businesses how to run their business.

Pat McKone, American Lung Association, said the tobacco and hospitality industries work hard to water down all smoking ordinances. Ms. McKone said the Duluth referendum was not as clear a mandate as some would have the Board believe.

Kimberly Eider, Duluth, owner of the Kom-On-Inn, said a majority of her customers smoke and the current Duluth ordinance works well.

Jim Larson, Duluth, said he appreciates the Duluth ordinance but would really like to see a stronger ban because of escalating health costs associated with tobacco smoke.

Dr. Phelps Johnson, Duluth, said he works in an emergency room and has seen many of the problems caused by exposure to tobacco smoke. Dr. Johnson said the science is solid and many of the younger people speaking against a strong ban don't know the risks and costs of this "preventable misery."

Daela Mannelin, Duluth, said she quit smoking and is no longer a slave to tobacco. Ms. Mannelin supported a strong ordinance.

Faye A. Topliff, Duluth, said she became an activist for clean air when her son was diagnosed with asthma.

Gina Miller, Duluth, supports "fresh air" and objects to smokers being given a preference.

Reverend Fred Lund, Duluth, said there is a dilemma between the two groups but he supports what is good for people - a comprehensive smoking ordinance.

Nate Weiler, Duluth, said ventilation systems don't work and he supports a strong ordinance. Mr. Weiler was manager of an establishment that allowed smoking and he had to take a lesser position because of the effects of second-hand smoke exposure.

Jennifer Peterson, Duluth, a health care worker, wants a strong ordinance to protect all workers. Ms. Peterson said the science is clear.

Kristin Larson, Duluth, said her brother died of cancer attributable to second-hand smoke at his workplace. Younger persons don't always understand the long term effects of tobacco smoke.

Jerry Fredrickson, Duluth, who has owned numerous establishments in the Duluth area, said smoking ban proponents will never venture into bars in the western sections of Duluth regardless if smoking is allowed or not. Polls used to show a majority of residents in favor of a ban are flawed and were commissioned by the American Lung Association. Businesses will be devastated by a comprehensive ban, according to Mr. Fredrickson.

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Ken Steil, Duluth, a chemical health specialist, advocated for a comprehensive ban and emphasized the need to reduce youth smoking.

Patrick Neve, a bar owner in Proctor, asked who will enforce the ban? Because there are not enough officers to investigate violations, the ordinance will, in effect, be a non ordinance. Mr. Neve favored bars being required to advertise if they are smoke free or not and incentives should be offered for bars willing to ban tobacco use.

Joyce Kramer, Duluth, said she is Native American and for years tobacco has been used for ceremonies and other purposes. Only now are some of the effects being realized.

Janet Draper, Duluth, said "life aces everything" so please enact a strong ordinance.

Dr. Terry Clark, Duluth, said there is evidence that in cities or towns where smoking has been prohibited heart attacks have actually decreased.

Jim Skoog, Duluth, said veterans support freedom of choice but not all are against a strong smoking ordinance. Mr. Skoog supported adoption of a comprehensive ordinance.

Barbara Bentz, Duluth, a former smoker, said the media used to glamorize smoking and for years she and her husband made poor choices based on tobacco use. Ms. Bentz supported a strong ordinance.

At 4:28 P.M. in the afternoon of Thursday, April 26, 2007, Chair Kron moved to recess the public hearing until 1:00 P.M. on Monday, April 30, 2007, at the John F. Kennedy Elementary School Cafeteria, Ely, Minnesota.

The public hearing reconvened at 1:09 P.M. on Monday, April 30, 2007, with the following Commissioners present: Dennis Fink, Steve O'Neil, Mike Forsman, Keith Nelson and Chair Bill Kron. Absent were Commissioners Peg Sweeney and Steve Raukar.

The following persons addressed the smoking ordinance issue:

Dana Frey, County Administrator, explained reasons for the public hearing and laid out the ground rules for speakers and procedures for submission of surveys. In response to a question from the audience, Administrator Frey said surveys will be tallied and results given to Commissioners when the hearing is closed and deliberations begin on adoption of a smoking ordinance.

Randy Semo, Tower bar owner, asked the Board to be fair and equitable in crafting an ordinance. In smaller towns like Tower, patrons will not go to bars where smoking is prohibited.

Steve Eisenminger, Ely, a bartender since 1982, also urged the Board to make it fair for everyone and a workplace issue.

Judy Posch, Cook, said the local VFW has a "burger and bingo" night that might draw even more customers if it was non smoking. Ms. Posch said any ban should be across the board.

Rosemary Stefanich, Soudan, said she is a victim of second-hand smoke and asked for comprehensive ban.

Jim Belehar, Ely VFW, said a ban would have a severe economic impact on business and he asked for a private club exemption.

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Bob Jalonen, Ely, a retired teacher and principal, said he always promoted tobacco abstinence and strongly supports a comprehensive ban.

Gary Zaverl, Ely bar owner, said a ban will infringe upon his rights as a property owner and business owner and he suggested signage requirements instead of a ban.

Carol Semo, Tower bar owner, said this is really a free choice issue and predictions that businesses will bounce back from initial smoking ban losses may not be enough for many establishments. Pay cuts and layoffs will result from a ban.

Vicki Haugland Ross, Cotton, said she appreciates the hearings but there are too many and the deck seems to be stacked against smokers. Businesses will suffer under a ban and there has been no consideration of a "help" plan for dislocated businesses or employees.

Jo Kovach, Ely, said she owns a lodging and dining facility that has always been smoke-free and business has been great.

Sandy Simek, Kelsey, said bar owners know what their customers want and smoking ban supporters seem almost flippant about business losses that will occur with a ban.

Dr. Joe Bianco, Ely, said everyone should follow the Golden Rule and businesses should not allow customers and employees to be subjected to second-hand smoke. Dr. Bianco said Commissioners were elected to make tough decisions.

Kate Brady, Virginia, submitted a petition in favor of a smoking ban from Andy Hill, Morse, who was unable to attend the session.

Bill Quinn, Ely, said he is a former smoker and waiter concerned about health risks associated with second-hand smoke. He urged adoption of a smoking ban.

Maureen Stall, bar manager at the Ely VFW, said she has been a smoker for years without ill effects and a majority of the customers at the VFW are smokers. She urged the Board to view the issue as a two-way street and to respect the rights of everyone.

David Fleischman, Ely, said he owned a number of establishments that allowed smoking. His wife recently died of lung cancer and he feels guilty about allowing smoking in his businesses. Mr. Fleischman urged the Board to adopt a smoking ban.

Jane Koschak, Ely, said she is a resort owner where smoking has been banned completely without any loss of business. Ms. Koschak urged the Board to adopt a comprehensive ordinance.

At 2:05 P.M. in the afternoon of Monday, April 30, 2007, Chair Kron moved to recess the public hearing until 5:00 P.M. on Thursday, May 3, 2007, at the Mt. Iron Community Center, Highway 169, Mt. Iron, Minnesota.

The public hearing reconvened at 5:08 P.M. on Thursday, May 3, 2007, with all Commissioners present.

The following persons addressed the smoking issue:

Gary Eckenberg, Deputy County Administrator, explained the ground rules for speakers and procedures for submission of surveys.

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Robin Raplinger, Virginia City Councilor, said adoption of a smoking ban is good public policy and “facts do not support the fears” that businesses will be hurt.

Ted Tammaro, Mt. Iron, said people’s rights and livelihoods are threatened by imposition of a comprehensive smoking ban.

Mary Beth Tammaro, Mt. Iron, said smoking is an unwise personal choice but still a choice. Revenue would be lost by a ban and education is a better way to approach the smoking problem.

Dr. Michael Butner, Mt. Iron, said second-hand smoke kills innocent people and the science is well documented. Dr. Butner said public health is a primary responsibility of the County.

Bob Campbell, Britt, said it is unfair that 20 percent of the population (smokers) can dictate what is good for the rest of the population. He urged the Board to show courage and adopt a strong ordinance.

Bob Tammen, Soudan, said he has lost friends and relatives because of smoking and efforts should be made to assist more people with quitting.

Tina Flaim, Virginia, said bar owners should have the right to choose if they want to allow smoking. Ms. Flaim said she would support a county-wide referendum on the issue.

Pat Meinzer, Virginia bar owner, urged the Board to let her make the decision on whether to allow smoking in her establishment. A strong ban will have a negative, ripple effect throughout the local economy, according to Ms. Meinzer.

Karen Marwick, Fayal, said she worked in the hospitality industry for years and the Board should not be telling businesses how to run their establishments.

Dr. Gene Kishel, Virginia, said second-hand smoke is a toxin that aggravates many other illnesses. Dr. Kishel urged the Board to stop the exposure.

Ed Vest, Eveleth, urged a ban in all public places, particularly if children are present.

Randy Semo, Tower bar owner, took a survey of his customers and he estimates that between 30-40 percent of his business would be lost if a smoking ban is adopted.

Andrew Vilorio, Tower, said he works in a bar and business will be adversely affected. Mr. Vilorio urged the Board to compromise with exemptions in certain circumstances.

Tim McQueen, Eveleth, said he and his son recently incurred health problems after patronizing a bowling alley where smoking was allowed. Mr. McQueen said people have the right to smoke but not to expose others.

Steven Simek, Kelsey, asked why OSHA has not weighed in on second-hand smoke as a worker safety issue. Mr. Simek urged the Board to consider an ordinance no stronger than the Duluth Ordinance.

Charles Soyering, Gilbert, said the often-quoted Surgeon General Report on second-hand smoke “infers” but does not actually establish causal effects of second-hand smoke. Mr. Soyering said the risk ratio for second-hand is actually quite small.

Catherine Liptak, Gilbert, said a right to smoke should only extend to the point where it infringes on her right to breathe clean air.

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Dale McCabe, Cotton, said each side has presented good arguments and a compromise should be reached.

Cynthis Kafut Hagen, Hibbing, said worker health supercedes economic losses and she urged adoption of a strong ban.

Dr. Ryan Kelly, Balkan, related the difficulty of telling patients that they have lung cancer or other smoking-related diseases. Dr. Kelly urged the Board to adopt a comprehensive ordinance that will stop "the procession of pain."

Travis Ohotto, Cook, who used Kim Nagler as a sign language interpreter, said he lived through his mother's battle with lung disease from smoking and related some of the effects smoking has had on him. Mr. Ohotto said an across-the-board ban would be the fairest way to protect families.

Vicki Haugland Ross, Cotton, said many of the non smoking efforts are funded by businesses that produce stop smoking products.

Jackie Park, Virginia, said she is allergic to cigarette smoke and urged passage of a comprehensive ban. Ms. Park also read a statement by Father Doyle, Virginia, supporting a ban that will clear the poisonous atmosphere.

Bob Strukel, Virginia, said years ago even public meeting rooms like this one would be filled with smoke. Mr. Strukel said his daughter works in the hospitality industry and he urged the Board to adopt a comprehensive ordinance.

Kathleen Nuccio, Eveleth, said her mother was a smoker and died as a result. Ms. Nuccio said employees should be protected.

John Weiss, Virginia, said it is a question of rights and businesses should be able to run their business as they see fit.

Kate Brady, Virginia, read a letter from Brian and Melanie Vilbrandt, owners of the Deli-icious NY Style Deli and Family Restaurant in Virginia, who operate a non smoking restaurant and have enjoyed a wonderful customer response. Ms. Brady also submitted petitions signed by 294 residents of the Sixth Commissioner District requesting adoption of a smoking ban.

Pat McKone, American Lung Association, said economic studies in areas that have imposed smoking bans indicate a similar trend of no negative impact.

Dr. Joseph Caulfield, Virginia, said it is a moral issue and fairness dictates there should not be any exemptions. Dr. Caulfield said San Diego imposed a ban and witnessed an increase in business.

Sandy Simek, Kelsey, said she has listened carefully to all the comments and a ban is still taking away rights. A bar has an atmosphere that may not be conducive to good health for a number of reasons and establishments should be able to decide what is allowed.

Dr. Mohamed Ali, Virginia, said he is a lung physician and cited examples of patients who have suffered ill effects from exposure to second-hand smoke. Dr. Ali urged the Board to approve a smoke-free ordinance.

Mark Frahm, Buhl bar owner, said maybe it would be preferable to ban sale of all tobacco products to make it a level playing field.

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Susan Hoppe read a letter from Dawn Heisel, Britt, urging the Board to adopt a comprehensive ordinance. Some countries like Ireland have successfully banned smoking in public places including bars and restaurants.

Louise Grams, Virginia, said it was once glamorous to smoke and tobacco companies did their best to promote that image.

At 5:40 P.M. in the afternoon of Thursday, May 3, 2007, Chair Kron moved to recess the public hearing until 3:00 P.M. on Monday, May 7, 2007, in the Hibbing City Council Chambers, Hibbing, Minnesota.

The public hearing reconvened at 3:10 P.M. on Monday, May 7, 2007, with the following Commissioners present: Steve O'Neil, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron. Absent were Commissioners Dennis Fink and Mike Forsman.

The following persons addressed the smoking ordinance issue:

Gary Eckenberg, Deputy County Administrator, explained the ground rules for testimony and procedures for submission of surveys.

Tom Hallowell, Hibbing, said he is a former smoker diagnosed with lung cancer. Fortunately, recent medical treatments have arrested the cancer.

Norm Ohme, Proctor, said he is also a former smoker who prefers to patronize establishments where there is no smoking.

Paul J. Przybylski, Hibbing, said smoking bans are in effect all over the world without major economic impacts and he is upset that enactment of a strong ordinance is taking so long.

Stacy Gabrielson, Hibbing, said she heard comments that younger persons are not speaking out on the smoking ordinance issue and she wanted the Board to know she is a young person in favor of a ban.

Cynthia Kafut Hagen, Hibbing, applauded the Board for listening to constituents.

Tracie Wilcox, Eveleth, said smoking is a choice but polluting the air should not be a right. Children are at risk and ventilation systems are not sufficient, according to Ms. Wilcox.

Harley Mahler, Hibbing, asked for adoption of a strong ordinance without exemptions to level the playing field. Mr. Mahler said he has noticed little economic impacts in areas where smoking bans have been instituted.

Jordan Moe, Duluth, said he has roots in Hibbing and he understands what is important to Iron Rangers. Health and education are priorities and workers will demand changes to make workplaces safe.

Vivian Arseneau, Hibbing, asked that the ordinance proposal be obliterated because people have rights that should not be legislated.

Jim Brandt, Chisholm bar owner, asked the Board to allow the state to take action on smoking and in the very least use the Duluth-style ordinance as a compromise.

Bob Greskowiak, Chisholm, said customers will begin staying home and drinking if a comprehensive smoking ordinance is adopted.

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Pam Rundell, Hibbing, said she has teenage children adversely affected by tobacco smoke and she described the effects of an asthma attack.

Cheryl Bisping, Virginia, wants a comprehensive ordinance to protect access to fresh, clean air. Ms. Bisping said a ban might hopefully encourage some smokers to try quitting.

Haley Ruper, Hibbing, said she worked in California when a ban was adopted and no large loss of business was experienced. Ms. Ruper asked whose rights are really being infringed upon when smoking is allowed.

Jim Taylor, Duluth and past president of the American Lung Association, said education about the ill effects of tobacco is needed. Tobacco use is the number one cause of preventable disease and a ban would save lives and taxpayer dollars, according to Mr. Taylor.

Zoe Planton, Soudan, read a letter from Aaron Brown of Hibbing who supported a comprehensive smoking ban for St. Louis County.

Sheila Arimond, Hibbing, read a letter from Dr. Joel Cassingham of Hibbing who urged adoption of a strong ban for the sake of our children. Ms. Arimond then read her own letter into the record advocating a county ordinance without exemptions.

Sandy Simek, Kelsey, said a smoking ordinance will be impossible to enforce.

David Wright, Duluth Township, said he is allergic to tobacco smoke and unable to frequent establishments that allow smoking. Because he travels for business, smoking in restaurants often adversely affects his ability to do business and he urged adoption of a comprehensive ordinance to save lives and not discriminate against some businesses.

Star Borin, Chisholm, said she has been a bartender for 16 years and is afraid for her job if a ban is imposed. Smokers who must go outside will also create a garbage problem.

Julie Logan, Hibbing, said she has chronic lung disease and supports a ban. Ms. Logan said even smoke residue in clothes can have an impact on some people. Recently, her family had to leave a bowling alley because of smoking by nearby bowlers.

Pam Rundell, Hibbing, read a joint letter from Duluth Clinic health care workers unable to attend the session who are strongly in favor of a comprehensive ordinance.

Allen Thomsen, Hibbing, said he is a non smoker opposed to any ban because this is still the home of the free and customers can choose where to do business.

Vicki Haugland Ross, Cotton, refuted testimony that there would be no economic impact and she favored the Duluth-style ordinance with an exemption for country taverns.

At 4:17 P.M. in the afternoon of Thursday, May 3, 2007, Chair Kron moved to recess the public hearing until 5:00 P.M. on Monday, May 14, 2007, at the Hoyt Lakes Community Center, Hoyt Lakes, Minnesota.

The public hearing reconvened at 5:02 P.M. on Monday, May 14, 2007, with the following Commissioners present: Keith Nelson, Steve Raukar and Vice-Chair Mike Forsman. Absent were Commissioners Dennis Fink, Steve O'Neil, Peg Sweeney and Chair Bill Kron.

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Vice-Chair Forsman explained that even though the state appears to be on the verge of approving a comprehensive statewide smoking ban, the public hearings were scheduled and must be conducted until such time as the Board officially cancels the hearings.

The following persons addressed the smoking ordinance issue:

Gary Eckenberg, Deputy County Administrator, explained hearing ground rules and how to submit surveys.

Sam Wilkes, Aurora, said he supports an ordinance to protect children but would consider exemptions for adult-only locations.

Dr. Michael Weiner, Aurora-White Hospital, said smoking is an addiction with severe health consequences and the economic impact of a ban is not nearly as detrimental as some believe.

Zoe Planton, Soudan, thanked the Board for holding the hearings and said she is awaiting the Governor's signature on the statewide smoking ban bill.

Sandy Simek, Kelsey, asked the Board not to consider anything more stringent than what the state legislature has passed. Ms. Simek agreed that smoking is bad but argued that government should not be the "conscience of the public" in all matters and many small businesses will shut down as a result of the smoking ban.

Bill Ojala, Aurora, said he quit smoking in 1958 and this is a health issue not a moral issue. Mr. Ojala would support an ordinance that is even stronger than the statewide ban.

Viv Mueller, Aurora bar owner, said there will be a severe impact on her business and she expressed concern about the continuing erosion of personal rights.

Alan Geisdorf, Aurora, who moved to this area from England said he cherishes our constitutional rights and a smoking ban is an encroachment of these rights.

Randy Pratt, Hoyt Lakes bowling alley proprietor, said the ban will impact his business and he decried the infringement on personal rights. Mr. Pratt urged the Board to go no further than the state ban.

Kate Brady, Virginia, read a letter from Linda Stoks, RN, who was unable to attend the meeting, urging support of a smoking ban for health reasons.

In response to a question from Randy Pratt, Chair Forsman said there are indications that a resolution may be forthcoming at the May 22 Board meeting to cancel remaining hearings if the Governor signs the smoking bill passed by the legislature, but he emphasized that he wasn't speaking for the rest of the Board. Commissioners Forsman and Raukar agreed they would not support a more stringent ordinance than the statewide ban, but that was a decision for the entire Board to make. Commissioner Nelson said he may vote to continue the hearings as scheduled to complete the process in the event something changes in the near future.

At 4:45 P.M. in the afternoon of Monday, May 14, 2007, Vice-Chair Forsman moved to recess the public hearing until 5:00 P.M. on Tuesday, May 15, 2007, at the Floodwood Downtown Fair Center, Floodwood, Minnesota.

The public hearing reconvened at 5:07 P.M. on Tuesday, May 15, 2007, with the following members present: Commissioners Keith Nelson, Steve Raukar and Vice-Chair Mike Forsman. Absent were:

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Commissioners Dennis Fink, Steve O'Neil, Peg Sweeney and Chair Bill Kron.

Vice-Chair Forsman again explained that even though the state legislature has passed a smoking ban and the Governor is expected to sign the bill, the public hearings were scheduled and must continue until the Board meets on May 22 and decides if the hearings regarding adoption of smoking ordinance should be canceled.

The following persons addressed the smoking ordinance:

Alice Rosenholm, Halden Township, said she is awaiting the Governor's signature on the state bill and she thanked the Board for listening to citizens throughout the County on the subject.

Alice Johnson, Floodwood, said she strongly supports a ban, adding that during her years of health care work she saw the consequences of tobacco use and exposure.

Jeff Kletscher, Mayor of Floodwood, said he appreciated the County Board coming to Floodwood for a hearing and he urged continuation of the process until the legislative session is over. Mayor Kletscher also suggested the Board send a letter of support and thanks to the Governor and the legislature for their efforts in enacting a smoking ban.

Palmer Anderson, Floodwood Independent School District 698, listed some of the school district efforts to curb smoking among students and he thanked the Board for considering adoption of a smoking ban. Mr. Anderson said there should be a balance between the rights of smokers and non smokers.

Pat McKone, Duluth, said she is looking forward to the Governor's signature on the smoking bill. Ms. McKone related a story of a non smoking waitress on the Iron Range who has contracted cancer and thanked her group for their work supporting a smoking ban.

Jill Rogers, Duluth, read a letter from Dawn Shafer, RN, who was unable to attend the session, expressing strong support for an across the board smoking ban.

Jan LeSarge, Floodwood, said she does not like the new law because too many rights are being taken away. Ms. LeSarge told the Board to consider the consequences and she asked if anything was going to be done for dislocated workers and business owners.

Jill Strom, Eveleth, owner of the Timber's Edge, said she was angry that Commissioners chose to address the smoking issue at a time when efforts could have been concentrated at the state legislature. Ms Strom said she has heard from workers who fear for their jobs.

Vicki Haugland, Cotton, submitted a copy of an economic analysis of the effects of a smoking ban where reductions in employment were prevalent. Ms. Haugland expressed concern over future loss of employment because of the new state smoking ban.

Andrew Turnboom, Floodwood, an employee in the hospitality industry, said he understands and accepts risks associated with second hand tobacco smoke exposure because he enjoys his job and it pays well. Jobs are scarce in this area and Mr. Turnboom was concerned about losing his job.

At 5:35 P.M. in the afternoon of Tuesday, May 15, 2007, Vice-Chair Forsman moved to recess the public hearing until Tuesday, May 22, 2007, pending action by the County Board.

On May 22, 2007, by Resolution No. 301, the St. Louis County Board withdrew the proposed smoking ordinance and canceled all remaining public hearings.

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The following documents, surveys and letters were submitted during the conduct of the public hearings, copies of which can be found in County Board Document File No. 58706:

1. Copies of packet containing public hearing schedule (as amended); introduction to public hearing read by Chair of Board prior to each hearing; draft of proposed Ordinance No. 60 and copy of the survey distributed at each hearing location.
2. Clerk's notes from the hearings.
3. Sign up sheets from each location where a public hearing was held.
4. Legal notices published in the Duluth News Tribune, Mesabi Daily News, Hibbing Daily Tribune, Ely Echo, Cook News-Herald and the Tower Timberjay.
5. Copy of statement from Ann Busche, Director of St. Louis County Health and Human Services Department, supporting passage of a comprehensive smoking ordinance.
6. Copies of petitions containing 214 signatures sent to state legislators Senator Tom Bakk and Representative Mary Murphy opposing enactment of a statewide smoking ban.
7. Copies of petitions with 242 signatures submitted to the Ely City Council asking for their support of a proposed smoking ordinance in St. Louis County.
8. Orange cards and signature pages containing 101 signatures from Duluth residents unable to attend the public hearings but supporting a County ban no more stringent than the current Duluth ordinance.
9. Letter from Steven Simek, Kelsey, opposing the smoking ban.
10. Letter from Sandy Simek, Kelsey, opposing the smoking ban.
11. Note from Kozy Bar, Hero's Bar, Curley's Bar and Roundup Bar, all located in Duluth, that they did not receive notice of the smoking ordinance hearings.
12. Letter from Doris and Don Lane of Duluth requesting the County Board adopt a Duluth-style smoking ordinance.
13. Petition addressed to Commissioner Nelson signed by 294 voters in his district asking for his support of a smoking ban in restaurants and bars.
14. Results of a survey conducted by owners of the Good Ol' Days Bar/Restaurant in Tower to determine customer wishes regarding a smoking ordinance (127 signed surveys included).
15. Materials submitted by Dr. Gene Kishel, Virginia, regarding the harmful effects of second hand tobacco smoke on youth and efforts that should be made to reduce or eliminate youth smoking.
16. A listing compiled by Robert Wernimont of non smoking campaign contributors and grants available for the Smokeless States Program. The majority of funding is from the Robert Wood Johnson Foundation, makers of smoking cessation products.
17. A listing of bars and restaurants that have gone out of business as a result of imposition of a smoking ban in Minneapolis, St. Paul and Bloomington. Also included were a nationwide listing of business losses/closures from smoking bans as well as an analysis of the effect of a ban on charitable gambling receipts.
18. Signed letters/petitions from 733 residents (with comments) asking the Board to reject a smoking ban.
19. Additional customer letters/petitions submitted by Big Guys Bar in Aurora asking for rejection of a smoking ordinance (contains 42 signed letters).
20. An unsigned letter supporting a smoking ordinance to protect youth. The letter also said studies show little, if any, economic effects from a ban.
21. Letter from Linda Stoks, RN, Hoyt Lakes, urging adoption of smoking ordinance.
22. Letter from the Brian and Melanie Vilbrandt, owners of Deli-icious NY Style Deli & Family Restaurant in Virginia, saying their establishment is smoke-free and customers everywhere should not be subjected to second hand smoke.
23. A letter from staff at the Duluth Clinic - Hibbing urging the Board to adopt a strong smoke-free ordinance to save lives.
24. Copy of a blog on The B. E. Journal of Economic Analysis & Policy where it was averred that the effects of a smoking ban vary depending on climate (warm areas are less affected) and in

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- areas where smoking is more prevalent (larger impact).
25. A research study by the Minnesota Institute of Public Health conducted in February 2007 that found no sizeable economic impact in areas of Minnesota where a smoking ban has been instituted.
 26. Copy of a report prepared by Minnesotans Against Smoking Bans insisting that the Minnesota Partnership for Action Against Tobacco (MPAAT) presents lies and half truths as “common knowledge” when supporting a smoking ban.
 27. Letter from Sheila Arimond, Hibbing, asking the Board to adopt a comprehensive smoking ban to protect workers.
 28. Letter from Dr. Joel Cassingham, Hibbing, urging the Board to approve a strong smoking ordinance to protect children.
 29. Letter from Aaron J. Brown, Hibbing, asking the Board to take a stand for innovation and advancement of the public good by passing a comprehensive smoking ordinance.
 30. Copy of statement prepared by Randy Semo, restaurant owner in Tower, citing loss of jobs and rights if a comprehensive ban is imposed.
 31. Copy of a statement presented by Charles N. Soyering contending the often-quoted Surgeon General report “infers” but does not establish an actual risk from exposure to second hand smoke.
 32. Copy of statement presented by Theodore Tamaro, Mt. Iron, expressing concern that jobs will be lost and a ban will amount to unreasonable regulation.
 33. Letter submitted by Vicki Haugland Ross, Cotton, claiming the dangers from second-hand smoke are exaggerated by the non smoking lobby and questioning motives for funding provided to these groups.
 34. Copy of a statement presented by Brad Young, Orr, asking the Board to consider good ventilation systems as an alternative to a smoking ban.
 35. Letter from Dr. Bruce Garbisch, Cook Hospital, supporting the strongest possible legislation for clean air in the workplace.
 36. Copy of a letter from Jeanne Emmons asking for a strong ban.
 37. Numerous documents submitted concerning misinformation about the risks of second-hand smoke.
 38. Copy of statement presented by Angela Tuchek, bar owner in Cook, insisting there will be a large economic impact from a smoking ban.
 39. Letter from John S. Osmundson, Piedmont Heights Hockey Association, showing sizeable decreases in charitable gambling revenues at Duluth sites since the Duluth smoking ordinance was enacted.
 40. Letter from David Sharp, U. S. A., asking everyone to band together to protect our civil rights.
 41. Copy of an article from the Duluth News Tribune referring to state reliance on tobacco taxes and the upholding of the state tobacco fee.
 42. Copy of a letter to the editor of the Duluth News Tribune by Lee Moeller, Bovey, stating the proposed tobacco ordinance goes too far.
 43. Letter from Amanda Heimbach, Duluth, questioning why OSHA doesn’t enforce smoke bans in workplaces and is apparently satisfied with the lack of risk.
 44. Letter from Jarrod Imhof, Duluth, presenting findings of a study by Michael Siegel, Phd, alleging misinformation from smoking ban adherents about the dangers of second-hand smoke exposure.
 45. Letter from Officer Steve LaTour, Duluth Police Department, citing difficult enforcement as a good reason to adopt an across the board smoking ban.
 46. Copy of a letterhead from Patrick Neve, Proctor, with symbols indicating the decision to go smoke-free should be left up to the business owner.
 47. Copy of a letter from Dawn C. Shafer, RN, Scenic Rivers Health Services, asking the Board to support a smoke-free work environment across the board.

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

JUNE, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 5, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of June, 2007, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Peg Sweeney, Keith Nelson, Steve Raukar and Chair Bill Kron - 6. Absent: Commissioner Mike Forsman - 1.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

At 9:41 A.M., a public hearing was convened pursuant to County Board Resolution No. 289, adopted May 22, 2007, to consider a business subsidy request from Cirrus Design Corporation for tax abatement financing for their Hermantown facility. The following persons addressed the issue:

Barbara Hayden, Planning Director, explained the ten-year financing plan beginning with taxes payable in 2008 and amounting to \$277,700. The abatement is needed to offset costs associated with an expansion project, including removal of contaminated soil. Two hundred twenty jobs will be created by the Cirrus expansion, according to Director Hayden.

Jason Dillon, Cirrus Design, thanked everyone for their support of a Cirrus project that made unuseable land useable again and allows for future expansion.

Donald Dicklich, County Auditor, thanked Cirrus for locating and expanding in the Hermantown area.

Steve Overom, Attorney, in response to a question from Commissioner Fink, explained the tax abatement covers the current estimated taxes of \$27,700 per year beginning in 2008 and any tax increases above and beyond that amount will be paid by Cirrus.

At 10:00 A.M., after further discussion, Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; six yeas - zero nays. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the tax abatement; six yeas - zero nays. Resolution No. 330.

Chair Kron 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 Sweeney, supported by Commissioner Raukar, moved to approve the Consent Agenda. Commissioner Nelson asked for a friendly amendment - accepted by the makers - to remove Item 24c (award of bid for highway project S.P. 69-613-028) and refer the matter to Public Works and Transportation Committee for tabling because the federal participation portion of the project was not yet complete. The amended Consent Agenda was approved: six yeas - zero nays.

Commissioner Raukar, Chair of Finance and Budget Committee, explained that at 2:00 P.M., pursuant

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to County Board Resolution No. 271, the Board would consider issuance and sale of \$5 million General Obligation Capital Equipment Notes, Series 2007.

Commissioner Nelson, supported by Commissioner O'Neil, moved to table Item 24c from the Consent Agenda until the June 12 meeting; six yeas - zero nays.

Commissioner Nelson said he was in the Lakeland area near Biwabik on Monday and was impressed with the Sheriff and Rescue Squad's response in the search for a missing six-year-old boy.

Commissioner Raukar said he attended a recent Passenger Rail Meeting with Commissioner Nelson and reported that a consultant has been hired to determine the feasibility of establishing passenger rail service between the Twin Ports and Minneapolis.

At 10:15 A.M. in the forenoon of Tuesday, June 5, 2007, Commissioner Sweeney, supported by Commissioner Nelson, moved to recess the Board until 2:00 P.M. on June 5, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 2:03 P.M. on Tuesday, June 5, 2007, and the regular order of business resumed with all members except Commissioner Forsman.

Pursuant to County Board Resolution No. 271, adopted May 8, 2007, sale and issuance of \$5 million in General Obligation Capital Equipment Notes, Series 2007, was then considered. The following persons addressed the issue:

Dana Frey, County Administrator, said sale of the equipment notes is part of the budget process and would be used to purchase graders, loaders, trucks, etc.

Donald Dicklich, County Auditor, said the County received an aa3 rating from Moody's because of strong financial management, low debt burden and an increasingly diverse tax base. Nine bids were submitted. In response to a question from Commissioner Fink, Auditor Dicklich said the County will use an aggressive four-year repayment schedule.

Jessica Cameron, the PFM Group, said the County did very well on the sale with a lower interest rate than projected.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve issuance and sale of the equipment notes; six yeas - zero nays. Resolution No. 331.

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. 07-217, regarding reclassification of state tax forfeited land (non-conservation).--58707

Documentation regarding the issuance and sale of \$5,000,000 General Obligation Capital Equipment Notes, Series 2007.--58708

Agreement for Professional Services between the County of St. Louis and Fox Lawson and Associates, LLC, to conduct a job market survey.--07-704

Agreement between the City of Babbitt and the County of St. Louis for St. Louis County Crack Sealing Plan (M.P. 3745).--07-705

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Project Contract No. 4683 between the County of St. Louis and Future Forests, Inc., for broadcast application of herbicides for tree plantation site preparation and release of existing conifer plantations.--07-706

Addendum to Contract No. 90096B between the St. Louis County Child Support Enforcement Agency, the Minnesota Department of Human Services, the County Attorney's Office, and the Sheriff.--07-707

Employee Safety & Development Training Contract between St. Louis County and Ann Harrington for Compassionate Communications sessions.--07-708

Amendment between St. Louis County and SMDC for the presentation/training services for the Mindfulness-Based Street Reduction Program.--07-709

Employee Safety & Development Training Contract between St. Louis County and NESC for Intro to Access, Access Advanced Switchboard, Access Consultant, and DNN Speerio File Manager Pro sessions.--07-710

Employee Safety & Development Training Contract between St. Louis County and Barbara A. Larson for an Office Ergonomic - Workstation Evaluation Training session.--07-711

Agreement for Professional/Artistic Services between David L. Aho Metalworking and St. Louis County for fabricating and installing an abstract work of art outside the Hibbing Courthouse Annex.--07-712

Grant Application Approval Form for Government Performance Reporting Trailblazer Grant from National Center for Civic Innovation.--07-713

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 305 through 329, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 22, 2007, are hereby approved.

Adopted June 5, 2007. No. 305

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. 58640, is hereby approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted June 5, 2007. No. 306

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 30 (totaling \$1,155,328.27), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted June 5, 2007. No. 307

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated May 25, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 5, 2007. No. 308

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

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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 applications for intoxicating liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58641;

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

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

FURTHER RESOLVED, that said licenses shall be effective through June 30, 2008:

Red Cloud, LLC, d/b/a The Harvest Moon Cooking Company, Beatty Township, Combination On/Off Sale Intoxicating Liquor License No. CMB08114 and Sunday On-Sale Intoxicating Liquor License No. SUN08114, change of officers.

Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13, Combination On/Off Sale Intoxicating Liquor License No. CMB08115 and Sunday On-Sale Intoxicating Liquor License No. SUN08115, change of officers.

Adopted June 5, 2007. No. 309

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for 3.2 percent malt liquor licenses are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58694;

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

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

FURTHER RESOLVED, that said license shall be effective through June 30, 2008:

The Auto Club Group, d/b/a AAA Minnesota/Iowa, Canosia Township, On-Sale 3.2 Percent Malt Liquor License No. B0887, change of officers;

Nelson's Resort, Inc., d/b/a Nelson's Resort, Inc., Crane Lake Township, Off-Sale 3.2 Percent Malt Liquor License No. B0886, change of officers.

Adopted June 5, 2007. No. 310

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. 58641;

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, 2008:

Bois Forte Reservation Tribal Council, d/b/a Ledge Liquor Store, Vermilion Lake Township, Off-Sale Intoxicating Liquor License No. OFSL0820, change of officers.

Adopted June 5, 2007. No. 311

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

211

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. 58641;

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, 2008:

Tanski Liquor Corporation, d/b/a Tanski's Ridgeview Lanes, Rice Lake Township, On-Sale Intoxicating Liquor License No. ON0833 and Sunday On-Sale Intoxicating Liquor License No. ONS0833, change of officers.

Adopted June 5, 2007. No. 312

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subd. 1a, upon recommendation of the County Board, the Commissioner of Revenue may convey State tax forfeited land to another governmental subdivision for the authorized public use of stormwater drainage ditches; and

WHEREAS, the City of Proctor has requested conveyance of State tax forfeited land legally described as:

Legal: Lot 8, Block 3, Maple Grove Park Addition to Village of Proctorknott, City of Proctor

Parcel Code: 185-160-360

+-.38 Acre

LDKEY 36091

WHEREAS, stormwater drainage ditches are an authorized public use;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends the Commissioner of Revenue convey the above described State tax forfeited land to the City of Proctor for the authorized public use of stormwater drainage ditches;

RESOLVED FURTHER, the St. Louis County Board approves the conveyance, pursuant of Minnesota Statutes, Section 282.01, Subd. 1a, of the above described State tax forfeited land to the City of Proctor for an administrative fee of \$150.00, deed tax of \$1.65, and recording fee of \$46.00 for a total of \$197.65 to be deposited into Fund 240-Forfeited Tax Fund.

Adopted June 5, 2007. No. 313

WHEREAS, pursuant to Minnesota Statutes 282.01a, Subd. 1a, 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 of stormwater drainage; and

WHEREAS, the City of Duluth has requested conveyance of State tax forfeited land legally described as:

Legal: Lots 5-14, Block 13, Ironton 4th Division, City of Duluth

Parcel Code: 10-2550-3340, 3350, 3390, 3400, 3410

.71 Acres

LDKEY 62092

WHEREAS, stormwater drainage is an authorized public use;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends the Commissioner of Revenue convey the above described State tax forfeited land to the City of Duluth for stormwater drainage;

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

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RESOLVED FURTHER, the St. Louis County Board approves the conveyance, pursuant of Minnesota Statutes, Section 282.01, Subd. 1a, of the above described State tax forfeited land to the City of Duluth for an administrative fee of \$150.00, deed tax of \$1.65, and recording fee of \$106.00 for a total of \$257.65 to be deposited into Fund 240-Forfeited Tax Fund.

Adopted June 5, 2007. No. 314

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, Jack E. Anderson has applied to repurchase the following parcel located in:

CITY OF HIBBING, W 250 FT OF E 713 FT OF NW 1/4 OF NW 1/4 LYING S OF HWY, Sec 26
Township 57.0 Range 21
Parcel Code: 141-0050-05087

WHEREAS, Jack E. Anderson 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 Jack E. Anderson, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,858.17, repurchase application fee of \$114.00, deed tax of \$9.43, deed fee of \$25.00, and recording fee of \$46.00, for a total of \$3,052.60, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 5, 2007. No. 315

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, Doug Miller, for Miller Siding, has applied to repurchase the following parcel located in:

City of Meadowlands, Lots 16 and 17, Block 1, Meadowlands Rearrangement
Parcel Code: 165-0010-00180
Address: 7739 Central Ave, Meadowlands, MN 55765

WHEREAS, Doug Miller, for Miller Siding, 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 Doug Miller, for Miller Siding, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$2,347.10, repurchase application fee of \$114.00, deed tax of \$7.74, deed fee of \$25.00, and recording fee of \$46.00, for a total of \$2,539.84, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 5, 2007. No. 316

WHEREAS, the St. Louis County Land Department requests authorization to dispose of abandoned personal property on State tax forfeited land located at 101 Spring St., Duluth, MN; and

WHEREAS, Minnesota Statute 282.04, Subd. 2(d), and 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;

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

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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 property.
Adopted June 5, 2007. No. 317

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. 58707 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. 58707 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 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. 58707 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 June 5, 2007. No. 318

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Hay Creek Bay on May 12, 2005; and
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Hay Creek Bay; 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 Hay Creek Bay, located in Section 7, Township 52 North, Range 14 West (Gnesen).
Adopted June 5, 2007. No. 319

WHEREAS, the St. Louis County Board supports the goals of providing a secure e-mail communications method that complies with HIPAA regulations through employment of an e-mail encryption solution.
NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the MIS Department to renew the software lease including maintenance and support with Zix Corporation for three years at a current cost of \$18,700 per year for a total cost of \$56,100 less a prepayment discount of \$7,470 or a net total cost of \$48,630 plus Minnesota State Sales Taxes. All costs to be paid out of Fund 750, Agency 750001, Object 634800.
RESOLVED FURTHER, that the MIS Department is authorized to continue ongoing maintenance and support after the initial three year period at a rate mutually agreed upon between the MIS Department and Zix Corporation for as long as the County utilizes this product.
RESOLVED FURTHER, that the funding for this contract and future ongoing maintenance and support is payable from Fund 750, Agency 750001, Object 634800.
Adopted June 5, 2007. No. 320

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

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RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Wood City Riders Snowmobile Club, to operate out of Country Corner, 9497 Highway 2, Brookston, MN 55711, Culver Township, RENEWAL.
Adopted June 5, 2007. No. 321

WHEREAS, the FY 2007 Action Plan was submitted on November 14, 2006, to the U.S. Department of Housing and Urban Development for the FY 2007 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 2007 Action Plan and has awarded to St. Louis County \$107,672 for the ESG program, \$689,299 for the HOME program, and \$2,505,240 for the CDBG program; and

WHEREAS, the St. Louis County Board of Commissioners approved the FY 2007 Community Development Block Grant (CDBG) program awards to 23 communities and agencies totaling \$2.350 million by Board Resolution No. 584 on November 6, 2006; and

WHEREAS, the advisory committee for the Emergency Shelter Grant program recommends FY 2007 funding of \$113,358 for seven nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and

WHEREAS, \$150,000 of program income is included in the HOME program 2007 budget for home ownership assistance and the advisory committee for the Northeast Minnesota HOME Consortium recommends HOME funding of \$771,504 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 2007 HUD grants and authorizes the County Planning Director to execute the grant agreements on behalf of St. Louis County, along with all 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; and

RESOLVED FURTHER, grant funds will be allocated as follows:

\$ 107,672	ESG Grant to Fund 173
\$ 689,299	HOME Grant to Fund 270
\$ 2,505,240	CDBG Grant to Fund 260

RESOLVED FURTHER, the St. Louis County Board of Commissioners approves and allocates funds to 2007 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:

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

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<u>Project No.</u>	<u>Amount</u>	<u>Project Name - CDBG Fund 260</u>
200701	650,000	AEOA Single Family Housing Rehabilitation
200702	50,000	Northeast Entrepreneur Microenterprise
200703	250,000	St. Louis County Economic Development
200704	240,000	Aurora Wastewater Treatment Facility Improvements
200705	340,000	Breitung Infrastructure Improvements
200706	20,000	Cook City Hall/Community Center Accessibility
200707	100,000	Ely Street Improvements
200708	190,000	Eveleth Water Treatment Plant Improvements
200709	150,000	Hibbing Sewer Improvements
200710	10,000	Mountain Iron Mountain Manor Playground
200711	90,000	Virginia Horace Mann Demolition
200712	5,000	AEOA Homeownership Assistance Program
200713	41,000	AEOA - Homeless Shelter
200714	10,000	AEOA - Raising Our Children's Kids (ROCK)
200715	45,000	Legal Aid Service of NE MN - Housing Counseling & Information
200716	20,000	Life House - Proctor House for Youth
200717	35,000	Range Transitional Housing - Housing Programs
200718	22,000	Range Women's Advocates - Children's Program
200719	13,000	Salvation Army - Hibbing Melting Pot Meals
200720	15,000	Salvation Army - NSLC Money Management Program
200721	15,000	Salvation Army - Virginia Supper Club
200722	23,000	Sexual Assault Program - Youth Outreach Services
200723	12,000	SOAR Career Solutions - Career & Business Development Services
TOTAL	\$2,350,000	

<u>Agency - ESG Fund 173</u>	<u>Amount</u>
Arrowhead Economic Opportunity Agency	\$ 33,484
Legal Aid Service of NE Minnesota	\$ 12,246
Life House	\$ 12,896
Range Transitional Housing	\$ 26,084
Salvation Army - Duluth	\$ 2,064
Salvation Army - Hibbing	\$ 13,392
Salvation Army - Virginia	\$ 13,392
Total	\$113,558

<u>Agency - HOME Fund 270</u>	<u>Amount</u>
<u>Arrowhead Economic Opportunity Agency</u>	
Home Ownership Assistance	\$250,107
CHDO Set Aside Activities	100,000
CHDO Operating	<u>22,598</u>
	\$372,705

<u>KOOTASCA Community Action, Inc.</u>	
Home Ownership Assistance	\$ 75,000
CHDO Set Aside Activities	175,000
CHDO Operating	<u>11,299</u>
	\$ 261,299

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

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<u>Northern Communities Land Trust</u>	
CHDO Set Aside Activities	\$ 137,500
Subtotal	<u>137,500</u>
Total	\$ 771,504

Adopted June 5, 2007. No. 322

WHEREAS, the State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has made available \$57,000.00 in funding from the ARMER (Allied Radio Matrix for Emergency Response) program for interoperable communications equipment for the seven international border counties; and

WHEREAS, the St. Louis County Sheriff's Office has been asked by the Director of the ARMER program to act as the grant administrator and fiscal agent for this funding; and

WHEREAS, the St. Louis County Sheriff's Office has a good working relationship with the Minnesota Department of Public Safety, Homeland Security and Emergency Management Division; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed interoperable communications equipment as a result of this funding;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the 2007 ARMER Border grant in the amount of \$57,000 for interoperable communications equipment and to act as the fiscal agent for the grant on behalf of the seven county border region;

RESOLVED FURTHER, this grant will be accounted for in Fund 100, Agency 129999, Grant 12939, Year 2007.

Adopted June 5, 2007. No. 323

RESOLVED, that a public hearing will be held at 9:35 A.M. on June 26, 2007 at the Semer's Park Pavilion, Ely, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township.

Adopted June 5, 2007. No. 324

RESOLVED, that a public hearing will be held at 9:40 A.M. on June 26, 2007, at the Semer's Park Pavilion, Ely, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Traci Melin, d/b/a Char Mars, Alborn Township.

Adopted June 5, 2007. No. 325

RESOLVED, that a public hearing will be held at 9:35 A.M. on July 10, 2007, at the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township.

Adopted June 5, 2007. No. 326

WHEREAS, Minnesota Power and Great River Energy serve electrical customers in the Lake Vermilion area, Tower, Ely, Winton, Babbitt, and surrounding rural areas; and

WHEREAS, Minnesota Power and Great River Energy are proposing to construct a new 115 kilovolt transmission line in the Tower/Embarrass area to meet increased electrical demands and ensure reliable electric service in these service areas; and

WHEREAS, on December 16, 2006, Minnesota Power and Great River Energy submitted a Route Permit Application for the project to the Minnesota Public Utilities Commission; and

WHEREAS, the proposed route follows existing rights-of-way to the fullest extent possible including a scenic railroad grade which is now a State Grant-In-Aid Snowmobile trail; and

WHEREAS, the Minnesota Department of Commerce held public meetings in which concerned citizens were given the opportunity to comment on the scope of the Environmental Assessment and suggest alternative routes for evaluation; and

WHEREAS, a citizens group has proposed two alternative routes for the transmission line to protect the

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

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existing snowmobile trail corridor and minimize the need to exercise the power of eminent domain to acquire land necessary for the project;

WHEREAS, proposed Option One is the shortest in length and has the least impact to wetlands;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports Option One as the preferred route for the proposed Tower/Embarrass transmission line.

Adopted June 5, 2007. No. 327

WHEREAS, bids have been received by the County Auditor for the following project: M.P. 3738, located at various sites central St. Louis County consisting of Crush, Screen, and Stockpile Aggregate, Class 5 (Mod.).

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., May 14, 2007, 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 combined projects 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	\$270,500.00

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 201050, Object 650200.

Adopted June 5, 2007. No. 328

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

M.P. 4131-1307 (low) located at Robert Street from C-SAH 70 to North in Babbitt, MN; length 0.5 mile, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 4132-1308 located at Joseph Street from C-SAH 70 to North in Babbitt, MN; length 0.5 mile, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 4133-1309 located at Terence Street from C-SAH 70 to North in Babbitt, MN; length 0.5 mile, consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 4138-1310, Bear Island Res. Road from C-SAH 21 to West, north of Babbitt, MN; length 0.9 mile, 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., May 14, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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	\$312,911.32

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. 4131-1307 (low):	Fund 210, Agency 210024, Object 652800	\$ 56,382.15
M.P. 4132-1308:	Fund 210, Agency 210025, Object 652800	\$ 69,149.25
M.P. 4133-1309:	Fund 210, Agency 210026, Object 652800	\$ 67,824.87
M.P. 4138-1310:	Fund 210, Agency 210027, Object 652800	\$119,555.05

Adopted June 5, 2007. No. 329

BY COMMISSIONER SWEENEY:

WHEREAS, Cirrus Design Corporation (Cirrus), a Minnesota Corporation, is a leading designer and manufacturer of Federal Aviation Administration (FAA) certified small aircraft and currently has an annual payroll of over \$36.5 million; and

WHEREAS, Cirrus has completed a \$14 million expansion which included contaminated soil correction and site preparation costs; and

WHEREAS, Cirrus submitted an application to St. Louis County requesting up to \$277,700 in tax abatement financing to expand their Duluth facility; and

WHEREAS, St. Louis County Economic Committee July 2006 review, staff review and independent reviews and analysis of the applicant's financial information and prevailing wage requirements were conducted; and

WHEREAS, the findings of these reviews are that public benefits received from this project exceed the costs to the county and further meet other criteria established under Minnesota Statutes for Tax Abatement Financing and Business Subsidy Act, County Tax Abatement Financing Policy, County Business Subsidy Criteria and other local, state and federal policies.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby affirms those findings and approves the abatement of the County's tax allocation of up to \$27,770 per year on the property for a ten year period, commencing with taxes payable in 2008.

RESOLVED FURTHER, that Cirrus agrees to add 220 full-time jobs within two years and maintain that level of employees until 2022;

RESOLVED FURTHER, the appropriate County officials are hereby authorized to execute a business subsidy agreement with the Cirrus Design Corporation and any other related documents after final review and approval by a representative of the County Attorney's Office.

Unanimously adopted. June 5, 2007. No. 330

BY COMMISSIONER RAUKAR:

**RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND
DELIVERY OF \$5,000,000 GENERAL OBLIGATION CAPITAL
EQUIPMENT NOTES, SERIES 2007, OF ST. LOUIS COUNTY,
MINNESOTA; ESTABLISHING THE TERMS AND FORM THEREOF;
CREATING A DEBT SERVICE FUND THEREFOR; AND AWARDED
THE SALE THEREOF**

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

Section 1. Note Purpose and Authorization.

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

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

1.02 The Board of County Commissioners of the County hereby determines that it is necessary and expedient to issue \$5,000,000 General Obligation Capital Equipment Notes, Series 2007, of the County (the "Notes") to provide funds to purchase capital equipment and to pay certain expenses incurred in the issuance of the Notes.

1.03 The County has solicited bids for the sale of the Notes and has received and considered all bids presented pursuant to the Official Terms of Offering and has determined that the most favorable bid is that of Wells Fargo Brokerage Securities, LLC of Minneapolis, Minnesota (the "Purchaser"), to purchase the Notes at a cash price of \$5,020,096.20, plus accrued interest on the total principal amount from June 20, 2007, to the date of delivery and upon the terms and conditions hereafter specified in this Resolution. The Board of County Commissioners, after due consideration, finds such bid reasonable and proper and the bid of the Purchaser is hereby accepted. The Chair and the County Auditor are hereby authorized and directed to execute on the part of the County a contract for the sale of the Notes in accordance with the Purchaser's bid, and to acknowledge receipt of the check given for the security of the bid. All actions of the Chair and the County Auditor and Public Financial Management, Inc., independent financial advisor to the County, taken with regard to the sale of the Notes are hereby ratified and approved.

Section 2. Terms of the Notes.

2.01 The Notes to be issued hereunder shall be dated June 20, 2007, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Notes shall bear interest at the annual rates and shall mature on December 1 in the years and amounts shown below:

YEAR	AMOUNT	INTEREST RATES
2008	\$1,115,000	4.00%
2009	\$1,245,000	4.00%
2010	\$1,295,000	4.00%
2011	\$1,345,000	4.00%

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

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (the "Interest Payment Dates"), commencing on June 1, 2008. 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 County Auditor shall make all interest payments with respect to the Notes by check or draft mailed to the registered owners of the Notes shown on the bond registration records maintained by the County Auditor at the close of business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners' addresses shown on such bond registration records.

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

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

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

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

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

C. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by Note holders and payments on the Notes.

2.07 The County Auditor, as the Note Registrar, shall keep books for the registration and for the transfer of the Notes. Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Auditor, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chair and the County Auditor shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity, and the County Auditor shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Auditor shall cancel any Note surrendered for transfer. The County shall cooperate in any such transfer, and the Chair and the County Auditor are authorized to execute any new Note or Notes necessary to effect any such transfer.

2.08 Each Note delivered upon transfer of or in exchange for or in lieu of any other Note shall carry all of the rights to interest, accrued and unpaid and to accrue, which are carried by such other Note. Each Note shall be dated by the County Auditor as of the date of its execution.

2.09 The County may treat the person in whose name any Note is registered as the owner of such Note for the purpose of receiving payment of principal of and interest on such Note and for all other purposes whatsoever, whether or not such Note be overdue, and the County shall not be affected by notice to the contrary. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

2.10 The principal of and interest on the Notes shall be payable by the County Auditor in such funds as are legal tender for the payment of debts due the United States of America.

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

Section 3. Form of the Notes.

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

UNITED STATES OF AMERICA
STATE OF MINNESOTA

R- _____ \$ _____

ST. LOUIS COUNTY
GENERAL OBLIGATION CAPITAL EQUIPMENT NOTE
SERIES 2007

<u>Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
____%	December 1, 20__	June 20, 2007	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

St. Louis County, State of Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the date specified above, and to pay interest on said principal sum to the registered owner hereof from June 20, 2007, or from the most recent interest payment date to which interest has been paid or duly provided for, until the principal sum is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (the "Interest Payment Dates") commencing on June 1, 2008. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft by the County Auditor of St. Louis County, Minnesota. The County Auditor shall make all interest payments with respect to this Note directly to the registered owner hereof shown on the registration records maintained on behalf of the County by the County Auditor at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Note, the presentation or surrender of this Note, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Note to the County Auditor. For the prompt and full payment of such principal and interest as they become due, the full faith and credit of the County are irrevocably pledged.

This Note is one of a series issued by the County in the aggregate amount of \$5,000,000 pursuant to the authority contained in Minnesota Statutes, Section 373.01 and Chapter 475, and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on June 5, 2007 (the "Note Resolution"), and is issued for the purpose of providing money, together with other available funds, for the purchase of capital equipment.

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The Notes 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, relating to the deduction of interest expenses allocable to the Notes by financial institutions.

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

The Notes shall not be subject to redemption before maturity.

The Notes of this series are issued as fully registered bonds without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Note Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Notes in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Note, and of like tenor except as to number and principal amount. This Note is transferable by the registered owner hereof upon surrender of this Note for transfer at the office of the County Auditor, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the County and executed by the registered owner hereof or his attorney duly authorized in writing. Thereupon the County shall execute and deliver, in exchange for this Note, one or more new fully registered Notes in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the principal amount of this Note, of the same maturity, and bearing interest at the same rate.

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

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

Date of Execution: _____

ATTEST:

(Form - no signature required)
County Auditor

(Form - no signature required)
Chair

BOND COUNSEL OPINION

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

(Form - no signature required)
County Auditor

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REGISTRATION CERTIFICATE

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

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
//07	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

_____ Social Security or Other
_____ Identifying Number of Assignee

(Name and Address of Assignee)

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

Dated: _____

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

Signature Guaranteed:

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

Unless this Note is presented by an authorized representative of The Depository Trust Company, a New

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

Section 4. Covenants, Accounts and Representations.

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

4.02 On receipt of the purchase price of the Notes, the County Auditor shall credit \$4,975,000 of the proceeds from the sale of the Notes to a separate acquisition account, which is hereby created and designated as the "2007 Capital Equipment Acquisition Account of the General Fund" (the "Acquisition Fund"). Proceeds of the Notes on deposit in the Acquisition Fund shall be used to pay the costs of "capital equipment", as defined in Minnesota Statutes, Section 373.01, Subd. 3, as amended, with an expected useful life of at least five (5) years, and costs of issuance of the Notes, as such payments become due.

4.03 A separate debt service fund is hereby created and is designated as the "2007 General Obligation Capital Equipment Notes Debt Service Fund" (the "Debt Service Fund"). The money in such fund shall be used for no purpose other than the payment of principal of and interest on the Notes issued hereunder, as such principal and interest becomes due and payable; provided, however, that if any payment of principal or interest shall become due when there is not sufficient money in the Debt Service Fund, the County Auditor shall pay the same from any other funds of the County and said funds shall be reimbursed for such advance out of the proceeds of the taxes hereinafter levied. The County shall credit to the Debt Service Fund \$45,096.20 from the proceeds of the Notes and the accrued interest, if any, paid by the purchaser.

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

Levy Year	Collection Year	Amount
2007	2008	\$1,429,570.46*
2008	2009	\$1,470,420.00
2009	2010	\$1,470,630.00
2010	2011	\$1,468,740.00

* The 2007 levy is reduced by \$45,096.20, which is the amount of the initial deposit, at closing, into the Debt Service Fund.

B. The tax levies, together with the initial deposit and accrued interest, if any, are such that if collected in full they will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Notes. Such tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levy are ever insufficient to pay all principal and interest on the Notes when due, the County Auditor shall, nevertheless, provide sufficient monies from other funds of the County which are available and such other funds shall be reimbursed from such tax

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collections when received.

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

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

Section 5. Tax Covenants.

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

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

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

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

5.03 Small-Issuer Rebate Exception. For purposes of qualifying for the small-issuer exception to the federal arbitrage rebate requirements, the County finds, determines and declares:

- A. the County is a governmental unit with general taxing powers;
- B. the Notes are not "private activity bonds" as defined in Section 141 of the Code;

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C. 95% or more of the net proceeds of the Notes are to be used for local governmental activities of the County; and

D. the aggregate face amount of the tax-exempt obligations (other than private activity bonds) issued by the County during the calendar year in which the Notes are issued is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

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

5.05. Bank Qualification. In order to qualify the Notes as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the County makes the following factual statements and representations:

A. the Notes are not “private activity bonds” as defined in Section 141 of the Code;

B. the County designates the Notes 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 Notes 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 Notes are being issued have been designated for purposes of Section 265(b)(3) of the Code.

Section 6. Proceedings.

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

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

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

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

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Section 7. Continuing Disclosure.

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

Unanimously adopted. June 5, 2007. No. 331

At 2:17 P.M. on Tuesday, June 5, 2007, upon motion of Commissioner Nelson, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 12, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of June, 2007, at 9:40 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, and Chair Bill Kron - 5. Absent: Commissioners Keith Nelson and Steve Raukar - 2.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Chair Kron 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 9:45 A.M., Commissioner Nelson joined the County Board meeting.

Commissioner Forsman, supported by Commissioner O'Neil, moved to award the contract for S.P. 69-613-028 (low) and S.P. 6908-57 to Ulland Brothers, Inc., Cloquet, MN, on their low bid of \$2,713,524.69. The award was tabled at the June 5 County Board meeting. Marcus Hall, Public Works Director, said federal funding is now in place for the project; six yeas - zero nays. Resolution No. 349.

Commissioner Forsman, supported by Commissioner Nelson, moved to suspend the rules to consider an advance construction agreement with the Minnesota Department of Transportation for federal participation in construction funding of S.P. 69-601-001 (Cirrus Drive); six yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the agreement. Public Works Director Hall said the County played a significant role in this project and it was "fast tracked" because it is a complicated agreement and the project needs to get started. Commissioner Sweeney thanked Congressman Oberstar for facilitating the federal portion of the project; six yeas - zero nays. Resolution No. 350.

Commissioner Forsman, supported by Commissioner Nelson, moved to suspend the rules to consider a request to the Governor to include reconstruction of the Midway Sewer System in the next state bonding bill; six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the request. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said June 25 was the deadline for submission of bonding requests and the reconstruction is needed in order to allow the County to turn over the sewer line to the Town of Midway.

Marcus Hall, Public Works Director, in response to a question from Commissioner Fink, explained where other construction costs will come from.

Commissioner Sweeney presented a brief history of the county-owned sewer and said it would be cost-prohibitive for homeowners to bear the full cost of reconstruction. Many grant funding sources are just not available for sewer repair projects, according to Commissioner Sweeney; six yeas - zero nays. Resolution No. 351.

Commissioner Fink, supported by Commissioner O'Neil, moved to suspend the rules to consider a request to the Governor to include \$1.8 million in the bonding bill for sewer, water and infrastructure repairs to the St. Louis County Fairgrounds at Ironworld; six yeas - zero nays. Commissioner Fink,

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supported by Commissioner Nelson, moved to approve the request. The following persons addressed the issue:

Bettie Valley, Secretary/Manager of the St. Louis County Fair, said the facility is still using portable restroom facilities and their temporary waterline permit is about to expire. Ms. Valley described problems with the waterlines and said the site loses out on many event opportunities because of the lack of readily available water. She urged the Board to support the bonding bill request.

Dana Frey, County Administrator, in response to a question from Chair Kron about a County commitment to match the \$1.8 million grant, said there are a variety of sources that will be tapped if the bonding is approved. The resolution does not actually commit the County to match funding because bonding projects can be turned down, according to Administrator Frey.

Gary Eckenberg, Deputy County Administrator, said this request is due by June 25 and Administration has not had sufficient time to work out matching fund sources.

Donald Dicklich, County Auditor, said Iron Range Resources (IRR) has provided some past funding for the fair and now that the iron mining industry appears to be more healthy, there could be additional funding available from IRR.

John Ongaro, County Legislative Lobbyist, said Minnesota statutes require matching funds for bonding projects.

After further discussion, the request was approved; six yeas - zero nays. Resolution No. 352.

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

Dana Frey, County Administrator, and Deferred Compensation Plan Committee, submitting Board Letter No. 07-240 regarding Deferred Compensation Program Fund Rollovers.--[58709](#)

Robert Scheierl, Real Estate Specialist, Itasca County Land Department, regarding the Chad Sterle cartway petition proceedings passed from Itasca County to St. Louis County.--[58710](#)

Agreement between the City of Virginia and the County of St. Louis for M.P. 3746 - striping on various paved city streets and county highways.--[07-714](#)

Contract between the County of St. Louis and Northland Materials, LLC, d/b/a Northland Bituminous, for M.P. 3678 for Bituminous Surfacing, Concrete Curb and Gutter, Concrete Walk, Landscaping and Striping at the Ely Joint Use and Maintenance Facility.--[07-715](#)

Contract between the County of St. Louis and Louis Leustek & Sons, Inc., for M.P. 3737 to Crush, Screen and Stockpile Aggregate, Class 5 (Modified).--[07-716](#)

Agreement for Services between the County of St. Louis, through its Department of Solid Waste, and GreenMan Technologies of Minnesota, Inc., for the collection and proper disposal of tires.--[07-717](#)

Grant Agreement, Contract No. 20719, between the St. Louis County Board of Commissioners and Lutheran Social Services (Self/One Program) for living skills training and expenses.--[07-718ss](#)

Purchase of Service Agreement, Contract No. 14104, between the St. Louis County Board of Commissioners and the City of Duluth for home delivered meals.--[07-719ss](#)

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Purchase of Services, Contract No. 14167, between the St. Louis County Board of Commissioners and Range Development Company of Chisholm, Inc., for assisted living plus services and respite care.--[07-720ss](#)

Purchase of Services, Contract No. 14163, between the St. Louis County Board of Commissioners and St. Frances Health Services of Morris, Inc., d/b/a Home Care Service Options of Duluth, for assisted living plus services and respite care.--[07-721ss](#)

Purchase of Services, Contract No. 14171, between the St. Louis County Board of Commissioners and Wesley Residence, Inc., for assisted living plus services.--[07-722ss](#)

Purchase of Services, Contract No. 14170, between the St. Louis County Board of Commissioners and September House for assisted living plus services and respite care.--[07-723ss](#)

Purchase of Services, Contract No. 14169, between the St. Louis County Board of Commissioners and McCarthy Manor, Inc., for assisted living plus services.--[07-724ss](#)

Purchase of Services, Contract No. 14173, between the St. Louis County Board of Commissioners and Woodhill Homes, Inc., for adult foster care services.--[07-725ss](#)

Purchase of Services, Contract No. 14168, between the St. Louis County Board of Commissioners and Spirit Valley Assisted Living, LLC, for assisted living plus services.--[07-726ss](#)

Purchase of Services, Contract No. 14137, between the St. Louis County Board of Commissioners and Edgewood Vista Senior Living, Inc., for assisted living plus services.--[07-727ss](#)

Purchase of Services, Contract No. 20693, between the St. Louis County Board of Commissioners and Duluth Family Visitation Center - Minnesota Program Development for public service grant.--[07-728ss](#)

Addendum to Purchase of Services Agreement, Contract No. 11815A, between the St. Louis County Board of Commissioners and UCare Minnesota for Rule 25 Assessments.--[07-729ss](#)

Addendum to Purchase of Services Agreement, Contract No. 14151A, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for adult foster care services.--[07-730ss](#)

Group Residential Housing Rate Agreement, Contract No. 50533, between the St. Louis County Board of Commissioners and Northland AFC - Almac.--[07-731ss](#)

Group Residential Housing Rate Agreement, Contract No. 50544, between the St. Louis County Board of Commissioners and Northland AFC - Solway.--[07-732ss](#)

Purchase of Services between the St. Louis County Board of Commissioners and Sue A. Carey & Ronald Carey for child family foster care and respite care.--[07-733ss](#)

Group Residential Housing Rate Agreement, Contract No. 50534, between the St. Louis County Board of Commissioners and Teresa Hill.--[07-734ss](#)

Purchase of Services Agreement between the St. Louis County Board of Commissioners and Teresa J. Hill for adult foster care and respite care.--[07-735ss](#)

Addendum to Purchase Agreement, Contract No. 13232F, between the St. Louis County Board of Commissioners and Hermantown Residential Care for SLS for adults.--[07-736ss](#)

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Addendum to Purchase Agreement, Contract No. 13374F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Como for SLS for adults.--[07-737ss](#)

Group Residential Housing Rate Agreement, Contract No. 50545, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Como.--[07-738ss](#)

Purchase of Services Agreement between the St. Louis County Board of Commissioners and Gayle L. Koop & Jonathan H. Koop for family foster care and respite care.--[07-739ss](#)

Agreement for Professional Services between St. Louis County and Duluth Archaeology Center, L.L.C., for a Phase I Archaeology Survey in New Independence Township (S.A.P. 69-647-08, C.P. 8258).--[07-740](#)

Project Contract No. 4688 between the County of St. Louis and Johnson Timber Harvesting, Inc., for the removal of fire damaged trees.--[07-741](#)

Grant Agreement between the St. Louis County Board of Commissioners and the Arrowhead Economic Opportunity Agency (AEOA) for heating assistance monies.--[07-742](#)

Grant Agreement between the St. Louis County Board of Commissioners and the St. Louis County Promotional Bureau to operate the 4-H Camp for low-income children.--[07-743](#)

Grant Agreement between the St. Louis County Board of Commissioners and the St. Louis County Historical Society to add historical artifacts of St. Louis County and NE Minnesota to their collection.--[07-744](#)

Service Contract between St. Louis County, through its Land Department, and Ryans Lawnmowing Service for lawn/yard care for tax forfeited property.--[07-745](#)

Agreement for Professional Services between the County of St. Louis and Cliff E. Crosby, SRA, for real estate appraisals on state tax forfeited land parcels.--[07-746](#)

Contract between the County of St. Louis and Mesabi Bituminous, Inc., for S.A.P. 69-701-004, C.P. 9306 (low), for Pedestrian Curb Ramp, Mill Bituminous Surface and Plant Mixed Bituminous Surface; and M.P. 755-1281, C.P. 1281, for Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface, and Aggregate Shoulders.--[07-747](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for S.A.P. 69-643-015, C.P. 3736, for clearing.--[07-748](#)

Upon motion of Commissioner O'Neil, supported by Commissioner Fink, Resolutions No. 332 through 348, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the public hearings regarding the adoption of the proposed smoking ordinance are hereby approved. Adopted June 12, 2007. [No. 332](#)

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. 58657, 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	\$ 5,637,745.10
184	Extension Service	24,862.89
200	Public Works	2,302,917.37
230	Social Services	6,305,713.91
240	Forfeited Tax	604,026.46
250	St. Louis County HRA	1,414.00
600	Solid Waste Authorities	521,044.94
625	Chris Jensen Health & Rehab.	1,326,868.89
650	Laundry	77,506.37
660	Community Food Services	102,520.68
670	Supervised Living Facilities	57,075.80
700	Printing	11,468.81
715	County Garage	96,067.43
750	Management Information Systems	279,606.99
760	Telecommunications	96,851.23
925	Arrowhead Regional Corrections	1,222,568.29
955	Community Health Services	172,244.87
989	Regional Railroad Authority	<u>110,177.88</u>
		\$ 18,950,681.91

Adopted June 12, 2007. No. 333

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 4, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.

Adopted June 12, 2007. No. 334

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. 58641;

FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;

FURTHER RESOLVED, that said license is approved for On-Sale and Sunday On-Sale Intoxicating Liquor Licenses only;

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, 2008:

Erik Michael Sundquist, d/b/a Bullfrog's Grill & Bar, Fayal Township, On-Sale Intoxicating Liquor License No. ON0834 and Sunday On-Sale Intoxicating Liquor License No. ONS0834, previously held Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses.

Adopted June 12, 2007. No. 335

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of East Shores of Pleasant Lake on December, 14, 2006; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of East Shores of Pleasant Lake; 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;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners grants final approval to the plat of East Shores of Pleasant Lake located in Section 26, Township 57 North, Range 17 West (Fayal).

Adopted June 12, 2007. No. 336

WHEREAS, the St. Louis County Planning Commission held public hearings regarding the preliminary plat of Scandia Shores on March 9, 2006, and April 13, 2006; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Scandia 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 Scandia Shores located in Government Lot 3, Section 2, and Government Lot 1, Section 3, Township 54 North, Range 12 West (Pequaywan).

Adopted June 12, 2007. No. 337

WHEREAS, the Land Department has reviewed a request of Anthony Briski for a roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Briski'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 Statute, Section 282.04, Subd. 4(a), is hereby authorized to grant a roadway easement across State tax forfeited land to Anthony Briski described as follows: A perpetual non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the Northeast quarter of the Southwest quarter of Section 24, Township 59 North, Range 21 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 Northeast quarter of the Southwest quarter; thence Northerly on the West line of said quarter quarter on an assigned azimuth of 0 degrees 48 minutes 35 seconds, where 0 degrees is North, a distance of 344.35 feet to the existing centerline of County Road No. 134, otherwise know as Dewey Lake Road; thence Northeasterly on said centerline on an azimuth of 62 degrees 00 minutes 00 seconds a distance of 262.09 feet to the intersection with an existing road to the Northwest and the point of beginning of said easement and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 332 degrees 00 minutes 00 seconds a distance of 109.16 feet; thence at an azimuth of 313 degrees 00 minutes 00 seconds a distance of 130.00 feet; thence at an azimuth of 274 degrees 00 minutes 00 seconds a distance of 80 feet, more or less to the West line of said Northeast 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 210 feet in length and contains 0.24 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$264.00 land use fee, \$260.00 administration fee, and \$46.00 recording fee; for a total of \$570.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 12, 2007. No. 338

WHEREAS, the Land Department has reviewed a request of Larry and Diane Olds for a roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to the Old'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

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ST. LOUIS COUNTY, MINNESOTA**

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Statute, Section 282.04, Subd. 4(a), is hereby authorized to grant a roadway easement across State tax forfeited land to Larry and Diane Olds described as follows:

A perpetual non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the South half of the South half of the Northeast quarter of the Northeast quarter of Section 15, Township 56 North, Range 18 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 Southeast corner of said South half of the South half; thence Northerly on the East line of said South half of the South half on an assigned azimuth of 358 degrees 12 minutes 34 seconds a distance of 66.00 feet to the point of beginning of said easement; thence at an azimuth of 263 degrees 00 minutes 00 seconds a distance of 175.00 feet; thence at an azimuth of 250 degrees 00 minutes 00 seconds a distance of 146.12 feet to the South line of said South half of the South half and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 321.12 feet in length and contains 0.24 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$60.00 land use fee, \$125.00 administration fee, and \$46.00 recording fee; for a total of \$231.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 12, 2007. No. 339

WHEREAS, the contract for the purchase of State tax forfeited land described in County Board File No. 58648, has been cancelled by mutual agreement of the purchaser and St Louis County; and

WHEREAS, the purchaser, Kimberly Gerzina of Mt. Iron, MN, 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 contract for purchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subd. 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted June 12, 2007. No. 340

WHEREAS, United States Steel (US Steel) - Minntac has requested to purchase the following described State tax forfeited property:

1. SE 1/4 OF NW 1/4 STATE LEASE EXEMPT 21 ACRES TACONITE, SECTION 34, T59N, R18W (Parcel Code 175-80-490, LDKey 36033)
2. NE 1/4 OF SW 1/4 STATE LEASE EXEMPT 31 ACRES TACONITE, SECTION 34, T59N, R18W (Parcel Code 175-80-500, LDKey 36034)
3. NW 1/4 OF SE 1/4 STATE LEASE EXEMPT 40 ACRES TACONITE, SECTION 34, T59N, R18W (Parcel Code 175-80-550, LDKey 36036)

for the purpose of stockpiling crude iron ore and other mining uses; and

WHEREAS, St. Louis County's land management interests would best be served if the lands were returned to private ownership for mining purposes; and

WHEREAS, Laws of Minnesota, 2004, Ch. 262, Article 3, Sec. 34, authorizes the sale of these State tax forfeited parcels subject to the terms and conditions of State Taconite Iron Ore Mining Lease Number T-5036; and

WHEREAS, the Commissioner of Natural Resources has determined that the taconite resource has been removed from the leased land and has approved the sale; and

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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 parcels to US Steel - Minntac for the appraised value of \$82,000.00 plus the following fees: 3% assurance fee of \$2,460.00, deed fee of \$25.00, deed tax of \$270.60, and recording fee of \$92.00; for a total of \$84,847.60 to be deposited into Fund 240 (Forfeited Tax Fund). Adopted June 12, 2007. No. 341

WHEREAS, the parcels described in County Board File No. 58667 are currently dedicated as Memorial Forest; and

WHEREAS, pursuant to Minnesota Statutes 459.06, Subd. 3, any State 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. 58667 are more suitable for purposes other than forest management;

NOW, THEREFORE, BE IT RESOLVED, that the parcels described in County Board File No. 58667 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 June 12, 2007. No. 342

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a segment of County-State Aid Highway (C-SAH) No. 4 within Rice Lake Township (County Project No. 821). Controlled access was acquired along with additional right of way in connection with this project. A permanent easement Document No. 127668, dated July 13, 1970, was granted to St. Louis County; and WHEREAS, Scott Muellner the property owner of part of N 1/2 of NW 1/4 of SW 1/4 of Section 20, Township 51 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 that the relocation of the entrance would 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.

Adopted June 12, 2007. No. 343

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a four-mile segment of County State Aid Highway No. 4 within Rice Lake and Gnesen Townships (S.P. 69-604-19, County Project No. 825). Controlled access was acquired along with additional right of way in connection with this project by County Board Resolution No. 555, permanent easement Document No. 132035, dated October 21, 1970; and

WHEREAS, Family of God Lutheran Church, the property owner of part of SE 1/4 of the NE 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 request and has determined that the relocation of the entrance would 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.

Adopted June 12, 2007. No. 344

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

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Alborn Sno-Deviils to operate out of Char Mars, Alborn Township, 8506 Swan Lake Road, Alborn, MN 55702, NEW.

Adopted June 12, 2007. No. 345

WHEREAS, St. Louis County has employees rendering valuable services; and
WHEREAS, St. Louis County has established a Deferred Compensation Plan for such employees that serves the interest of the County by enabling it to provide reasonable retirement security for its employees, by providing increased customer service in its employee relations, and by assisting in the recruitment and retention of competent staff; and

WHEREAS, St. Louis County has determined that added flexibility of the Plan will serve these objectives; and

WHEREAS, amendments to the Internal Revenue Code have been enacted that allow enhancements of the benefits of the Deferred Compensation Plan;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County hereby authorizes the St. Louis County Attorney's Office to make any necessary changes to the Deferred Compensation Plan document, to allow rollover of Section 457 deferred compensation funds from the State of Minnesota deferred compensation plan to the County Plan and from the County Plan to the State of Minnesota deferred compensation plan. A copy of the Plan document is incorporated by reference and duly filed in County Board File No. 58709 to be effective July 1, 2007.

BE IT FURTHER RESOLVED, that the County shall establish an annual period, not to exceed 30 days, during which such fund rollovers shall be initiated.

BE IT FURTHER RESOLVED, that the assets of the County Plan shall be held in trust, with the County serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held by Plan providers shall be held for the further exclusive benefit of the Plan participants and their beneficiaries.

BE IT FURTHER RESOLVED, that the assets of the State of Minnesota deferred compensation plan shall be held by the State of Minnesota, with the State of Minnesota (or their designee) serving as trustee.

Adopted June 12, 2007. No. 346

WHEREAS, the Town of Crane Lake initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on July 13, 2006, and March 8, 2007; 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 Ordinance No. 27, the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, July 3, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning the N 1/2 of the NW 1/4 and the SE 1/4 of the NW 1/4, Section 15, Township 67 North, Range 17 West (Crane Lake).

Adopted June 12, 2007. No. 347

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 Phase I project areas; and

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ST. LOUIS COUNTY, MINNESOTA**

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WHEREAS, Phase I project areas are nearing completion and Phase II project areas have begun; and WHEREAS, as part of the 2007 budget process, the County Board approved Resolution No. 2006-646 with funds of \$250,000 from the tax forfeited land proceeds in the Economic Development Fund, and in 2006 and 2007, transferred funds from the Recorder's Technology Fund to the Planning Department for GIS activities.

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 extension with Pro-West & Associates, Inc., to continue the development of the digital GIS parcel layer and related GIS activities with a renewable option as additional funding becomes available; and

RESOLVED FURTHER, that the appropriate County officials are authorized to execute agreements and related documents; and

RESOLVED FURTHER, that \$250,000 will be disbursed from the balance of Fund 100, Agency 109003, and \$250,000 be disbursed from Fund 178, Agency 178001.

Adopted June 12, 2007. No. 348

BY COMMISSIONER FORSMAN:

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

S.P. 69-613-028 (low), C.P. 8256, located on C-SAH 13 (Midway Rd.) from 150 feet North of C-SAH 14 (Thompson Hill Road) to 361 feet North of T.H. 2, West of Proctor, MN; length 5.28 miles consisting of Reclamation, Grading, Aggregate Base, Bituminous Surfacing and Aggregate Shouldering.

S.P. 6908-57 (T.H. 2=203) (State of Minnesota Project), located on T.H. 2 from 1260 feet Northwest of C-SAH 13 (Midway Road) to 1026 feet Southeast of C-SAH 13, West of Proctor, MN; length 0.43 mile consisting of Mill Bituminous Surface, Traffic Control System Upgrade, Grading, 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., May 21, 2007, 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 combined projects 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	\$2,713,524.69

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the 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:

S.P. 69-613-028 (low):	Fund 220, Agency 220156, Object 652700	\$ 2,525,055.04
S.P. 6908-57 (T.H. 2=203):	Fund 220, Agency 220156, Object 652700	\$ 188,469.65

Unanimously adopted. June 12, 2007. No. 349

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 350 which was not on the agenda.

BY COMMISSIONER FORSMAN:

RESOLVED, that pursuant to Minnesota Statutes, Section 161.36, the Commissioner of Transportation

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be appointed as Agent of the County of St. Louis to accept, as its agent, federal aid funds which may be made available for eligible transportation related projects.

RESOLVED FURTHER, 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. 91188", a copy of which 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. 69-601-001, County Project No. 8293, with State Aid Funds, Fund 220, Agency 220103, used for the County share. Unanimously adopted. June 12, 2007. No. 350

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 351 which was not on the agenda.

BY COMMISSIONER SWEENEY:

RESOLVED, that the St. Louis County Board of Commissioners supports the funding request for construction of the Midway sewer project in the Governor's 2008 State Bonding bill. Unanimously adopted. June 12, 2007. No. 351

Upon motion of Commissioner Fink, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 352 which was not on the agenda.

BY COMMISSIONER FINK:

WHEREAS, the Board of Commissioners of St. Louis County desires to promote and develop the expanding entertainment, cultural, and sporting complex in central St. Louis County; and WHEREAS, the Board has the opportunity to submit, support, and select projects of regional and statewide significance to the Minnesota Legislature for consideration as bonding projects in 2008; and WHEREAS, the Board has worked with the new Ironworld Development Corporation, the Iron Range Resources Agency, the North St. Louis County Fair Board and others to create an expanded facility; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby requests that the Minnesota Legislature grant a bonding request for \$1.8 million to expand sewer, water, and infrastructure to the site of the Northern St. Louis County Fairgrounds to create a regional and statewide equestrian facility; RESOLVED FURTHER, this request represents St. Louis County's first priority for 2008 bonding money, and that St. Louis County commits to match the state bonding grant of \$1.8 million with funds provided by St. Louis County. Unanimously adopted. June 12, 2007. No. 352

At 10:40 A.M. on Tuesday, June 12, 2007, upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 JUNE 26, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of June, 2007, at 9:35 A.M. in the 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil read a proclamation declaring the week of June 29 through July 5 as National Clean Beaches Week.

Melanie Ford, County Attorney, presented a Volunteer Excellence Award to Christina Premo Hujanen, Tower, for providing long hours of volunteer service to youth and senior citizens organizations in the Tower-Soudan area.

At 9:48 A.M., a public hearing was convened pursuant to County Board Resolution No. 324, adopted June 5, 2007, to consider granting an off-sale intoxicating liquor license to Burcar's Island Lake Inn, d/b/a Island Lake Inn, Gnesen Township. County Attorney Ford advised the Board that: all required County departments reviewed the application and recommended approval; the Town of Gnesen 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. Joe Burcar, owner, was present and indicated he understood and would abide by the provisions of Minnesota Statutes and St. Louis County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:54 A.M., Commissioner Nelson, supported by Commissioner Forsman, moved to close the hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 362.

At 9:55 A.M., a public hearing was convened pursuant to County Board Resolution No. 325, adopted June 5, 2007, to consider granting an off-sale intoxicating liquor license to Traci Melin, d/b/a Char Mars, Alborn Township. County Attorney Ford advised the Board that: all required County departments reviewed the application and recommended approval; the Town of Alborn reviewed the application and recommended approval; the Liquor Licensing Committee met with the applicant and, after discussing the location and propriety of the establishment, recommended approval; all required notices were given and the necessary insurance certificate submitted. Traci Melin, owner, was present for the hearing and said she understood and would abide by the provisions of Minnesota Statutes and County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:58 A.M., Commissioner Raukar, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Nelson, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 363.

Chair Kron 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 Forsman, supported by Commissioner Sweeney, moved to adopt the new classification of Employee Relations Director and allocate the position to Salary Scale U28 of the St. Louis County

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Management Compensation Plan. Dana Frey, County Administrator, explained that new legislation allows the County to replace the Civil Service Director position with the new slot. In response to concerns expressed by Commissioner Fink, Administrator Frey said the salary recommendation is slightly higher than what the current Civil Service Director position receives for the following reasons: there was not an exact match in the Management Compensation Plan; the position is now "unclassified" and loses some of its employment protection; additional responsibilities will be assigned; and, a comparison of similar positions statewide indicates a higher salary is more appropriate. Commissioner Fink asked for a division of the question with the compensation portion of the resolution considered separately from the job description. After further discussion, the job description was adopted; seven yeas - zero nays. The compensation/salary allocation was then approved; six yeas - one nay, Commissioner Fink. Resolution No. 364.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to schedule a closed session for 11:00 A.M. for litigation purposes. Commissioner Fink said he supports a closed session but not the resolution establishing the session. After brief discussion, the makers amended their motion to schedule the closed session to begin at the conclusion of the Committee of the Whole; six yeas - one nay, Commissioner Fink. Resolution No. 365.

Commissioner Sweeney, supported by Commissioner Forsman moved to authorize a mutual emergency management agreement with the counties of Cook, Lake, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine and Kanabec. Ross Litman, Sheriff, summarized the agreement; seven yeas - zero nays. Resolution No. 366.

Commissioner Sweeney, supported by Commissioner Nelson, moved to approve an agreement with Douglas County, Wisconsin, to house prisoners for St. Louis County. Sheriff Litman explained the purpose and provisions of the agreement, adding proximity and cost make the arrangement with Douglas County the best alternative for jail overcrowding problems. After further discussion, the agreement was approved; seven yeas - zero nays. Resolution No. 367.

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, 2006.--58711-D

B. D. Lesar, Mine Inspector of St. Louis County, submitting the Investigation and Accident Report for the Donavon Dunblazier Fatality on June 8, 2007.--58712

Documentation from public hearing held on June 5, 2007, to consider the granting of an Off-Sale Intoxicating Liquor License to Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township.--58713

Documentation from public hearing held on June 5, 2007, to consider the granting of an Off-Sale Intoxicating Liquor License to Traci Melin, d/b/a Char Mars, Alborn Township.--58714

COBRA Support Services Administrative Service Agreement between St. Louis County and CBSA PERFORMAX.--07-749

Agreement for Professional Services between the County of St. Louis and SJA Architects for Duluth Courthouse Space Planning and Programming - First Floor Sheriff's Office and State Court Administration.--07-750

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc.,

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for Ely Area Space Study.--[07-751](#)

Contract between the County of St. Louis and Louis Leustek & Sons, Inc., for M.P. 3738 for Crushing in Central St. Louis County at five selected sites.--[07-752](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for M.P. 4131-1307 (low), M.P. 4132-1308, M.P. 4133-1309 and M.P. 4138-1310 for Bituminous Reclamation, Aggregate Base, Bituminous Surfacing and Aggregate Shouldering.--[07-753](#)

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 ARMER (Allied Radio Matrix for Emergency Response) Program.--[07-754](#)

Agreement for Professional Services between the County of St. Louis, through its Management Information Systems Department, and Angie VanDeHey.--[07-755](#)

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation to perform a geotechnical exploration program for the replacement of County-State Aid Highway 23 near Nett Lake.--[07-756](#)

Agreement for Professional Services between the County of St. Louis and Erickson Engineering Company to design and produce reconstruction plans for Minnesota State Bridge No. 7794, County Bridge No. 85, on County Road 258 over the Sucker River.--[07-757](#)

Agreement for Professional Services between the County of St. Louis, through its Employee Safety and Development Division, and Onsite Medical Service for audiometric testing, hearing conservation training, and record retention.--[07-758](#)

Grant Agreement, Contract No. 20706, between the St. Louis County Board of Commissioners and Life House for transition services.--[07-759ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14177, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and Lakeside Manor, Inc., for assisted living plus services.--[07-760ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14165, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and Hughes Homes, Inc., d/b/a The Pointe Estates, for assisted living plus services.--[07-761ss](#)

Addendum to Purchase Agreement, Contract No. 14062B, between the St. Louis County Board of Commissioners and Accessible Space, Inc., for home care services.--[07-762ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14174, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and S.A.F.E. Harbor Homes, Inc., for adult foster care services.--[07-763ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14141, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and St. Ann's Residence for assisted living plus services.--[07-764ss](#)

Addendum to Purchase Agreement, Contract No. 30110C, between the St. Louis County Board of Commissioners and Johnston, Villegas-Grubbs and Associates, LLC, for consultation

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services.--[07-765ss](#)

Addendum to Purchase Agreement, Contract No. 13301F, between the St. Louis County Board of Commissioners and Carey Special Needs Foster Home for respite care services.--[07-766ss](#)

Group Residential Housing Rate Agreement, Contract No. 50537, between the St. Louis County Board of Commissioners and Ryan Kesselhon and Lora Kesselhon.--[07-767ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Ryan Kesselhon and Lora Kesselhon for adult foster care/respite care.--[07-768ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14117A, between the County of St. Louis, through the Public Health and Human Services Department, and Trillium Services, Inc., for child foster care services.--[07-769ss](#)

Grant Agreement, Contract No. 20718, between the St. Louis County Board of Commissioners and Lutheran Social Services (Bethany Crisis Nursery) for crisis nursery services.--[07-770ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14139, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and Residential Services of Northeastern Minnesota, Inc., for adult foster care services.--[07-771ss](#)

St. Louis County Emergency Shelter Grant Program FY 2007 Agreement between St. Louis County and Life House, Inc.--[07-772ss](#)

St. Louis County Emergency Shelter Grant Program FY 2007 Agreement between St. Louis County and The Salvation Army - Hibbing.--[07-773ss](#)

St. Louis County Emergency Shelter Grant Program FY 2007 Agreement between St. Louis County and The Salvation Army - Virginia.--[07-774ss](#)

St. Louis County Emergency Shelter Grant Program FY 2007 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency.--[07-775ss](#)

St. Louis County Emergency Shelter Grant Program FY 2007 Agreement between St. Louis County and Range Transitional Housing, Inc.--[07-776ss](#)

Project Contract No. 2007-003737 between the County of St. Louis and Kangas Excavating, Inc., for Phase 5 Excavation and Five-Foot Sub-Base Creation at the Regional Landfill.--[07-777](#)

Agreement for Professional Services between St. Louis County, through its Solid Waste Department, and The Design Group, Inc., for software and electrical equipment.--[07-778](#)

Engineering Services Agreement between the County of St. Louis, through its Solid Waste Department, and Northeast Technical Services, Inc., for Regional Landfill Permitting and Engineering Services.--[07-779](#)

State of Minnesota Agency Agreement No. 91188 between Department of Transportation and St. Louis County for Federal Participation in Advance Construction for S.P. 69-601-01 and 118-199-01; M.P. HPPH178(002).--[07-780](#)

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 353

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through 361, 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 5, 2007, are hereby approved.

Adopted June 26, 2007. No. 353

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 12, 2007, are hereby approved.

Adopted June 26, 2007. No. 354

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. 58640, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted June 26, 2007. No. 355

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 8, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 26, 2007. No. 356

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 June 30, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.

Adopted June 26, 2007. No. 357

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Wieber & Associates, Inc., d/b/a Ash Trail Lodge, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the dates of July 5, 6 and 7, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.

Adopted June 26, 2007. No. 358

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Wieber & Associates, Inc., d/b/a Ash Trail Lodge, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the dates of September 6, 7, and 8, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641; contingent on Health Department approval.

Adopted June 26, 2007. No. 359

RESOLVED, that the St. Louis County Board of Commissioners authorizes the purchase of the VIPER 9-1-1 phone system from Qwest for \$259,253.67 payable from Fund 179, Agency 1790011, Enhanced 9-1-1.

RESOLVED FURTHER, that the County Sheriff, County Auditor, and Chair of the Board are authorized to enter into and execute all contracts necessary to implement this purchase, subject to approval as to form and execution by the County Attorney.

Adopted June 26, 2007. No. 360

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated June 22, 2007, on file in the office of the County Auditor,

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

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identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted June 26, 2007. No. 361

BY COMMISSIONER SWEENEY:

WHEREAS, Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen 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 26, 2007, at or about 9:35 A.M. at Semer's Park Pavilion, 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 Island Lake Inn has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB08110) shall be issued to Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2008;

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. June 26, 2007. No. 362

BY COMMISSIONER RAUKAR:

WHEREAS, Traci Melin, d/b/a Char Mars, Alborn 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 26, 2007, at or about 9:40 A.M. at Semer's Park Pavilion, 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 Char Mars 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 CMB08111) shall be issued to Traci Melin, d/b/a Char Mars, Alborn Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2008;

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. June 26, 2007. No. 363

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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BY COMMISSIONER FORSMAN:

RESOLVED, the County Board adopts the new job description titled Employee Relations Director and allocates it to Salary Scale U28 on the St. Louis County Management Compensation Plan, effective July 7, 2007.

Division of the question--

Job Description:

Yeas - Commissioners Fink, O'Neil, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 7

Nays - None

Compensation:

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

Nays - Commissioner Fink - 1

Adopted June 26, 2007. No. 364

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County was served with a wrongful death/medical malpractice suit in April 2001; and

WHEREAS, said lawsuit alleged malpractice and wrongful death stemming from acts and omissions at Chris Jensen Health and Rehabilitation Center with regard to care provided to one of its patients; and WHEREAS, the estate of the deceased patient retained private legal counsel to pursue its lawsuit; and WHEREAS, since 2001, the St. Louis County Attorney's Office has provided legal defense to said lawsuit, and the case has now reached a point where settlement discussions have taken place with opposing counsel; and

WHEREAS, the St. Louis County Attorney will provide legal advice to the County Board with respect to the evaluation of a settlement proposal in this matter; and

WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board; and

WHEREAS, public discussion of a settlement proposal would benefit the plaintiff and opposing counsel to the County's detriment; and

WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(b), the County Board may close a meeting as permitted by the attorney-client privilege;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of June 26, 2007, to discuss settlement of said lawsuit with the County Attorney and the specific settlement proposal submitted by the employee's attorney;

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session.

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

Nays - Commissioner Fink - 1

Adopted June 26, 2007. No. 365

WHEREAS, the 2006 Homeland Security and Emergency Management regional grant requires a mutual aid agreement among the counties in Region 2; and

WHEREAS, those counties included in this agreement are Cook, Lake, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine, and Kanabec; and

WHEREAS, this mutual aid agreement provides a means to obtain or provide assistance to other counties in the event of an incident that may go beyond local capabilities;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff to enter into a mutual emergency management assistance agreement with the Counties of Cook, Lake, Koochiching, Itasca, Cass, Crow Wing, Aitkin, Carlton, Pine, and Kanabec, and that such request for assistance be for emergency or specific emergency management concerns and not for routine duties or to substitute for active personnel of the requesting County.

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RESOLVED FURTHER, that such agreement shall be approved as to form and content by the County Attorney's Office.

Unanimously adopted. June 26, 2007. No. 366

WHEREAS, St. Louis County currently lacks sufficient bed space for inmates lawfully committed to the custody of the Sheriff; and

WHEREAS, Douglas County, Wisconsin, a county that borders St. Louis County, currently has an excess of bed space available in its jail;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Sheriff to enter into an agreement with Douglas County and its Sheriff to provide inmate bed space to St. Louis County as provided for in the agreement;

RESOLVED FURTHER, the Sheriff is authorized to pay for the costs associated with this agreement from Jail Fund 137002-635300;

RESOLVED FURTHER, this agreement shall be reviewed as to form and execution by the County Attorney.

Unanimously adopted. June 26, 2007. No. 367

At 10:53 A.M. on Tuesday, June 26, 2007, upon motion of Commissioner Nelson, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 3, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of July, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Chair Kron then made a presentation to Anthony J. Bruno, Jr., retiring Civil Service/Personnel Director, for his thirty-five years of service to St. Louis County, the last twenty-one years as Director of the Civil Service Department. Mr. Bruno thanked the Board and staff for their support.

At 9:42 A.M., a public hearing was convened pursuant to County Board Resolution No. 347, adopted June 12, 2007, to consider rezoning the N 1/2 of the NW 1/4 and the SE 1/4 of the NW 1/4, Section 15, Township 67 North, Range 17 West (Town of Crane Lake). Scott Smith, Planning Department, explained the rezoning request which was approved by the Planning Commission. No one else chose to address the issue.

At 9:45 A.M., Commissioner Nelson, supported by Commissioner Sweeney, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner O'Neil, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 387.

Commissioner Forsman, supported by Commissioner Nelson, moved to authorize a settlement with the CHUBB Insurance Group in the amount of \$128,021.59 for loss of a tandem dump truck in a fire at the Hibbing Maintenance Facility. Dana Frey, County Administrator, in response to questions from Commissioner Fink, said there is a sufficient balance in the insurance fund to cover the \$25,000 deductible rather than having to tap equipment note proceeds. The settlement was then approved; seven yeas - zero nays. Resolution No. 388.

Commissioner Forsman, supported by Commissioner Sweeney, moved to award the bid for M.P. 161-1244 to Hardrives, Inc., Rogers, MN, on their low bid of \$129,524.01, which was 11.37 percent below the engineer's estimate; seven yeas - zero nays. Resolution No. 389.

At 9:58 A.M. in the forenoon of Tuesday, July 3, 2007, Commissioner Forsman, supported by Commissioner Sweeney, moved to recess the Board until 11:30 A.M. on July 3, 2007, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 12:25 P.M. on Tuesday, July 3, 2007, and the regular order of business resumed with all members present except Commissioner Sweeney.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a controlled access

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

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entrance on C-SAH (Midway Road) in Duluth; five years - one year, Commissioner Fink. Resolution No. 390.

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

Documentation from public hearing held on July 3, 2007, to consider rezoning the N 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4, Section 15, Township 67 North, Range 17 West (Crane Lake).--[58716](#)

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs, and Johnson, Inc., for Chris Jensen Boiler Project.--[07-781](#)

Agreement for Professional Services between the County of St. Louis and Dave Skelton.--[07-782](#)

Project Contract No. 2007-003733 between the County of St. Louis and H. G. Harvey Constructors, Inc., for St. Louis County Recorder's Office Build-Out - Virginia Courthouse.--[07-783](#)

Project Contract No. 4684 between the County of St. Louis and Future Forests, Inc., for Mechanical Site Scarification by Disc Trenching.--[07-784](#)

Home and Community-Based Waiver Services Contract, Contract No. 14187, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and At Home Living Facilities, Inc., for adult foster care services.--[07-785ss](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14152A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Duluth Regional Care Center, Inc., for adult foster care services.--[07-786ss](#)

Addendum to Purchase Agreement, Contract No. 13981B, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., for non-residential services.--[07-787ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14183, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Garden House Estates, Ltd., for assisted living plus services.--[07-788ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14184, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and KC Companies of Tower, Inc., d/b/a Golden Horizons, for assisted living plus services.--[07-789ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14181, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Hillside Homes of Duluth, Inc., for assisted living plus services.--[07-790ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14182, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Lakeview Residence, Inc., for residential care services.--[07-791ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14142, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Lifeway Services, LLC, for child and adult foster care services.--[07-792ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14135A, between

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the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Peace of Mind of Duluth, Inc., for adult foster care services.--[07-793ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14143, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Range Center, Inc., for adult foster care services.--[07-794ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14178, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Salmi Homes, Inc., for assisted living plus services.--[07-795ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14159, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Stepping Stones for Living, LLC, for adult foster care services.--[07-796ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14185, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Transitional Senior Housing for assisted living plus services.--[07-797ss](#)

Group Residential Housing Rate Agreement, Contract No. 50234A, between the St. Louis County Board of Commissioners and EBI, Inc. (Denfeld).--[07-798ss](#)

Group Residential Housing Rate Agreement, Contract No. 50427A, between the St. Louis County Board of Commissioners and EBI, Inc. (Berkeley).--[07-799ss](#)

Group Residential Housing Rate Agreement, Contract No. 50233A, between the St. Louis County Board of Commissioners and EBI, Inc.--[07-800ss](#)

Group Residential Housing Rate Agreement, Contract No. 50556, between the St. Louis County Board of Commissioners and Debra L. Foro.--[07-801ss](#)

Group Residential Housing Rate Agreement, Contract No. 50535, between the St. Louis County Board of Commissioners and Peace of Mind - Woodland.--[07-802ss](#)

Agreement between the City of Duluth (Senior Dining Project) and St. Louis County Board of Commissioners for meals served at seven senior dining sites.--[07-803ss](#)

Agreement for Professional Services between the County of St. Louis, through its Employee Safety and Development Division, and Northeast Service Cooperative for ongoing assistance of Lectora software, export/link Access database, and data container with the HRMS system.--[07-804](#)

Employee Safety & Development Training Contract between St. Louis County and Lifeworks for two sessions of *Parenting Children in a Complex and Confusing World*.--[07-805](#)

Employee Safety & Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for two sessions of *Consulting on Code of Ethics Policy*.--[07-806](#)

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 369 through 386, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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

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BY COMMISSIONER SWEENEY:

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. 58631, are hereby approved:

Real Estate - Darrick J. Anderson, \$539.50; Jared Arntson, \$274.20; Helen Austin, \$525.96; David Balen, \$490.40; Edward Barta, \$217.60; Susan Bills, \$278.54; Daniel Broady, \$269.20; Christopher Bunch, \$1,158.74; Steve Burnham, \$247.84; City of Duluth, \$0.00; David Crisell, \$136.22; Thomas Curtis, \$535.34; Carlyle Eckart, \$872.02; Kerry Elmberg, \$500.30; Ron Forsman, \$349.90; Becky Greenly, \$551.50; Nancy Hamre, \$437.46; John Hargesheimer, \$574.72; Kristopher Hietala, \$368.98; John Hinzmann, \$294.92; Erin Holt, \$592.80; Jay Hooey, \$549.60; Kenneth Kelly, \$278.26; Shane Ketola, \$415.66; James Kosluchar, \$357.22; Lisa Lalor, \$222.64; Thomas Lane, \$270.40; Michael Latsch, \$252.52; Laurentian Energy Au., \$465.70; Gyangtae Lee, \$511.00; Grace Lewis, \$251.18; Bradley J. Luecken, \$550.06; Kassun Majchrzak, \$300.48; Susan Maki, \$227.96; Jared Mann, \$501.80; Bonnie Martinson, \$348.96; Midway Twp., \$54.32; Melody Miller, \$292.12; Minnessa Venture, \$2,244.04; James Nartnik, \$586.76; Net Lease Dev., \$427.68; Paul Nordberg, \$447.80; Luke Nyberg, \$953.00; Stacia Onsted, \$605.10; Kelli Ritz, \$580.70; Mark Saccoman, \$870.64; David Schmit, \$252.52; Joshua Schull, \$518.80; Jan Sherepa, \$201.76; Delano Skeim, \$533.62; St. Louis County, \$69.30; State of MN, \$1,251.54; Ashley Templin, \$306.74; Lee Alan Tufte, \$292.74; Nicholas Vasil, \$284.28; Thomas Wagner, \$596.68; Earl Waldriff, \$233.42; Amelita Waugh, \$829.22; James Woods, \$421.64.

Personal Property - Gordon Dahl, \$120.26; Robin Jendro, \$297.60; Judd Kane, \$24.10; Kirby Scholz, \$34.26; Kevin Stern, \$159.38.

Adopted July 3, 2007. No. 369

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 28, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.

Adopted July 3, 2007. No. 370

WHEREAS, the Land Department has reviewed a request from the Black Duck North Road Association, Inc., for a non-exclusive roadway 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;

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 non-exclusive roadway easement to the Black Duck North Road Association, Inc., described as follows: An easement on that portion of the following easement on lands managed by the St. Louis County Land Department as part of the tax-forfeited trust over, under and across portions of Sections 15, 14, and 13 of Township 66 North, Range 20 West, for ingress and egress 66.00 feet in width, being 33.00 feet on each side of the centerline described as follows: Commencing at the west quarter corner of Section 15, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence easterly on the east-west quarter line of said Section 15, which has an assigned azimuth of 92 degrees 14 minutes 22 seconds, where 0 degrees equals north, a distance of 57.0 feet to the centerline of State Highway No. 53; thence southerly on said centerline on an azimuth of 148 degrees 31 minutes 12 seconds a distance of 1579.88 feet to the intersection with the road to be described; thence at an azimuth of 43 degrees 20 minutes 12 seconds a distance of 77.70 feet to the easterly right-of-way of said Highway 53 and the point of beginning of this easement, where all succeeding courses will follow said centerline; thence starting in the northwest quarter of the southwest quarter of Section 15 on an azimuth of 43 degrees 20 minutes 12

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seconds a distance of 550.8 feet to the east line of said northwest quarter of the southwest quarter; thence in the northeast quarter of the southwest quarter of said Section 15 continuing on the previous azimuth of 43 degrees 20 minutes 12 seconds a distance of 279.0 feet; thence on an azimuth of 73 degrees 13 minutes 08 seconds a distance of 422.7 feet; thence at an azimuth of 55 degrees 59 minutes 23 seconds a distance of 455.1 feet; thence at an azimuth of 90 degrees 03 minutes 24 seconds a distance of 168.5 feet; thence at an azimuth of 37 degrees 32 minutes 06 seconds a distance of 265.6 feet to the north line of said northeast quarter of the southwest quarter; thence continuing on the previous azimuth of 37 degrees 32 minutes 06 seconds in the southeast quarter of the northwest quarter of said Section 15 a distance of 31.6 feet to the east line of said southeast quarter of the northwest quarter; thence continuing on the previous azimuth of 37 degrees 32 minutes 06 seconds in the southwest quarter of the northeast quarter of said Section 15 a distance of 62.5 feet; thence at an azimuth of 49 degrees 47 minutes 48 seconds a distance of 522.9 feet; thence at an azimuth of 37 degrees 36 minutes 22 seconds a distance of 131.6 feet; thence at an azimuth of 84 degrees 29 minutes 50 seconds a distance of 170.3 feet; thence at an azimuth of 128 degrees 00 minutes 13 seconds a distance of 185.8 feet; thence at an azimuth of 82 degrees 08 minutes 13 seconds a distance of 185.8 feet; thence at an azimuth of 161 degrees 02 minutes 14 seconds a distance of 188.7 feet; thence at an azimuth of 88 degrees 06 minutes 05 seconds a distance of 238.7 feet to the east line of said southwest quarter of the northeast quarter of Section 15, thence continuing on the previous azimuth of 88 degrees 06 minutes 05 seconds into the southeast quarter of the northeast quarter of Section 15 a distance of 122.3 feet; thence at an azimuth of 112 degrees 39 minutes 16 seconds a distance of 288.5 feet; thence at an azimuth of 141 degrees 47 minutes 48 seconds a distance of 130.7 feet; thence at an azimuth of 95 degrees 32 minutes 12 seconds a distance of 218.5 feet; thence at an azimuth of 136 degrees 20 minutes 31 seconds a distance of 174.8 feet to the south line of said southeast quarter of the northeast quarter; thence continuing on the previous azimuth of 136 degrees 20 minutes 31 seconds a distance of 89.4 feet in the northeast quarter of the southeast quarter of Section 15; thence at an azimuth of 99 degrees 08 minutes 36 seconds a distance of 395.9 feet; thence at an azimuth of 69 degrees 14 minutes 39 seconds a distance of 61.9 feet to a point on the east line of Section 15, 85.7 feet south of the east quarter corner; thence continuing on the previous azimuth of 69 degrees 14 minutes 39 seconds a distance of 226.0 feet to the south line of the southwest quarter of the northwest quarter; thence at an azimuth of 85 degrees 19 minutes 49 seconds a distance of 332.6 feet; thence at an azimuth of 118 degrees 39 minutes 04 seconds a distance of 78.5 feet to the south line of said southwest quarter of the northwest quarter of Section 14; thence continuing at the previous azimuth of 118 degrees 39 minutes 04 seconds a distance of 339.3 feet; thence at an azimuth of 90 degrees 31 minutes 08 seconds a distance of 184.1 feet; thence at an azimuth of 115 degrees 38 minutes 44 seconds a distance of 272.9 feet to the east line of the northwest quarter of the southwest quarter of Section 14; thence continuing on the previous azimuth of 115 degrees 38 minutes 44 seconds in the northeast quarter of the southwest quarter of said Section 14 a distance of 114.8 feet; thence at an azimuth of 94 degrees 58 minutes 00 seconds a distance of 528.0 feet; thence at an azimuth of 52 degrees 31 minutes 56 seconds a distance of 354.5 feet; thence at an azimuth of 81 degrees 38 minutes 25 seconds a distance of 260.5 feet; thence at an azimuth of 53 degrees 35 minutes 06 seconds a distance of 121.0 feet to the south line of the southeast quarter of the northwest quarter of said Section 14; thence across said southeast quarter of the northwest quarter of said Section 14, continuing on the previous azimuth of 53 degrees 35 minutes 06 seconds a distance of 86.7 feet to the east line of said southeast quarter of the northwest quarter; thence continuing on the previous azimuth of 53 degrees 35 minutes 06 seconds in the southwest quarter of the northeast quarter of said Section 14 a distance of 69.3 feet; thence at an azimuth of 87 degrees 27 minutes 41 seconds a distance of 152.4 feet; thence at an azimuth of 44 degrees 27 minutes 17 seconds a distance of 167.2 feet; thence at an azimuth of 89 degrees 41 minutes 16 seconds a distance of 940.5 feet; thence at an azimuth of 34 degrees 27 minutes 23 seconds a distance of 120.3 feet to the east line of said southwest quarter of the northeast quarter of said Section 14; thence continuing on the previous azimuth of 34 degrees 27 minutes 23 seconds in the southeast quarter of the northeast quarter of Section 14 a distance of 205.4 feet; thence at an azimuth of 12 degrees 07 minutes 36 seconds a distance of 449.4 feet; thence at an azimuth of 79 degrees 23 minutes 29 seconds a distance of 246.9 feet; thence at an azimuth of 49 degrees 57 minutes 34 seconds a distance of 364.3 feet; thence

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at an azimuth of 111 degrees 56 minutes 03 seconds a distance of 257.3 feet; thence at an azimuth of 98 degrees 57 minutes 25 seconds a distance of 207.7 feet to the east line of southeast quarter of the northeast quarter of said Section 14; thence continuing on the previous azimuth of 98 degrees 57 minutes 25 seconds in the southwest quarter of the northwest quarter of Section 13 a distance of 532.8 feet; thence at an azimuth of 77 degrees 42 minutes 54 seconds a distance of 369.3 feet; thence at an azimuth of 62 degrees 18 minutes 05 seconds a distance of 161.6 feet to the north line of said southwest quarter of northwest quarter of said Section 13; thence at an azimuth of 35 degrees 43 minutes 08 seconds a distance of 167.1 feet; thence at an azimuth of 61 degrees 00 minutes 10 seconds a distance of 173.0 feet; thence at an azimuth of 109 degrees 00 minutes 30 seconds a distance of 46.1 feet more or less to the east line of the northwest quarter of the northwest quarter of said Section 13 and thereby terminating. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. The portion of this easement on tax-forfeited trust lands is 7700 feet in length and contains 11.6 +- acres.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of a \$9,800.00 land use fee, \$975.00 administration fee and \$46.00 recording fee, for a total of \$10,821.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 3, 2007. No. 371

WHEREAS, the Land Department has reviewed a request from Phil Hebl for a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Mr. Hebl'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 Statute, Section 282.04, Subd. 4(a), is hereby authorized to grant a non-exclusive roadway easement to Phil Hebl described as follows: An easement 66.00 feet in width for ingress and egress over, under and across part of the northwest quarter of the northeast quarter and the northeast quarter of the northeast quarter of Section 7, Township 60 North, Range 13 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 north quarter corner of said Section 7, thence southerly on the north-south quarter line on an assigned azimuth of 178 degrees 36 minutes 42 seconds a distance of 262.0 feet to the centerline of a previously recorded easement; thence easterly and parallel to the north line of said section 7 at an azimuth of 87 degrees 38 minutes 48 seconds a distance of 779.1 feet to the point of beginning of said easement; thence at an azimuth of 105 degrees 44 minutes 28 seconds a distance of 234.67 feet; thence at an azimuth of 122 degrees a distance of 380.0 feet to a point on the line between said northwest quarter of the northeast quarter and the northeast quarter of the northeast quarter; thence at an azimuth of 104 degrees a distance of 200.00 feet; thence at an azimuth of 126 degrees a distance of 525.0 feet; thence at an azimuth of 49 degrees a distance of 680.0 feet; thence at an azimuth of 23 degrees a distance of 398 feet more or less to a point 33.0 feet west of the east line of said Section 7; thence northerly and parallel to said east line of Section 7 a distance of 147 feet more or less and there terminating. This easement is 2565 feet in length and contains 3.9 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of a \$5,400.00 land use fee, \$975.00 administration fee and \$46.00 recording fee, for a total of \$6,421.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 3, 2007. No. 372

WHEREAS, the Land Department has reviewed a request of William R. Trygg, Robert Bodine, and Wesley P. Anderson for a non-exclusive roadway 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

WHEREAS, the easement crosses undivided interest property, 5/8ths of which is State tax forfeited and

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3/8ths of which is privately owned; and William R. Trygg, Robert Bodine, and Wesley P. Anderson have initiated a cartway proceeding with Breitung Township to secure access from the private interest; 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 non-exclusive roadway easement across State tax forfeited land to William R. Trygg, Robert Bodine, and Wesley P. Anderson described as follows: A non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the northeast quarter of Section 19, Township 62 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, being 16.50 feet on each side of the centerline described as follows: Assuming the north line of the northeast quarter of said section 19 to bear N 90 degrees 00 minutes 00 seconds E and from the northeast corner of said Section 19 run S 35 degrees 58 minutes 41 seconds E a distance of 983.77 feet to the intersection of said described centerline with the as built centerline of State Highway Number 169, thence along said described centerline commonly know as "Old Highway No. 169"; thence N 44 degrees 21 minutes 28 seconds W a distance of 103.90 feet; thence S 69 degrees 11 minutes 05 seconds W a distance of 552.27 feet; thence S 78 degrees 38 minutes 05 seconds W a distance of 29.03 feet to the east line of the northeast quarter of the northeast quarter of said Section 19, which at the time of this easement is managed by the tax-forfeited trust, and the point of beginning of said easement where all succeeding courses will follow said centerline; thence continuing on the previous course with a bearing of S 78 degrees 38 minutes 05 seconds W a distance of 187.90 feet; thence N 79 degrees 58 minutes 58 seconds W a distance of 269.77 feet; thence N 74 degrees 52 minutes 39 seconds W a distance of 895.20 feet to the west line of said northeast quarter of the northeast quarter; thence continuing in the northwest quarter of the northeast quarter of said Section 19, which at the time of this easement is managed in 5/8 interest by the tax-forfeited trust, on the previous bearing of N 74 degrees 52 minutes 39 seconds W a distance of 1349.52 feet more or less to the west line of said northwest quarter of the northeast quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 2700 feet in length and contains 1.02 acres more or less in the northeast quarter of the northeast quarter and 1.02 acres more or less in the northwest quarter of the northeast quarter.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$2,473.00 land use fee, \$975.00 administration fee, and \$46.00 recording fee, for a total of \$3,494.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 3, 2007. No. 373

WHEREAS, the St. Louis County Land Department requests authorization to dispose of abandoned personal property on State tax forfeited land located at 2802 Wicklow Street, Duluth, Minnesota, and 531- 98th Avenue West, Duluth, Minnesota; and

WHEREAS, Minnesota Statute 282.04, Subd. 2(d), and 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 property.

Adopted July 3, 2007. No. 374

WHEREAS, the Duluth Economic Development Authority (DEDA) has offered to purchase the following described State tax forfeited lands for the appraised value of \$6,125.00 plus fees for the purpose of furthering the general plan for economic development in the area of the Damiano Center for the City of Duluth and its people.

Legal: N 35 Ft of S 70 Ft of Lots 46 and 48, Duluth Proper 1st Division West 4th St., City of Duluth
Parcel Codes: 10-1000-670, 27355 LDKEY
0.08 Acres (35 ft x 100 ft lot)

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WHEREAS, Minnesota Statute 282.01, Subd. 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, Subd. 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 Duluth Economic Development Authority (DEDA) for the appraised value of \$6,125.00 plus the following fees: 3% assurance fee of \$183.75, deed fee of \$25.00, deed tax of \$20.21, and a recording fee of \$46.00 for a total of \$6,399.96 to be deposited into Fund 240-Forfeited Tax Fund.

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale at adjoining owner auction State tax forfeited lands described above if DEDA does not purchase said lands.

Adopted July 3, 2007. No. 375

WHEREAS, St. Louis County has been approached by the University of Minnesota to apply to the State of Minnesota for a roadway right of way easement over State trust land; and

WHEREAS, the State of Minnesota can only grant easements over trust land to governmental entities; and

WHEREAS, the University of Minnesota or its successors and assigns will be solely responsible for the road construction and ongoing maintenance necessary to conform to Minnesota Department of Natural Resources Standards as contained in the Right of Way Easement to be issued by the State of Minnesota. The University of Minnesota will provide a copy of this resolution and the State of Minnesota easement documents to future purchasers of this property.

NOW, THEREFORE, BE IT RESOLVED, that the State of Minnesota Department of Natural Resources is hereby requested to provide St. Louis County with easement across the following described properties:

1. A sixty-six (66.0) foot wide permanent easement for public roadway purposes over, under, and across the north half of Section 15, the Southwest Quarter of Section 14, the Northeast Quarter of said Section 14, the Southeast Quarter of the Northwest Quarter of Section 13, and the Northeast Quarter of the Northeast Quarter of said Section 13, all in Township 68, Range 20, Saint Louis County, Minnesota. The centerline of said easement is described as follows:

Commencing at the North Quarter Corner of said Section 15; thence on an assumed bearing of North 85 degrees 49 minutes 31 seconds West, along the north line of said Section 15, a distance of 910.35 feet; thence South 25 degrees 46 minutes 16 seconds West a distance of 347.54 feet to a point on the southerly right of way line of County Road 129 and the point of beginning of the centerline to be described; thence continue South 25 degrees 46 minutes 16 seconds West a distance of 2.78 feet; thence southerly on a tangential curve concave to the east, said curve having a radius of 150 feet and a central angle of 63 degrees 16 minutes 52 seconds for a distance of 165.67 feet; thence South 37 degrees 30 minutes 33 seconds East, tangent to said curve, a distance of 1420.21 feet; thence southeasterly along a tangential curve concave to the northeast, said curve having a radius of 1150.00 feet and a central angle of 52 degrees 58 minutes 53 seconds for a distance of 1063.40 feet; thence North 89 degrees 30 minutes 34 seconds East, tangent to the last described curve, a distance of 574.80 feet; thence southeasterly along a tangential curve to the southwest, said curve having a radius of 950.00 feet and a central angle of 70 degrees 49 minutes 08 seconds for a distance of 1174.22 feet; thence South 19 degrees 40 minutes 18 seconds East, tangent to last described curve, a distance of 826.46 feet; thence southeasterly along a tangential curve concave to the northeast, said curve having a radius of 643.00 feet and a central angle of 58 degrees 12 minutes 40 seconds for a distance of 653.27 feet; thence South 77 degrees 52 minutes 58 seconds East, tangent to last described curve, for a distance of 387.34 feet; thence easterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 60 degrees 36 minutes 51 seconds for a distance of 680.24 feet to a point of reverse curve;

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thence southeasterly along a reverse curve concave to the south, said reverse curve having a radius of 643.00 feet and a central angle of 72 degrees 18 minutes 13 seconds for a distance of 811.42 feet; thence South 66 degrees 11 minutes 36 seconds East, tangent to said reverse curve, a distance of 553.26 feet; thence easterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 53 degrees 58 minutes 07 seconds for a distance of 605.66 feet; thence North 59 degrees 50 minutes 17 seconds East, tangent to last described curve, a distance of 1333.68 feet; thence easterly along a tangential curve concave to the south, said curve having a radius of 900.00 feet and a central angle of 29 degrees 02 minutes 09 seconds for a distance of 456.09 feet; thence North 88 degrees 52 minutes 26 seconds East, tangent to the last described curve, a distance of 1793.86 feet; thence easterly along a tangential curve concave to the south, said curve having a radius of 2100.00 feet and a central angle of 23 degrees 42 minutes 00 seconds for a distance of 868.65 feet; thence South 67 degrees 25 minutes 34 seconds East, tangent to last described curve, a distance of 716.35 feet; thence northeasterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 85 degrees 01 minutes 35 seconds for a distance of 954.21 feet to a point of reverse curve; thence northeasterly along a reverse curve concave to the southeast, said reverse curve having a radius of 2500.00 feet and a central angle of 17 degrees 35 minutes 24 seconds for a distance of 767.51 feet to a point of reverse curve; thence northeasterly along a reverse curve concave to the northwest, said curve having a radius of 2500.00 feet and a central angle of 06 degrees 59 minutes 37 seconds for a distance of 305.15 feet to a point of reverse curve; thence easterly along a reverse curve concave to the southeast, said reverse curve having a radius of 643.00 feet and central angle of 63 degrees 18 minutes 51 seconds for a distance of 710.54 feet to a point of reverse curve; thence easterly along a reverse curve concave to the north, said reverse curve having a radius of 643.00 feet and a central angle of 38 degrees 43 minutes 34 seconds for a distance of 434.60 feet; thence North 62 degrees 43 minutes 55 seconds East, tangent to last described reverse curve, for a distance of 50.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to intersect said southerly right of way line of County Road 129 and the east line of said Section 13.

2. A two hundred (200.0) foot wide temporary construction easement for roadway, utility, and parking purposes over, under, and across the north half of Section 15, the Southwest Quarter of Section 14, the Northeast Quarter of said Section 14, the Southeast Quarter of the Northwest Quarter of Section 13, and the Northeast Quarter of the Northeast Quarter of said Section 13, all in Township 68, Range 20, Saint Louis County, Minnesota. The centerline of said easement is described as follows:

Commencing at the North Quarter Corner of said Section 15; thence on an assumed bearing of North 85 degrees 49 minutes 31 seconds West, along the north line of said Section 15, a distance of 910.35 feet; thence South 25 degrees 46 minutes 16 seconds West a distance of 347.54 feet to a point on the southerly right of way line of County Road 129 and the point of beginning of the centerline to be described; thence continue South 25 degrees 46 minutes 16 seconds West a distance of 2.78 feet; thence southerly on a tangential curve concave to the east, said curve having a radius of 150 feet and a central angle of 63 degrees 16 minutes 52 seconds for a distance of 165.67 feet; thence South 37 degrees 30 minutes 33 seconds East, tangent to said curve, a distance of 1420.21 feet; thence southeasterly along a tangential curve concave to the northeast, said curve having a radius of 1150.00 feet and a central angle of 52 degrees 58 minutes 53 seconds for a distance of 1063.40 feet; thence North 89 degrees 30 minutes 34 seconds East, tangent to the last described curve, a distance of 574.80 feet; thence southeasterly along a tangential curve to the southwest, said curve having a radius of 950.00 feet and a central angle of 70 degrees 49 minutes 08 seconds for a distance of 1174.22 feet; thence South 19 degrees 40 minutes 18 seconds East, tangent to last described curve, a distance of 826.46 feet; thence southeasterly along a tangential

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curve concave to the northeast, said curve having a radius of 643.00 feet and a central angle of 58 degrees 12 minutes 40 seconds for a distance of 653.27 feet; thence South 77 degrees 52 minutes 58 seconds East, tangent to last described curve, for a distance of 387.34 feet; thence easterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 60 degrees 36 minutes 51 seconds for a distance of 680.24 feet to a point of reverse curve; thence southeasterly along a reverse curve concave to the south, said reverse curve having a radius of 643.00 feet and a central angle of 72 degrees 18 minutes 13 seconds for a distance of 811.42 feet; thence South 66 degrees 11 minutes 36 seconds East, tangent to said reverse curve, a distance of 553.26 feet; thence easterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 53 degrees 58 minutes 07 seconds for a distance of 605.66 feet; thence North 59 degrees 50 minutes 17 seconds East, tangent to last described curve, a distance of 1333.68 feet; thence easterly along a tangential curve concave to the south, said curve having a radius of 900.00 feet and a central angle of 29 degrees 02 minutes 09 seconds for a distance of 456.09 feet; thence North 88 degrees 52 minutes 26 seconds East, tangent to the last described curve, a distance of 1793.86 feet; thence easterly along a tangential curve concave to the south, said curve having a radius of 2100.00 feet and a central angle of 23 degrees 42 minutes 00 seconds for a distance of 868.65 feet; thence South 67 degrees 25 minutes 34 seconds East, tangent to last described curve, a distance of 716.35 feet; thence northeasterly along a tangential curve concave to the north, said curve having a radius of 643.00 feet and a central angle of 85 degrees 01 minutes 35 seconds for a distance of 954.21 feet to a point of reverse curve; thence northeasterly along a reverse curve concave to the southeast, said reverse curve having a radius of 2500.00 feet and a central angle of 17 degrees 35 minutes 24 seconds for a distance of 767.51 feet to a point of reverse curve; thence northeasterly along a reverse curve concave to the northwest, said curve having a radius of 2500.00 feet and a central angle of 06 degrees 59 minutes 37 seconds for a distance of 305.15 feet to a point of reverse curve; thence easterly along a reverse curve concave to the southeast, said reverse curve having a radius of 643.00 feet and central angle of 63 degrees 18 minutes 51 seconds for a distance of 710.54 feet to a point of reverse curve; thence easterly along a reverse curve concave to the north, said reverse curve having a radius of 643.00 feet and a central angle of 38 degrees 43 minutes 34 seconds for a distance of 434.60 feet; thence North 62 degrees 43 minutes 55 seconds East, tangent to last described reverse curve, for a distance of 50.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to intersect said southerly right of way line of County Road 129 and the east line of said Section 13.

Adopted July 3, 2007. No. 376

WHEREAS, Minnesota has two National Forests, the Chippewa in the north central part of the state, and the Superior in the northeast; and

WHEREAS, St. Louis County hosts a significant part of the Superior National Forest; and

WHEREAS, the Federal Forest Highway Program was established to provide assistance in constructing and updating highways that serve the needs of the National Forests; and

WHEREAS, funding has become stagnant and has not kept up with inflation; and

WHEREAS, a funding proposal has come forward from the local program managers (counties and forests) to address this funding shortfall; and

WHEREAS, this funding proposal is included in the report titled "Minnesota National Forest Highway System", June 1, 2007; and

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners supports the funding proposal presented in said report.

Adopted July 3, 2007. No. 377

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

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County-State Aid Highway No. 6 (County Project 8275, S.P. 69-606-017) located within the Cities of Duluth and 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, MnDOT will acquire the rights of way necessary for this project on behalf of St. Louis County; and WHEREAS, the existing Agreement No. 87137 will be amended so that the total dollars expended for property acquisition, related processing expenses, and fees shall be \$3,100,000.00, and not \$3,200,000.00 as previously stated; and WHEREAS, the existing agreement will be amended so that MnDOT will be responsible for all eminent domain proceedings, and property acquisition activities, and if total costs for these activities, along with property acquisition costs exceed \$3,100,000.00, the additional cost will be the sole responsibility of MnDOT; and WHEREAS, the existing agreement will be amended so that MnDOT will convey all permanent and temporary easements to construct the project back to the County at the completion of the project. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the proper County officials to amend Agreement No. 87137, Resolution No. 06-384, dated June 27, 2006, with MnDOT, 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 July 3, 2007. No. 378

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, MnDOT will acquire the rights of way necessary for this project on behalf of St. Louis County; WHEREAS, the existing Agreement No. 89692 will be amended so that the total dollars expended for property acquisition, related processing expenses, and fees shall be \$400,000; and WHEREAS, the existing agreement will be amended so that MnDOT will be responsible for all eminent domain proceedings, and property acquisition activities, and if total costs for these activities, along with property acquisition costs exceed \$400,000, the additional cost will be the sole responsibility of MnDOT; and WHEREAS, the existing agreement will be amended so that MnDOT will convey all permanent and temporary easements to construct the project back to the County at the completion of the project. NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the proper County officials to amend Agreement No. 89692, Resolution No. 383, dated June 27, 2006, with MnDOT, 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 July 3, 2007. No. 379

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of Unit No. 1309, a 1992 John Deere 690D-LC 46,000 lb. crawler mounted excavator used by the bridge maintenance group; and WHEREAS, the existing excavator would need significant repairs to remain operative; and

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WHEREAS, a new larger machine would provide additional reach, lifting capacity and excavating productivity; and

WHEREAS, the Public Works Department presented specifications for a 75,000 lb. crawler mounted excavator to the Purchasing Department for a request of State of Minnesota contract pricing from the area vendors with available State of Minnesota contracts; and

WHEREAS, St. Joseph Equipment, Inc., of Duluth with a State of Minnesota contract price of \$221,828.99 on a Case CX330 provided the lowest cost of the three models available locally in the 75,000 lb. operating class, and

WHEREAS, due to budgetary constraints, options were deleted to lower the purchase price to \$212,446; and

WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$13,808.99 for a total cost to the County of \$226,254.99.

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., of Duluth in the amount of \$226,254.99, including applicable State of Minnesota taxes, for the purchase of a Case CX330 crawler mounted hydraulic excavator, payable from Fund 200, Agency 202020, Object 666400. Adopted July 3, 2007. No. 380

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications (pull-tabs and tipboards) on file in the office of the County Auditor, identified as County Board File No. 58649:

Gnesen Volunteer Fire Relief Association to operate out of the following:

Island Lake Inn, Gnesen Township, 7153 Rice Lake Road, Duluth, MN 55803, RENEWAL;

Silver Fox Lodge, Gnesen Township, 7495 Boulder Lake Road, Duluth, MN 55803, RENEWAL;

Fall Inn, Rice Lake Township, 4219 Kingston Road, Duluth, MN 55803, RENEWAL;

Sportsman Inn, Gnesen Township, 4101 Normanna Road, Duluth, MN 55803, RENEWAL.

Adopted July 3, 2007. No. 381

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs; pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

AmVets Post No. 12 to operate out of The Thirsty Moose, Cherry Township, 10550 Highway 37, Hibbing, MN 55746, RENEWAL.

Adopted July 3, 2007. No. 382

WHEREAS, the County Extension Service is requesting one temporary Office Assistant position to provide summer and fall assistance to the Iron Range Youth in Action Program; and

WHEREAS, the Office Assistant's duties will primarily consist of updating websites, databases and the Youth Yellow Pages Directory, and assist with fundraising and other youth events during summer and early fall; and

WHEREAS, the Office Assistant will be located in the Virginia Extension Office working 35 hours per week at a salary of \$10.80 per hour for nine (9) weeks, beginning as early as possible in July and work through September 10, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners approves the temporary position of Office Assistant to work with the Iron Range Youth in Action from July through September 10, 2007;

RESOLVED FURTHER, that \$3,700 for the IRYA Office Assistant be reallocated from County Extension Service (North Task Force) carryover budget to Fund 184, Agency 186001, 610200.

Adopted July 3, 2007. No. 383

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WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the CDBG Citizen Advisory Committee; and

WHEREAS, there is a vacancy for the Eveleth representative on this board which needs to be filled through an advertised application process.

NOW, THEREFORE, BE IT RESOLVED, that the Auditor advertise and accept applications until July 25, 2007, for one vacant position on the CDBG Citizen Advisory Committee, representing Eveleth, serving a three-year term.

Adopted July 3, 2007. No. 384

RESOLVED, that the County Board of Commissioners hereby appoints County Commissioner Mike Forsman to serve on the Local Advisory Committee as part of the public involvement process for the environmental impact study and design for the proposed economic development corridor between Aurora and Ely, identified as project S.P. 69-596-004, C.P. 9316.

Adopted July 3, 2007. No. 385

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

M.P. 6646-1306(low), County Project 1306, located on T.R. 6646 (Stecker Road) from C-SAH 108 to Red Pine Drive near Biwabik, MN; length 0.3 mile consisting of Bituminous Reclamation, Bituminous Surfacing and Aggregate Shouldering;

M.P. 6647-1305, County Project 1305, located on T.R. 6647 (Garden Drive) from T.R. 6646 to T.R. 6646 near Biwabik, MN; length 0.7 mile 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., June 25, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$237,256.25

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. 6646-1306(low): Fund 210, Agency 210029, Object 652800 \$ 71,694.00

M.P. 6647-1305: Fund 210, Agency 210028, Object 652800 \$165,562.25

Adopted July 3, 2007. No. 386

BY COMMISSIONER FORSMAN:

WHEREAS, the Town of Crane Lake initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on July 13, 2006, and March 8, 2007; and

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

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Board of Commissioners adopt the rezoning by amending Ordinance No. 46, zoning maps, and Ordinance No. 27, the Comprehensive Plan; and
WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on July 3, 2007; 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 approves a rezoning from FAM-1 to SMU-7, and a comprehensive plan amendment from Concept 1, Forestry, to Concept 5, Waterfront, for the N 1/2 of the NW 1/4 and the SE 1/4 of the NW 1/4, Section 15, T67N, R17W (Crane Lake); and
RESOLVED FURTHER, that the effective date for these amendments will be August 1, 2007.
Unanimously adopted. July 3, 2007. No. 387

WHEREAS, on March 9, 2007, the St. Louis County Public Works Department - Hibbing Maintenance Facility experienced a fire which resulted in premises damage and a total loss to County Unit No. 7167, a 2004 International Model 7600 tandem dump truck. St. Louis County has presented a claim to its property insurer, Chubb Group of Insurance Companies, and the loss claimed is in the amount of \$128,021.59; and
WHEREAS, the property insurance has a \$25,000 deductible. The Public Works Department has made a claim against the Insurance Fund Account, Fund 70, Agency 72001, in the amount of \$25,000 so that County Unit No. 7167 can be replaced.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes settlement with the Chubb Group of Insurance Companies in the amount of \$128,021.59.
FURTHER RESOLVED, the St. Louis County Board authorizes the transfer of \$25,000 from the Insurance Fund Account, Fund 720, Agency 720001, to Fund 200, Agency 205003, Revenue Source 552600, for the replacement of County Unit No. 7167.
Unanimously adopted. July 3, 2007. No. 388

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

M.P. 161-1244, County Project 1244, located at C.R. 161 (Railroad Avenue) from T.H. 2 North Jct. to T.H. 2 South Jct. in Proctor, MN, length 0.8 mile, 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., June 25, 2007, 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>
Hardrives, Inc.	14475 Quiram Drive Rogers, MN 55374	\$129,624.01

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney, on behalf of the County of St. Louis, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from: Fund 200, Agency 203091, Object 652800.
Unanimously adopted. July 3, 2007. No. 389

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BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Public Works Department acquired controlled access along a segment of County-State Aid Highway (C-SAH) No. 13; and

WHEREAS, the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, the property owner of part of NW 1/4 of the SW 1/4 of Section 29, Township 50 North, Range 15 West, has requested a new legal access point; and

WHEREAS, the Department of Public Works has reviewed request and has approved this opening in the controlled access.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the new opening in the controlled access for the entrance to the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Training facility.

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

Nays - Commissioner Fink - 1

Absent - Commissioner Sweeney - 1

Adopted July 3, 2007. No. 390

At 12:30 P.M. on Tuesday, July 3, 2007, upon motion of Commissioner Nelson, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Bill Kron, 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 10, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of July, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

At 9:35 A.M., a public hearing was convened pursuant to County Board Resolution No. 326, adopted June 5, 2007, to consider granting an off-sale intoxicating liquor license to Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township. Assistant County Attorney Janilyn Murtha advised the Board that: all required County Departments reviewed the application and recommended approval; the Town of Duluth 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; and the necessary insurance certificates were submitted. Aaron Yount, owner, was present and said he understood and would abide by the provision of Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:43 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Nelson, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 402.

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

Myron C. Lindahl, Hermantown, asked Commissioners to consider serving on the Board of Equalization because their appointed representatives are realtors and real estate appraisers who may have a vested interest in seeing property values remain high. Because properties in St. Louis County are so diverse, it is often difficult for citizens to find truly comparable properties to determine if their value is appropriate, according to Mr. Lindahl.

Commissioners noted their lack of real estate expertise and the difficulty of keeping politics out of the decision-making process as reasons for selecting knowledgeable experts to serve on the Board of Equalization.

Commissioner Forsman said Property Management has negotiated a space lease extension though June 2008 at the Government Services Center in Ely which should allow enough time to resolve who will eventually own and operate the old school building.

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

Documentation from public hearing held on July 10, 2007, to consider granting an off-sale intoxicating liquor license to Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township.--58717

Purchase of Service Agreement, Contract No. 14175, between the St. Louis County Board of Commissioners and Jay Litman Construction/Remodeling Handyman Services, Inc., for adaptive aids/modifications.--07-807

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St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Life House - Proctor House for Youth.--07-808ss

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Range Women's Advocates - Children's Program.--07-809ss

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Town of Breitung for infrastructure improvements.--07-810ss

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Range Transitional Housing - housing programs.--07-811ss

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and The Salvation Army - Hibbing Melting Pot Meals.--07-812ss

Contract between the County of St. Louis and Ulland Brothers, Inc., for S.P. 69-613-028 (low), MN Project No. STPX 6906 (123), C.P. 8256; S.P. 6908-57 (TH2=203), for Reclamation, Grading, Aggregate Base, Plant Mixed Bituminous Surface and Aggregate Shouldering, Mill Bituminous Surface, and Traffic Control System Upgrades.--07-813

Grant Contract between the State of Minnesota, through its Commissioner of Public Safety, Division of Homeland Security and Emergency Management, for the Emergency Management Performance Grant.--07-814

Agreement between the Township of Pequaywan and the County of St. Louis for M.P. 3746 - painting stripe centerline and edge-line on various paved township streets and county highways.--07-815

Municipal Interstate Cooperative Agreement between St. Louis County and Douglas County for the housing of inmates in the Douglas County Jail.--07-816

Agreement for Professional Services between the County of St. Louis, through its Employee Safety and Development Division, and Angie VanDeHey for ongoing support of Lectora software, export/link Access database, Human Resource Management System schema/capabilities, etc.--07-817

Employee Safety & Development Training Contract between St. Louis County and Angie VanDeHey for five sessions of DotNetNuke Speerio File Manager Pro, Access Tables, and Access Queries.--07-818

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 391 through 401, 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 June 26, 2007, are hereby approved.

Adopted July 10, 2007. No. 391

WHEREAS, St. Louis County has designed, built and financed the development of the Joint Public Works Facility located at 2210 East Sheridan Street in Ely, Minnesota, as a joint use facility between the City of Ely, Lake County, and the St. Louis County Public Works Department; and

WHEREAS, the parties have negotiated a long-term lease allocating the respective costs of the parties based upon the proportional use of the facility; and

WHEREAS, the County will receive annual rent from the City of Ely in two equal installments for twenty years with the first installment due on November 1, 2007, and similar payments on May 1st and

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November 1st for the entire 20 year term, equaling 40 payments, with the last payment due on May 1, 2027; and

WHEREAS, the County will receive rent from Lake County in two installments due in 2007; and
WHEREAS, the County will receive from the City of Ely and Lake County future anticipated costs for a salt storage building, grading, and bituminous surfacing; and

WHEREAS, the County will receive from the City of Ely and Lake County additional rent for operating costs whereby the City of Ely's share of those costs shall be 42.1 percent and Lake County's share of those costs shall be 2.6 percent, and St. Louis County's share of those costs shall be 55.3 percent.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the Chair, Auditor, and the County Attorney's Office to execute the Lease Agreement and any amendments approved by the County Attorney's Office for the Joint Public Works Facility located at 2210 East Sheridan Street in Ely, Minnesota, and

BE IT FURTHER RESOLVED, that the City of Ely rent payments received by the Auditor's Office shall be deposited into:

- Agency 311001 Capital Improvement Bond 2005A, Revenue Object 583103
Leases/Rents
- Agency 309001 Capital Improvement Bond 2004A, Revenue Object 583103
Leases/Rents
- Agency 205003 Public Works Non-Department Revenue, Revenue Object 583501
Loans and Interest Revenue; and

BE IT FURTHER RESOLVED, that additional rent payments (operating costs) received from Lake County and the City of Ely by the Auditor's Office shall be deposited into:

- Agency 202010 Public Works Non-Department Revenue, Revenue Object 551508
Lake County and 551538 City of Ely.

Adopted July 10, 2007. No. 392

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 Cities of Duluth and Proctor for bicycle signage, project S.P. 91-030-007, C.P. 3734, whereby the City of Duluth will perform all construction administration, staking, construction inspection, and bidding requirements. The City of Proctor will do the project memorandum. The County share will be paid from Fund 220, Agency 220224, Object 652700.

Adopted July 10, 2007. No. 393

RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of St. Louis to accept, as its agent, federal aid funds which may be made available for eligible transportation related projects.

FURTHER RESOLVED, the Chair of the Board and the Auditor are hereby authorized on behalf of St. Louis County, as sponsor for the St. Louis and Lake Counties Regional Railroad Authority (RRA), 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. 91236", a copy of which was before the County Board and which is made a part hereof by reference. This agreement corresponds with the Advanced Construction Process for the RRA's share on S.P. 69-090-009, County Project No. 3593, with RRA Funds, Fund 220, Agency 220137, used for the local share.

Adopted July 10, 2007. No. 394

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement with the St. Louis and Lake Counties Regional Railroad Authority authorizing the appropriate County

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officials to sign the agreement and any amendments approved by the County Attorney's office for S.P. 69-090-009, County Project 3593, whereby the Railroad Authority will pay the local dollar match of twenty percent (20%) of the actual project costs, and other costs including but not limited to advertising, mailing of plans and proposals, construction materials testing, and administrative fees. Funds will be received into Fund 220, Agency 220137.

Adopted July 10, 2007. No. 395

WHEREAS, the County Board supports the creation of a secure and reliable data communications infrastructure; and

WHEREAS, the County Board also supports improving the County's disaster recovery capabilities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the MIS Department to enter into an agreement with Charter Communications for the provision of a one Gigabit Per Second (1Gbps) service of digital data communications bandwidth between the Sheriff's Facility on Arlington Avenue and the Government Services Center in Duluth at the quoted rate of \$2,600 per month for sixty months plus a one time fixed cost of \$5,000 for installation and any applicable Minnesota state sales taxes.

RESOLVED FURTHER, that the MIS Department is authorized to amend this agreement to add additional bandwidth as needed, provided that the needed changes have been anticipated and sufficient funds exist within the MIS Telecommunications budget to cover the additional costs.

RESOLVED FURTHER, that the funding for this agreement has been anticipated and budgeted for in the existing MIS Telecommunications budget Fund 760, Agency 760001, Object 622100.

Adopted July 10, 2007. No. 396

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

S.A.P. 69-754-001, C.P. 9318, located on C-SAH 154 (4th Avenue) from C-SAH 155 (James Street) to C-SAH 152 (Camp Street), in Ely, MN, length 0.436 mile, consisting of Grading, Aggregate Base, Bituminous Base and Surface, Storm Sewers, Curb and Gutter, Sidewalks, and Lighting.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., July 2, 2007, 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	\$1,869,847.57

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 220179, Object 652700.

Adopted July 10, 2007. No. 397

WHEREAS, St. Louis County has in excess of \$242,070,833 in property to insure; and

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.

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NOW, THEREFORE, BE IT RESOLVED, 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 7-24-07 to 7-24-08, at their annual premium of \$194,414 payable from: Fund 720 (Property, Casualty, Liability), Agency 720001 (Property, Casualty, Liability), Object 635100 (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 10, 2007. No. 398

RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the new job classification titled Certified Occupational Therapy Assistant and allocates it to Salary Grade C15 on the Health Care Basic Unit Pay Plan, effective immediately.

Adopted July 10, 2007. No. 399

WHEREAS, Chris Jensen has a vacancy in a Social Worker (MSW) position; and

WHEREAS, Chris Jensen administration is striving to operate within the revenue it generates; and

WHEREAS, the State of Minnesota's expectations for psychosocial outcomes for nursing home residents has been raised; and

WHEREAS, the COTA job specification calls the incumbent to take the lead role on the departmental inter-disciplinary team in meeting achieving quality of life/psychosocial outcomes for each resident which will address the expectations as set by the State; and

WHEREAS, the cost savings to the department would range from \$11,772 to \$20,376 a year across the wage scale between the two classifications;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the addition of one FTE Certified Occupational Recreation Assistant (COTA), replacing a vacant FTE Social Worker (MSW) position at Chris Jensen.

Adopted July 10, 2007. No. 400

WHEREAS, the National Park Service has announced the National Park Centennial Initiative to "engage all Americans in preserving our heritage, history and natural resources through philanthropy and partnerships, reconnect people with their parks, and build capacity for critical park operations and facilities, and sustain them through the next century"; and

WHEREAS, the National Park Service is soliciting proposals for "Signature Projects" which will "leverage philanthropic, partnership and government investments to benefit national parks and their visitors" and "capture the imagination of the public"; and

WHEREAS, it is the mission of Voyageurs National Park to "preserve the landscape and scenic waterways that shaped the route of the North American fur traders and defined the border between the United States and Canada"; and

WHEREAS, while "the waterways of Voyageurs National Park include one of the most important segments of the fur trade route used in the opening of northwestern North America", it only contains a portion of the fur trade route used by the voyageurs; and

WHEREAS, a Voyageurs Heritage Center is needed to provide an "information hub for the historic/interpretive sites along the Voyageur Highway" to include "state-of-the art exhibits and museum to interpret the history and significance of the North American fur trade and including the American Indian/First Nations peoples living in the region"; and

WHEREAS, Voyageurs National Park has proposed as a Signature Project for the National Park Centennial Initiative locating the "Voyageurs Heritage Center" in International Falls along with a new park headquarters; and

WHEREAS, such a center would "create a Voyageur Highway Experience along the Historic Waterways and Interpret Voyageur History"; and

WHEREAS, the Voyageurs National Park lies in part within St. Louis County and is a valuable source

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of tourism for St. Louis County; and

WHEREAS, the City of International Falls has requested the support of St. Louis County in obtaining state capital investment funds for the Voyageurs Heritage Center/Voyageur National Park Headquarters; and

WHEREAS, International Falls is the predominate 'Gateway Community' to Voyageurs National Park and city officials and park staff believe both would benefit as a result of moving the park headquarters into the city.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County supports the City of International Falls request for \$6,487,385 from the State of Minnesota for purposes of constructing the Voyageurs Heritage Center/Voyageurs National Park Headquarters.

Adopted July 10, 2007. No. 401

BY COMMISSIONER SWEENEY:

WHEREAS, Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minnesota Statutes, Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on July 10, 2007, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license Lakeview Castle 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 CMB08113) shall be issued to Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2008;

FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;

FURTHER RESOLVED, that if named license holder sells the licensed place of business, the County Board, at its discretion, may after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted. July 10, 2007. No. 402

At 10:00 A.M. on Tuesday, July 10, 2007, upon motion of Commissioner Sweeney, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Bill Kron, 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 JULY 24, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of July, 2007, at 9:42 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Raukar presented a Volunteer Excellence Award to Everal O'Brien, Hibbing, for her many years of volunteer work for a number of organizations. The 91-year-old Ms. O'Brien continues to volunteer at a local hospital and logs about 1500 volunteer hours per year.

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

Dawn Marks, Babbitt, said she is a contractor who has encountered numerous problems with the St. Louis County Public Health Department over septic rules and regulations that are not part of any county ordinance or state statute. Site evaluation and point of sale inspections are becoming so difficult that home sales are suffering and homeowners are fearful of system inspections. Ms. Marks urged the Board to take control of the Public Health Department and the enforcement of septic ordinances. Commissioner Sweeney said the Sewage Subcommittee has not discussed or considered ordinance or rule changes described by Ms. Marks and she asked Administration to investigate the allegations. Commissioner Fink noted that the Planning Commission also has not discussed any ordinance changes.

Will Sandstrom, Madison, WI, echoed the sentiments of Ms. Marks and said county surveyors have routinely changed property markings. Mr. Sandstrom went on to object to the following:

- Establishment of the North American Union that would replace the U.S. with a regional government consisting of Canada, Mexico and the U.S.;
- Proposals to use eminent domain powers to construct huge NAFTA super corridors to expand current interstate transportation and granting the transportation rights to foreign investors.
- Current immigration rules that inhibit local authorities from enforcing immigration law violations.
- Grocery stores that install observation cameras. He urged the Board to adopt a resolution prohibiting the practice.

Mike Jugovich, Mayor of Chisholm, asked the Board to assist where possible with the removal of blighted buildings in Chisholm and other areas. Demolition waste tipping fee adjustments would be one method of assistance to consider, according to Mayor Jugovich. Commissioners offered additional suggestions including requests for Iron Range Resources (IRR) grant funds and salvage programs for reusable demolition material.

Commissioner Sweeney, supported by Commissioner Raukar, moved to authorize the Sheriff to apply for a two-year Community-Oriented Policing (COPS) grant for two Deputy Sheriff positions to be assigned to School District 2142 for the new School Resource Officers program. Commissioner Fink offered a friendly amendment - not accepted by the makers - to add a stipulation that the new positions will be eliminated or absorbed if grant funding ceases. Commissioner Fink, supported by Commissioner Nelson, moved to formally amend the resolution. After lengthy discussion concerning possible effects of the stipulation on securing the grant and whether or not it was needed at this point, Commissioner

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Fink withdrew his amendment and the original resolution was approved; seven yeas - zero nays. Resolution No. 418.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider approval of Corrections Officers/9-1-1 Bargaining Unit Agreement for 2006 and 2007; seven yeas - zero nays. Commissioner Fink, supported by Commissioner O'Neil, moved to approve the agreement. Commissioner Nelson said he would not support the agreement because it failed to address health insurance issues; six yeas - one nay, Commissioner Nelson. Resolution No. 419.

Commissioner Nelson noted \$6,000 of outside consultant training contracts included in the Communications list.

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

Rebecca Otto, State Auditor, State of Minnesota, regarding their completion of its audit of St. Louis County and submitting a copy of the "Management and Compliance Report for St. Louis County, Duluth, Minnesota, year ended December 31, 2006".--58718

Robert M. Kaner, Attorney at Law, Duluth, submitting Notice of Claim in the matter of Barbara Larson versus St. Louis County.--58719

Robert M. Kaner, Attorney at Law, Duluth, submitting Notice of Claim in the matter of Yvonne Marchand versus St. Louis County.--58720

Donald Dicklich, County Auditor, submitting Current Financial Status of the Chris Jensen Health & Rehabilitation Center.--58721

St. Louis County Promotional Bureau submitting minutes of their meetings held in the year 2007.--58722

Dr. Will Sandstrom, Madison, Wisconsin, submitting articles regarding establishment of a North American union, construction of NAFTA super-corridors and efforts by local authorities to enforce illegal immigration laws.--58723

Steve Raukar, Seventh District Commissioner, submitting information regarding the Volunteer Recognition Award given to Everal O'Brien for her dedicated volunteer service for many of her 91 years.--58724

Corrections Officers/9-1-1 Dispatchers Bargaining Unit Agreement for 2006/2007.--07-819

Outdoor Recreation Project Fund Agreement between the St. Louis County Board of Commissioners and the St. Louis County Agricultural Fair Association for animal pens and interactive educational displays for the children's barn.--07-820

Agreement between the County of Lake and the County of St. Louis for painting centerline stripes and edge-lines on various paved streets and highways - M.P. 3746.--07-821

Professional Services Agreement between the County of St. Louis and Pro-West & Associates, Inc., to continue the development of the digital GIS parcel layer and related GIS activities.--07-822

Agreement for Professional Services between St. Louis County and The Regents of the University of

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Minnesota to evaluate and develop the optimal manpower planning and shift scheduling for snow and ice removal.--07-823

Agreement for Professional Services between the County of St. Louis and Bluewater Mechanical for the design and construction of a ventilation system in St. Louis County Bituminous Laboratory located in Pike Lake.--07-824

Easement between St. Louis County and Kim R. Ross for a 16-foot access easement over part of the SE 1/4 of Section 31, Township 62 North, Range 15 West.--07-825

Amendment No. 1 to Minnesota Department of Transportation Agreement No. 89692 between the State of Minnesota and St. Louis County for cooperative land acquisition along Trunk Highway 53 in Hermantown.--07-826

Amendment No. 1 to Minnesota Department of Transportation Agreement No. 87137 between the State of Minnesota and St. Louis County and the City of Duluth for cooperative land acquisition along Trunk Highway 53 in Duluth and Hermantown.--07-827

Employee Safety & Development Training Contract between St. Louis County and Pat Miller for two sessions of *Maintaining Perspective: Learning Not to Take Things Personally*.--07-828

Agreement between the City of Hermantown and the County of St. Louis for painting centerline stripe and edge-lines on various paved streets and highways - M.P. 3746.--07-829

Training Contract between St. Louis County and Sue Lawson for two sessions of *Getting to Us: Cultural Fluency and World Views*.--07-830

Employee Safety & Development Training Contract between St. Louis County and Sister Michelle Meyers for two sessions of *Going in Circles: Prescriptions for Coping with Stress* and *Don't Sell Yourself Short: Building Positive Self Esteem*.--07-831

Employee Safety & Development Training Contract between St. Louis County and Sister Kay O'Neil for two sessions of *Going in Circles: Prescriptions for Coping with Stress* and *Don't Sell Yourself Short: Building Positive Self Esteem*.--07-832

Employee Safety & Development Training Contract between St. Louis County and Ward Melenich for computer training.--07-833

Public Safety Product Sales/Installation/Maintenance Agreement between Qwest Interprise America, Inc., and St. Louis County - Duluth for the VIPER 9-1-1 phone system.--07-834

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 403 through 417, 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 Special Board of Appeal and Equalization for the assessment year of 2007 payable 2008 are hereby approved.

Adopted July 24, 2007. No. 403

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 3, 2007, are hereby approved.

Adopted July 24, 2007. No. 404

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RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 10, 2007, are hereby approved.
Adopted July 24, 2007. No. 405

RESOLVED, that the appraisal reports for the sale of timber to be offered at Public Timber Auction, Tracts 1 through 31 (totaling \$973,023.04), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted July 24, 2007. No. 406

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. 58631, are hereby approved:
Real Estate - City Assessor, \$35,107.30; Dennis Fagerness, \$898.10; Keith Pawlowicz, \$253.50; State of Minnesota, \$834.06; Timothy Vongillern, \$248.00; Donald Dicklich, Cancel Forfeiture.
Adopted July 24, 2007. 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 6, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted July 24, 2007. No. 408

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. 58694, is hereby approved 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. TB0730, for August 11, 2007.
Adopted July 24, 2007. No. 409

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 temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58641:
Bear River Fair, Morcom Township, Temporary On-Sale Intoxicating Liquor License No. TL076, for August 18 and 19, 2007.
Adopted July 24, 2007. No. 410

WHEREAS, the Land Department has reviewed a request from the Spruce Lake Development Company, LLC, for a non-exclusive roadway easement across State tax forfeited land and recommends approval;
and

WHEREAS, the proposed easement route will facilitate access to their 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, Subd. 4(a), is hereby authorized to grant a non-exclusive easement for roadway purposes to the Spruce Lake Development Company, LLC.

The description of the easement is: A 66.00 foot wide easement through the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4), Section 20, Township 61 North, Range 13 West, St. Louis

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County, Minnesota, lying within 33.00 feet of the following described centerline: Commencing at the Northwest corner of said SW 1/4 of NW 1/4; thence S 1 degree 33 minutes 57 seconds E, along the West line of said SW 1/4 of NW 1/4, a distance of 317.90 feet to the point of beginning and the point of curvature of a non-tangential curve, concave to the Southeast; thence Northeasterly, along said curve, with a delta angle of 17 degrees 74 minutes 28 seconds, a radius of 300.00 feet and a chord bearing of N 34 degrees 10 minutes 37 seconds E, a distance of 90.27 feet; thence N 42 degrees 47 minutes 51 seconds E, a distance of 282.55 feet, to a tangential curve, concave to the Southeast; thence Northeasterly, along said curve, with a delta angle of 12 degrees 04 minutes 54 seconds and a radius of 300.00 feet, a distance of 63.26 feet, to the North line of said SW 1/4 of NW 1/4 and there terminating. The northwesterly and southeasterly right-of-way lines are extended to and truncated by the North line and the West line of said SW 1/4 of NW 1/4. This granting of this easement is conditioned upon payment of an \$804.00 land use fee, \$200.00 administration fee and \$46.00 recording fee, for a total of \$1,050.00 to be deposited into Fund 240 - Forfeited Tax Fund.
Adopted July 24, 2007. No. 411

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Sunshine Beach Third Division on February 8, 2007; and
WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Sunshine Beach Third 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 Sunshine Beach Third Division located in Section 34, Township 62 North, Range 14 West (Eagles Nest).
Adopted July 24, 2007. No. 412

RESOLVED, that the County of St. Louis enter into Agreement 91008M and any amendments approved by the County Attorney's Office with the State of Minnesota, Department of Transportation, for the following purposes: To provide for maintenance and electrical energy by the County and the State for the new Highway Lighting Systems on Trunk Highway 53 at County Road (CR) No. 307 (Wouri Road), at CR No. 131 (Sand Lake Road)/CR No. 306A, at Old TH 53 South Connection, at CR No. 68 (Britt Road), and at CR 65 (Biss Road) under State Project No. 6920-45 (TH 53+11).
RESOLVED FURTHER, that the Chair of the Board and the Auditor are hereby authorized to execute and enter into an agreement with the State of Minnesota, Department of Transportation, and pay the County's share from Fund 200, Agency 201006, Object 625100.
Adopted July 24, 2007. No. 413

WHEREAS, St. Louis County purchases day training and habilitation services for residents with developmental disabilities (mental retardation and/or related conditions); and
WHEREAS, the Department of Public Health and Human Services has contracted with this day training and habilitation provider for over 27 years to provide day training and habilitation services on behalf of the County; and
WHEREAS, the Department wishes to amend this Agreement;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into and execute on behalf of the County an amended contract/agreement with Range Center, Inc., at the following rates (reflecting a legislative mandated 75.137 percent rate increase) for the period July 1, 2007, through September 30, 2007:

<u>Program</u> <u>Name</u>	<u>Full Day</u> <u>Program</u>	<u>Partial</u> <u>Day</u> <u>Program</u>	<u>Round</u> <u>Trip Daily</u> <u>Transportation</u>	<u>Full Day</u> <u>Program and</u> <u>Transportation</u>
Range Center, Inc.	\$83.39	\$62.54	\$6.00	\$89.39

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RESOLVED FURTHER, that the contract is payable from Fund 230, Agency 232006, Object 604800. Adopted July 24, 2007. No. 414

WHEREAS, the town of Kugler initiated a rezoning; and
WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on June 21, 2007; 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, August 7, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning the NW 1/4 of the NW 1/4 lying westerly of Highway 135, Section 20, Township 61 North, Range 15 West (Kugler).
Adopted July 24, 2007. No. 415

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 the ADA requirements and the term of the agreement is three years; and
WHEREAS, the State of Minnesota Historical Grant program received funding from the legislature for the 2006 - 2007 biennium and 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 has been approved for a grant of \$100,000, which would be matched, and the total project budget will be \$234,000. This project will upgrade the main public elevator by the front desk and the lower level public restrooms to meet ADA standards; and
WHEREAS, bids were solicited and opened on June 29, 2007, and Johnson-Wilson Construction of Duluth, Minnesota, was the qualified low bidder at \$234,000;
NOW, THEREFORE, BE IT RESOLVED, the County Board authorizes the appropriate County officials to enter into an agreement for the ADA restrooms and elevator upgrades at the Depot facility in the amount of \$234,000. Funds are available in the 2007 budget from Fund 400, Agency 400017.
Adopted July 24, 2007. No. 416

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 6,376,115.45
184	Extension Service	36,085.04
200	Public Works	3,988,817.63
230	Social Services	6,470,516.81
240	Forfeited Tax	557,619.08
250	St. Louis County HRA	2,276.10
600	Solid Waste Authorities	504,596.64
625	Chris Jensen Health & Rehab.	1,232,121.02
650	Laundry	91,334.57
660	Community Food Services	119,341.53
670	Supervised Living Facilities	86,125.08

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700	Printing	20,372.12
715	County Garage	93,062.84
750	Management Information Systems	457,615.64
760	Telecommunications	109,787.72
925	Arrowhead Regional Corrections	2,059,164.75
955	Community Health Services	67,194.26
989	Regional Railroad Authority	<u>106,926.00</u>
		\$ 22,379,072.28

Adopted July 24, 2007. No. 417

BY COMMISSIONER SWEENEY:

WHEREAS, the State of Minnesota Department of Public Safety, through the Office of Justice Programs, is accepting requests for proposals from local law enforcement entities to hire new peace officers through a 2007 Community-Oriented Policing (COPS) grant; and

WHEREAS, the State's intent is to increase the number of officers involved in the investigation and prevention of juvenile crime or to perform community-oriented policing duties; and

WHEREAS, the St. Louis County Sheriff's Office wishes to assign two full-time deputies to a new School Resources Officers program for St. Louis County School District 2142;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for the 2007 COPS Grant, a 24-month grant, for two new Deputy Sheriff positions;

RESOLVED FURTHER, that if this grant is secured, it will be accounted for in Fund 100, Agency 129999, Grant 12904, Year 2007.

Unanimously adopted. July 24, 2007. No. 418

Upon motion of Commissioner Fink, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 419 which was not on the agenda.

BY COMMISSIONER FINK:

RESOLVED, that the 2006/2007 Corrections Officers/9-1-1 Dispatchers Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-819, is hereby ratified and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioner Nelson - 1

Adopted July 24, 2007. No. 419

At 11:07 A.M. on Tuesday, July 24, 2007, upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 7, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of August, 2007, at 9:36 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil presented Volunteer Excellence Awards to David Plotnicky, Sharon Robertson and Norm Herron, all of Duluth, for their countless hours of volunteer service working to complete and care for the forty-mile portion of the Superior Hiking Trail extending the length of the City of Duluth. Mr. Plotnicky thanked the Board for the recognition and said more volunteers are always welcome.

At 9:44 A.M., a public hearing was convened, pursuant to County Board Resolution No. 415, adopted July 24, 2007, to consider rezoning the NW 1/4 of the NW 1/4 lying Westerly of Highway 135, Section 20, Township 61 North, Range 15 West (Town of Kugler). Scott Smith, Planning Department, described the rezoning which will allow the property to conform to adjacent properties and be redeveloped without a variance. In response to questions from Commissioner Fink, Smith said a recent statutory change allows certain non conforming property to be rebuilt and lending institutions appear to be satisfied with the statute and county ordinance. No one else chose to address the issue.

At 9:51 A.M., Commissioner Fink, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 435.

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

John Vogel, Hermantown, asked the Board to help with a septic system inspection problem he is having with his new home. The County issued a permit based on a submitted design but upon inspection of the completed system approval was denied. Mr. Vogel asked the Board to direct staff to work with him and his contractor to find a way to modify the system for compliance. Ann Busche, Director of Public Health and Human Services, said the septic system did not comply with certain soil standards and a private soil scientist confirmed the County inspector decision. After lengthy discussion, it was the consensus of the Board to direct Public Health to work with Mr. Vogel on a solution and report back next week.

Sam Haddad, County employee and member of the Health Insurance Committee, asked the Board to consider opening the health insurance administrative contract to other providers. A recent presentation to the Health Insurance Committee by another administrative services provider indicated large savings may result if another administrator was selected, according to Mr. Haddad. Dana Frey, County

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Administrator, said the health insurance administration contract issue is included on the Committee of the Whole agenda and should be discussed in detail at that time. The contract with Blue Cross-Blue Shield has a 120-day escape clause, according to Administrator Frey.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to accept funding for the Child Care Resource & Referral Program in the amount of \$212,592; seven yeas - zero nays. Resolution No. 436.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to appoint Commissioner O'Neil as representative to the Heading Home St. Louis County Implementation Team. Commissioner Fink asked if a joint powers agreement will be necessary and Commissioner Nelson expressed continuing concerns about the makeup of the committee. Commissioner Nelson, supported by Commissioner Fink, moved to table the matter to the August 14 County Board meeting; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner Forsman, moved to accept the Family Homeless Prevention and Assistance Program Grant in the amount of \$750,000. Commissioner O'Neil chose to abstain because of his affiliation with Central Hillside United Ministries (CHUM), which may be a grant fund recipient; six yeas - zero nays, one abstention, Commissioner O'Neil. Resolution No. 437.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve a lease of tax forfeited land located in the Town of Leiding to Duluth MSA Limited Partnership for a telecommunications tower site. Commissioner Fink offered a friendly amendment - accepted by the makers - to add a statement to the resolution requiring MSA Limited to secure "all state and local permits as required"; seven yeas - zero nays. Resolution No. 438.

Commissioner Forsman, supported by Commissioner Nelson, moved to award the contract for S.P. 69-607-040 (Hoover Road in Virginia) to Ulland Brothers, Inc., Cloquet, MN, on their low bid of \$1,609,000, which was 9.17% below the engineer's estimate; seven yeas - zero nays. Resolution No. 439.

Commissioner Forsman, supported by Commissioner Sweeney, moved to award the contract for S.P. 69-601-001 (Cirrus Drive) to Hoffman Construction Co., Black River Falls, WI, on their low bid of \$1,410,864.17, which was 11.89% below the engineer's estimate; seven yeas - zero nays. Resolution No. 440.

Commissioner Fink, supported by Commissioner Raukar, moved to approve a resolution directing the County Administrator to examine potential costs and benefits of subdividing St. Louis County. Commissioner Sweeney, supported by Commissioner Forsman, moved to table the matter to the August 14 Board meeting; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider approval of the Civil Service Supervisory Bargaining agreement for 2006-2007; seven yeas - zero nays. Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve the agreement. Melissa Honkola, Civil Service Department, said terms of the agreement are similar to other bargaining unit settlements. In response to a question from Commissioner Fink, Ms. Honkola said the \$.45 per hour personal use allowance for the motor pool supervisor included in the agreement is to cover the cost of using personal tools to perform job tasks. Commissioner Fink said he will not support the agreement because he opposes continued use of a motor pool in the County. Commissioner Nelson said he will not support the agreement because it fails to adequately address health insurance issues; five yeas - two nays, Commissioners Fink and Nelson. Resolution No. 441.

Commissioner Fink, supported by Commissioner Sweeney, moved to approve settlement of litigation

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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in the matter of *Patricia Sever, Trustee for the Next of Kin of George J. Mikrut, Deceased, vs. St. Louis County*. Melanie Ford, County Attorney, said the settlement is within the parameters established in a closed session and contains a release of claims with no admission of liability; seven yeas - zero nays. Resolution No. 442.

Commissioner Fink, supported by Commissioner Nelson, moved to schedule a closed session for 1:30 P.M. for labor negotiation purposes; seven yeas - zero nays.

Commissioner Nelson noted a ribbon-cutting ceremony that will include Congressman Oberstar scheduled for Saturday, August 11, to commemorate the completion of the Highway 16 project. Commissioner Nelson also thanked Administration for assistance with this year's St. Louis County Fair at Ironworld.

Commissioner Nelson then asked the Auditor and Administrator to investigate whether County Attorney Ford received any payments from the *Carol J. Driscoll v. St. Louis County* settlement.

County Attorney Ford said legal work she performed for Carol Driscoll occurred years earlier and was not connected in any way with the recent settlement.

Attorney Ford thanked County staff for use of a booth at the St. Louis County Fair and said there was a good response to information provided about methamphetamine use prevention.

Commissioner O'Neil said August 7 was National Night Out, a time to meet neighbors and to take back our neighborhoods.

Commissioner Sweeney noted the South St. Louis County Fair would be held this week and will include a large array of events. Commissioner Fink asked why the County doesn't staff a booth at the South St. Louis County Fair.

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

Richard Hanson, Tower Economic Development Authority, submitting request for funding for construction of a new bridge and reconstruction of Highway 169 and County Road 135.--58725

Documentation from public hearing held on August 7, 2007, to consider rezoning the NW 1/4 of the NW 1/4 lying Westerly of Highway 135, Section 20, Township 61 North, Range 15 West (Kugler).--58726

Steve O'Neil, Second District Commissioner, submitting information regarding the Volunteer Recognition Award given to Sharon Robertson, David Plotnicky and Norm Herron for building and maintaining the forty miles of the Superior Hiking Trail.--58727

Dana Frey, County Administrator, submitting Technical Outline Analysis of Subdivision of St. Louis County.--58728

Civil Service Supervisory Bargaining Unit Agreement for 2006/2007.--07-835

St. Louis County Emergency Shelter Grant Program Agreement between The Salvation Army-Duluth and St. Louis County for money management skills training for homeless participants.--07-836

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and the Sexual Assault Program of Northern St. Louis County for the Outreach to Youth

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Services Program project.--[07-837](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and The Salvation Army-Northern St. Louis County to carry out the Money Management Program for low and moderate-income households.--[07-838](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and The Salvation Army-Virginia to carry out the Supper Club Project to provide hot meals to low and moderate-income individuals.--[07-839](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Legal Aid Service of Northeastern Minnesota to carry out the Legal Aid Housing Counseling, Information, and Litigation project to provide housing-related legal information and representation.--[07-840](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency to carry out the Raising Our Children's Kids (ROCK) program.--[07-841](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency to administer the Home Ownership Assistance Program to provide education and financial assistance for low to moderate-income homebuyers.--[07-842](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Arrowhead Economic Agency to carry out an emergency shelter program in northern St. Louis County.--[07-843](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Virginia to demolish and remove the former Horace Mann Elementary School.--[07-844](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Mountain Iron for the creation of a community playground adjacent to the Mountain Manor apartment complex.--[07-845](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Hibbing to implement the fifth phase of a long term sanitary and storm sewer rehabilitation program.--[07-846](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Eveleth for a project to correct water treatment facility deficiencies.--[07-847](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Ely to replace utilities and reconstruct storm sewer lines affected by the SLC State Aid Highway reconstruction project.--[07-848](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and City of Cook to provide public access to the City Hall/Community Center and bathroom to meet federal ADA requirements.--[07-849](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St.

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Louis County and City of Aurora to implement second phase of a MN Pollution Control Agency-mandated wastewater treatment facility improvement project.--[07-850](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Northeast Entrepreneur Fund, Inc., to carry out current program to provide assistance to micro-enterprise business and low and moderate-income individuals wanting to start a business.--[07-851](#)

St. Louis County Community Development Block Grant Program FY 2007 Agreement between St. Louis County and Arrowhead Economic Opportunity Agency to carry out the St. Louis County CDBG county-wide Single Family Housing Rehabilitation Program.--[07-852](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency to provide the 2007 CHDO operating costs.--[07-853](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for 2007 CDHO Set Aside Activities including acquisition, rehabilitation, and new construction of single-family or rental housing.--[07-854](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Northern Communities Land Trust for 2007 CDHO Set Aside Activities including acquisition, rehabilitation, new construction, site preparation, architectural plans & designs, permits, fees, and holding costs.--[07-855](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Kootasca Community Action, Inc., for 2007 CHDO operating expenses to develop affordable housing.--[07-856](#)

Home Investment Partnership Program CHDO Grant Agreement between St. Louis County and Kootasca Community Action, Inc., for 2007 CHDO Set Aside Activities including acquisition, rehabilitation, new construction, site preparation, architectural plans & designs, permits, fees, and holding costs.--[07-857](#)

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Kootasca Community Action, Inc., for 2007 HOME Ownership Assistance funds.--[07-858](#)

Home Investment Partnership Program Subrecipient Grant Agreement between St. Louis County and Arrowhead Economic Opportunity Agency for 2007 HOME Ownership Assistance funds.--[07-859](#)

Business Subsidy Agreement between St. Louis County and Cirrus Design Corporation for the reduction of County property taxes through abatement for a ten-year period.--[07-860](#)

Agreement between County of St. Louis, 9-1-1 Communications Department and the County of Carlton to establish procedures for receiving 9-1-1 calls to properly relay calls to appropriate emergency service agency.--[07-861](#)

St. Louis County Emergency Shelter Grant Program Agreement between St. Louis County and Legal Aid of Northeastern Minnesota to provide legal services for homeless prevention to approximately 50 cases in the Hibbing and Chisholm areas.--[07-862](#)

Employee Safety & Development Training Contract between St. Louis County and Robert K. LeBlanc for two sessions of Blaster's Training.--[07-863](#)

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Employee Safety & Development Training Contract between St. Louis County and Leaders in Motion for one session of DISC: Understanding Yourself & Others.--[07-864](#)

Employee Safety & Development Training Contract between St. Louis County and Jean Hammink for one session of "Your Myers Briggs Type Indicator and Emotional Intelligence: How to Capitalize on Both".--[07-865](#)

Employee Safety & Development Training Contract between St. Louis County and Amy Versnik for two sessions of *Walk the Walk and Talk the Talk*.--[07-866](#)

Addendum to Purchase Agreement, Contract No. 13988C, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services.--[07-867ss](#)

Addendum to Purchase Agreement, Contract No. 13239G, between the St. Louis County Board of Commissioners and Minnesota State Operated Community Services (MSOCS) North East (NE) MA MR/RC Waiver SLS programs for adult supportive living services.--[07-868ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14139A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Residential Services of Northeastern Minnesota, Inc., for adult foster care services.--[07-869ss](#)

Group Residential Housing Rate Agreement, Contract No. 50557, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. (Lester Park).--[07-870ss](#)

Group Residential Housing Rate Agreement, Contract No. 50540, between the St. Louis County Board of Commissioners and Welter Adult Foster Home.--[07-871ss](#)

Group Residential Housing Rate Agreement, Contract No. 50542, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - #29.--[07-872ss](#)

Agreement for Services between the St. Louis County Board of Commissioners and Donelda Welter and William Welter for adult foster care and respite care services.--[07-873ss](#)

Purchase of Services Agreement between the St. Louis County Board of Commissioners and Range Mental Health Center for Detox Transportation Services.--[07-874ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14190, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Range Mental Health Center for adult foster care and respite care services.--[07-875ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14189, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and ECUMEN, d/b/a LAKESHORE, for assisted living plus services.--[07-876ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14176, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Fairview Range Regional Health Services, d/b/a Greenview Residence, for assisted living plus and respite care services.--[07-877ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14180, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and

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Fairview Range Regional Health Services, d/b/a Healthline Homecare, for assisted living plus and respite care services.--07-878ss

Home and Community-Based Waiver Services Contract, Contract No. 14186, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Anderson's Pine Grove Home for assisted living plus and respite care services.--07-879ss

Service Contract between St. Louis County, through its Land Department, and Nordy's Exterior Works for lawn/yard care on tax forfeited property.--07-880

Contract between the County of St. Louis and Hardrives, Inc., for M.P. 161-1244 for Reclamation, Aggregate Base, Plant Mixed Bituminous Surface & Aggregate Shouldering.--07-881

Contract between the County of St. Louis and Louis Leustek & Sons, Inc., for S.A.P. 69-754-001, C.P. 9318, for Grading, Aggregate Base, Plant Mixed Bituminous Base & Surface, Storm Sewers, Curb & Gutter, Sidewalks & Lighting.--07-882

Amendment No. 1 to Agreement between County of St. Louis and Howard Waste Paper, Incorporated, to add the Government Service Center to the original agreement for garbage and recycling pick-up and disposal service.--07-883

Upon motion of Commissioner Sweeney, supported by Commissioner Nelson, Resolutions No. 420 through 442, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

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. 58631, are hereby approved:

Real Estate - John Hargesheimer, \$303.64; Paul Schurke, \$1,943.04; Ronnie Booker, \$512.72; Gene Carter, \$452.92; Greg Eisenhuth, \$44.51; Priscilla Mickle, \$75.36; Clayton Sederberg, \$1,006.32.
Adopted August 7, 2007. No. 420

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated July 20, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted August 7, 2007. No. 421

WHEREAS, the town of Crane Lake initiated a rezoning; and

WHEREAS, the Planning Commission held public hearings on the proposed rezoning on July 13, 2006, and March 8, 2007; 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 Ordinance No. 27, the Comprehensive Plan; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on July 3, 2007; 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; and

WHEREAS, the St. Louis County Board adopted Resolution No. 2007-387;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves a

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rezoning from FAM-1 to SMU-7, and a comprehensive plan Amendment from Concept 1, Forestry, to Concept 5, Waterfront, for the N 1/2 of the NW 1/4 and the SW 1/4 of the NW 1/4, Section 15, T67N, R17W (Crane Lake); and

RESOLVED FURTHER, that the effective date for these amendments will be August 21, 2007. Adopted August 7, 2007. No. 422

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, Charles Pettinelli has applied to repurchase the following parcel located in:

CITY OF VIRGINIA

THAT PART OF SE 1/4 OF SW 1/4 LYING S OF VIRGINIA RD EX WLY 265 FEET

SEC 7 TOWNSHIP 58.0 RANGE 17

Parcel Code: 90-180-445

WHEREAS, Charles Pettinelli 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 Charles Pettinelli, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1,497.06, a repurchase application fee of \$114.00, and a recording fee of \$46.00; for a total of \$1,657.06 to be deposited into Fund 240 (Forfeited Tax Fund). Adopted August 7, 2007. No. 423

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, Antoinette M. Mitchell has applied to repurchase the following parcel located in:

CITY OF ELY

LOT 3 BLOCK 11

WHITESIDES ADDITION TO THE TOWN OF ELY

Parcel Code: 030-0370-01200

WHEREAS, Antoinette M. Mitchell 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 Antoinette M. Mitchell, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1,672.83, a repurchase application fee of \$114.00, and a recording fee of \$46.00; for a total of \$1,832.83 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 7, 2007. No. 424

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, Alan Killoran has applied to repurchase the following parcel located in:

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TOWN OF STURGEON
W 10 RODS OF NE 1/4 OF NE 1/4
SEC 23 TWP 61.0 RGE 20
Parcel Code: 545-0010-03620

WHEREAS, Alan Killoran 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 Alan Killoran, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$407.77, deed fee of \$25.00, deed tax of \$1.65, a repurchase application fee of \$114.00, and a recording fee of \$46.00; for a total of \$594.42 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 7, 2007. No. 425

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, Lyle Alms has applied to repurchase the following parcel located in:

CITY OF HIBBING
LOTS 19 THRU 25, BLOCK 9
MISSABE ADDITION TO HIBBING
Parcel Code: 139-0180-02750

WHEREAS, Lyle Alms 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 Lyle Alms, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including taxes and assessments of \$1,672.96, repurchase application fee of \$114.00, deed fee of \$25.00, deed tax of \$5.52 and recording fee of \$46.00; for a total of \$1,863.48 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 7, 2007. No. 426

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, are 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 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. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subd. 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted August 7, 2007. No. 427

WHEREAS, contracts for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, are 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;

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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. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subd. 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted August 7, 2007. No. 428

WHEREAS, Civil Service/Personnel has reviewed the request to reallocate a Heavy Equipment Mechanic position to Storekeeper and has approved the request;

WHEREAS, said budget adjustment results in a five (5) pay grade budget savings of approximately 20% and a more efficient storekeeper operation;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby approves the budget adjustment required as a result of the reallocation of a Heavy Equipment Mechanic position to that of Storekeeper, Fund 200, Agency 202007.

Adopted August 7, 2007. No. 429

WHEREAS, the Public Works Department capital improvement project includes construction of a salt-sand storage building as part of the Public Works Maintenance facility at Ely; and

WHEREAS, St. Louis County, the City of Ely and Lake County costs will be proportioned as per the joint maintenance facility agreement and funds will be provided by the Minnesota Department of Transportation (MnDOT); and

WHEREAS, the Public Works Department presented specifications to the Purchasing Department for preparation of Bid No. 4649; and

WHEREAS, Greystone Construction Company, Inc., of Shakopee, Minnesota, was the low bidder with a price of \$256,438; and

WHEREAS, Greystone Construction Company, Inc., has shown to be a responsible bidder on previous St. Louis County and MnDOT projects.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Greystone Construction Company, Inc., of Shakopee, Minnesota, for \$256,438 to build a 9000 ton capacity arch type storage building at the Ely Public Works facility; payable from Fund 405, Agency 405033, Object 661100.

Adopted August 7, 2007. No. 430

WHEREAS, the FY 2007 Action Plan was submitted on November 14, 2006 to the U.S. Department of Housing and Urban Development for the FY 2007 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 2007 Action Plan and has awarded to St. Louis County \$107,672 for the ESG program, \$689,299 for the HOME program, and \$2,505,240 for the CDBG program; and

WHEREAS, the St. Louis County Board of Commissioners approved the FY 2007 Community Development Block Grant (CDBG) program awards to 23 communities and agencies totaling \$2.350 million by Board Resolution No. 584 on November 6, 2006; and

WHEREAS, the advisory committee for the Emergency Shelter Grant program recommends FY 2007 funding of \$113,358 for seven nonprofit organizations to support essential services, homeless prevention activities, and emergency shelter and transitional housing operations; and

WHEREAS, \$150,000 of program income is included in the HOME program 2007 budget for home ownership assistance and the advisory committee for the Northeast Minnesota HOME Consortium recommends HOME funding of \$771,504 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 2007 HUD grants and authorizes the County Planning Director to execute the grant agreements on behalf of St. Louis County, along with all necessary forms, attachments, addendums, certifications, and

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subsequent forms to implement the program and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development; and

RESOLVED FURTHER, grant funds will be allocated as follows:

\$ 107,672	ESG Grant to Fund 173
\$ 689,299	HOME Grant to Fund 270
\$ 2,505,240	CDBG Grant to Fund 260

RESOLVED FURTHER, the St. Louis County Board of Commissioners approves and allocates funds to 2007 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:

<u>Project No.</u>	<u>Amount</u>	<u>Project Name - CDBG Fund 260</u>
200701	650,000	AEOA Single Family Housing Rehabilitation
200702	50,000	Northeast Entrepreneur Microenterprise
200703	250,000	St. Louis County Economic Development
200704	240,000	Aurora Wastewater Treatment Facility Improvements
200705	340,000	Breitung Infrastructure Improvements
200706	20,000	Cook City Hall/Community Center Accessibility
200707	100,000	Ely Street Improvements
200708	190,000	Eveleth Water Treatment Plant Improvements
200709	150,000	Hibbing Sewer Improvements
200710	10,000	Mountain Iron Mountain Manor Playground
200711	90,000	Virginia Horace Mann Demolition
200712	5,000	AEOA Homeownership Assistance Program
200713	41,000	AEOA - Homeless Shelter
200714	10,000	AEOA - Raising Our Children's Kids (ROCK)
200715	45,000	Legal Aid Service of NE MN - Housing Counseling & Information
200716	20,000	Life House - Proctor House for Youth
200717	35,000	Range Transitional Housing - Housing Programs
200718	22,000	Range Women's Advocates - Children's Program
200719	13,000	Salvation Army - Hibbing Melting Pot Meals
200720	15,000	Salvation Army - NSLC Money Management Program
200721	15,000	Salvation Army - Virginia Supper Club
200722	23,000	Sexual Assault Program - Youth Outreach Services
200723	16,000	SOAR Career Solutions - Career & Business Development Services
TOTAL	\$2,350,000	

<u>Agency - ESG Fund 173</u>	<u>Amount</u>
Arrowhead Economic Opportunity Agency	\$ 33,484
Legal Aid Service of NE Minnesota	\$ 12,246
Life House	\$ 12,896
Range Transitional Housing	\$ 26,084
Salvation Army - Duluth	\$ 2,064
Salvation Army - Hibbing	\$ 13,392
Salvation Army - Virginia	\$ 13,392
Total	\$113,558

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<u>Agency - HOME Fund 270</u>	<u>Amount</u>
<u>Arrowhead Economic Opportunity Agency</u>	
Home Ownership Assistance	\$250,107
CHDO Set Aside Activities	100,000
CHDO Operating	<u>22,598</u>
	\$372,705
<u>KOOTASCA Community Action, Inc.</u>	
Home Ownership Assistance	\$ 75,000
CHDO Set Aside Activities	175,000
CHDO Operating	<u>11,299</u>
	\$261,299
<u>Northern Communities Land Trust</u>	
CHDO Set Aside Activities	<u>137,500</u>
Subtotal	\$137,500
Total	\$771,504

Adopted August 7, 2007. No. 431

WHEREAS, the duties of St. Louis County Sheriff's Office include enforcement of ATV activities within the County; and

WHEREAS, the State of Minnesota Department of Natural Resources offers an Off-Highway Vehicle Safety Enforcement Grant to enhance enforcement and public education activities for off-highway vehicle use;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply for and accept the 2008/2009 Off-Highway Vehicle Safety Enforcement Grant in the amount of \$26,706.40 per year; and

RESOLVED FURTHER, that if awarded, the grant will be accounted for in Fund 100, Agency 129999, Grant 12927, in the appropriate year.

Adopted August 7, 2007. No. 432

WHEREAS, MN Statute 282.241 states that the owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes, unless before the time repurchase is made, the parcel is sold by the state as provided by law; and

WHEREAS, MN Statute 282.241 provides a sufficient amount of time to repurchase after forfeiture; and

WHEREAS, it is costly to withdraw a parcel from the State tax forfeited land sale listing; and

WHEREAS, the Department of Revenue recommends that the County Board establish a deadline after which no written application for repurchase will be considered; and

WHEREAS, the Land Department recommends that once the land sale list is published, an eligible party be given one opportunity to repurchase property if the application is received no later than three business days prior to the day of the auction; and

WHEREAS, the Land Department recommends that once the land sale list is published, the repurchase applicant be responsible for costs associated with the sale of the property including advertisement, publication and administration;

NOW, THEREFORE, BE IT RESOLVED, a repurchase applicant will be given one opportunity to repurchase property if the application is received no later than three business days prior to the day of the auction once the State tax forfeited land sale list is published;

RESOLVED FURTHER, in addition to repurchase fees, the repurchase applicant will be responsible for costs associated with the sale of the property including advertisement, publication and

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administration, and will be required to pay by certified check.
Adopted August 7, 2007. No. 433

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. 58640, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.
Adopted August 7, 2007. No. 434

BY COMMISSIONER FORSMAN:

WHEREAS, the Planning Commission initiated a rezoning; and
WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on June 21, 2007; 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 considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony 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 NW 1/4 of the NW 1/4 lying westerly of Hwy 135, Section 20, T61N, R15W (Kugler).
RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance No. 46 shall be September 7, 2007.
Unanimously adopted. August 7, 2007. No. 435

BY COMMISSIONER O'NEIL:

WHEREAS, the Department of Public Health and Human Services has received state funding to operate the Child Care Resource and Referral (CCR&R) program for the Arrowhead region since 1990; and
WHEREAS, the CCR&R program has received notice from the Minnesota Department of Human Services regarding funding levels for the period of July 1, 2007 - June 30, 2009; and has included such funds in its current 2007 and proposed 2008 and proposed 2009 budgets;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts funding in the amount of \$212,592 for the period of July 1, 2007 - June 30, 2009, for the Child Care Resource & Referral Program, and authorizes the appropriate county officials to execute a contract with the Minnesota Department of Human Services for the Child Care Resource and Referral operating grant. Such funds are to be deposited in Fund 230, Agency 232060, Grant 23260, Object 530603;
RESOLVED FURTHER, that the Department of Public Health and Human Services authorized personnel complement shall continue to include 1 FT Social Worker position funded by grant dollars. Such position shall be eliminated if grant funding is terminated.
Unanimously adopted. August 7, 2007. No. 436

BY COMMISSIONER SWEENEY:

WHEREAS, the Minnesota Housing Finance Agency has grant funds available through the Family Homeless Prevention and Assistance Program (FHPAP) to nonprofit organizations and counties; and
WHEREAS, St. Louis County has applied for and received funding since 1995; and
WHEREAS, the Public Health and Human Services Department has been notified by the Minnesota Housing Finance Agency of an award of \$750,000, with conditions, for the biennium beginning July 1, 2007, and ending June 30, 2009; and
WHEREAS, the County Board approved Heading Home St. Louis County: A Ten-Year Plan to End Homelessness on March 27, 2007, and that plan includes the FHPAP program and funding as a strategy to end homelessness;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts funding in the amount of \$750,000 for the period July 1, 2007 - June 30, 2009, for the Family

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Homeless Prevention and Assistance Program, and authorizes the appropriate county officials to execute a contract with the Minnesota Housing Finance Agency for the FHPAP grant. Such funds are to be deposited in Fund 230, Agency 230004, Object 530701, Grant 23204, Project 99999999, Year 2007; RESOLVED FURTHER, that the budgeted revenue and expenditures in Fund 230, Agency 230004, be increased by \$187,500 for 2007, and that the County Administrator and County Auditor be directed to make adjustments to the 2008 and 2009 budgets;

RESOLVED FURTHER, that the appropriate county officials are authorized to enter into sub-grantee agreements with Arrowhead Economic Opportunity Agency, Churches United in Ministry, Housing Access Center, Life House, Legal Aid of NE Minnesota, Range Transitional Housing and the Salvation Army subject to the approval of the County Attorney.

Yeas - Commissioners Fink, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 6

Nays - None

Abstained - Commissioner O'Neil - 1

Adopted August 7, 2007. No. 437

BY COMMISSIONER NELSON:

WHEREAS, Minnesota Statutes, Section 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease State tax forfeited land to individuals, corporations or organized subdivisions of the State for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, Duluth MSA Limited Partnership has requested to lease State tax forfeited land for a telecommunications tower located on a 0.25 acre site in the NE 1/4 of the NW 1/4, Section 2, Township 65 North, Range 20 West, St. Louis County, Minnesota, for a ten year lease period; and

WHEREAS, the Land Department has reviewed the request and recommends this lease be conditioned on an annual lease fee of nine thousand six hundred dollars (\$9,600.00) and a one-time-only \$500 co-locator fee for each sublease; and

WHEREAS, Duluth MSA Limited Partnership agrees to the terms and conditions set forth in the lease which includes providing free tower space to the St. Louis County Communications Department if and when it becomes necessary;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Auditor to lease State tax forfeited land described as: 0.25 acre site in the NE 1/4 of the NW 1/4, Section 2, Township 65 North, Range 20 West, to Duluth MSA Limited Partnership for a telecommunications tower site, a ten year lease period, an annual lease fee of nine thousand six hundred dollars (\$9,600.00) and a one-time-only \$500 co-locator fee for each sublease to be deposited into Fund 240 (Forfeited Tax Fund), and under the terms and conditions set forth in the Site Lease Agreement and all state and local permits as required;

RESOLVED FURTHER, Duluth MSA Limited Partnership agrees to provide tower space free of charge to the St. Louis County Communications Department if and when it becomes necessary under terms more specifically set forth in the Site Lease Agreement and all state and local permits as required;

RESOLVED FURTHER, the St. Louis County Board of Commissioners seeks to promote the public interest by negotiating financial incentives in any future telecommunications tower leases that offer or facilitate affordable access to digital subscriber line (DSL) services or other high-speed internet services in rural areas of St. Louis County.

Unanimously adopted. August 7, 2007. No. 438

BY COMMISSIONER FORSMAN:

WHEREAS, bids have been received by the County Auditor for the following project: S.P. 69-607-040, MINN. Project STPX 6906 (121), C.P. 9585, located at C-SAH 7 (Hoover Road) from 4th Street South to 9th Street North in Virginia, MN, length 0.77 mile, consisting of Grading, Storm Sewer, Aggregate Base, Curb & Gutter, Sidewalk, Bituminous Base, and Surface.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., July 16, 2007, and this Board has, with the County Highway Engineer, determined the lowest bidder of said

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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>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$1,609,000.00

RESOLVED FURTHER, that the Chair 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 220154, Object 652700.
Unanimously adopted. August 7, 2007. No. 439

WHEREAS, bids have been received by the County Auditor for the following combined projects: S.P. 69-601-001(Low), MINN. Project HPPH H178 (002), C.P. 8293; S.P. 6916-95; S.A.P. 202-105-01 located on C-SAH 1 (Cirrus Drive) from T.H. 53 to Airport Road in Hermantown, MN, length 0.29 mile, T.H. 53 in Hermantown, MN, length 0.25 mile, Airport Road in Hermantown, MN, length 0.06 mile, consisting of Grading, Bituminous Surfacing, Curb & Gutter, Signal, and Signing.

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., July 16, 2007, 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 combined projects to the lowest bidder, subject to proper authorization of the contract.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hoffman Construction Co.	123 County Road A Black River Falls, WI 54615	\$1,410,864.17

RESOLVED FURTHER, that the Chair 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 220103, Object 652700.
Unanimously adopted. August 7, 2007. No. 440

Upon motion of Commissioner Fink, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 441 which was not on the agenda.

BY COMMISSIONER O'NEIL:

RESOLVED, that the 2006/2007 St. Louis County Civil Service Supervisory Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-835, is hereby ratified, and the appropriate County officials are authorized to execute said contract.

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

Nays - Commissioners Fink and Nelson - 2

Adopted August 7, 2007. No. 441

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BY COMMISSIONER FINK:

WHEREAS, there is presently pending in the Minnesota Sixth Judicial District Court, a lawsuit filed by Patricia S. Sever as Trustee for the next of kin of George J. Mikrut, deceased, against St. Louis County alleging medical malpractice and wrongful death resulting from care provided at Chris Jensen Nursing Home; and

WHEREAS, after investigation of the facts relevant to this matter, combined with successful negotiations, 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, plaintiff Patricia S. Sever, as Trustee for the next of kin of George J. Mikrut, deceased, will accept payment of \$30,000.00 as a full, final, and complete settlement of her claims against St. Louis County; and

WHEREAS, each party shall be responsible for their own attorney fees and costs; and

WHEREAS, St. Louis County makes no admissions of liability.

NOW, THEREFORE, BE IT RESOLVED, that the matter be settled upon the following terms:

1. That the sum of Thirty Thousand and 00/100s Dollars (\$30,000.00) is authorized in full and final settlement of any and all claims arising out of, in consequence of, or on account of care provided to George J. Mikrut at Chris Jensen Nursing Home from on or about March 30, 1998, to on or about April 23, 1998.
2. That total payment of the aforementioned \$30,000.00 be made payable to (David L. Weidt, Attorney for Patricia S. Sever (pursuant to a dismissal of the pending lawsuit between Ms. Sever and St. Louis County and release of her claims, as approved by the St. Louis County Attorney, payable from Fund 720, Property, Casualty, Liability Insurance.

Unanimously adopted. August 7, 2007. No. 442

At 11:10 A.M. on Tuesday, August 7, 2007, upon motion of Commissioner Raukar, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 14, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of August, 2007, at 9:30 A.M. in the Mountain Iron Community Center, Mountain Iron, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Keith Nelson, Steve Raukar, and Chair Bill Kron - 6. Absent: Commissioner Peg Sweeney - 1.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Nelson noted the recent passing of Ed Hoff, who served as a County Commissioner from the Sixth District during the 1970s and 1980s.

Commissioner Nelson then presented a Volunteer Excellence Award to Gladys Pekkarinen and Darlene Saumer, both of Colvin Township, for their tireless efforts on behalf of the Wirtanen Farm in Colvin and the annual Wirtanen Farm Festival. Darlene Saumer pointed out that September 8 will be Wirtanen Farm Festival Day with 38 artisans and craftsmen present along with the usual array of activities. The festival is expected to attract more than 700 visitors, according to Ms. Saumer.

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

Wally Snyder, Greenwood Township Supervisor, urged the County to consider moving up reconstruction of Highway 77 because of serious safety issues. Commissioners were sympathetic and said many roads are in dire need of repair with funding the major hurdle.

Mike Jugovich, Mayor of Chisholm, related the following: the recent fair at Ironworld was well-attended; on September 12 there will be biofuels event in Chisholm and everyone is invited; and, he restated his interest in the County considering reductions in tipping fees for demolition debris to facilitate razing dilapidated structures. Commissioner Raukar said the Solid Waste Subcommittee is pursuing the tipping fee issue.

Commissioner O'Neil read a proclamation declaring the month of August as Child Support Awareness Month in Minnesota to honor child support workers for their efforts in securing support funds.

Commissioner O'Neil, supported by Commissioner Fink, moved to table to the September 4 Board meeting a resolution appointing Commissioner O'Neil to the Heading Home St. Louis County Implementation Team; six yeas - zero nays.

Commissioner Fink, supported by Commissioner Raukar, moved to direct the County Administrator to examine the potential benefits of subdividing St. Louis County. Commissioner Fink said there should be a work plan and identification of resources needed in place prior to the end of this year because Representative Jaros is willing to propose facilitating legislation. After further discussion, Commissioner Fink amended his motion to direct Administration to develop a work plan for presentation in December 2007 which will include anticipated results, tasks necessary and resources required. Chair Kron said there is no public clamor for a split and the trend these days is for regionalization not decentralization. Commissioner Raukar said a study should be made just to determine if it would be beneficial. Commissioner Forsman noted the economic and political landscape of the county has changed drastically since it was formed in the 19th century. Commissioner Nelson said the study might

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discover a better way to serve constituents. After further discussion, the resolution was approved; six yeas - zero nays. Resolution No. 466.

Commissioner Fink noted a letter from Ann Busche, Director of Public Health and Human Services, outlining steps taken to resolve a septic system dispute between the County and John Vogel of Hermantown.

Chair Kron mentioned a recent article in the Duluth News Tribune about a lack of inspections on mobile homes installed at Zenith Terrace Mobile Home Park.

At 10:35 A.M. in the forenoon of Tuesday, August 14, 2007, Commissioner Nelson, supported by Commissioner Fink, moved to recess the Board until 11:00 A.M. on August 14, 2007, in the Mountain Iron Community Center, Mountain Iron, Minnesota.

The Board reconvened at 12:25 P.M. on Tuesday, August 14, 2007, and the regular order of business resumed with all members present except Commissioner Peg Sweeney.

Commissioner Forsman, supported by Commissioner Nelson, 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.

Commissioner Forsman, supported by Commissioner Nelson, moved to authorize acceptance of grant funds and to act as fiscal agent for the Northeast Minnesota Project to End Long-Term Homelessness; five yeas - zero nays, with Commissioner O'Neil abstaining because of a possible conflict of interest. Resolution No. 475.

Commissioner O'Neil said comments directed at him by Commissioner Nelson at Committee of the Whole were inappropriate.

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

Petition of Chad Sterle to establish a cartway to obtain access to his property in the SE 1/4 of NE 1/4, Section 36, Unorganized Township 59, Range 11 (Itasca County).--58729-D

Dana Frey, County Administrator, and Dick Griffith, Assistant Civil Service Director, submitting Board Letter No. 07-336, regarding SuperiorUSA Corporation - administration of Flexible Spending Account Plan 2007 - 2008.--58730-D

Dana Frey, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 07-344 regarding reclassification of state tax forfeited land (non-conservation).--58731

Robert E. Toftey, Law Offices of Fryberger, Buchanan, Smith & Frederick, submitting General Obligation Reserve Fund Demand Note of St. Louis County, dated May 18, 1995, and Termination Agreement in the matter of Northwest Airlines - Duluth Maintenance Facility--58732-D

Wally Snyder, Chairman, Greenwood Township, requesting on behalf of the residents of Greenwood Township that the last three mile section of County Road 77 be rebuilt before the end of 2008 as promised.--58733

Steve O'Neil, Second District Commissioner, regarding proclamation declaring the month of August as Child Support Awareness Month in Minnesota.--58734

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Agreement between the City of Duluth, St. Louis County and the City of Proctor to implement Phase Two of the Bikeways Plan.--07-884

Minnesota Transportation Department Highway Lighting Agreement No. 91008M 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 No. 53 at County Road No. 307 (Wuori Road), at County Road No. 131 (Sand Lake Road)/County Road No. 306A, at Old Trunk Highway No. 53 South Connection, at County Road No. 68 (Britt Road), and at County Road No. 65 (Biss Road).--07-885

Project Contract No. 4686 between the County of St. Louis and Johnson Wilson Construction Depot track level restroom and Great Hall renovation.--07-886

State of Minnesota, acting through the Department of Natural Resources, Waters Division, and Minnesota's Lake Superior Coastal Program Grant Contract for producing publications that assist property owners in protecting wetland and shoreland environments.--07-887

State of Minnesota, acting through the Department of Natural Resources, Water Division, and Minnesota's Lake Superior Coastal Program Grant Contract for development of plat and parcel map and research property discrepancies for Lakewood Township.--07-888

Agreement for Professional Services between the County of St. Louis and LHB Engineers and Architects for S.A.P. 69-609-037, C.P. 8579, for Minnesota State Bridge Number 88156, County Bridge Number 915, on County-State Aid Highway 9 over Chester Creek.--07-889

Upon motion of Commissioner Forsman, supported by Commissioner Raukar, Resolutions No. 443 through 465, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 24, 2007, are hereby approved.
Adopted August 14, 2007. No. 443

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,478,409.72
184	Extension Service	111,868.73
200	Public Works	4,603,572.61
230	Social Services	5,687,709.15
240	Forfeited Tax	517,181.07
250	St. Louis County HRA	(4,880.72)
600	Solid Waste Authorities	420,247.51
625	Chris Jensen Health & Rehab.	1,178,468.27
650	Laundry	69,231.93
660	Community Food Services	70,207.71
670	Supervised Living Facilities	59,193.81
700	Printing	12,893.78
715	County Garage	90,817.84

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750	Management Information Systems	258,456.40
760	Telecommunications	101,280.64
925	Arrowhead Regional Corrections	1,457,929.75
955	Community Health Services	27,590.50
989	Regional Railroad Authority	<u>116,998.50</u>
		\$ 19,257,177.20

Adopted August 14, 2007. No. 444

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. 58631, are hereby approved:

Real Estate -Virginia Ambrozich, \$697.58; Donald Benkusky, \$103.52; Edward Kellner, \$13.50; David Matuszak, \$3.06; Adam & Julie Roen, \$598.22; Janice Templeton, \$43.87.

Adopted August 14, 2007. No. 445

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Black Spruce Tops Auction, Tracts 1 through 4 (totaling \$69,413.00), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted August 14, 2007. No. 446

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 3, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted August 14, 2007. No. 447

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 August 25, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641.

RESOLVED FURTHER, that said license be granted contingent on the Auditor's Office receiving Solway Township approval.

Adopted August 14, 2007. No. 448

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 land owned by the State of Minnesota; 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 land acquired by the St. Louis County Land Department will be sold and may allow an adjoining land owner on a non-conforming lot to construct an adequate septic system; and

WHEREAS, the land acquired by the State of Minnesota will provide public access to Grand Lake and Little Grand Lake; and

WHEREAS, the joint proposal is to exchange the following described lands being and lying in St. Louis County, Minnesota, to wit:

OFFERED LAND (State of Minnesota Class "A")

Lot 6, Block 1, Majestic Lake Shores, Section 23, T58N, R18W

Appraised Value: \$40,000.00

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STATE TAX FORFEITED LAND (CLASS "B")

Lot 7, Klimeks Addition to Grand Lake, Section 31, T51N, R16W
Appraised Value: \$40,000.00

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the proposed exchange of State tax forfeited (Class B) land described as Lot 7, Klimeks Addition to Grand Lake, Section 31, T51N, R16W; and State of Minnesota (Class A) land described as Lot 6, Block 1, Majestic Lake Shores, Section 23, T58N, R18W;

RESOLVED FURTHER, that Dahlen, Dwyer, & Foley, Inc., have appraised the properties proposed for exchange. Said appraisals indicated that the State tax forfeited parcel is valued at \$40,000.00, and the State of Minnesota parcel is valued at \$40,000.00. Said appraisals are hereby accepted and adopted by the Board of Commissioners.

Adopted August 14, 2007. No. 449

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. 58667 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 Section 84.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and

WHEREAS, the 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;

NOW, THEREFORE, 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 4, 2007, at 11:00 A.M. at the Miners Memorial Building, Virginia, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 14, 2007. No. 450

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 1.71 miles of County Road 990 (County Project 9252, S.A.P. 69-600-22) in Morse Township (Township 63-12) from County Road 781 to a point 175 feet east of the Lake County Line; 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, that the St. Louis 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 203191;

RESOLVED FURTHER, that the St. Louis County Board hereby authorizes the Public Works Department to prepare a right of way acquisition plat for the reconstruction of County Road 990 (Cloquet Line Road) from County Road 781 (Winton Road) to the Lake County Line, to be named "St. Louis County Highway Plat No. 28" and be recorded for future reference.

Adopted August 14, 2007. No. 451

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs) on file

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in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Hibbing Youth Hockey Association to operate out of Bil-Mars Supper Club, 2132 Highway 73, Hibbing, MN 55746, Unorganized Township 55-21, RENEWAL.
Adopted August 14, 2007. No. 452

WHEREAS, the Minnesota Department of Health has awarded St. Louis County an additional \$83,495 of TANF Home Visiting funds for the period July 1, 2007 to December 31, 2007; and
WHEREAS, these funds can only be used for home visiting services as outlined under MS 145A.17; and
WHEREAS, the Centers for Disease Prevention and Control estimates that 43% of all births could benefit from receiving home visiting services; and
WHEREAS, the Minnesota Legislature recognizes the importance of home visiting services; and
WHEREAS, the Family Home Visiting Program is designed to foster a healthy beginning for children in families at or below 200 percent of the federal poverty guidelines, prevent child abuse and neglect, reduce juvenile delinquency, promote positive parenting and resiliency in children, and promote family health and economic self-sufficiency;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the additional \$83,495 in TANF funding for the period July 1, 2007, through December 31, 2007, and increase budgeted revenues and expenditures. Said funds are to be deposited in Fund 230, Agency 233999, Grant 23314, Year 2007, and that the County Administrator and County Auditor be directed to make adjustments to the 2008 and 2009 Budgets; and
RESOLVED FURTHER, that the County Board of Commissioners authorizes the Public Health and Human Services Department to enter into any written agreements necessary to accept the TANF funding and to provide the services mandated under such funding, subject to the review of the County Attorney; and
RESOLVED FURTHER, that the Department of Public Health and Human Services is authorized to increase its staffing compliment by 1 FTE Public Health Nurse I. The position will be eliminated if the grant funding ends.

Adopted August 14, 2007. No. 453

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Aaron R. Kelson to represent Eveleth on the Community Development Block Grant (CDBG) Citizen Advisory Committee for a three-year term ending December 31, 2009.

Adopted August 14, 2007. No. 454

WHEREAS, from time to time the need arises for St. Louis County to enter into an individual employment contract with an unclassified employee or prospective employee that includes provisions not included in the Management Compensation Plan or other governing County Board policy; and
WHEREAS, the specific provisions of these contracts are often determined through negotiations between the County Administrator and the employee; and
WHEREAS, many of these negotiated contractual provisions such as working conditions, term of employment, work location, and similar have no significant financial implications for St. Louis County; and
WHEREAS, governing County Board policy would require County Board approval for such non-financial provisions as well as financial provisions, effectively forestalling negotiations; and
WHEREAS, the St. Louis County Administrator is the executive officer of the County and should have the authority to address consultant and professional services needs with flexibility and immediacy as required;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Administrator is authorized to negotiate and enter into an employment agreement for any unclassified position under his or her supervision, provided further that any such employment agreement may not increase salary or benefits

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beyond that set for that or similar positions.
Adopted August 14, 2007. No. 455

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to apply with the City of Duluth for the 2007 Bureau of Justice Assistance Grant Program in the amount of \$66,561.00;
RESOLVED FURTHER, that 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 allocation of funding with the 2007 Justice Assistance Grant Program;
RESOLVED FURTHER, that funds will be made payable to Fund 100, Agency 129999, Grant 12915, Year 2007.
Adopted August 14, 2007. No. 456

WHEREAS, the town of White initiated a zoning ordinance text amendment; and
WHEREAS, the Planning Commission initiated an additional text amendment; and
WHEREAS, the Planning Commission held a public hearing on the proposed text amendments on July 19, 2007; and
WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners amend Ordinance No. 46;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, September 4, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider amending Ordinance No. 46, County Zoning Ordinance, to allow shooting facilities and motorized off-road vehicle facilities in the Industrial zone district.
Adopted August 14, 2007. No. 457

WHEREAS, the town of Field initiated a rezoning; and
WHEREAS, the Planning Commission held a public hearing on the proposed rezoning and comprehensive plan amendment on July 19, 2007; and
WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning and plan amendment by amending Ordinance No. 27, Comprehensive Land Use Plan, and Ordinance No. 46, zoning maps;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, September 4, 2007, at 9:40 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider a comprehensive plan amendment and zoning map amendment for Township 62 North, Range 19 West (Field).
Adopted August 14, 2007. No. 458

WHEREAS, a cartway petition was presented to the St. Louis County Board by the owner of the Southeast quarter of the Northeast quarter (SE 1/4 of NE 1/4), Section 36, Unorganized Township 59, Range 22, Itasca County, Minnesota (forty acres), containing at least 5 acres which has no established access to it, 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, Subd. 2, a public hearing shall be held at 9:35 A.M. on October 23, 2007, in the City Council Chambers located in the Virginia City Hall, Virginia, MN, to hear the petition of Chad Sterle regarding the establishment of a cartway 2 rods in width, for the purpose of providing access to his property over the properties of individuals listed in the petition found in Document File No. 58729.
Adopted August 14, 2007. No. 459

RESOLVED, that the Chair of the St. Louis County Board and County Administrator, or his designee, are authorized to execute an Administrative Services Agreement with Blue Cross Blue Shield of Minnesota for the period of January 1, 2007, through December 31, 2009, for the administration of the St. Louis County Self-Insured Health Plan for a total maximum fee of \$22.55 per contract, per month

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in the year 2007 and said amount not to increase more than the Minneapolis/St. Paul Urban all-item Consumer Price Index (CPI) for the second and third year of the agreement.
Adopted August 14, 2007. No. 460

WHEREAS, implementation of the Adoption Flexible Spending Account may result in increased employee participation and/or plan contributions in this plan and additional tax savings to the plan participants; and

WHEREAS, staff from the Employee Relations Department, County Attorney's Office and SuperiorUSA Corporation have worked together in the preparation and review of an amended Flexible Spending Accounts Plan Document, amended Summary Plan Description and 2007-2008 administrative services agreement;

NOW, THEREFORE, BE IT RESOLVED, that the revised Plan Document for the County of St. Louis Flexible Compensation Program is hereby approved effective September 1, 2007, and that the County Board Chair is hereby authorized to execute and deliver the amended Plan Document to the third party plan administrator, SuperiorUSA Corporation;

RESOLVED FURTHER, that the Employee Relations Director shall notify participants in the Plan of the amended Plan Document and an addition of the adoption account by delivering to each employee a copy of an amended Summary Plan Description;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby accepts the 2007-2008 proposal agreed to by SuperiorUSA Corporation, for the administration of the Flexible Spending Accounts Plan, payable from Fund 100, Agency 123001, Object 629900, as contained in Document File No. 58730, on file in the office of the County Auditor;

RESOLVED FURTHER, that the Chair of the County Board, County Auditor, and Employee Relations Director are authorized to sign said contract on behalf of St. Louis County.

Adopted August 14, 2007. No. 461

WHEREAS, the Chris Jensen Health & Rehabilitation Center's parking areas are in extremely poor condition; and

WHEREAS, the Chris Jensen facility needs to restore and repair the parking areas; and

WHEREAS, County Purchasing solicited bids that were opened on July 26, 2007, with KTM Paving of Duluth, Minnesota, providing the lowest bid in the amount of \$177,916;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute an agreement with KTM Paving of Duluth, Minnesota, in the amount of \$177,916. Funding is available in the General Fund, Fund 100, designated for parking and will be appropriated to Fund 100, Agency 128010.

Adopted August 14, 2007. No. 462

WHEREAS, the St. Louis County Attorney's Office is tasked with the enforcement of laws of the State of Minnesota; and

WHEREAS, responsibilities of the office have been increased due to changes in policies and rules at the State level; and

WHEREAS, the workload brought on by these changes is significant, thereby impacting the ability of the County Attorney to effectively serve the citizens of St. Louis County; and

WHEREAS, the increase to full-time of a current part-time position will help insure that County residents have the ability to receive the benefits entitled to them and their children through the enforcement efforts of the County Attorney; and

WHEREAS, there is money available in the County Attorney's 2007 personnel budget for this action; and

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby increases the 0.5 FTE Legal Secretary II position and budget allocation to a 1.0 FTE Legal Secretary I position payable from the County Attorney's 2007 personnel budget (Fund 100, Agency 113004).

RESOLVED FURTHER, that the St. Louis County Civil Service/Personnel Department will work with

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the County Attorney to accomplish this increase, and that the County Attorney's 2007 personnel budget shall be adjusted accordingly.

Adopted August 14, 2007. No. 463

WHEREAS, St. Louis County residents are experiencing the social problems that come from methamphetamine use and addiction; and

WHEREAS, the St. Louis County Board of Commissioners authorized funding for 2007 to develop and implement an educational campaign about methamphetamine use and abuse in collaboration with the Lake Superior Advertisement Federation;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes a contract with the Lake Superior Advertising Federation to provide an educational campaign about methamphetamine use and abuse effective August 15 through October 9, 2007, at a total cost of \$35,035.

RESOLVED FURTHER, that the contract is payable from Fund 100, Agency 103022, Object 629900. Adopted August 14, 2007. No. 464

WHEREAS, U.S. Code of Federal Regulations, Title 42, Part 435.1009, states that federal financial participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions; and

WHEREAS, states being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility; and

WHEREAS, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction; and

WHEREAS, counties must provide medical services to all persons incarcerated in local jails and detention facilities; and

WHEREAS, as the result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners requests and strongly urges Congress to amend necessary federal regulation to allow federal financial participation for medical benefits to incarcerated individuals in the custody of the County Sheriff until convicted and sentenced to the State of Minnesota Department of Corrections.

Adopted August 14, 2007. No. 465

BY COMMISSIONER FINK:

WHEREAS, St. Louis County is the largest county east of the Mississippi in area, at almost 7,000 square miles more than twice the size of the next largest county in Minnesota; and

WHEREAS, the County is comprised of a number of distinct population centers and groups of communities that may have differing needs and demands for services provided by the County; and

WHEREAS, these local differences in demands for service may, if appropriately addressed through division of the County, result in both lower overall costs of service provision and improvement of the quality of services provided to County residents; and

WHEREAS, there are also economies of scale available to larger governments that may result in additional costs were the County to be divided that should be evaluated; and

WHEREAS, there may also be yet unidentified economies available through consolidation of services with other units of government within the County; and

WHEREAS, the St. Louis County Board of Commissioners is committed to providing the best quality services to its residents as efficiently as possible; and

WHEREAS, there have been discussions from time to time of dividing the County to improve services to citizens, with the last comprehensive study of organizational and service delivery options conducted in 1974 and now outdated.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners directs

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the St. Louis County Administrator to undertake an examination of the potential costs and benefits of subdividing the County both in terms of finances and in terms of quality of service delivery.

RESOLVED FURTHER, that the St. Louis County Administrator is also directed to review the potential for service consolidation with other units of government within the County to improve the quality of service delivery and reduce costs.

RESOLVED FURTHER, that the St. Louis County Administrator is directed to develop a work plan for presentation to the Board in December 2007, which will include anticipated results, tasks necessary, and resource requirements.

Yeas - Commissioners Fink, Forsman, Nelson, and Raukar - 4

Nays - Commissioner O'Neil and Chair Kron - 2

Absent - Commissioner Sweeney - 1

Adopted August 14, 2007. No. 466

Upon motion of Commissioner Forsman, supported by Commissioner Nelson, Resolutions No. 467 through 474, 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:

RESOLVED, that St. Louis County Board Resolution No. 371, dated July 3, 2007, authorizing the granting of a non-exclusive roadway easement across State tax forfeited land to Black Duck North Road Association, Inc. is amended to change the legal description to the following: An easement on that portion of the following easement on lands managed by the St. Louis County Land Department as part of the tax-forfeited trust over, under and across portions of sections 15, 14, and 13 of Township 66 North, Range 20 West for ingress and egress 33.00 feet in width, being 16.50 feet on each side of the centerline described as follows: Commencing at the west quarter corner of section 15, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence easterly on the east-west quarter line of said section 15, which has an assigned azimuth of 92 degrees 14 minutes 22 seconds, where 0 degrees equals north, a distance of 57.0 feet to the centerline of State Highway No. 53; thence southerly on said centerline on an azimuth of 148 degrees 31 minutes 12 seconds a distance of 1579.88 feet to the intersection with the road to be described; thence at an azimuth of 43 degrees 20 minutes 12 seconds a distance of 77.70 feet to the easterly right-of-way of said Highway 53 and the point of beginning of this easement, where all succeeding courses will follow said centerline; thence starting in the northwest quarter of the southwest quarter of section 15 on an azimuth of 43 degrees 20 minutes 12 seconds a distance of 550.8 feet to the east line of said northwest quarter of the southwest quarter; thence in the northeast quarter of the southwest quarter of said section 15 continuing on the previous azimuth of 43 degrees 20 minutes 12 seconds a distance of 279.0 feet; thence on an azimuth of 73 degrees 13 minutes 08 seconds a distance of 422.7 feet; thence at an azimuth of 55 degrees 59 minutes 23 seconds a distance of 455.1 feet; thence at an azimuth of 90 degrees 03 minutes 24 seconds a distance of 168.5 feet; thence at an azimuth of 37 degrees 32 minutes 06 seconds a distance of 265.6 feet to the north line of said northeast quarter of the southwest quarter; thence continuing on the previous azimuth of 37 degrees 32 minutes 06 seconds in the southeast quarter of the northwest quarter of said section 15 a distance of 31.6 feet to the east line of said southeast quarter of the northwest quarter; thence continuing on the previous azimuth of 37 degrees 32 minutes 06 seconds in the southwest quarter of the northeast quarter of said section 15 a distance of 62.5 feet; thence at an azimuth of 49 degrees 47 minutes 48 seconds a distance of 522.9 feet; thence at an azimuth of 37 degrees 36 minutes 22 seconds a distance of 131.6 feet; thence at an azimuth of 84 degrees 29 minutes 50 seconds a distance of 170.3 feet; thence at an azimuth of 128 degrees 00 minutes 13 seconds a distance of 185.8 feet; thence at an azimuth of 82 degrees 08 minutes 13 seconds a distance of 185.8 feet; thence at an azimuth of 161 degrees 02 minutes 14 seconds a distance of 188.7 feet; thence at an azimuth of 88 degrees 06 minutes 05 seconds a distance of 238.7 feet to the east line of said southwest quarter of the northeast quarter of section 15, thence continuing on the previous azimuth of 88 degrees 06 minutes 05 seconds into the southeast quarter of the northeast quarter of section 15 a distance of 122.3 feet; thence at an azimuth of

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112 degrees 39 minutes 16 seconds a distance of 288.5 feet; thence at an azimuth of 141 degrees 47 minutes 48 seconds a distance of 130.7 feet; thence at an azimuth of 95 degrees 32 minutes 12 seconds a distance of 218.5 feet; thence at an azimuth of 136 degrees 20 minutes 31 seconds a distance of 174.8 feet to the south line of said southeast quarter of the northeast quarter; thence continuing on the previous azimuth of 136 degrees 20 minutes 31 seconds a distance of 89.4 feet in the northeast quarter of the southeast quarter of section 15; thence at an azimuth of 99 degrees 08 minutes 36 seconds a distance of 395.9 feet; thence at an azimuth of 69 degrees 14 minutes 39 seconds a distance of 61.9 feet to a point on the east line of section 15, 85.7 feet south of the east quarter corner; thence continuing on the previous azimuth of 69 degrees 14 minutes 39 seconds a distance of 226.0 feet to the south line of the southwest quarter of the northwest quarter; thence at an azimuth of 85 degrees 19 minutes 49 seconds a distance of 332.6 feet; thence at an azimuth of 118 degrees 39 minutes 04 seconds a distance of 78.5 feet to the south line of said southwest quarter of the northwest quarter of section 14; thence continuing at the previous azimuth of 118 degrees 39 minutes 04 seconds a distance of 339.3 feet; thence at an azimuth of 90 degrees 31 minutes 08 seconds a distance of 184.1 feet; thence at an azimuth of 115 degrees 38 minutes 44 seconds a distance of 272.9 feet to the east line of the northwest quarter of the southwest quarter of section 14; thence continuing on the previous azimuth of 115 degrees 38 minutes 44 seconds in the northeast quarter of the southwest quarter of said section 14 a distance of 114.8 feet; thence at an azimuth of 94 degrees 58 minutes 00 seconds a distance of 528.0 feet; thence at an azimuth of 52 degrees 31 minutes 56 seconds a distance of 354.5 feet; thence at an azimuth of 81 degrees 38 minutes 25 seconds a distance of 260.5 feet; thence at an azimuth of 53 degrees 35 minutes 06 seconds a distance of 121.0 feet to the south line of the southeast quarter of the northwest quarter of said section 14; thence across said southeast quarter of the northwest quarter of said section 14, continuing on the previous azimuth of 53 degrees 35 minutes 06 seconds a distance of 86.7 feet to the east line of said southeast quarter of the northwest quarter; thence continuing on the previous azimuth of 53 degrees 35 minutes 06 seconds in the southwest quarter of the northeast quarter of said section 14 a distance of 69.3 feet; thence at an azimuth of 87 degrees 27 minutes 41 seconds a distance of 152.4 feet; thence at an azimuth of 44 degrees 27 minutes 17 seconds a distance of 167.2 feet; thence at an azimuth of 89 degrees 41 minutes 16 seconds a distance of 940.5 feet; thence at an azimuth of 34 degrees 27 minutes 23 seconds a distance of 120.3 feet to the east line of said southwest quarter of the northeast quarter of said section 14; thence continuing on the previous azimuth of 34 degrees 27 minutes 23 seconds in the southeast quarter of the northeast quarter of section 14 a distance of 205.4 feet; thence at an azimuth of 12 degrees 07 minutes 36 seconds a distance of 449.4 feet; thence at an azimuth of 79 degrees 23 minutes 29 seconds a distance of 246.9 feet; thence at an azimuth of 49 degrees 57 minutes 34 seconds a distance of 364.3 feet; thence at an azimuth of 111 degrees 56 minutes 03 seconds a distance of 257.3 feet; thence at an azimuth of 98 degrees 57 minutes 25 seconds a distance of 207.7 feet to the east line of southeast quarter of the northeast quarter of said section 14; thence continuing on the previous azimuth of 98 degrees 57 minutes 25 seconds in the southwest quarter of the northwest quarter of section 13 a distance of 532.8 feet; thence at an azimuth of 77 degrees 42 minutes 54 seconds a distance of 369.3 feet; thence at an azimuth of 62 degrees 18 minutes 05 seconds a distance of 161.6 feet to the north line of said southwest quarter of northwest quarter of said section 13; thence at an azimuth of 35 minutes 43 minutes 08 seconds a distance of 167.1 feet; thence at an azimuth of 61 degrees 00 minutes 10 seconds a distance of 173.0 feet; thence at an azimuth of 109 degrees 00 minutes 30 seconds a distance of 46.1 feet more or less to the east line of the northwest quarter of the northwest quarter of said section 13 and thereby terminating. The sidelines of said easement are prolonged or shortened to terminate on the respective land lines. The portion of this easement on tax-forfeited trust lands is 7700 feet in length and contains 5.8 acres more or less.

RESOLVED FURTHER, that St. Louis County Board Resolution No. 371, dated July 3, 2007, is amended to change the easement fees to the following: \$4,900.00 land use fee, \$975.00 administration fee, and \$46.00 recording fee; for a total of \$5,921.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 14, 2007. No. 467

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RESOLVED, that St. Louis County Board Resolution No. 372, dated July 3, 2007, authorizing the granting of a non-exclusive roadway easement across State tax forfeited land to Phil Hebl is amended to change the legal description to the following: An easement 33.00 feet in width for ingress and egress over, under and across part of the northwest quarter of the northeast quarter and the northeast quarter of the northeast quarter of section 7, Township 60 North, Range 13 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 north quarter corner of said section 7, thence southerly on the north-south quarter line on an assigned azimuth of 178 degrees 36 minutes 42 seconds a distance of 262.0 feet to the centerline of a previously recorded easement; thence easterly and parallel to the north line of said section 7 at an azimuth of 87 degrees 38 minutes 48 seconds a distance of 779.1 feet to the point of beginning of said easement; thence at an azimuth of 105 degrees 44 minutes 28 seconds a distance of 234.67 feet; thence at an azimuth of 122 degrees a distance of 380.0 feet to a point on the line between said northwest quarter of the northeast quarter and the northeast quarter of the northeast quarter; thence at an azimuth of 104 degrees a distance of 200.00 feet; thence at an azimuth of 126 degrees a distance of 525.0 feet; thence at an azimuth of 49 degrees a distance of 680.0 feet; thence at an azimuth of 23 degrees a distance of 440 feet more or less to a point 33.0 feet west of the east line of said section 7; thence northerly and parallel to said east line of section 7 a distance of 110 feet more or less to the north line of said section 7 and there terminating. This easement is 2565 feet in length and contains 1.95 acres more or less.

RESOLVED FURTHER, that St. Louis County Board Resolution No. 372, dated July 3, 2007, is amended to change the easement fees to the following: \$2,700.00 land use fee, \$975.00 administration fee and \$46.00 recording fee; for a total of \$3,721.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 14, 2007. No. 468

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. 58661; 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 of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; 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. 58661, 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. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the Land Commissioner shall give at least 30 days notice of its sale to all adjoining owners.

Adopted August 14, 2007. No. 469

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. 58731, be reclassified as non-conservation and approved for sale after considering, among other

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ST. LOUIS COUNTY, MINNESOTA**

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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. 58731, 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 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. 58731, 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 August 14, 2007. No. 470

RESOLVED, that the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to enter into a professional services agreement with Pro-West & Associates, Inc., for up to \$80,000;
RESOLVED FURTHER, that the St. Louis County Sheriff, County Board Chair, and County Auditor are authorized to enter into and execute all contracts necessary to implement this purchase, subject to approval as to form and execution by the County Attorney;
RESOLVED FURTHER, that up to \$80,000 of funds will be payable from Fund 179, Agency 1790011, Enhanced 9-1-1.
Adopted August 14, 2007. No. 471

WHEREAS, the Public Works Department equipment budget includes replacement of tandem trucks for snow & ice control and gravel hauling; and
WHEREAS, the replacements will be one truck at Division 3, one at Division 4, one at Division 5 and two at Division 6; and
WHEREAS, the Public Works and Purchasing Departments presented specifications and requested State of Minnesota contract pricing from truck vendors selling appropriate models; and
WHEREAS, due to the quality level, department experience and positive reports from other governmental agencies, five Mack Granite model GU 713 tandem trucks will be purchased from Twin City Mack and Volvo Trucks of Roseville, Minnesota; and
WHEREAS, the State of Minnesota contract price for five Mack Granite GU 713 tandem chassis with 2007 emissions compliant engines, Allison automatic transmissions and the necessary service manuals is \$479,905.80; and
WHEREAS, the purchase will be subject to State of Minnesota sales taxes of \$31,193.88 for a total cost to the County of \$511,099.68; and
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Twin City Mack and Volvo Trucks of Roseville, Minnesota, for the purchase of five Mack Granite GU 713 tandem truck chassis, payable from Fund 200, Agency 202020, Object 666300.
Adopted August 14, 2007. No. 472

WHEREAS, the Chris Jensen Health & Rehabilitation Center's heating and water heating systems and infrastructure are at the end of their life cycle, require high levels of monitoring and maintenance, are very inefficient, and cannot meet the regulatory requirements of a health care facility; and
WHEREAS, the Chris Jensen facility needs to lower facility operating and maintenance costs and be compliant with codes and regulations; and
WHEREAS, County Purchasing solicited bids that were opened on July 20, 2007 (Bid #4695), with

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Ferguson Enterprises of Duluth, Minnesota, providing the lowest bid in the amount of \$108,415.54. NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with Ferguson Enterprises of Duluth, Minnesota, for an amount of \$108,415.54. Funding is available in the designated fund balance from the sale of Nopeming, Fund 400, Object 311121.

Adopted August 14, 2007. No. 473

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 \$51,245.50; 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 \$51,245.50 in bad debt as follows:

<u>Customer Number</u>	<u>First Date of Debt</u>	<u>Amount</u>	<u>Comments</u>	<u>Type of Debt</u>
C000122	06/01/99	\$16,633.70	Over statute of limitations	Foster Care Fee
C000625	10/10/00	\$21,069.13	Over statute of limitations	Foster Care Fee
C000698	07/01/99	\$13,542.67	Over statute of limitations	Foster Care Fee

TOTAL **\$51,245.50**

Adopted August 14, 2007. No. 474

BY COMMISSIONER FORSMAN:

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 amend the current contract with the State of Minnesota, receive grant funds, and 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 July 1, 2007, to June 30, 2009, such funds to be deposited into Fund 230, Agency 232001, Grant 23205, Object 07200, Year 2007.

RESOLVED FURTHER, that the appropriate St. Louis County officials are authorized to amend the current 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 July 1, 2007, to June 30, 2009, such services to be paid from Fund 230, Agency 232001, Grant 23205, Object 607200, Year 2007.

Yeas - Commissioners Fink, Forsman, Nelson, Raukar, and Chair Kron - 5

Nays - None

Absent - Commissioner Sweeney - 1

Abstained - Commissioner O'Neil - 1

Adopted August 14, 2007. No. 475

At 12:28 P.M. on Tuesday, August 14, 2007, upon motion of Commissioner Raukar, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

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Bill Kron, 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 SPECIAL EMERGENCY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 17, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 17th day of August, 2007, at 8:35 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 Steve O'Neil, Mike Forsman, Keith Nelson, and Chair Bill Kron - 4. Absent: Commissioners Dennis Fink, Peg Sweeney, and Steve Raukar - 3.

Chair Kron began the emergency County Board meeting by asking for a moment of silence to honor U.S. troops serving throughout the world.

Commissioner Fink asked to participate by speaker phone but connection attempts were unsuccessful.

Melanie Ford, County Attorney, said all rules for holding an emergency meeting appeared to have been met.

Commissioner Forsman, supported by Commissioner Nelson, moved to suspend the rules to consider a request by Red Cloud, LLC, d/b/a The Harvest Moon Cooking Company, Beatty Township, for a permit to sell/serve alcohol outside their designated serving area on August 17 and 18, 2007; four yeas - zero nays. Matt Johnson, owner of the Harvest Moon Cooking Company, said the special event was a fundraiser for two Iraq War veteran groups - Wounded Warriors Foundation and the Army Family Readiness Group.

Commissioner Forsman, supported by Commissioner Nelson, moved to approve issuance of the permit; four yeas - zero nays. Resolution No. 476.

BY COMMISSIONER FORSMAN:

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Red Cloud, LLC, d/b/a The Harvest Moon Cooking Company, Beatty Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 17-18, 2007, as per application on file in the office of the County Auditor, identified as County Board File No. 58641. Yeas - Commissioners O'Neil, Forsman, Nelson, and Chair Kron - 4

Nays - None

Absent - Commissioners Fink, Sweeney and Raukar - 3

Adopted August 17, 2007. No. 476

At 8:47 A.M. on Friday, August 17, 2007, upon motion of Commissioner O'Neil, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 4, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of September, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Sweeney, Chair of Public Safety and Corrections Committee, read a proclamation from Governor Pawlenty declaring the week of August 27-31 as County Attorney Week in Minnesota. Melanie Ford, County Attorney, thanked her staff for their hard work and said there would be an open house in her office in Duluth from noon until 2:00 P.M. today and another open house at the newly-remodeled Hibbing Office on Monday, September 10 from noon until 2:00 P.M.

At 9:40 A.M., a public hearing was convened pursuant to County Board Resolution No. 457, adopted August 14, 2007, to consider amending Ordinance No. 46 (Zoning Ordinance) to allow shooting facilities and motorized off-road vehicle facilities in the Industrial Zone districts. Barbara Hayden, Planning Director, explained the amendment and said the Planning Commission and her department recommended approval. Scott Smith, Planning Department, in response to questions from Commissioner Fink, explained the "grandfather" status and effects of the amendment on currently licensed shooting facilities located outside Industrial Zone districts. No one else chose to address the issue.

At 9:45 A.M., Commissioner O'Neil, supported by Commissioner Nelson, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the amendment; seven yeas - zero nays. Resolution No. 480.

At 9:47 A.M., a public hearing was convened pursuant to County Board Resolution No. 458, adopted August 14, 2007, to consider rezoning portions of T62-R19W (Town of Field). Barbara Hayden, Planning Director, explained the zoning change and said the Planning Commission and her department recommended approval. No one else chose to address the issue.

At 9:50 A.M., Commissioner Nelson, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Nelson, supported by Commissioner Raukar, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 481.

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

Kathy Heltzer, Duluth, said recent actions by Board members have resulted in creation of the group "We

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Are Watching". Ms. Heltzer said the group will monitor Board activities and she urged adoption of a code of conduct policy that would be applicable to elected officials.

Candace Harshner, Duluth, urged the Board to develop a policy against discrimination and harassment that would be applicable to all and conduct training sessions.

Ellen O'Neill, Duluth, asked the Board to change their behavior.

Wendy Ruhne, Gilbert, introduced former 2nd District County Commissioner Deidre Dodge.

Deidre Dodge, Duluth, said discrimination and harassment was prevalent in the County when she served as a commissioner in the 1970s and she hoped the situation had improved over the years. She urged the Board to adopt a code of conduct and act as role models for all county employees.

Deb Anderson, Duluth, said elected officials should be held to high standards and policies against discrimination and harassment must apply to everyone.

Linda Riddle, Duluth, said accountability matters and commissioners should be responsible for actions to maintain the public trust.

Jane Gilley, Duluth, encouraged adoption of a code of conduct for public officials that will hold everyone accountable for their actions.

Susan Utech, Esko, supported adoption of a code of conduct that includes a section on harassment.

Tina Welsh, Duluth, said she previously conducted harassment training sessions for police officers and the environment improved. Ms. Welsh asked the Board to reconsider their prior decision and require training for all employees including elected officials.

Kevin Skwira-Brown, Duluth, said there are 1080 female employees in the County and he wondered if recent actions by the Board have caused anxiety about safety from harassment. Mr. Skwira-Brown also indicated that the group "We Are Watching" is not affiliated with any other organization or labor union and consists entirely of concerned citizens.

Irene Swarz, Duluth, urged the Board to restore van services for vulnerable adults in the Senior Centers.

Sarah Chambers, Duluth, in response to a question from Commissioner Fink, said it would cost \$100,000 per year to restore the van services.

Michael O'Donnell, Teamsters Representative, invited Commissioners to attend the next Health Insurance Committee meeting where a presentation will be made by Central States Insurance that may offer health insurance cost savings for the County. Mr. O'Donnell also urged adoption of a code of conduct policy for all employees including elected officials.

Ellen Quinn, Duluth, said she is one of the reporting victims of sexual harassment and she compared her situation to that portrayed in Nathaniel Hawthorne's "The Scarlet Letter." Ms. Quinn said no one should have to be subjected to the ordeal she has endured the past year.

Robert Grytdahl, Duluth, said he supports adoption of a code of conduct policy and mandatory training sessions.

Melanie Ford, County Attorney, said she supports a code of conduct policy and that she will abide by

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provisions of any policy adopted.

Commissioner Peg Sweeney said she will support adoption of a policy that applies to everyone.

Wayne Jacobson, St. Louis Park, said a sexual harassment policy is needed but it must be fair so that innocent people are not hurt.

Chair Kron said he grew up in a culture of respect and he asked the Board for unanimous support in adopting a code of conduct.

At 10:35 A.M. in the forenoon of Tuesday, September 4, 2007, Chair Kron moved to recess the Board until 10:38 A.M. on September 4, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 10:42 A.M. on Tuesday, September 4, 2007, and the regular order of business resumed with all members present.

Discussion regarding adoption of a code of conduct policy resumed. Commissioner Forsman said he has attended a County-sponsored training session and numerous sessions conducted by his mining company employer. Commissioner Forsman added that safeguards are in place and that the recent furor is being led by certain biased groups that are creating a mob mentality. Commissioner O'Neil thanked speakers for appearing and said he will support adoption of a code of ethics/conduct. Commissioner Raukar said he has agonized over this issue and apologies for his mistakes apparently are not enough for some. Commissioner Raukar indicated he will support adoption of a code of conduct policy. Commissioner Fink agreed a policy should be adopted and he disagreed with those who claim the County Board is dysfunctional.

At the request of Commissioner Nelson, the Consent Agenda was then approved prior to introduction of a resolution regarding a code of conduct policy.

Commissioner Nelson, supported by Commissioner Forsman, moved to suspend the rules to consider adoption of a code of conduct policy; seven yeas - zero nays. Commissioner Nelson, supported by Commissioner Forsman, moved to adopt the policy. Commissioner Nelson explained that the resolution directs Administration and elected County officials - including the Auditor, Attorney, Sheriff and Board Chair - to develop a policy for Board consideration on or before October 10, 2007. After brief discussion, the resolution was adopted; seven yeas - zero nays. Resolution No. 483.

At 11:10 A.M. in the forenoon of Tuesday, September 4, 2007, Chair Kron moved to recess the Board until 11:15 A.M. on September 4, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:15 A.M. on Tuesday, September 4, 2007, and the regular order of business resumed with all members present.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to appoint Commissioner O'Neil to serve as representative on the Heading Home St. Louis County Implementation Team. Commissioner Sweeney offered a friendly amendment - accepted by the maker - to appoint Commissioner Raukar as representative and Commissioner O'Neil as alternate. Commissioner Nelson said there should be two Commissioners as full members and he offered a friendly amendment - not accepted by the makers - to nominate Commissioner O'Neil as representative and Commissioner Nelson as alternate for 60 days to allow time for the Implementation Team to amend the membership to allow two Commissioners to serve. After some discussion, Commissioner Raukar withdrew his name from consideration for appointment to the Implementation Team. Commissioner O'Neil, supported by Commissioner Sweeney, moved to amend the original motion by appointing Commissioner O'Neil as representative and Commissioner

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Nelson as alternate. Commissioner Fink then offered a friendly amendment - not accepted by the makers - to have both Commissioners serve as representatives. Commissioner Fink, supported by Commissioner Nelson, moved to formally amend the motion to appoint two Commissioners as full members. After further discussion, Commissioner Nelson withdrew his support and the amendment motion died. The motion appointing Commissioner O'Neil as representative and Commissioner Nelson as alternate was then approved; seven yeas - zero nays. Resolution No. 482.

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

Documentation from public hearing held on September 4, 2007, to consider amending Ordinance No. 46 - County Zoning Ordinance to allow shooting facilities and motorized off-road vehicle facilities in the Industrial zone district.--[58735](#)

Documentation from public hearing held on September 4, 2007, to consider amending Ordinance No. 27 - Comprehensive Land Use Plan and Ordinance No. 46 - County Zoning Ordinance for rezoning in Township 62 North, Range 19 West (Field Township).--[58736](#)

Documentation including "Petition to Save Our Vans" with signatures of those opposed to the termination of transportation services to low-income senior citizens and vulnerable adults with disabilities.--[58737](#)

Addendum to Contract No. 20676B between the St. Louis County Board and the Arrowhead Economic Opportunity Agency for food support employment and training services.--[07-890ss](#)

Agreement for Professional Services between St. Louis County and Foth Infrastructure & Environment, LLC, to evaluate contract with the Regional Landfill Operator and make recommendation on future contract development.--[07-891](#)

Service Agreement between the County of St. Louis and Crist Garbage Service, Inc., for site waste haulage services.--[07-892](#)

Community Development Block Grant Program FY 2007 Agreement between St. Louis County and SOAR Career Solutions for career and business development services.--[07-893](#)

Addendum to Agreement, Contract No. 2005-2487, between the St. Louis County Board of Commissioners and Range Transitional Housing for family homeless prevention assistance.--[07-894ss](#)

Purchase of Services, Contract No. 20692, between St. Louis County and Life House for public service grant.--[07-895ss](#)

Purchase of Service Agreement, Contract No. 14196, between the St. Louis County Board of Commissioners and Proactive-Caring-Accommodating Services, LLC, for home care services.--[07-896ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14195, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and The Lamb House, Inc., for assisted living plus services.--[07-897ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14172, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Heritage Haven, Inc., for assisted living plus services.--[07-898ss](#)

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14157B, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Focus on Living, Inc., for adult foster care services.--[07-899ss](#)

Addendum to Purchase Agreement, Contract No. 14017B, between the St. Louis County Board of Commissioners and Trillium Works! Inc., for non-residential services.--[07-900ss](#)

Group Residential Housing Rate Agreement, Contract No. 50559, between the St. Louis County Board of Commissioners and Lakewind, Inc.--[07-901ss](#)

Group Residential Housing Rate Agreement, Contract No. 50549, between the St. Louis County Board of Commissioners and Focus on Living - Daniels House.--[07-902ss](#)

Group Residential Housing Rate Agreement, Contract No. 50558, between the St. Louis County Board of Commissioners and Barbara Bernsdorf (Norman Adult Foster Care).--[07-903ss](#)

Addendum to Purchase Agreement, Contract No. 13396F, between the St. Louis County Board of Commissioners and Winter Homes, Inc., for SLS for adults.--[07-904ss](#)

Addendum to Purchase Agreement, Contract No. 13397F, between the St. Louis County Board of Commissioners and Winter Homes, Inc. - West for SLS for adults.--[07-905ss](#)

Addendum to Purchase Agreement, Contract No. 13074F, between the St. Louis County Board of Commissioners and Range Center, Inc. (CCSA), for day training and habilitation and transportation.--[07-906ss](#)

Addendum to Purchase Agreement, Contract No. 13075F, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver), for day training and habilitation and transportation.--[07-907ss](#)

Addendum to Purchase Agreement, Contract No. 13958B, between the St. Louis County Board of Commissioners and Northland AFC, Inc., for SLS for adults.--[07-908ss](#)

Addendum to Purchase Agreement, Contract No. 13991B, between the St. Louis County Board of Commissioners and Northland AFC, Inc. - White Pine Trail (Carlton County) for SLS for adults.--[07-909ss](#)

Addendum to Purchase Agreement, Contract No. 13282F, between the St. Louis County Board of Commissioners and Family Support, Inc., of Moose Lake for specialist services.--[07-910ss](#)

Addendum to Purchase Agreement, Contract No. 13270F, between the St. Louis County Board of Commissioners and Vallie Adult Foster Care Home for SLS for adults.--[07-911ss](#)

Home and Community-Based Waiver Services Contract between the St. Louis County Board of Commissioners and Heartland Homes of Duluth, LLC, for adult foster care services.--[07-912ss](#)

Group Residential Housing Rate Agreement, Contract No. 50548, between the St. Louis County Board of Commissioners and Anderson's Pine Grove Home.--[07-913ss](#)

Group Residential Housing Rate Agreement, Contract No. 50547, between the St. Louis County Board of Commissioners and Ryan Kesselhon and Lora Kesselhon.--[07-914ss](#)

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Group Residential Housing Rate Agreement, Contract No. 50539, between the St. Louis County Board of Commissioners and New San Marco - Portage Wing.--[07-915ss](#)

Group Residential Housing Rate Agreement, Contract No. 50543, between the St. Louis County Board of Commissioners and New San Marco - Portage Wing.--[07-916ss](#)

Group Residential Housing Rate Agreement, Contract No. 50541, between the St. Louis County Board of Commissioners and Theresa L. St. Germain.--[07-917ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14100A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and TBI Residential and Community Services, Inc., for adult foster care services.--[07-918ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Theresa L. St. Germain for adult foster care/respite care.--[07-919ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14103A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Northern Habilitative Services, Inc., d/b/a NHS - Northstar Specialized Services, for adult foster care services.--[07-920ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14102A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Northstar Specialized Services, Inc., d/b/a NHS - Northstar Specialized Services, for adult foster care services.--[07-921ss](#)

Purchase of Service Agreement, Contract No. 14193, between the St. Louis County Board of Commissioners and Touching Hearts at Home for home care services.--[07-922ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14192, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Primrose Lease Management, LLC, d/b/a Primrose of Duluth, for assisted living plus services.--[07-923ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14147, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Community Connection of Minnesota, Inc., for adult foster care services.--[07-924ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14147A, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and Community Connection of Minnesota, Inc., for adult foster care services.--[07-925ss](#)

Contract between the County of St. Louis and Vogt's Dirt Service, LLC, for M.P. 3739 to Crush, Screen and Stockpile Aggregate, Class 5 (modified).--[07-926](#)

Contract between the County of St. Louis and Ulland Brothers, Inc., for S.P. 69-607-040, C.P. 9585, for Grading, Storm Sewer, Aggregate Base, Curb & Gutter, Sidewalk, Plant Mixed Bituminous Base and Surface.--[07-927](#)

Agreement for Professional Services between St. Louis County and Lake Superior Advertising Federation providing an educational campaign about methamphetamine use and abuse.--[07-928](#)

Agreement for Respite Services between the County of St. Louis and Gayle Lynn Koop for Community

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Alternative Care Client No. 28.--07-929ss

Amendment to Consulting Services Agreement between the County of St. Louis, through its Management Information Systems, and E/S Support Services for deployment and full implementation of the computerized information systems for NEMESIS.--07-930

Contract between the County of St. Louis and Northland Constructors of Duluth, LLC, for M.P. 6646-1306 (low) and M.P. 6647-1305 for Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface and Aggregate Shoulders.--07-931

Agreement for Professional Services between the County of St. Louis and MSA Professional Services for providing a Limited Site Investigation - Standard Scope at the MPCA Underground Storage Tank Leaksite No. 16885 in Hibbing.--07-932

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 477 through 479, 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 August 7, 2007, are hereby approved.

Adopted September 4, 2007. No. 477

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 17, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 4, 2007. No. 478

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid/Oral Timber Auction, Tracts 1 through 25 (totaling \$1,035,197.40), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted September 4, 2007. No. 479

BY COMMISSIONER FORSMAN:

WHEREAS, the town of White initiated a zoning ordinance text amendment; and
WHEREAS, the Planning Commission initiated an additional text amendment; and
WHEREAS, the Planning Commission held a public hearing on the proposed text amendments on July 19, 2007; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners amend Ordinance 46; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony presented;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance 46, County Zoning Ordinance, to include shooting facilities and motorized off-road vehicle facilities as uses authorized by conditional use in the Industrial zone district and to add the following definitions:

Shooting Range - A specialized facility designed for firearms practice.

Motorized Off-Road Vehicle Facility - Any area used for motorized off-road activity that is commercial in nature.

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BE IT FURTHER RESOLVED, that the effective date for the above-referenced amendment to Ordinance 46 shall be October 5, 2007.

Unanimously adopted. September 4, 2007. No. 480

BY COMMISSIONER NELSON:

WHEREAS, the town of Field initiated a rezoning; and
WHEREAS, the Planning Commission held a public hearing on the proposed rezoning and comprehensive plan amendment on July 19, 2007; and

WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the rezoning and plan amendment by amending Ordinance 27, Comprehensive Land Use Plan, and Ordinance 46, zoning maps; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission, the recommendations of staff, and all testimony presented;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners approves the new zoning map amendment for T62N, R19W (Field);

RESOLVED FURTHER, the St. Louis County Board of Commissioners approves a comprehensive plan amendment to the Voyageur Plan changing the area rezoned above to Mixed Use Non-Shoreland (MUNS)-5 from the Rural Residential Concept to the Suburban Concept;

RESOLVED FURTHER, the effective date for the above-referenced amendments to Ordinance 46 and Ordinance 27 shall be October 5, 2007.

Unanimously adopted. September 4, 2007. No. 481

BY COMMISSIONER O'NEIL:

WHEREAS, on March 27, 2007, the St. Louis County Board passed Resolution No. 176 approving and authorizing the implementation of Heading Home St. Louis County: A Ten-Year Plan to End Homelessness; and

WHEREAS, The Heading Home Plan is to be the guide for addressing homelessness in St. Louis County; and

WHEREAS, the St. Louis County Board has a County Commissioner or appointee on the Heading Home St. Louis County Implementation Team;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby appoints Commissioner Steve O'Neil (as delegate) and Commissioner Keith Nelson (as alternate) to the Heading Home St. Louis County Implementation Team.

Unanimously adopted. September 4, 2007. No. 482

Upon motion of Commissioner Nelson, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 483 which was not on the agenda.

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Board of Commissioners is committed to carrying out the public's business in a professional and respectful manner; and

WHEREAS, the St. Louis County Board of Commissioners desires that a standard for professional behavior be developed that is applicable to elected officials, one requiring conduct that ensures a work environment for employees free of discrimination and harassment, including sexual harassment; and

WHEREAS, the St. Louis County Board of Commissioners believes that the adoption of a policy or code would symbolize a commitment to the highest standard of conduct and ethics in the performance of our public duties, recognizing such adherence is central to the maintenance of public trust and confidence in government and reflecting each elected officer's commitment to the public good.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Administrator is directed to enter into dialogue with other elected officials of St. Louis County regarding the development of a policy/code of ethics/conduct to achieve these objectives, one that requires each elected official to assume personal responsibility for ensuring that his or her conduct is appropriate and legal.

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BE IT FURTHER RESOLVED, that the St. Louis County Administrator shall report back to the Board of Commissioners on or before October 10, 2007.

Unanimously adopted. September 4, 2007. No. 483

At 11:37 A.M. on Tuesday, September 4, 2007, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 11, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of September, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Sweeney presented a Volunteer Excellence Award to Chauncey Wargin of Hermantown - farmer, retired school bus driver and tireless volunteer and board member for numerous organizations including the South St. Louis County Fair. Mr. Wargin thanked the Board and said he appreciated the recognition.

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

Kevin Skwira-Brown, Duluth, speaking on behalf of "We Are Watching" said he is looking forward to the development of code of conduct policy from the Board that will be applicable to all including elected officials.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to approve acceptance of a Pay For Performance Grant from the State of Minnesota for Chris Jensen Health and Rehabilitation Center up to a maximum amount of \$470,000. Joe Austin, Director of Employee Safety, explained the purpose of the grant which is to reward the facility for reductions in employee and patient injuries. Chris Jensen will install ten overhead lift-equipped rooms at a cost of \$107,342, which should help the facility continue reducing injuries and qualify for grant funds. Donald Dicklich, County Auditor, suggested an amendment - accepted by the makers - to authorize the Auditor to adjust the Chris Jensen Capital budget as necessary to facilitate grant funding. Commissioner Fink offered a friendly amendment - not accepted by the makers - that grant funds reimburse the Chris Jensen Capital Improvement Fund for the overhead lifts purchased with any remaining grant funds received allocated to a fund to be determined by the Administrator. Commissioner Fink, supported by Commissioner Nelson, formally offered the amendment for consideration. After further discussion, the amendment was approved; five yeas - two nays, Commissioners O'Neil and Sweeney. The amended motion was then approved; seven yeas - zero nays. Resolution No. 504.

Commissioner Raukar, supported by Commissioner O'Neil, moved to adopt the preliminary 2008-2009 Budget and Certification of 2008 Maximum Property Tax Levies. Dana Frey, County Administrator, gave a presentation that highlighted the following: the year-long budget process and reforms incorporated this year; economic updates and forecasts that will affect the County budget; factors driving budget costs higher; and, a recommendation of a 4.27% levy increase for 2008. Administrator Frey emphasized this was a preliminary budget that establishes the maximum levy that can be adopted when the budget is finalized in December. After further discussion, the preliminary budget and levy resolution was approved; seven yeas - zero nays. Resolution No. 505.

Commissioner Raukar made a directive motion to have informational inserts included in Truth In Taxation Statements explaining the County will not hold TINT hearings this year because the maximum levy established is below the state threshold. Commissioners noted that past TINT hearings have been

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sparsely attended. Commissioner Raukar amended his motion to include removal of a proposed TINT hearing schedule from the agenda. After brief discussion, the motion was approved; seven yeas - zero nays.

At 11:50 A.M., Commissioner Fink left the County Board meeting.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve the St. Louis County Housing and Redevelopment Authority maximum property tax levy for 2008 in the amount of \$192,150; six yeas - zero nays, with Commissioner Fink away from the meeting. Resolution No. 506.

Commissioner Nelson, supported by Commissioner Sweeney, moved to increase the County Administrator's personnel complement by one full-time Administrative Secretary I to support the Intergovernmental Relations Officer. Commissioner Forsman said he would not support additional staffing for Administration or other upper levels; five yeas - one nay, Commissioner Forsman with Commissioner Fink away from the meeting. Resolution No. 507.

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. 07-367 regarding request for conveyance of State tax forfeited land to the State of Minnesota for the Tallas Island Project.--[58738](#)

Operating and Capital Budget for 2008 for St. Louis County.--[58739-D](#)

Amendment No. 1 to Contract No. 06-3084 between the County of St. Louis, through its Solid Waste Department, and The G-Men, Inc., for Soudan Compacted Mixed Solid Waste Haulage.--[07-933](#)

Amendment No. 1 to Minnesota Department of Transportation Cooperative Construction Agreement No. 89154-R with St. Louis County, City of Duluth, and City of Hermantown for traffic control signal system construction on T.H. 53 at Cirrus Drive.--[07-934](#)

Lease Agreement between St. Louis County, Lake County, and the City of Ely for the Joint Public Works Facility in Ely.--[07-935](#)

Contract between the County of St. Louis and Hoffman Construction Company for S.A.P. 69-601-001 (low), C.P. 8293, Minnesota Project S.P. 6916-95, Hermantown Project S.A.P. 202-105-01, for Grading, Bituminous Surfacing, Curb & Gutter, Drainage, Signal & Signing.--[07-936](#)

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for Northland Office Building Exterior Improvements - Construction Materials Testing.--[07-937](#)

Upon motion of Commissioner Forsman, supported by Commissioner O'Neil, Resolutions No. 484 through 503, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 14, 2007, are hereby approved.

Adopted September 11, 2007. [No. 484](#)

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

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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. 58631, are hereby approved:

Real Estate - David Bartlam, \$148.76; Brandon Call, \$254.96; Lisa Cerri, \$274.84; David Everett, \$500.36; Fond du Lac Band, \$2,406.60; Ellora Gherna, \$39.67; Keith Grammer, \$250.90; Donald Hanson, \$293.92; Charles Heggedahl, \$591.90; Vincent Hinchcliffe, \$519.90; Inland Steel, \$120.48; Karl Kruppstadt, \$250.90; Natasha Leyendecker, \$262.96; Paula Lian, \$848.40; Little Fork Lodge, \$142.20; Michael Luzaich, \$531.10; Stacia L. Mayhew, \$7.44; Mary Mottershead, \$592.00; Orville Air, \$1,032.74; Clayton Oslund, \$879.86; Francis Pechovnik, \$89.98; Jess Pollard, \$469.62; Joseph Racek, \$842.12; Joseph Ralidak, \$149.42; Todd Reed, \$822.14; Sarah Ruby, \$282.76; David Schaeffer, \$865.18; Jon Shaw, \$734.10; David Syring, \$745.78; USA, \$1,148.92; Derek Viebahn, \$238.84; Kendall Wallace, \$713.86; Daniel Yernatich, \$507.04.

Personal Property - Jon Adams, \$58.06; Alice Beise, \$226.68; Tedd Davidson, \$72.48; Robert Furnal, \$85.40; Paul Kylochko, \$79.72; Bill Magnusson, \$32.36; Richard Maki, \$100.18; Sheila Mathews, \$61.38; Jennifer Nordeen, \$101.60; Elizabeth Raudio, \$115.94; Thomas Sheer, \$25.60.

Adopted September 11, 2007. No. 485

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated August 31, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 11, 2007. No. 486

WHEREAS, in 1991, 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 2007, 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 2008, the North Solid Waste Service Area Solid Waste Service Fees remain the same as 2007 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 2008 South Solid Waste Service Area Solid Waste Service Fees remain the same as 2007 and 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

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EMV \$100,001 to \$150,000	\$ 36.00
EMV \$150,001 to \$200,000	\$ 45.00
EMV more than \$200,000	\$ 54.00

*EMV - Estimated Market Value - land value plus improvements

Adopted September 11, 2007. No. 487

RESOLVED, that St. Louis County Board Resolution No. 235, dated May 1, 2007, authorizing the granting of a recreation trail easement across State tax forfeited land to the Babbitt ATV/Snowmobile Club is amended to change the legal description to the following: An easement for recreational trail purposes 33.00 feet in width, 16.50 feet on each side of the centerline described as follows: Commencing at the southwest corner of the south 660.00 feet of the west 860.00 feet of the northeast one-quarter of the northeast one-quarter of section 15, Township 59 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota; thence northerly on the west line of said south 660 feet of the west 860 feet a distance of 90.00 feet to the point of beginning; thence northeasterly to a point on the north line of said south 660 feet of the west 860 feet, said point being 220.00 feet west of the northeast corner of said south 660 feet of the west 860 feet and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. This easement is 909 feet in length and contains 0.69 acres more or less.

RESOLVED FURTHER, that St. Louis County Board Resolution No. 235, dated May 1, 2007, is amended to change the easement fees to the following: \$897.00 land use fee, \$150.00 administration fee, and \$46.00 recording fee; for a total of \$1093.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 11, 2007. No. 488

RESOLVED, that St. Louis County Board Resolution No. 341, dated June 12, 2007, approving the sale of State tax forfeited land to US Steel - Minntac is amended to include the following described State tax forfeited property:

1. SE 1/4 OF NW 1/4 STATE LEASE EXEMPT 21 ACRES TACONITE, SECTION 34, T59N, R18W (parcel code 175-80-490, LDKey 36033)
2. NE 1/4 OF SW 1/4 STATE LEASE EXEMPT 31 ACRES TACONITE, SECTION 34, T59N, R18W (parcel code 175-80-500, LDKey 36034)
3. NW 1/4 OF SE 1/4 STATE LEASE EXEMPT 40 ACRES TACONITE, SECTION 34, T59N, R18W (parcel code 175-80-550, LDKey 36036)
4. NE 1/4 OF SE 1/4, SECTION 34, T59 N, R18W (17/32 UNDIVIDED INTEREST) (parcel code 175-80-542, LDKey 36035)

Adopted September 11, 2007. No. 489

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization: Irving Community Association to operate out of the following:

Buffalo House, 2590 Guss Road, Duluth, MN 55810, Midway Township (Pull-tabs with dispensing device and Tipboards), renewal;

Burns Bar, 5092 Howard Gnesen Road, Duluth, MN 55803, Rice Lake Township (Pull-tabs, Pull-tabs with dispensing device and Tipboards), renewal;

Porky's, 7047 Rice Lake Road, Duluth, MN 55803, Gnesen Township (Pull-tabs with dispensing device and Tipboards), renewal.

Adopted September 11, 2007. No. 490

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs) on file

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in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Hermantown Amateur Hockey Association to operate out of Pequaywan Inn, Unorganized Township 54-13, 8744 Pequaywan Lake Road, Duluth, MN 55803.

Adopted September 11, 2007. No. 491

WHEREAS, St. Louis County Ordinance No. 28, Section 4.07, states: "If, during the term of any liquor license, the place of business of any licensee shall be destroyed or so damaged by fire or otherwise, that the licensee shall cease to carry on the licensed business, or in case the business of the licensee shall cease by reason of his illness or death, or if it shall become unlawful for the licensee to carry on the licensed business under his license, except when such license is revoked, the County Board may refund to the licensee or to his estate such part of the license fee paid by him as corresponds to the time such license had yet to run".

WHEREAS, the establishment known as El-Roy located at 7212 Highway 53, Britt, MN 55710, ceased to operate on August 8, 2007, due to the death of Mr. Melvin Baron.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes a refund of On-Sale and Sunday On-Sale Intoxicating Liquor License fees paid by Elk Baron, Incorporated, d/b/a El-Roy, Unorganized Township 60-18; and

RESOLVED FURTHER, that said refund will be as follows:

On-Sale Intoxicating Liquor License Fee	\$ 896
Sunday On-Sale Intoxicating Liquor License Fee	<u>\$ 224</u>
Total	\$1,120

Adopted September 11, 2007. No. 492

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 2008;

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 \$46,200.00

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

City of Ely

Unorganized Townships 64-12
and 64-13 \$ 4,248.00

City of Floodwood

Unorganized Township 52-21 \$ 8,410.00

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<u>City of Orr</u>	
Unorganized Township 63-19	\$ 2,570.00
Unorganized Township 66-20	\$ 6,212.00
<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	\$23,100.00
<u>French</u>	
Unorganized Township 59-21	\$ 924.00
<u>Gnesen</u>	
Unorganized Township 53-15	\$ 11,550.00
<u>Greenwood</u>	
Unorganized Township 63-15	\$ 4,725.00
<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	\$ 18,900.00
<u>Pequaywan Lake</u>	
Unorganized Township 54-13	\$ 2,625.00
<u>Pike-Sandy-Britt Region</u>	
Unorganized Township 59-16	\$ 5,367.00
Unorganized Township 60-18	\$ 17,675.00
<u>Silica</u>	
Unorganized Township 55-21	\$40,950.00
Adopted September 11, 2007. <u>No. 493</u>	

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes the County to pool unorganized town road levies pursuant to Minnesota Statutes 163.06;
NOW, THEREFORE, BE IT RESOLVED, that the County Board, acting on the 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 2008 to be levied only in such unorganized townships.

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Adopted September 11, 2007. No. 494

WHEREAS, the State of Minnesota Department of Public Safety, through the Office of Justice Programs, has awarded St. Louis County a 24-month Community-Oriented Policing (COPS) grant for one full-time peace officer; and

WHEREAS, the State's intent is to increase the number of officers involved in the investigation and prevention of juvenile crime or to perform community-oriented policing duties; and

WHEREAS, the St. Louis County Sheriff's Office, in conjunction with St. Louis County Independent School District 2142, wishes to institute a School Resources Officer program for the Albrook, Cotton, and Cherry Schools located within School District 2142, and to assign a full-time deputy to the program;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the 2007 COPS Grant, a 24 month grant, for one new FTE Deputy Sheriff position;

RESOLVED FURTHER, this position will increase the Sheriff's authorized full-time-equivalent (FTE) employees by one, and when the grant funds cease, the position funded by the grant will be eliminated or absorbed into the budgeted authorized staffing complement for the Sheriff's Office;

RESOLVED FURTHER, the grant will be accounted for in Fund 100, Agency 129999, Grant 12904, Year 2007.

Adopted September 11, 2007. No. 495

WHEREAS, the St. Louis County Sheriff's Office will need to complete a microwave communications link from the tower on Observation Road to the Government Services Center; and

WHEREAS, the St. Louis County Sheriff's Office has been approved to receive a grant from the FY2007 Infrastructure Protection Program: Port Security for this project; and

WHEREAS, the microwave link proposed would enhance the communications capabilities in the port area; and

WHEREAS, the St. Louis County Sheriff's Office has responsibility for water emergencies and recoveries in the port area;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the St. Louis County Sheriff's Office to accept the 2007 Infrastructure Protection Program Grant for Port Security in the amount of \$119,280;

RESOLVED FURTHER, that the Radio Maintenance (Fund 100, Agency 136001, Object 665400) 2008 proposed budget includes a budgetary amount of \$29,820 specifically designated for the 25% match required by the grant;

RESOLVED FURTHER, that the grant would be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2007.

Adopted September 11, 2007. No. 496

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

WHEREAS, the Minnesota Department of Public Safety-Office of Justice Programs has funds available for Multi-Jurisdictional 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 St. Louis County Sheriff's Office to apply for and accept the Minnesota Department of Public Safety-Office of Justice Programs 2008 Grant in the amount of \$146,255 for the purpose of continuing the Boundary Waters Drug Task Force;

RESOLVED FURTHER, that said grant funds will be appropriated and disbursed from Fund 100, Agency 129999, Grant 12901, Year 2008;

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.

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Adopted September 11, 2007. No. 497

RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the St. Louis County Sheriff to enter into an Agreement for Inter-Agency Mutual Assistance with Douglas County, Wisconsin, and that such requests for assistance must be for emergency or specific public safety concerns and not for routine law enforcement duties or to substitute for active personnel of the requesting County;

RESOLVED FURTHER, that said agreement shall be approved as to form and execution by the County Attorney's Office.

Adopted September 11, 2007. No. 498

WHEREAS, the property owner of record initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on August 16, 2007; 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 46, zoning maps;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, October 2, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider rezoning the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4, Section 5, T62N, R14W (Eagles Nest).

Adopted September 11, 2007. No. 499

WHEREAS, pursuant to Minnesota Statutes Section 282.01, Subd. 2, the County Board may adopt a resolution resolving that certain lands classified as conservation lands shall be devoted to conservation uses and may submit such resolution to the Commissioner of Natural Resources; and

WHEREAS, if the Commissioner of Natural Resources determines that the lands covered by such resolution, or any part thereof, can be managed and developed for conservation purposes, the Commissioner shall make a certificate describing the lands and reciting the acceptance thereof on behalf of the State for such purposes; and

WHEREAS, the parcels described in County Board File No. 58738 are affected by the proposed Tallas Island Mitigation and Restoration Project and are to be managed and developed for conservation purposes; and

WHEREAS, the parcels described in County Board File No. 58738 shall be re-conveyed from the City of Duluth to the State tax forfeited trust prior to the conveyance of State tax forfeited land to the State of Minnesota for the Tallas Island Project; and

WHEREAS, the reconveyed parcels described in County Board File No. 58738 shall be classified as conservation, after considering, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; 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, the parcels of land described in County Board File No. 58738 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, State tax forfeited land on public waters containing greater than 150 feet of water frontage cannot be conveyed without special legislation from the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the classification of the parcels described in County Board File No. 58738 to conservation, and has determined that these lands shall be devoted to conservation uses, and directs the Land Commissioner to submit this resolution to the Commissioner of Natural Resources for acceptance of these lands on behalf of the State of Minnesota to be managed and developed for conservation purposes;

RESOLVED FURTHER, the St. Louis County Board supports legislation enabling the conveyance of

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the parcels described in County Board File No. 58738 in a manner provided for by Minnesota Statute, Section 282.01.

Adopted September 11, 2007. No. 500

WHEREAS, the County Extension Committee (CEC) met and discussed the biomass project and grant proposed by the County Extension Educator for the purpose of funding research of biomass production on tailings using biosolids as the fertility source; and

WHEREAS, automated payments will be forwarded by IRR to the County Auditor's Office for all project expense payments to be processed;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the application of the biomass applied research grant; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby approves receiving grant funds of \$53,531, provided by IRR, for the purpose of research and service management by the County Extension Service for the Biomass Fiber Production for Energy Fuel Project, payable to Fund 184, Agency 185999, Grant 18502 (Biomass) Years 2007-2009.

Adopted September 11, 2007. No. 501

WHEREAS, the Virginia Courthouse and Annex parking areas and sidewalks are in extremely poor condition and are in need of repair; and

WHEREAS, County Purchasing solicited bids that were opened on August 10, 2007, with Mesabi Bituminous of Gilbert, Minnesota, providing the lowest bid in the amount of \$197,583.

NOW, THEREFORE, BE IT RESOLVED, the Board authorizes the appropriate County officials to execute an agreement with Mesabi Bituminous of Gilbert, Minnesota, for an amount of \$197,583. Funding is available in the General Fund, Fund 100, designated for parking and will be appropriated to Fund 100, Agency 128010.

Adopted September 11, 2007. No. 502

WHEREAS, the County is required by State law to provide a licensed Administrator at the Chris Jensen Health and Rehabilitation Center; and

WHEREAS, the County desires to engage Ecumen Consulting Services in the performance of certain professional services and Ecumen Consulting Services desires to be so engaged; and

WHEREAS, Ecumen Consulting Services has the knowledge, skill, experience, and ability to provide and perform said consulting services for the County;

NOW, THEREFORE, BE IT RESOLVED, that the County will enter into a professional services contract with Ecumen Consulting Services, effective January 15, 2007, through December 31, 2008, to provide a full-time licensed Nursing Home Administrator, not to exceed \$275,000, payable from Fund 625, Agency 625000, Object 629900.

Adopted September 11, 2007. No. 503

BY COMMISSIONER O'NEIL:

WHEREAS, the goal of the Safe Patient Handling Program at Chris Jensen is to reduce patient handling injuries for employees and residents and reduce associated liabilities; and

WHEREAS, Chris Jensen was selected from a large pool of applicants to receive a Pay for Performance Grant from the State of Minnesota for an increased per day reimbursement rate up to 5%, or \$470,000 for the next year; and

WHEREAS, in order to receive maximum funding from the State, Chris Jensen must show a reduction in resident injuries and pressure ulcers; and

WHEREAS, Employee Safety and Development is recommending the installation of 10 additional overhead lift equipped rooms to continue or improve upon the reduction of employee injuries previously seen with the Safe Patient Handling Program;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis Board of Commissioners approves acceptance of the Pay for Performance Grant up to the maximum of \$470,000 (625001-551001);

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RESOLVED FURTHER, that the St. Louis County Board supports the installation of 10 additional overhead lift equipped rooms at Chris Jensen at a cost of \$107,342 (625017-665900) and authorizes the County Auditor to adjust the Chris Jensen capital budget accordingly.

RESOLVED FURTHER, that grant revenues in excess of \$107,342 be transferred to St. Louis County General Capital Fund 400.

Unanimously adopted. September 11, 2007. No. 504

BY COMMISSIONER RAUKAR:

WHEREAS, Minnesota Statutes, Section 275.07, requires the County Board to adopt a maximum proposed 2008 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 Document File No. 58739, until the permanent budget is adopted December 11, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby adopts a 4.27% property tax levy for 2008 in the amount of \$101,568,092.

Unanimously adopted. September 11, 2007. No. 505

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, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby certifies the HRA maximum property tax levy for 2008 in the amount of \$192,150.

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

Nays - None

Absent - Commissioner Fink - 1

Adopted September 11, 2007. No. 506

BY COMMISSIONER NELSON:

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby increases County Administration's personnel complement by 1 FTE, effective immediately for the remainder of the 2007 budget year at a starting salary/benefits of \$49,775 per year, to support the position of legislative lobbyist/grant coordinator. Funding is transferred from Fund 100, Agency 104001, Object 619900, to Fund 100, Agency 105001, Object 610100.

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

Nays - Commissioner Forsman - 1

Absent - Commissioner Fink - 1

Adopted September 11, 2007. No. 507

At 11:51 A.M. on Tuesday, September 11, 2007, upon motion of Commissioner Nelson, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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 25, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of September, 2007, at 9:38 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Forsman presented a Volunteer Excellence Award to the Sportsmens' Club of Lake Vermilion for their efforts protecting the present and future of Lake Vermilion. The Club has 1800 members and is involved with numerous water quality, picnic site and navigational projects. Walter Moe, President of the Club, thanked the Board for the recognition and said without volunteers this country could not function properly. Dale Lundblad, Club Member, explained how water quality measures are conducted.

Commissioner O'Neil read a proclamation commemorating the 40th Anniversary of Chris Jensen Health and Rehabilitation Center.

Commissioner Sweeney read a proclamation declaring September 25, 2007, as a Day of Remembrance For Murder Victims in Minnesota and St. Louis County.

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

Sam Haddad, Public Works and member of the Health Insurance Committee, presented an update on a health care administration proposal from Bill Hembree, Health Research Institute, that purportedly could save the County \$2 million annually. Mr. Haddad urged the Board to consider Mr. Hembree's proposals before County employee health insurance becomes completely unaffordable.

Scott Cameron, Duluth, urged the Board to adopt policies to effect behavioral changes by Commissioners that will allow the Board to do the work it was elected to do.

At the request of Commissioner Raukar, Item No. 11 (appointing two Commissioners to help take testimony at hearings regarding changes to the federal Clean Water Act) was removed from the Consent Agenda for separate consideration under Environment and Natural Resources Committee. Commissioner Raukar, supported by Commissioner Forsman, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize Solid Waste to reduce tipping fees for video display devices (televisions and computer monitors, etc.) to \$1.00 for screens less than 19 inches and \$2.00 for screens larger than 19 inches. Ted Troolin, Solid Waste Director, said the rates have been reduced as a result of state legislation that requires manufacturers to assume some disposal costs. At the request of Director Troolin, Commissioner Nelson offered a friendly amendment - accepted by the makers - to make the new fees effective October 1, 2007. Commissioners applauded the efforts of Director Troolin in getting legislation passed; seven yeas - zero nays. Resolution No. 521.

Item No. 11 from the Consent Agenda was then considered. Commissioner Nelson, supported by Commissioner Raukar, moved to appoint Commissioners Fink and Forsman as representatives to help

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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take testimony at public hearings regarding changes to the federal clean water act. Commissioner Forsman declined the appointment and offered a friendly amendment - accepted by the makers - to appoint Commissioner Nelson in his stead; seven yeas - zero nays. Resolution No. 522.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve lawful gambling license renewals for the Multiple Sclerosis Society, Minnesota Chapter, to operate out of various establishments; six yeas - one nay, Commissioner Fink. Resolution No. 523.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve tobacco license fee annual adjustments based on the Consumer Price Index - Midwest Urban. Commissioner Nelson withdrew his support and said he will abstain from voting because the County has issued a license to a business he owns. Commissioner O'Neil then supported the annual adjustment. Donald Dicklich, County Auditor, explained how the index will be used to determine a proposed fee. Commissioner Fink suggested adding language to the resolution clearly indicating that Board approval is needed prior to any fee adjustment. Melanie Ford, County Attorney, said the additional language should pose no problems. Commissioner Fink offered a friendly amendment - accepted by the makers - to make any adjustment contingent upon review and approval of the County Board. The amended resolution was approved; six yeas - zero nays, with Commissioner Nelson abstaining. Resolution No. 524.

Commissioner Fink noted hearings on changes to the federal clean water act begin this week. A number of State clean water statutes passed under the umbrella of the federal act may become null and void if proposed changes are enacted, according to Commissioner Fink.

Commissioner Sweeney said she attended the recent Health Insurance Committee meeting and found the presentation by Bill Hembree to be intriguing. Commissioner Sweeney said she was interested in hearing more about his proposals to save health insurance costs for the County and she suggested Administration explore the possibility of having a presentation in a workshop setting.

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

Mike Forsman, Fourth District Commissioner, submitting information regarding the Volunteer Recognition Award given to the Sportsmens' Club of Lake Vermilion and efforts to protect Lake Vermilion.--58740

Sam Haddad, Public Works employee and member of the Health Insurance Committee, submitting an update on a health care administration proposal from the Health Research Institute. --58741

Professional Services Agreement between Pro-West and Associates and St. Louis County for GIS Street Segment Project.--07-938

Project Contract No. 4705 between the County of St. Louis and Misty Bay Excavating for salmon blade scarification.--07-939

Project Contract No. 4704 between the County of St. Louis and Misty Bay Excavating for anchor chain scarification.--07-940

Memorandum of Agreement between the Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Bemidji State University, and St. Louis County for clinical nursing experience.--07-941ss

Service Agreement between Blue Cross Blue Shield of Minnesota and St. Louis County for plan sponsor

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and plan administrator of a plan of health care coverage.--07-942

Minnesota Department of Health State Indoor Radon Grant Contract Application.--07-943

Amendment No. 2 to Agreement between the County of St. Louis and Zeigler, Inc., for grader blades and cutting edges.--07-944

Upon motion of Commissioner Raukar, supported by Commissioner Forsman, Resolutions No. 508 through 520, 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 August 17, 2007, are hereby approved.

Adopted September 25, 2007. No. 508

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 4, 2007, are hereby approved.

Adopted September 25, 2007. No. 509

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 11, 2007, are hereby approved.

Adopted September 25, 2007. No. 510

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,981,747.51
184	Extension Service	33,556.68
200	Public Works	3,154,227.62
230	Social Services	5,381,660.95
240	Forfeited Tax	366,782.05
250	St. Louis County HRA	2,476.25
600	Solid Waste Authorities	246,155.44
625	Chris Jensen Health & Rehab.	1,184,588.19
650	Laundry	71,142.64
660	Community Food Services	115,025.06
670	Supervised Living Facilities	56,524.45
700	Printing	12,954.52
715	County Garage	86,585.30
750	Management Information Systems	278,447.94
760	Telecommunications	90,847.82
925	Arrowhead Regional Corrections	1,276,090.54
955	Community Health Services	33,354.65
989	Regional Railroad Authority	<u>56,067.90</u>
		\$ 17,428,235.51

Adopted September 25, 2007. 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 14, 2007, on file in the office of the County

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Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted September 25, 2007. No. 512

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Blue Heron Retreat on November 9, 2006; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Blue Heron 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 Blue Heron Retreat located in Section 21, T62N, R15W (Breitung).

Adopted September 25, 2007. No. 513

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, Ronald Konczak has applied to repurchase the following parcel located in:

City of Duluth
S 1/2 LOT 5 AND ALL LOTS 6 THRU 9, Block 17
CARLTON PLACE ADDITION TO DULUTH
PARCEL CODE: 010-0370-02060

WHEREAS, Ronald Konczak 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 Ronald Konczak, on file in County Board File No. 58652, is approved for the property described above, and will be subject to payment including total taxes and assessments of \$11,647.93, repurchase application fee of \$114.00, deed tax of \$39.97, deed fee of \$25.00, and recording fee of \$46.00; for a total of \$11,872.90 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 25, 2007. No. 514

WHEREAS, the contract for the purchase/repurchase of State tax forfeited land described in County Board File No. 58648, has been cancelled by mutual agreement of the purchasers and St. Louis County; and

WHEREAS, the purchaser Contract vendee has received Service of Notice of Cancellation and agree that contracts shall be cancelled;

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board does hereby approve the cancellation of said contract for purchase of the State tax forfeited land listed by the County Auditor in County Board File No. 58648, according to the provisions of Minnesota Statute, Section 282.01, Subd. 5, and Minnesota Statute, Section 282.40, and according to the procedures of Minnesota Statute, Section 559.21.

Adopted September 25, 2007. No. 515

WHEREAS, the Minnesota Housing Finance Agency has grant funds available through the Family Homeless Prevention and Assistance Program (FHPAP) to nonprofit organizations and counties; and

WHEREAS, the Public Health and Human Services Department had been notified by the Minnesota Housing Finance Agency of an award of \$750,000, with conditions, for the biennium beginning July 1, 2007, and ending June 30, 2009; and

WHEREAS, the St. Louis County Board previously passed Resolution No. 437 on August 7, 2007, which accepted \$750,000 from the Minnesota Housing Finance Agency for the Family Homeless

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Prevention and Assistance Program for the period July 1, 2007, through June 30, 2009, and authorized the appropriate County officials to enter into sub-grantee agreements with Arrowhead Economic Opportunity Agency, Churches United in Ministry, Housing Access Center, Life House, Legal Aid of NE Minnesota, Range Transitional Housing and the Salvation Army subject to the approval of the County Attorney; and

WHEREAS, Lutheran Social Services Renaissance has been identified as a sub-grantee that will assist the County in complying with conditions of the grant award;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners amends Resolution No. 437, adopted August 7, 2007, to add Lutheran Social Services Renaissance to the authorized list of sub-grantees.

Adopted September 25, 2007. No. 516

RESOLVED, that the St. Louis County Board of Commissioners approves the purchase of 10 Total Lift Workstations from Dispatch Products Company for \$144,401.22, payable from Fund 179, Agency 1790011, Enhanced 9-1-1;

RESOLVED FURTHER, that the County Sheriff, County Auditor, and Chair of the Board are authorized to enter into and execute all contracts necessary to implement this purchase, subject to approval as to form and execution by the County Attorney.

Adopted September 25, 2007. No. 517

RESOLVED, that a public hearing will be held at 9:30 A.M. on October 9, 2007, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Maple Hill Liquor, Inc., d/b/a Maple Hill Liquors, Grand Lake Township.

Adopted September 25, 2007. No. 518

WHEREAS, the St. Louis County Board desires to position St. Louis County to take advantage of any funding sources that may become available for bridge related infrastructure improvements; and

WHEREAS, the Road and Bridge Fund (Fund 200) has an Unreserved Designated Emergency Contingency Fund with funds available in 2007; and

WHEREAS, the following four high priority bridge projects have been identified by the Public Works Department as needing reconstruction in the 2008 construction season to insure public safety:

<u>County Bridge Number</u>	<u>Road Number</u>
528	County State Aid Highway 68
605	County Road 447
642	County Road 492
699	County Road 962

WHEREAS, the funds needed for the preparation of bridge plans and related activities by consultant were not identified in the current 2007 budget; and

WHEREAS, the consultants must be hired in 2007 to prepare bridge plans and perform related activities in order to deliver the bridge projects in the 2008 construction season.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor and Public Works Department are hereby authorized to transfer \$100,000 from the Unreserved Designated Emergency Contingency Fund balance within Fund 200 to Fund 200, Agency 200008, Object 626600.

Adopted September 25, 2007. No. 519

WHEREAS, St. Louis County purchases day training and habilitation and semi-independent living services for residents with 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-seven years to provide day training and habilitation or semi-independent living services on behalf

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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 percent rate increase) for the period October 1, 2007, through June 30, 2008:

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 and Transport.</u>
Access to Employment Too, Inc.	\$ 86.60	\$ 64.95	\$ 7.57	\$ 94.17
CHOICE, Unlimited - CHOICE	\$ 73.86	\$ 55.39	\$ 8.15	\$ 82.01
CHOICE, Unlimited - OPTIONS	\$ 102.95	\$ 77.21	\$ 10.87	\$ 113.82
East Range DAC	\$ 65.38	\$ 49.04	\$ 11.67	\$ 77.05
Floodwood Services & Training, Inc.	\$ 65.96	\$ 49.47	\$ 5.80	\$ 71.76
MSOCS Duluth - Airpark Products & Services	\$ 119.46	\$ 89.60	\$ 9.89	\$ 129.35
MSOCS Duluth - Lincoln Park Life Skills	\$ 92.03	\$ 69.03	\$ 13.78	\$ 105.81
MSOCS Range Area Vocational Supports	\$ 118.28	\$ 88.71	\$ 16.75	\$ 135.03
Range Center, Inc.	\$ 85.06	\$ 63.79	\$ 6.12	\$ 91.18
UDAC, Inc.	\$ 57.97	\$ 43.48	\$ 9.90	\$ 67.87

	<u>Level</u>	<u>Hourly Rate*</u>
Pinewood, Inc. - Duluth	A	\$28.64
	B	\$14.00
	C	\$11.04
	D	\$ 9.80

* 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	\$26.62
Empowerment Services of Minnesota, Inc. (Employer of Record)	\$14.99
HOMES, Inc. - Hibbing	\$26.62
HOMES, Inc. - Virginia	\$26.62
Innovative Living, Inc.	\$26.62
Trillium Services, Inc.	\$26.62

Adopted September 25, 2007. No. 520

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County through its Solid Waste Department operates a collection program to enable residents to properly manage video display devices (VDDs); and

WHEREAS, recent legislation has significantly reduced St. Louis County's costs for the transportation and processing of VDDs collected from residents; and

WHEREAS, St. Louis County desires to pass along the program cost savings to residents and encourage residents to properly manage VDDs;

NOW, THEREFORE, BE IT RESOLVED, effective October 1, 2007, that the Solid Waste Department is authorized to amend the tipping fees for Video Display Devices as follows:

- a. The tipping fee for resident VDDs with a screen size of nineteen inches (19") or smaller shall be \$1.00 per unit.
- b. The tipping fee for resident VDDs with a screen size greater than nineteen inches (19") shall be \$2.00 per unit.

Unanimously adopted. September 25, 2007. No. 521

BY COMMISSIONER NELSON:

**Resolution in Support of Public Hearings on the Impact of and
Proposed Changes to Clean Water Legislation**

WHEREAS, since its enactment, the Clean Water Act of 1972 has led to significant and continued improvement in the quality of the nation's waters; and

WHEREAS, two recent U.S. Supreme Court decisions (*SWANCC* in 2001, and *Rapanos* in 2006) favoring local government and landowners ruled that federal agencies exceeded the authority granted them under the federal Clean Water Act; and

WHEREAS, as a result of those decisions, legislation is being considered in Congress (H.R. 2421 and S. 1870) that would broaden federal authority under the Clean Water Act by substituting "waters of the U.S." for "navigable waters", and by adding "activities affecting these waters"; and

WHEREAS, the National Association of Counties and organizations representing forestry, agriculture, mining, and a broad cross-section of other interests are opposed to this legislation; and

WHEREAS, pursuant to the federal Clean Water Act, the Minnesota Legislature has enacted legislation, notably the Wetlands Conservation Act of 1991 and the Clean Water Legacy Act of 2006; and

WHEREAS, a new legislative committee called the Subcommittee on Watersheds, Wetlands and Buffers was created in 2007 by the Minnesota House of Representatives to consider watershed management policy; and

WHEREAS, all water, land and people are located within the boundaries of one watershed or another; and

WHEREAS, the foregoing federal and state legislation and actions by federal and state agencies has led to undue hardship, unfairness, cost and confusion; and

WHEREAS, there is a need for public forums providing citizens with an opportunity to testify and give local, state, and federal elected officials information and guidance that will determine the proper course of action of federal and legislative bodies;

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County supports public hearings prior to the passage of additional clean water legislation.

BE IT FURTHER RESOLVED, that St. Louis County will authorize Commissioners Fink and Nelson as representatives to help take testimony at such hearings, in cooperation and coordination with other appropriate local and state elected officials.

Unanimously adopted. September 25, 2007. No. 522

BY COMMISSIONER RAUKAR:

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Applications on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

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Multiple Sclerosis Society Minnesota Chapter to operate out of the following:

Hwy 5 Bar & Grill, Unorganized Township 59-21, 6304 Hwy. 5, Hibbing, MN 55746 (Pull-Tab, Tipboards and Paddlewheel), renewal;

Lakeview Castle, Duluth Township, 5135 North Shore Drive, Duluth, MN 55803 (Pull-Tab, Pull-Tab with dispensing device, Tipboards and Paddlewheel), renewal;

LeGrand, Grand Lake Township, 5906 Old Miller Trunk Highway, Duluth, MN 55811 (Pull-Tab, Pull-Tab with dispensing device, Tipboards and Paddlewheel), renewal.

Sportsman's Last Chance, Portage Township, 6224 Crane Lake Road, Buyck, MN 55771 (Pull-Tab, Tipboards and Paddlewheel), renewal;

Sunset Lounge, Rice Lake Township, 4483 Martin Road, Duluth, MN 55803 (Pull-Tab, Tipboards and Paddlewheel), renewal.

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

Nays - Commissioner Fink - 1

Adopted September 25, 2007. No. 523

WHEREAS, tobacco licensing fees for businesses under the jurisdiction of St. Louis County have not been adjusted for 8 years; and

WHEREAS, it is the policy of the county that service fees cover the expenses to administer the service; NOW, THEREFORE BE IT RESOLVED, St. Louis County will annually adjust tobacco license fees rounded to the nearest dollar based on changes in the Federal Consumer Price Index - Midwest Urban calculated in September for the preceding calendar year upon County Board review and approval, applied effective January of the succeeding year.

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

Nays - None

Abstained - Commissioner Nelson - 1

Adopted September 25, 2007. No. 524

At 10:40 A.M. on Tuesday, September 25, 2007, upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 2, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 2nd day of October, 2007, at 9:36 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil formally presented the Wolters Kluwer Health Award to the NE Minnesota Emergency Preparedness Coalition. The award was granted at the recent American Medical Association/Centers for Disease Control Second National Congress on Health System Readiness held in Washington, D.C. Members receiving the award were: Jim Gangl, Public Health Emergency Preparedness Coordinator; Bonnie Holz, Public Health Preparedness Consultant; John Jordan, St. Mary's Life Flight Manager and Emergency Preparedness Coordinator; and, Cheryl Stephens, Community Health Information Collaborative. Cheryl Stevens thanked the Board for the presentation and said the Coalition works very well together.

Commissioner Sweeney announced that October was Breast Cancer Awareness Month and she urged all women to get a mammogram. Commissioner Sweeney noted that October was also Domestic Violence Awareness Month.

At 9:45 A.M., a public hearing was convened pursuant to County Board Resolution No. 499, adopted September 11, 2007, to consider amending Ordinance No. 46 (Zoning Ordinance) to rezone parts of Section 7, Township 62 North, Range 14 West (Eagles Nest). Scott Smith, Planning Department, said rezoning will allow up to three dwellings per forty acre tract. The Planning Commission and Planning Department both recommend approval of the rezoning, according to Mr. Smith. In response to a question from Commissioner Sweeney, Mr. Smith said there must be access before any permits to construct are issued. No one else chose to address the issue.

At 9:49 A.M., Commissioner Nelson, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve the rezoning; seven yeas - zero nays. Resolution No. 540.

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

Kathy Heltzer, Duluth, said the We Are Watching campaign was launched because of Board actions and she urged adoption of a code of ethics and training for Commissioners to ensure fairness and accountability.

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Kevin Skwira-Brown, Duluth, said he was glad the Board was moving forward with a code of ethics but he was unclear what the term "personal responsibility" might mean regarding enforcement. He urged an adoption of an enforceable code for all employees and elected officials.

Commissioner Nelson thanked other Commissioners who attended the Forest Products Industry presentation held prior to the County Board meeting. Statewide, the industry employs 40,000 people and generates \$6.9 billion per year.

Commissioner Fink said the County manages 900,000 acres of timber and must remain aware of economic factors as well as changing strategies of the timber industry.

Commissioner Raukar reported on recent Rail Authority meetings designed to bring passenger rail service to the Twin Ports by 2011.

Commissioner Sweeney attended a recent legislative hearing on bonding and said funding for the Midway Sewer System may make the final bonding package.

Commissioner O'Neil said there will be a neighborhood gathering on Saturday, October 6, at the Coppertop Church. Representative Oberstar will be present for the event.

Chair Kron said the Duluth Port Authority is reporting a banner year for cargo out of the Duluth port.

Commissioner Fink said two hearings were held last week on possible amendments to the federal Clean Water Act and local impacts of amendments may be significant.

Chair Kron said the methamphetamine campaign is proceeding well with a recent television documentary airing on Channel 6 and establishment of a methamphetamine hotline (dial 2-1-1).

Commissioner Sweeney cautioned persons cleaning roadsides to be wary of dangerous items disposed of by manufacturers of methamphetamine.

Commissioner Raukar noted the new Clean Indoor Air Act took effect on October 1.

Commissioner Raukar said a Governor's Task Force on Climate Change is preparing a report on what Minnesota can do to help turn the tide.

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. 07-387 regarding Outdoor Recreation Funding for South Grove Park Pavilion Project.--58742

Dana Frey, County Administrator, and Marcus J. Hall, Public Works Director/Highway Engineer, submitting Board Letter No. 07-394 regarding Update of the Master Prioritized Bridge Replacement List.--58743

Dana Frey, County Administrator, and Dick Griffith, Assistant Civil Service Director, submitting Board Letter No. 07-400 regarding County Veteran's Service Officer.--58744

Dana Frey, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 07-401 regarding public hearing to amend Ordinance 46, County Zoning Maps, for the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4, Section 5, Township 62 North, Range 14 West (Eagles

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Nest).--58745

Robert M. Kaner, Attorney, submitting Summons and Complaint in the personal injury matter of Barbara Larson versus St. Louis County, Minnesota.--58746

Robert M. Kaner, Attorney, submitting Summons and Complaint in the personal injury matter of Yvonne Marchand versus St. Louis County, Minnesota.--58747

Agreement for Professional Services between the County of St. Louis and Yaggy Colby Associates for FCC Environmental Assessment for the 911 Joint Public Safety Building Communications Tower.--07-945

Memorandum of Understanding between the City of Duluth, Minnesota, and St. Louis County, Minnesota, regarding the 2007 Justice Assistance Grant Program Award.--07-946

Employee Safety & Development Training Contract between St. Louis County and SMDC for nine sessions of *Mindfulness-Based Stress Reduction Program*.--07-947

Upon motion of Commissioner Nelson, supported by Commissioner Raukar, Resolutions No. 525 through 539, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER NELSON:

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. 58631, are hereby approved:

Real Estate- Hal Andrew, \$272.68; Grant Boyat, \$625.50; Dustin George, \$264.94; Michael Heinonen, \$315.56; Constance Koschak, \$177.60; John Lind, \$418.78; Constance Livingston, \$100.27; Len Allen Matvey, \$979.42; Russell Norlund, \$276.86; Roger Talbot, \$277.46; Robert Topliff, \$279.84; John Vanzandt, \$9.16; John Wiinanen, \$893.78; Darrell Williams, \$373.44.

Personal Property - Ernest Nevala, \$44.80.

Adopted October 2, 2007. No. 525

WHEREAS, the Virginia Hotel, located at 221-223 Chestnut Street, Virginia, Minnesota, forfeited to the State of Minnesota for non-payment of taxes on December 1, 2004; and

WHEREAS, the Virginia Hotel is non-repairable, non-marketable, and is hazardous to human health and safety; and

WHEREAS, the St. Louis County Director of Purchasing solicited bids for the demolition of the Virginia Hotel; and

WHEREAS, Mesabi Bituminous, of Virginia, Minnesota, submitted the low bid in the amount of \$334,800; and

WHEREAS, the Land Department will seek commercial redevelopment funding from Iron Range Resources commercial development fund to offset some of the costs;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Director of Purchasing is hereby authorized to execute a contract with Mesabi Bituminous to demolish the Virginia Hotel in accordance with the specifications of Contract Bid No. 4687 and subject to the approval of the County Attorney, payable from Fund 290, Agency 290001;

RESOLVED FURTHER, the Land Department's 2007 budget will be amended to reflect the added costs required to raze the Virginia Hotel up to \$334,800.

Adopted October 2, 2007. No. 526

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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WHEREAS, in 2005 the St. Louis County Land Department offered Outdoor Recreation Project Funds to communities throughout St. Louis County; and

WHEREAS, the City of Mountain Iron applied for funding for the Mountain Iron ATV/OHM Project and was awarded a \$20,000 grant; and

WHEREAS, the City of Mountain Iron received an extension until September 1, 2007, to complete the project but was unable to resolve complications and the extension expired; and

WHEREAS, the dollars allocated for this project remain in the County recreation fund; and

WHEREAS, the City of Mountain Iron is requesting that these funds be reallocated to the South Grove Park Pavilion Project described in County Board File No. 58742; and

WHEREAS, the South Grove Park Project would qualify for funding upon preliminary Land Department review;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the City of Mountain Iron's request to reallocate \$20,000 from the Recreation Fund (16-F21) to the South Grove Park Pavilion Project.

Adopted October 2, 2007. No. 527

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 State tax forfeited land described as: S 180 FT OF N 840 61/100 FT OF W 190 FT OF NW 1/4 OF NW 1/4, SECTION 11, TOWNSHIP 53 NORTH, RANGE 18 WEST (Parcel Code 440-20-1516); and

THAT PART OF NE 1/4 OF NE 1/4 BEGINNING AT NE CORNER THENCE SOUTH 7 DEG 33 MIN 15 SEC E 678 20/100 FT TO POINT OF BEG THENCE DUE WEST 48 32/100 FT TO A POINT ON EAST RIGHT OF WAY LINE OF STATE AID ROAD NO 7 THENCE DUE SOUTH ALONG SAID RIGHT OF WAY 75 FT THENCE DUE EAST 58 27/100 FT TO A POINT ON EAST LINE OF SECTION 10 THENCE NORTH 7 DEG 33 MIN 15 SEC W 75 66/100 FT TO PT OF BEG, SECTION 10, TOWNSHIP 53 NORTH, RANGE 18 WEST (Parcel Code 440-20-1285); 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 of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the land to the tax rolls; 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 above described State tax forfeited parcels starting at a minimum bid of \$1,940.00 plus administrative fees of \$450.00 plus other fees, and the County Auditor is hereby authorized to offer said lands at a private sale to adjacent property owners to encourage the return of the land to the tax rolls. Funds from the sale are to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 2, 2007. No. 528

WHEREAS, the Land Department has reviewed a request from Randy Simonson for a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Mr. Simonson'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 Statute, Section 282.04, Subd. 4 (a), is hereby authorized to grant a non-exclusive roadway easement to Randy Simonson described as follows: An easement 33 feet in width in Section 26, Township 52 North, Range 13 West, St. Louis County, Minnesota, described as the westerly 33.00 feet of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) and the westerly 33.00 feet of the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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northerly 100.00 feet of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) with a total length of approximately 1411 feet and an area of 1.07 acres of land more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$350.00 administration fee and \$46.00 recording fee; for a total of \$396.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 2, 2007. No. 529

WHEREAS, Minnesota state law (115A.9565) prohibits cathode ray tubes (CRTs) from being landfilled effective July 1, 2006, and the County needs to develop additional storage and alternative management programs for various waste electronics; and

WHEREAS, the Department proposes the recycling of clean dry mattresses as an alternative to landfill disposal; and

WHEREAS, the Solid Waste Department will require a building to process and store mattresses and CRTs in a clean dry environment at the Hibbing Transfer Station; and

WHEREAS, such a building does not currently exist at the site; and

WHEREAS, the Department solicited competitive quotes from several area contractors for the construction of the building; and

WHEREAS, T & M Constructors, Inc., submitted the lowest qualified quote for the construction of the building at a cost of \$71,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Department is authorized to enter into a contract with T & M Constructors, Inc., subject to the approval of the County Attorney, for construction of a storage building at a cost of \$71,000.00, payable from Fund 600, Agency 604001 (Solid Waste Enterprise Fund).

Adopted October 2, 2007. No. 530

WHEREAS, the Public Works Department had a fire in the 7th District Garage at Hibbing on March 9, 2007; and

WHEREAS, a 2004 International 7600 tandem truck chassis equipped with a plow, hitch, wing and chassis sand spreader was severely damaged; and

WHEREAS, the County insurance fund and Chubb Group of Insurance Companies total settlements to the department total \$153,021.59; and

WHEREAS, the Public Works Department allocated \$115,000 to replace the truck and the remainder to cover building restoration costs; and

WHEREAS, Astleford International Trucks of Minneapolis, Minnesota, provided State contract pricing of \$92,900.09 for the 2008 International 7600 chassis equipped similar to other tandem trucks purchased this year; and

WHEREAS, the purchase will be subject to State of Minnesota sales taxes of \$6,038.51 for the 2008 International 7600 for a total cost to the County of \$98,938.60.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Astleford International Trucks of Minneapolis, Minnesota, for the purchase of one International 7600 tandem truck chassis at the State of Minnesota contract price plus applicable taxes, payable from Fund 200, Agency 202020, Object 666300.

Adopted October 2, 2007. No. 531

RESOLVED, that the County of St. Louis enter into Agreement 90984 and any amendments approved by the County Attorney's Office with Duluth, Missabe and Iron Range Railway Co. and the Commissioner of Transportation for crossing improvements at crossing number USDOT 252375H on CSAH 7, between County Road (CR) 755 and CR 776 near Iron, MN, identified as SP 69-00179, SAP 69-607-044, CP 9308, 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 \$82,518.00, or \$8,251.80 payable from Fund 220, Agency 220197.

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Adopted October 2, 2007. No. 532

RESOLVED, that the County of St. Louis enter into Agreement 90985 and any amendments approved by the County Attorney's Office with Duluth, Missabe and Iron Range Railway Co. and the Commissioner of Transportation for crossing improvements at crossing number USDOT 251909U on CSAH 98, south of Trunk Highway 2 near Hermantown, MN, identified as SP 69-00180, SAP 69-698-012, CP 8285, 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 \$85,519.00, or \$8,551.90 payable from Fund 220, Agency 220198.

Adopted October 2, 2007. No. 533

WHEREAS, St. Louis County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and
WHEREAS, St. Louis County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

RESOLVED, that the following deficient bridges on list in County Board File No. 58743 are high priority and St. Louis County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available, and that St. Louis County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

RESOLVED FURTHER, St. Louis County hereby requests financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

Adopted October 2, 2007. No. 534

WHEREAS, the State of Minnesota, Department of Transportation (MnDOT), will provide payment under the terms of Agreement No. 90534 for the use of County Road 476 and County State Aid Highway 77 as a detour route during the construction of State Project No. 6902-23 (T.H. 1=160); and
WHEREAS, the State is willing to pay for road life consumed by the detours on County Road 476 and County State Aid No. 77 based on the income determined by the "Gas Tax Method"; and

WHEREAS, Resolution No. 07-214 was passed on April 24, 2007, authorizing the appropriate County Officials to enter into Agreement No. 90534 with MnDOT; and

WHEREAS, the State has directed the County that the resolution passed on April 24, 2007, needs to be revised to reflect that the payment of \$1,071.84 is an estimate.

NOW, THEREFORE, BE IT RESOLVED, that the County Board rescind Resolution No. 07-214, dated April 24, 2007; and that the appropriate County Officials are hereby authorized to enter into Agreement No. 90534 with MnDOT approve any amendments approved by the County Attorney's Office.

RESOLVED FURTHER, that the compensation shall be estimated in the amount of \$1,071.84, receipted into Fund 200, Agency 205003.

Adopted October 2, 2007. No. 535

RESOLVED, that the St. Louis County Board of Commissioners hereby approves the agreement with the Bois Forte Band of Chippewa to construct an emergency communications radio transmission site at the water tower located at Fortune Bay;

RESOLVED FURTHER, that the Sheriff, Board Chair and Auditor are authorized to enter into and execute all agreements necessary to implement this project, subject to approval as to form and execution by the County Attorney.

Adopted October 2, 2007. No. 536

WHEREAS, according to Minnesota Statutes 83A.02 (3), the Commissioner of the Department of Natural Resources (DNR) shall "in cooperation with county boards and with their approval, change the names of lakes, streams, and other geographic features, with the end view of eliminating, as far as possible, duplication of names within the state"; and

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WHEREAS, on August 14, 2007, County Administration received a letter from Kent Lokkesmoe, Director of DNR Waters, requesting the cooperation of St. Louis County in renaming Big Island located in Pelican Lake, Leiding Township (Sections 32 and 33, Township 65 N, Range 20W) to "Strand Island"; and

WHEREAS, after contacting DNR staff, it was determined that St. Louis County could assist in this initiative by conducting a public hearing to obtain testimony and then approve a resolution in agreement with the DNR request for the name change; and

WHEREAS, a letter to the Leiding Township officers explaining the DNR initiative and informing them of the county's intent to conduct such a hearing was sent on September 10, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby establishes a public hearing to take testimony regarding the proposed name change of Big Island, located in Pelican Lake in the Township of Leiding, to "Strand Island", for November 27, 2007, at 9:35 A.M. in the Hibbing City Hall Council Chambers, Hibbing, MN.

Adopted October 2, 2007. No. 537

WHEREAS, bids have been received by the County Auditor for the following project: S.A.P. 69-600-036, C.P. 3701, located at Esker Trail (T.R. 5657) from T.R. 5641 (Bachelor Road) to Eagle View Drive, north of Duluth, MN, consisting of Grading, Aggregate Base, Culverts;

WHEREAS, said bids or proposals were duly opened in the County Board Room at 10:00 A.M., Sept. 17, 2007, 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, that the Board of County Commissioners of St. Louis County, Minnesota, 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>
Hammerlund Construction Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$217,000.00

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 220, Agency 220102, Object 652700.

Adopted October 2, 2007. No. 538

RESOLVED, the County Board assigns the County Veterans' Service Officer position to the "unclassified" civil service and adopts the job description and salary scale of \$44,493 to \$62,607 (8 year span) on the Unclassified Managers Pay Plan, copies of which are on file in County Board File No. 58744, effective immediately.

Adopted October 2, 2007. No. 539

BY COMMISSIONER FORSMAN:

WHEREAS, the property owner of record initiated a rezoning; and

WHEREAS, the Planning Commission held a public hearing on the proposed rezoning on August 16, 2007; 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 46, zoning maps; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed rezoning on October 2, 2007; and

WHEREAS, the St. Louis County Board considered the recommendation of the Planning Commission,

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the recommendation of staff, and all testimony, written and verbal, as presented;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners amends Ordinance 46, County Zoning Maps, and rezones from FAM-1 to FAM-3 the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4, Section 5, T62N, R14W (Eagles Nest);
RESOLVED FURTHER, the effective date for the above-referenced amendment to Ordinance 46 shall be November 2, 2007.
Unanimously adopted. October 2, 2007. No. 540

At 10:21 A.M. on Tuesday, October 2, 2007, upon motion of Commissioner O'Neil, supported by Commissioner Forsman, the Board of County Commissioners adjourned.

Bill Kron, 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 9, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of October, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Melanie Ford, County Attorney, presented a Volunteer Excellence Award to Gail Schoenfelder, Duluth, for her years of volunteer service with the League of Women Voters and her activism with groups opposing racism and violence.

At 9:41 A.M., a public hearing was convened pursuant to County Board Resolution No. 518, adopted September 25, 2007, to consider granting an off-sale intoxicating liquor license to Maple Hill Liquors, Inc., d/b/a Maple Hill Liquors, Grand Lake Township. County Attorney Ford advised the Board that: all necessary County departments 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; the Town of Grand Lake reviewed the application and recommended approval; and, all notices were given and the required insurance certificate submitted. Chad Walsh and Robert Parrott, owners of Maple Hill Liquors, were present and said they understood and would comply with all provisions of Minnesota Statutes and Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:46 A.M., Commissioner Nelson, supported by Commissioner Raukar, moved to close the public hearing; seven yeas - zero nays. Commissioner Nelson, supported by Commissioner O'Neil, moved to approve granting the off-sale license; seven yeas - zero nays. Resolution No. 554.

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

Ed Heisler, Duluth, Director of Safe Haven Shelter for Battered Women, presented a brief history of the shelter and listed services offered for victims of domestic abuse. Mr. Heisler said the Lake Superior Family Justice Center, located in the old Water and Gas Building, will be open soon and provide a one-stop location for all domestic abuse services.

Coral McDonnell, Duluth, said the Domestic Abuse Intervention Project has provided a nationwide model for domestic abuse prevention.

Phil Beadle, Duluth Family Visitation Center, said his organization provides supervised visitation for 150 families per year.

Rebecca St. George, Duluth, said her organization - Mending the Sacred Hoop - provides assistance for Native American women who are victims of domestic abuse. Ms. St. George said Native American women are at a substantially higher risk of being victims of domestic abuse than other women.

Bob Tammen, Soudan, said he attended a recent meeting/hearing concerning proposed amendments to the federal Clean Water Act and he was amazed at the tenor of comments against groups supporting the amendments.

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Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize contracts with various vendors for Tankwagon and transport deliveries of gasohol, fuel oil and diesel fuel based on their low bids. Dana Frey, County Administrator, said a revised resolution clearly indicates the list of vendors can be found in a certain board file; seven yeas - zero nays. Resolution No. 555.

Commissioner Fink, supported by Commissioner Nelson, moved to approve a resolution directing the Board to go to a closed session at the end of the regular meeting. Melanie Ford, County Attorney, explained the purpose of the session which is to discuss a sexual harassment claim by an employee against another employee. In response to questions from Commissioner Forsman, Attorney Ford said the session should be closed so legal strategy and possible settlement parameters can be discussed; seven yeas - zero nays. Resolution No. 556.

Commissioner Fink said he attended recent hearings on proposed amendments to the federal Clean Water Act and testimony was received from all sides of the issue. Additional local hearings may be scheduled, according to Commissioner Fink.

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

Dana Frey, County Administrator, and Dick Florey, Director of Purchasing, submitting Board Letter No. 07-410, regarding Award of Bid - Tankwagon and Transport Deliveries of Gasohol, Fuel Oil and Diesel Fuel.--[58748](#)

Ellen J. Trancheff, Clerk, Greenwood Township, requesting assistance in acquiring certain tax forfeited land enabling its sale to Lake Country Power for a new substation.--[58749](#)

John D. Udem, Udem Law Office, submitting Claim against St. Louis County in the matter of Debby Morris.--[58750](#)

Brett A. Ballavance, P.E., Staff Engineer, Municipal Division, Minnesota Pollution Control Agency, regarding plans and specifications approval for the Aerie Lake Wastewater Treatment Facility in Alborn Township.--[58751](#)

Water W. Vasil, Duluth, submitting ordinance annexing certain property into the city limits of Floodwood (Bailey Annexation).--[58752](#)

Michelle Maki, Deputy Clerk/Treasurer, City of Cook, submitting ordinance extending the corporate limits of the City of Cook to include certain unincorporated property owned by and abutting upon the limits of the City (Doug Johnson Rec Center).--[58753](#)

Scott C. Neff, Trenti Law Firm, regarding City of McKinley: Annexation of Indihar property.--[58754](#)

Documentation from public hearing to consider the granting of an Off-Sale Intoxicating Liquor License to Maple Hill Liquor, Inc., d/b/a Maple Hill Liquors, Grand Lake Township.--[58755](#)

Information regarding Domestic Abuse Intervention Project, Duluth, Minnesota.--[58756](#)

Agreement between the City of Eveleth and the County of St. Louis for M.P. 3745 - crack sealing various paved city streets and county highways.--[07-948](#)

Data Transport Service Agreement between Charter Fiberlink, LLC, and Saint Louis County.--[07-949](#)

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Agreement between the Regents of the University of Minnesota and the County of St. Louis for the NOVA Project Access Road.--07-950

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 541 through 553, 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 September 25, 2007, are hereby approved.

Adopted October 9, 2007. No. 541

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. 58631, are hereby approved:

Real Estate - Gregory Carlson, \$539.76; Robert Hansen, \$237.76; Keri Kindelspire, \$264.48; Jacob Meyer, \$217.60; Patrick Nelson, \$776.38; Carolyn Nordlinder, \$3.48; Mary Parr, \$184.76; Regents of the U of M, \$30.08; Julie Vanvalkenburg, \$851.16.

Personal Property - Donald Oberfoell, \$257.78.

Adopted October 9, 2007. No. 542

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated September 28, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 9, 2007. No. 543

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. 58658, are hereby approved and the County Auditor is authorized to issue licenses as follows:

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

Maple Hill Liquors, Inc., d/b/a Maple Hill Liquors, Grand Lake Township, Tobacco Products License No. T07233, new;

Trailside Lounge & Grill, Inc., d/b/a Trailside Lounge & Grill, City of Meadowlands, Tobacco Products License No. T07234, new.

Adopted October 9, 2007. No. 544

WHEREAS, the St. Louis County Board supports the goals of providing a secure reliable data communications infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners authorizes the MIS Department Telecommunications Division to purchase an Extreme Networks Black Diamond Model 8810 Data Communications Switch and associated peripheral equipment, software, installation and support from Northland Systems, Inc., at their low bid of \$81,948.00, plus Minnesota State sales taxes of \$5,326.62, for a total cost of \$87,274.62.

RESOLVED FURTHER, that the MIS Department is authorized to continue ongoing annual maintenance and support at a rate mutually agreed to by the MIS Department and Northland Systems, Inc., as long as the County utilizes this product.

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RESOLVED FURTHER, that the funding for initial purchase costs to be paid out of Fund 760, Agency 761001, Object 665400, and future ongoing annual maintenance costs to be paid out of Fund 760, Agency 760001, Object 632900.
Adopted October 9, 2007. No. 545

WHEREAS, St. Louis County is in the final stages of transition of the operation of Rainbow and Lincoln Park Senior Centers to Harbor Centers, Inc.; and
WHEREAS, St. Louis County wishes to fulfill its obligation to fund certain operating costs at the centers through December 31, 2007;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the County Auditor to transfer funds as required between personnel services and operating budget line items, and between the budgets of the two centers (Fund 230, Agencies 232042 and 232043), as required between now and December 31, 2007, to meet the operating costs at Rainbow and Lincoln Park Senior Centers.
Adopted October 9, 2007. No. 546

RESOLVED, the St. Louis County Board adopts the new job classification titled Psychologist II and allocates it to a seven step salary scale ranging from \$47,394 to \$64,686 on the Merit Basic Unit Pay Plan, effective immediately.
Adopted October 9, 2007. No. 547

WHEREAS, the St. Louis County Planning Commission on June 14, 2007, initiated a text amendment to Ordinance No. 33, the St. Louis County Subdivision Regulations; and
WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed amendment on August 9, 2007; and
WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt a text amendment to Ordinance No. 33;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 6, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider amending Ordinance No. 33, the St. Louis County Subdivision Regulations.
Adopted October 9, 2007. No. 548

WHEREAS, the St. Louis County Board of Commissioners, on October 10, 2006, initiated a text amendment to Ordinance No. 46, the St. Louis County Zoning Ordinance; and
WHEREAS, the St. Louis County Planning Commission, on June 14, 2007, initiated text amendments to Ordinance No. 46, Articles II, III, IV, and VI; and
WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed amendments on August 9, 2007; and
WHEREAS, the St. Louis County Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt text amendments to Ordinance No. 46;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 13, 2007, at 9:35 A.M., St. Louis County Courthouse, Duluth, Minnesota, to consider amending Ordinance No. 46, the St. Louis County Zoning Ordinance.
Adopted October 9, 2007. No. 549

RESOLVED, that the St. Louis County Board of Commissioners will convene a public hearing at 9:40 A.M. on Tuesday, November 6, 2007, St. Louis County Courthouse, Duluth, Minnesota, to consider the adoption of the fee schedule for various County departments for the year 2008.
Adopted October 9, 2007. No. 550

WHEREAS, the St. Louis County Board of Commissioners is committed to supporting waste reduction, pollution prevention, and environmentally preferable purchasing activities; and

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WHEREAS, the St. Louis County Board believes that source reduction is a valuable strategy in reducing or eliminating waste at its source, as well as decreasing costs, risks, and environmental concerns; NOW, THEREFORE, BE IT RESOLVED, that it shall be the vision of St. Louis County to look toward the future of the environment within its boundaries and to wisely entrust its resources and people to environmental stewardship; and

RESOLVED FURTHER, that the St. Louis County Board of Commissioners directs the development and implementation of comprehensive pollution prevention, waste reduction, and environmentally preferable purchasing programs, directing all county departments and agencies to, from this date forward, set these activities as priorities and take additional steps to prevent pollution, conserve resources; and

RESOLVED FURTHER, that County departments shall work cooperatively to identify and implement sound waste reduction, pollution prevention, and environmentally preferable purchasing practices and jointly develop county policies and programs in these areas.

Adopted October 9, 2007. No. 551

WHEREAS, the St. Louis County Veterans Service Office assists eligible veterans and their dependents in obtaining all benefits they may be entitled to receive from the U.S. Department of Veterans Affairs, the Minnesota Department of Veterans Affairs (MDVA) and other agencies that provide services to veterans and their families; and

WHEREAS, the 2007 Minnesota State Legislature funded a much needed increase in veterans programming throughout the state, and one of these funding increases given to existing programming was under the Grants to Counties program, allowing MDVA to open a grant process requesting proposals for grants to enhance the benefits programs and services provided to Minnesota veterans; and

WHEREAS, the St. Louis County Veterans Service Office has prepared a grant application for \$180,759.20 for a comprehensive outreach program for a two year period including expenses for the operations of the Iron Range Veterans Rider transportation program, two entry-level outreach Veterans Service Officers in the Virginia and Duluth offices, three highway billboards, and the cost of promotional items to reinforce the message that St. Louis County "will not tolerate any veteran being forgotten";

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the application for a County Veterans Service Officer Enhancement Grant from the Minnesota Department of Veterans Affairs in the amount of \$180,759.20 for the expenses associated with a two year comprehensive outreach program to St. Louis County's veteran population.

RESOLVED FURTHER, that positions created as a result of this grant award will be terminated at the close of the grant period.

Adopted October 9, 2007. No. 552

WHEREAS, the St. Louis County Department of Public Health and Human Services generates revenues through provision of Assertive Community Treatment (ACT) services; and

WHEREAS, such revenues must be used to expand mental health services available to residents of St. Louis County;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Department of Public Health and Human Services to increase its authorized staffing complement for the ACT Program by one (1.0) FTE social workers and one-half (0.5) FTE Information Specialist I in Fund 230, Agency 232006, and to increase budgeted revenues and expenditures accordingly;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the Department of Public Health and Human Services to increase its authorized staffing complement for the ACT Program by a total of one (1.0) FTE Psychologist II and decrease its staffing complement by one (1.0) FTE Social Worker in Fund 230, Agency 232006, and to increase budgeted revenues and expenditures accordingly;

RESOLVED FURTHER, if at any time in the future, revenues generated by the ACT project are

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insufficient to cover full costs of the program, these positions, as well as the other positions assigned to the ACT team, will be terminated.
Adopted October 9, 2007. No. 553

BY COMMISSIONER NELSON:

WHEREAS, Maple Hill Liquor, Inc., d/b/a Maple Hill Liquors, Grand 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 October 9, 2007, at or about 9:30 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 Maple Hill Liquors 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 OFSL08) shall be issued to Maple Hill Liquor, Inc., d/b/a Maple Hill Liquors, Grand Lake Township;
FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2008;
FURTHER RESOLVED, that said license is approved contingent upon payment of real estate taxes when due;
FURTHER RESOLVED, that if named license holder sells the licensed place of business, the County Board, may at its discretion, after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the licenseholder.
Unanimously adopted. October 9, 2007. No. 554

BY COMMISSIONER RAUKAR:

RESOLVED, that the Director of Purchasing is hereby authorized to execute contracts with vendors listed in County Board File No. 58748 and, in accordance with the specifications of Bid No. 4711, for Tankwagon and Transport Deliveries of Gasohol, Fuel Oil and Diesel Fuel, based on low "bid constant" pricing for delivery and vendor onsite transactions.
Unanimously adopted. October 9, 2007. No. 555

BY COMMISSIONER NELSON:

WHEREAS, an employee has filed a complaint with the U.S. Equal Employment Opportunity Commission alleging sexual harassment by another employee; and
WHEREAS, the employee has retained private counsel and submitted to the Board a proposal of settlement to avoid litigation over this matter; and
WHEREAS, the St. Louis County Attorney will provide legal advice to the County Board with respect to the evaluation of this settlement proposal and litigation strategy in this matter; and
WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in this matter; and
WHEREAS, public discussion of this settlement proposal and litigation strategy in the presence of the employee and opposing counsel would benefit the employee and opposing counsel to the County's detriment; and
WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and
WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of October 9, 2007, to discuss with the County Attorney the strategy of defending these allegations and

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the specific settlement proposal submitted by the employee's attorney.
RESOLVED FURTHER, that no other pending public business will be discussed at this closed session.
Unanimously adopted. October 9, 2007. No. 556

At 10:15 A.M. on Tuesday, October 9, 2007, upon motion of Commissioner Forsman, supported by
Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 SPECIAL EMERGENCY MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 16, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 16th day of October, 2007, at 1:10 P.M. in the Public Works Conference Room, Pike Lake Facility, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 6. Absent: Commissioner Steve O'Neil - 1.

Commissioner Sweeney, supported by Commissioner Raukar moved to suspend the rules to consider accepting a \$398,750 "Safe Havens" grant from the U. S. Department of Justice Office on Violence Against Women (OVW); six yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to accept the grant. Ann Busche, Director of Public Health and Human Services, explained the purpose of the OVW grant and said the County is acting as fiscal agent for the non profit MN Program Development, Inc./ Duluth Family Visitation Center (MPDI) and will retain five percent of grant funding for administrative services. The emergency session was necessary because federal notification of an acceptance deadline (October 19) did not allow enough time to schedule the matter for the October 26 Board meeting, according to Director Busche. In response to a concern of Commissioner Fink, the resolution was amended to reference Board Resolution No. 60, adopted February 13, 2007, which authorized application for the grant; six yeas - zero nays. Resolution No. 557.

Commissioner Fink, supported by Commissioner Nelson, moved to go to a closed session for litigation purposes immediately after adjournment of the Special County Board meeting; six yeas - zero nays. Resolution No. 558.

Commissioner Fink distributed copies of an article that appeared in the Duluth News Tribune on October 15 regarding significant costs associated with new federal wetland regulations.

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

Commissioner Dennis Fink submitting a copy of an article from the Duluth News Tribune relative to increased costs associated with new federal regulations for the wetlands construction permit process.--58757

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, the rules were suspended to adopt Resolution No. 557 which was not on the agenda.

BY COMMISSIONER SWEENEY:

WHEREAS, the Public Health and Human Services Department has an existing relationship with MN Program Development, Inc./Duluth Family Visitation Center (MPDI) through a purchase of service contract for supervised visitation services; and

WHEREAS, the Federal Office on Violence Against Women (OVW) has awarded St. Louis County the "Safe Havens" grant in the amount of \$398,750 for a three year period; and

WHEREAS, St. Louis County Public Health and Human Services received permission to apply for the grant and execute a contract with the Minnesota Program Development, Inc., to provide fiscal administration via Board Resolution No. 60, dated February 13, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board accepts and appropriates \$398,750 in grant funds from the United States Department of Justice for the period October 1, 2007,

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through September 30, 2009. Such funds are to be deposited in Fund 230, Agency 232008, Grant 23209, Object 540512, Project 99999999, Year 2007, and to be disbursed from Fund 230, Agency 232008, Grant 23209, Project 99999999, Object 602000.

RESOLVED FURTHER, that the Board authorizes the Department to withhold a five percent fee for fiscal administration of the OVW grant.

BE IT FURTHER RESOLVED, that the appropriate County Officials are authorized to contract with Minnesota Program Development, Inc., to provide services under the grant.

BE IT FURTHER RESOLVED, that the County Administrator, County Auditor and Director of the Department of Public Health and Human Services are authorized to make such changes in the 2007 and 2008 budgets as are required.

Unanimously adopted. October 16, 2007. No. 557

BY COMMISSIONER FINK:

WHEREAS, an Employee has filed a complaint with the U.S. Equal Employment Opportunity Commission alleging sexual harassment by another employee; and

WHEREAS, the employee has retained private counsel and submitted to the Board a proposal of settlement to avoid litigation over this matter; and

WHEREAS, the St. Louis County Attorney will provide legal advice to the County Board with respect to the evaluation of this settlement proposal and litigation strategy in this matter; and

WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in this matter; and

WHEREAS, public discussion of this settlement proposal and litigation strategy in the presence of the employee and opposing counsel would benefit the employee and opposing counsel to the County's detriment; and

WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and

WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of October 16, 2007, to discuss with the County Attorney the strategy of defending these allegations and the specific settlement proposal submitted by the employee's attorney.

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session. Unanimously adopted. October 16, 2007. No. 558

At 1:19 P.M. on Tuesday, October 16, 2007, upon motion of Commissioner Nelson, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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 23, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23rd day of October, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil presented the "Midwest Big Ten Award for Highest Local Agency Payment Accuracy Rate in Food Support" to Public Health and Human Services for their 98.48 percent accuracy rate for 2006. Ann Busche, Director of Public Health and Human Services, and Shelley Saukko, Public Health and Human Services, accepted the award on behalf of the department.

At 9:37 A.M., a public hearing was convened pursuant to County Board Resolution No. 459, adopted August 14, 2007, to consider a petition from Chad Sterle regarding establishment of a cartway two rods in width to provide access to his property located in Itasca County. The access would be over lands located in St. Louis County. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said the petitioner has requested the hearing be continued until November 27, 2007, because a negotiated settlement for access is possible.

Barbara Russ, Assistant County Attorney, in response to Commissioners questions, said it would be permissible for the Board to do research on the cartway until such time as the hearing is officially closed.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to continue the public hearing until November 27; seven yeas - zero nays.

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

Andy Fena, Child Protection Worker in Public Health and Human Services, urged the Board to meet with the various County labor units and consider coalition bargaining for the next round of employee contract negotiations. Commissioner Forsman said meeting with bargaining unit representatives may violate Fair Labor Standards. Chair Kron asked Attorney Russ to prepare a legal opinion regarding the legality of direct negotiations.

Cheryl Haugen, Virginia Sexual Assault Program, said sexual assault programs save lives and she thanked the Board for their continuing support.

Barbara Booton, Range Women's Advocates, said October is Domestic Violence Awareness Month, adding that violence and abuse are problems occurring throughout the County.

Leanne Johnson, Range Women's Advocates, said children exposed to domestic violence are more prone to be abusers.

Attorney Russ asked that Item No. 7 of the Consent Agenda (easement across tax forfeited lands) be amended to remove the phrase "a General Partnership under the Laws of Wisconsin" because easements

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over tax forfeited lands may only be granted to individuals. Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the Consent Agenda with the amended resolution; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve a resolution establishing a two-year pilot Appeals Board of Zoning Adjustment consisting of five Commissioners. The resolution moved differed from the one approved without recommendation at the October 9 Committee of the Whole and more accurately reflects legislative intent, according to Commissioner Nelson. Commissioner Fink offered a friendly amendment - accepted by the makers - to add a minor language change. Commissioner Raukar offered another friendly amendment - accepted by the maker - to reduce the filing fee from \$800 to \$500. Commissioner O'Neil, supported by Commissioner Sweeney, moved to table the matter to the November 27 Board meeting. In order to allow Barbara Hayden, Planning Director, to address the issue, Commissioner O'Neil withdrew his tabling motion. Director Hayden said the legislation is in place and even though there have not been any appeals filed she recommended moving forward to avoid any liability. Commissioner Kron offered a friendly amendment - not accepted by the makers - to allow designees to serve on the Appeal Board. Attorney Russ, in response to a question from Commissioner Raukar, explained the "abuse of discretion" standard which would be the basis of any appeal. After further discussion, Commissioner O'Neil, supported by Commissioner Sweeney, moved to table the matter to the November 6 Board meeting; four yeas - three nays, Commissioners Fink, Nelson and Raukar.

Commissioner Forsman, supported by Commissioner O'Neil, moved to suspend the rules to consider awarding contracts for snow plowing and sanding for various County facilities; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Raukar, moved to approve the contracts. Commissioner Fink said he will not support the resolution because the County pays more to have their property plowed and sanded than they charge private landowners for the same services; six yeas - one nay, Commissioner Fink. Resolution No. 573.

Commissioner Raukar, supported by Commissioner Nelson, moved to suspend the rules to consider establishing a public hearing to solicit public comment on the established priorities and funding recommendations included in the St. Louis County FY 2008 Action Plan and the amendment to the FY 2007 Action Plan (CDBG, HOME and ESG programs); seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Nelson, moved to establish the hearing for Tuesday, November 13, 2007, at 9:40 A.M., in the County Boardroom, Courthouse, Duluth, MN; seven yeas - zero nays. Resolution No. 574.

Commissioner Nelson thanked the City of Virginia for use of the Council Chambers for the Board meeting and he updated Commissioners about his recent trip to Washington, D.C., where he met with the members of the Minnesota Congressional Delegation about passenger rail service.

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

Dale O. Harris, Assistant County Attorney, regarding a Settlement Conference Order in the matter of Ruth Marleen Hall Walcynski versus St. Louis County.--[58758](#)

Dana Frey, County Administrator, and Dick Florey, Director of Purchasing, submitting Board Letter No. 07-425 regarding Award of Bid No. 4717 - Snowplowing and Sanding for North and South St. Louis County.--[58759](#)

Range Women's Advocates, Virginia, regarding their program for battered women providing free and confidential services in northern St. Louis County.--[58760](#)

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Project Contract No. 4699 between the County of St. Louis and Mesabi Bituminous for the Virginia Court House and Annex Parking Areas.--07-951

Employee Safety & Development Training Contract between St. Louis County and Angie VanDeHey for DotNetNuke Administrator training and DotNetNuke Content Manager training.--07-952

Group Residential Housing Rate Agreement, Contract No. 50552, between the St. Louis County Board of Commissioners and Tender Loving Care - High Street.--07-953ss

Home and Community-Based Waiver Services Contract, Contract No. 14179, between the St. Louis County Board of Commissioners and Minnesota State Operated Community Services (MSOCS) for independent living skills services.--07-954ss

Group Residential Housing Rate Agreement, Contract No. 50538, between the St. Louis County Board of Commissioners and Alternative Opportunities - Redwing.--07-955ss

Purchase of Service Agreement, Contract No. 14217, between the St. Louis County Board of Commissioners and Rainy River Waivered Services, Inc., for supported living services for adults.--07-956ss

Grant Agreement, Contract No. 20725, between the St. Louis County Board of Commissioners and Fond du Lac Reservation Business Committee for Adolescent Services Grant "Strong Families Program".--07-957ss

Purchase of Service Agreement, Contract No. 20691, between St. Louis County and Legal Aid Service of Northeastern Minnesota for public service grant.--07-958ss

Addendum to Purchase Agreement, Contract No. 13356F, between the St. Louis County Board of Commissioners and J.E. and Associates for specialist services.--07-959ss

Addendum to Purchase Agreement, Contract No. 13928B, between the St. Louis County Board of Commissioners and Jan Evans Adult Foster Care for supported living services for adults.--07-960ss

Addendum to Agreement, Contract No. 2005-2533, between the St. Louis County Board of Commissioners and Salvation Army for Family Homeless Prevention and Assistance Program.--07-961ss

Addendum to Agreement, Contract No. 2005-2490, between the St. Louis County Board of Commissioners and Life House, Inc., for Family Homeless Prevention and Assistance Program.--07-962ss

Addendum to Agreement, Contract No. 2005-2492, between the St. Louis County Board of Commissioners and Legal Aid Service of Northeastern Minnesota for Family Homeless Prevention and Assistance Program.--07-963ss

Addendum to Agreement, Contract No. 2005-2491, between the St. Louis County Board of Commissioners and Housing Access Center for Family Homeless Prevention Assistance Program.--07-964ss

Addendum to Agreement, Contract No. 2005-2489, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for Family Homeless Prevention

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Assistance Program.--[07-965ss](#)

Addendum to Agreement, Contract No. 2005-2488, between the St. Louis County Board of Commissioners and Churches United in Ministry for Family Homeless Prevention Assistance Program.--[07-966ss](#)

Purchase of Service Agreement, Contract No. 14215, between the St. Louis County Board of Commissioners and Northland AFC, Inc. - Woodridge for supported living services for adults.--[07-967ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14151B, between the Public Health and Human Services Department of St. Louis County and Northland AFC, Inc., for adult foster care services.--[07-968ss](#)

Group Residential Housing Rate Agreement, Contract No. 50560, between the St. Louis County Board of Commissioners and Northland AFC, Inc. (Mark Nash).--[07-969ss](#)

Group Residential Housing Rate Agreement, Contract No. 50553, between the St. Louis County Board of Commissioners and Northland AFC - West.--[07-970ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14101A, between the Public Health and Human Services Department of St. Louis County and East Range Developmental Achievement Center, Inc., for non-residential services.--[07-971ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14100B, between the Public Health and Human Services Department of St. Louis County and TBI Residential and Community Services, Inc., for adult foster care services.--[07-972ss](#)

Group Residential Housing Rate Agreement, Contract No. 50551, between the St. Louis County Board of Commissioners and TBI Residential and Community Services - No. 30.--[07-973ss](#)

Purchase of Service Agreement, Contract No. 14198, between the St. Louis County Board of Commissioners and Lake Superior Concierge, Inc., for home care services.--[07-974ss](#)

Purchase of Service Agreement, Contract No. 14131, between the St. Louis County Board of Commissioners and Fond du Lac Reservation for Families First Family-Based Services.--[07-975ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14150, between the St. Louis County Board of Commissioners, acting through the Public Health and Human Services Department, and Interim Healthcare of Lake Superior, Inc., for assisted living plus services.--[07-976ss](#)

Group Residential Housing Rate Agreement, Contract No. 50561, between the St. Louis County Board of Commissioners and Bethesada Homes (Jason Noe).--[07-977ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14149B, between the Public Health and Human Services Department of St. Louis County and Bluewater Residential Services, LLC, for adult foster care services.--[07-978ss](#)

Purchase of Service Agreement, Contract No. 14216, between the St. Louis County Board of Commissioners and Northland AFC, Inc. - Saginaw for supported living services for adults.--[07-979ss](#)

Purchase of Service Agreement, Contract No. 14214, between the St. Louis County Board of

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Commissioners and Northland AFC, Inc. - Solway for supported living services for adults.--07-980ss

Contract between the County of St. Louis and Hammerlund Construction, Inc., for Grading, Aggregate Base and Culverts on S.A.P. 69-600-036, C.P. 3701.--07-981

Agreement No. 90984 between the County of St. Louis, the Duluth, Missabe and Iron Range Railway Company, and the State of Minnesota Commissioner of Transportation for the installation of cantilevers and LED lenses on C-SAH 7, S.A.P. 69-607-044, C.P. 9308.--07-982

Agreement No. 90985 between the County of St. Louis, the Duluth, Missabe and Iron Range Railway Company, and the State of Minnesota Commissioner of Transportation for the installation of gates and LED lenses on C-SAH 98, S.A.P. 69-698-012, C.P. 8285.--07-983

Minnesota Family Investment Program and Children and Community Services Act (MFIP/CCSA) Biennial Service Agreement for 2008-09.--07-984ss

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 559 through 571, 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 2, 2007, are hereby approved.
Adopted October 23, 2007. No. 559

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 9, 2007, are hereby approved.
Adopted October 23, 2007. No. 560

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 16, 2007, are hereby approved.
Adopted October 23, 2007. No. 561

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,763,092.70
184	Extension Service	29,577.77
200	Public Works	2,722,765.72
230	Social Services	4,795,339.61
240	Forfeited Tax	440,544.81
250	St. Louis County HRA	876.29
600	Solid Waste Authorities	367,586.16
625	Chris Jensen Health & Rehab.	1,151,897.34
650	Laundry	69,468.72
660	Community Food Services	89,227.16
670	Supervised Living Facilities	58,328.49
700	Printing	16,419.81
715	County Garage	94,063.10
750	Management Information Systems	486,967.66

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760	Telecommunications	9,493.17
925	Arrowhead Regional Corrections	1,216,609.83
955	Community Health Services	153,918.12
989	Regional Railroad Authority	<u>75,530.41</u>
		\$ 16,541,706.87

Adopted October 23, 2007. No. 562

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 12, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted October 23, 2007. No. 563

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid Timber Auction, Tracts 1 through 24 (totaling \$712,444.52), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted October 23, 2007. No. 564

WHEREAS, the Land Department has reviewed a request from Johnson, Hopkins and Canfield for a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Johnson, Hopkins and Canfield'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 Statute Section 282.04, Subdivision 4(a), is hereby authorized to grant a non-exclusive roadway easement to Johnson, Hopkins and Canfield described as follows: A non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the southeast quarter of the southeast quarter of section 26 and the southwest quarter of the southwest quarter of section 25, Township 61 North, Range 14 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 26; thence easterly on the calculated south line of said section 26 on an assigned azimuth of 86 degrees 17 minutes 57 seconds a distance of 2520.0 feet to the point of beginning and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 03 degrees (0 degrees = North) a distance of 250.0 feet; thence at an azimuth of 49 degrees a distance of 275.0 feet into said section 25; thence at an azimuth of 52 degrees a distance of 200.0 feet; thence at an azimuth of 45 degrees a distance of 325.0 feet; thence at an azimuth of 62 degrees a distance of 490.0 feet; thence at an azimuth of 86 degrees a distance of 215.0 feet; thence at an azimuth of 67 degrees a distance of 135.0 feet; thence at an azimuth of 90 degrees a distance of 170 feet more or less to the east line of the southwest quarter of the southwest quarter of said section 25 and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. EXCEPTING easements, restrictions, and reservations of record and SUBJECT to minerals and mining reservations of record. This easement is 2060 feet in length and contains 1.56 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of a \$2,150.00 land use fee, \$975.00 administration fee and \$92.00 recording fee; for a total of \$3,217.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted October 23, 2007. No. 565

WHEREAS, the Duluth Economic Development Authority (DEDA) has offered to purchase the following described State tax forfeited lands for the appraised value of \$235,000.00 plus fees for the purpose of a business park and commercial development:

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Legal: W 1/2 OF SE 1/4 OF SW 1/4 EX S 400 FT OF W 400 FT
Twp 50 N Rng 14 W Sec 7
City of Duluth
Parcel Code: 10-2710-2180
16.32 Acres
LDKEY 30350

WHEREAS, a business park and commercial development is an authorized public purpose; and
WHEREAS, Minnesota Statute 282.01, Subdivision 1(a) authorizes the sale of State tax forfeited land to an organized governmental subdivision for an authorized public purpose; 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;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the above described State tax forfeited lands to DEDA, for the purpose stated above, for the appraised value of \$235,000.00 plus the following fees: 3% assurance fee of \$7,050.00, deed fee of \$25.00, deed tax of \$775.50, and a recording fee of \$46.00 for a total of \$242,896.50 to be deposited into Fund 240-Forfeited Tax Fund, and notice of classification and sale will be transmitted to the clerk of the 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 October 23, 2007. No. 566

WHEREAS, the St. Louis County Public Works Department has received a request from Elmer Township to revoke that portion of County Road 197 (Cardinal Road), beginning at or near the north quarter corner of Section 18, Township 53 North, Range 19 West. Thence southerly along the north - south quarter section line a distance of one mile more or less to the South Quarter Corner of Section 18, Township 53 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 10:00 A.M. on Wednesday, November 14, 2007, at the Elmer Fire Hall/Community Center located at 7882 Highway No. 5, Elmer, MN 55765, and directs the Public Works Department to represent the County and report back to the County Board of Commissioners.

Adopted October 23, 2007. No. 567

WHEREAS, the federal Help America Vote Act of 2002 (HAVA) and Chapter 162, Minnesota Laws of 2005, established requirements for installation/availability of assistive voting devices in each polling place in Minnesota; and

WHEREAS, HAVA provided grant funding for purchase of assistive voting devices and purchase of vote counting equipment under certain circumstances; and

WHEREAS, on March 14, 2006, the St. Louis County Board adopted the St. Louis County Election Equipment Plan by Resolution No. 165 at the close of a public hearing; and

WHEREAS, the adopted plan was deemed sufficient by the Minnesota Secretary of State and St. Louis County was granted \$1,298,928.92 for purchase of voting equipment and associated maintenance, programming and other HAVA-permitted costs; and

WHEREAS, equipment was distributed as required for each polling place in the County and each jurisdiction acknowledged receipt of the equipment and agreed to abide by provisions of the Election Plan.

NOW, THEREFORE, BE IT RESOLVED, that ownership of equipment purchased with HAVA grant funds is hereby formally transferred to the various jurisdictions having physical control of the

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equipment; and

RESOLVED FURTHER, that all other provisions of the St. Louis County Election Equipment Plan will remain in effect.

Adopted October 23, 2007. No. 568

WHEREAS, the Minnesota Legislature allocated \$150,000 to the Minnesota Department of Tourism to fund planning activities and space studies at the Depot.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute an agreement with the Minnesota Department of Tourism for an amount of \$150,000. Funds are available from Fund 100, Agency 104000-629900.

Adopted October 23, 2007. No. 569

WHEREAS, Odyssey Development of Duluth, Minnesota, requested to purchase surplus non-conforming county fee land property adjacent to County-State Aid Highway (C-SAH) No. 61 north of Duluth; and

WHEREAS, the property was appraised for \$29,000 by the Bond Appraisal Group of Duluth, Minnesota, and the St. Louis County Assessor's Office reviewed and approved the appraisal; and

WHEREAS, letters were sent to all adjoining property owners and sealed bids were opened on Monday, October 1, 2007, at 4:00 P.M.; and

WHEREAS, one bid was received by Odyssey Development of Duluth, Minnesota, in the amount of \$29,000; and

WHEREAS, the property is legally described as follows: All that part of Government Lots 3 and 4 in Section 02, Township 51 North, Range 12 West, St. Louis County, Minnesota, lying within the southerly 100 feet of the Right-of-Way of C-SAH Highway No. 61 as now laid out and easterly of the following described line: Commencing at the West Quarter Corner of said Section 2 and running thence on an assumed bearing of South 01 degrees 11 minutes 00 seconds East along the west line of said Government Lot 4 a distance of 1124.25 feet to the southerly Right-of-Way line of said C-SAH No. 61; thence along the southerly Right-of-Way line of said C-SAH No. 61 North 68 degrees 57 minutes 06 seconds 499.73 feet; thence by a curve to the right having a radius of 2517.38 feet, a Delta Angle of 12 degrees 26 minutes 16 seconds and an arc length of 546.47 feet to the POINT OF BEGINNING; thence from said POINT OF BEGINNING North 01 degrees 11 minutes 00 seconds West and parallel with said west line of Government Lot 4 a distance of 100.81 feet and there terminating. Containing 2.870 acres of land more or less.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Minnesota Statutes, Section 373.01, Subdivision 1(h), the St. Louis County Board of Commissioners accepts the \$29,000 purchase bid for the above described property from Odyssey Development, 2230 London Road, Suite 100, Duluth, Minnesota 55812, and authorizes the appropriate County officials to draft, execute, and record the appropriate conveyance documents.

RESOLVED FURTHER, proceeds from this sale will be allocated as follows: \$900 to Fund 100, Agency 128014, Object Code 635000 (reimburse department for expenses relating to sale), and \$28,100 to Fund 400, Agency 400001.

Adopted October 23, 2007. No. 570

WHEREAS, St. Louis County is required to submit a 2008-09 MFIP/CCSA Biennial Service Agreement to the State of Minnesota explaining how they will spend MFIP/CCSA consolidated funds; and

WHEREAS, the required 30-day public comment period on the content of the 2008-09 MFIP/CCSA Biennial Service Agreement has ended; and

WHEREAS, County Board approval is required before submitting the 2008-09 MFIP/CCSA Biennial Service Agreement to the Minnesota Department of Human Services;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves the content of the 2008-09 MFIP/CCSA Biennial Service Agreement.

Adopted October 23, 2007. No. 571

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BY COMMISSIONER SWEENEY:

WHEREAS, a cartway petition was presented to the St. Louis County Board by the owner of the Southeast quarter of the Northeast quarter (SE 1/4 NE 1/4), Section 36, Unorganized Township 59, Range 22, Itasca County, Minnesota (forty acres), containing at least 5 acres which has no established access to it, except over the lands of others to connect the petitioner's land to a public road; WHEREAS, pursuant to Minnesota Statutes, Section 164.08, Subdivision 2, a public hearing was established for 9:35 A.M. on October 23, 2007, in the City Council Chambers located in the Virginia City Hall, Virginia, MN, to hear the petition of Chad Sterle regarding the establishment of a cartway 2 rods in width, for the purpose of providing access to his property over the properties of individuals; NOW, THEREFORE, BE IT RESOLVED, at the request of Mr. Chad Sterle, the St. Louis County Board of Commissioners hereby continues the public hearing to 9:35 A.M., November 27, 2007, in the City Council Chambers located in the Hibbing City Hall, Hibbing, MN. Unanimously adopted. October 23, 2007. No. 572

Upon motion of Commissioner Forsman, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 573 which was not on the agenda.

BY COMMISSIONER FORSMAN:

WHEREAS, the Purchasing Department solicited bids for the snowplowing and sanding of various sites in St. Louis County; and WHEREAS, vendors must provide services in accordance with the requirements at each site as specified by the using Departments; and WHEREAS, eleven vendors were the low bidders on twenty-six specified sites; NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to enter into contracts with the eleven vendors specified as the low bidders on the twenty-six sites for snowplowing and sanding services, in accordance with the specifications and bid summary of Bid No. 4714 found in County Board File No. 58759, for a three year period with the option to extend for two additional seasons. RESOLVED FURTHER, the Director of Purchasing is authorized to make the necessary changes in vendors should the need arise due to cancellation of contracts for unsatisfactory performance. Yeas - Commissioners O'Neil, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 6 Nays - Commissioner Fink - 1 Adopted October 23, 2007. No. 573

Upon motion of Commissioner Raukar, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 574 which was not on the agenda.

BY COMMISSIONER RAUKAR:

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 36 applications for FY 2008 totaling \$4.4 million in funding requests; and WHEREAS, the anticipated FY 2008 HUD allocations are approximately \$2.5 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 2008 Action Plan and amendments to the FY2007 Action Plan. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, November 13, 2007, at 9:40 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 2008 Action Plan and the amendment to the FY 2007 Action Plan on reprogrammed activities. Unanimously adopted. October 23, 2007. No. 574

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At 11:05 A.M. on Tuesday, October 23, 2007, upon motion of Commissioner Forsman, supported by Commissioner Sweeney, the Board of County Commissioners adjourned.

Bill Kron, 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

NOVEMBER, 2007

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON NOVEMBER 6, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of November, 2007, 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

At 9:35 A.M., a public hearing was convened pursuant to County Board Resolution No. 548, adopted October 9, 2007, to consider amending Ordinance No. 33 - Subdivision Platting Regulations for St. Louis County. Barbara Hayden, Planning Director, explained the purpose of the proposed amendments which will facilitate developments by allowing more creative subdivision designs. The Planning Commission and Planning Department recommended approval of the amendments, according to Director Hayden. No one else chose to address the issue.

At 9:41 A.M., Commissioner Raukar, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to approve the ordinance amendments; seven yeas - zero nays. Resolution No. 585.

At 9:44 A.M., a public hearing was convened pursuant to County Board Resolution No. 550, adopted October 9, 2007, to consider adoption of a fee schedule for various departments for 2008. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, explained the process and the 3% inflation index used to adjust most fees. Deputy Administrator Eckenberg said Sheriff cremation authorization fees and an amended tobacco license fee were inadvertently omitted from the schedule. Public Health and Human Services will also propose increases in Food, Beverage and Lodging (FBL) fees to fully cover costs.

Dana Frey, County Administrator, in response to a question from Commissioner Fink about the differences in inflation increases for tobacco licenses compared to other licenses, said the inflation increase of 3% for most fees used a different index and time frame than tobacco fees.

Sheriff Ross Litman explained how Sheriff fees were determined and said raising service fees too high may result in a loss of business and needed revenue.

Ann Busche, Director of Public Health and Human Services, explained 9.4% and 20.6% fee increase proposals for FBL inspections and said the County must continue to do the inspections through 2008 even if an agreement with the State of Minnesota is terminated.

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At 10:30 A.M., Commissioner O'Neil, supported by Commissioner Sweeney, moved to close the public hearing; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Nelson, moved to approve Part I of the fee schedule. Commissioner Raukar offered a friendly amendment - accepted by the makers - to amend the schedule by adding a 3% increase to all Sheriff fees for 2008 except medical examiner fees. Commissioner Raukar clarified the motion to cover all other department fees that saw no increase in 2007 and to exempt fees set by statute. Commissioner Sweeney asked for a division of the question with the Sheriffs' fees considered separately from other fees. After further discussion, the Sheriff's fee portion was approved; four yeas - three nays, Commissioners O'Neil, Sweeney and Chair Kron. The remainder of Part I of the fee schedule was then approved; six yeas - one nay, Commissioner Sweeney. Resolution No. 586.

Commissioner Fink, supported by Commissioner O'Neil, moved to table Part II of the Fee Schedule to the November 13 Board meeting; seven yeas - zero nays.

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

Jeff Murray, Duluth, asked the Board to schedule some time at the next Committee of the Whole meeting to discuss a proposed bike trail through parts of Hermantown and the Piedmont Heights area of Duluth. Chair Kron asked Administration to coordinate the matter with the Land Department. Commissioner Nelson said the question should be a component of a larger discussion concerning a number of trails in the Duluth area over tax forfeited land.

Kevin Skwira-Brown, Duluth, urged the Board not to adopt a code of ethics that is unworkable.

Commissioner Sweeney noted that Sunday, November 11 is Veterans Day and there is an event scheduled to begin at 11:00 A.M. at the Depot including a parade.

Commissioner Fink asked that Item No. 4 of the Consent Agenda (non-exclusive road easement over tax forfeited land to Johnson, Hopkins and Canfield) be removed from the Consent Agenda for separate consideration under Environment and Natural Resources Committee. Commissioner Sweeney, 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 approve transfer of Adult Mental Health Grant funding in the proposed 2008 budget to add five full time Social Workers and one full time public health nurse for provision of adult mental health services. Commissioner Fink said he preferred the new Veteran's Service Officer position be in place before approving the increased staffing that will provide mental health services to veterans. Ann Busche, Director of Public Health and Human Services, said the veteran's position will serve as a coordinator of services available and will be sensitive to veterans' needs. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 587.

Commissioner Fink, supported by Commissioner Sweeney, moved to schedule a closed session for 11:30 A.M. for labor negotiation purposes; seven yeas - zero nays.

Commissioner Fink, supported by Commissioner O'Neil, moved to approve a resolution closing the board meeting for litigation purposes in the matters of Ruth Marleen Hall v. St. Louis County and Neil Anderson v. St. Louis County; seven yeas - zero nays. Resolution No. 588.

At 11:35 A.M. in the forenoon of Tuesday, November 6, 2007, Chair Kron moved to recess the Board until 2:00 P.M. on November 6, 2007, in the Commissioners' Conference Room, Courthouse, Duluth,

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Minnesota, to allow the Board to go to closed session for labor negotiation purposes.

The Board reconvened at 2:03 P.M. on Tuesday, November 6, 2007, and the regular order of business resumed with all members present.

At 2:04 P.M. in the forenoon of Tuesday, November 6, 2007, Chair Kron moved to recess the Board to allow the Board to go to closed session for litigation purposes.

At 2:42 P.M., the County Board reconvened in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota, with all members present.

Establishment of a pilot Appeals Board of Zoning Adjustment - tabled from the November 6 Board meeting - was back on the floor for discussion. The tabled motion was made by Commissioner Nelson and supported by Commissioner Raukar. Commissioner Sweeney offered a friendly amendment - not accepted by the makers - to change the membership from five to all seven county commissioners. Commissioner Sweeney, supported by Commissioner O'Neil, formally moved to amend the resolution. Commissioner Sweeney said if an appeal is ever filed it could be part of a regular Board meeting. Commissioner Fink favored the five-person Board because it would automatically exclude the Commissioner from whose district the appeal originated and minimize chances of tie-votes if a Commissioner decides to recuse.

At 2:59 P.M., Chair Kron suspended the discussion to allow Minnesota Inter-County Association (MICA) to make a presentation.

Keith Carlson and John Tuma, MICA, presented a brief overview of the 2007 Minnesota legislative session and outlined prospects for the 2008 session. Mr. Carlson characterized the 2007 session as an unfinished agenda with the tax bill and transportation funding incomplete. Only higher education received a significant funding increase. For 2008, the prospects for real tax relief/reform seem unlikely and transportation needs will probably remain unmet, according to Carlson. Mr. Tuma said prisoner responsibilities passed to counties are still underfunded and he warned there is a proposal to have counties assume control of supervised release prisoners who have violated their release terms.

At 3:30 P.M., discussion of the Zoning Appeals Board resumed. Melanie Ford, County Attorney, said the resolution as proposed and amended does not establish a procedure for the public to access the Appeal Board. Commissioner Nelson objected to the amendment to increase the membership to all seven commissioners and he withdrew his original motion. Commissioner Raukar, supported by Commissioner Fink, moved to approve the original motion with the five-member board. Commissioner Sweeney, supported by Commissioner O'Neil, moved to amend the motion to include all seven commissioners. After further discussion, the amendment was approved; four yeas - three nays, Commissioners Fink, Nelson and Raukar. Barbara Hayden, Planning Director, in response to a question from Commissioner Sweeney about bylaws/rules, said they could be brought back for consideration at a later date. Commissioner Fink, supported by Commissioner Raukar, moved to table the amended resolution to the November 13 Board meeting; four yeas - three nays, Commissioners Forsman, Sweeney and Chair Kron.

Item No. 4 from the Consent Agenda (non-exclusive road easement to Johnson, Hopkins and Canfield) was then considered. Commissioner Fink, supported by Commissioner Forsman, moved to table the matter until the November 13 Board meeting so it could be considered in conjunction with another easement for the same parties that was included as part of the November 6 Committee of the Whole agenda; seven yeas - zero nays.

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

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meeting:

Dana Frey, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 07-435 regarding amendment to Ordinance No. 33 - the St. Louis County Subdivision Regulations, to include a flexible zoning device.--58761

Fee schedules for various departments - Parts 1 and 2.--58762

Keith Carlson and John Tuma, Minnesota Inter-County Association, submitting MICA 2008 Legislative Outlook.--58763

Agreement to Jointly Purchase and Maintain Equipment between the County of St. Louis and Bois Forte Band of Chippewa for construction of an emergency communications radio transmission site at the water tower located at Fortune Bay.--07-985

Project Contract No. 4700 between the County of St. Louis and T & M Construction, Inc., for Hibbing Cold Storage Building.--07-986

Infrastructure Protection Program Grant for Port Security for 2007 for the Sheriff's Office from the Department of Homeland Security, Office of Grants and Training.--07-987

Grant Contract between the State of Minnesota, acting through its Office of the Commissioner of the Iron Range Resources and Rehabilitation, and St. Louis County - University of Minnesota Extension Services for the Biomass Fiber Production for Energy Fuel Project.--07-988

Upon motion of Commissioner Sweeney, supported by Commissioner Raukar, Resolutions No. 575 through 584, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the appraisal reports for sale of timber, numbered Tracts 1 and 2, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted November 6, 2007. No. 575

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. 58631, are hereby approved:

Real Estate - Dean Andress, \$1,603.02; Nicole Cooper, \$300.00; Angelo Decaro, \$270.88; Jason Luna, \$632.88; James Massich, \$362.96; Dean Norlander, \$428.62; Carrie Pellinen, \$482.60.

Personal Property - William Broska, \$17.18; Joann Hanson, \$228.18; Oliver Kingbird, \$14.98; Minnesota Towers, \$441.60; St. Francis Health, \$54,160.14.

Adopted November 6, 2007. No. 576

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated October 26, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted November 6, 2007. No. 577

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WHEREAS, the City of Virginia has offered to purchase the following described State tax forfeited lands for the appraised value of \$12,600.00 plus fees for the purpose of a business park and commercial development:

Legal: THAT PART OF LOT 2 LYING E OF HWY RT OF WAY EX HWY RT OF W
Twp 58.5 N Rng 17 W Sec 6
City of Virginia
Parcel Code: 90-200-111
3.25 Acres
LDKEY 62390

WHEREAS, industrial development is an authorized public purpose; and
WHEREAS, Minnesota Statute 282.01, Subd. 1(a) authorizes the sale of State tax forfeited land to an organized governmental subdivision for an authorized public purpose; and
WHEREAS, said lands have not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subd. 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 City of Virginia, for the purpose stated above, for the appraised value of \$12,600.00 plus the following fees: 3% assurance fee of \$378.00, deed fee of \$25.00, deed tax of \$41.58, and a recording fee of \$46.00, for a total of \$13,090.58 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 Virginia does not purchase said lands.
Adopted November 6, 2007. No. 578

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Kinney Fire Relief Association, Unorganized Township 60-19, 10295 Highway 65, Britt, MN 55710, RENEWAL.
Adopted November 6, 2007. No. 579

WHEREAS, St. Louis County operates the Hibbing Transfer Station which accepts municipal solid waste (MSW) and recyclable materials; household hazardous waste, electronics, mattresses, and other special wastes; and
WHEREAS, the County utilizes the services of a contractor to direct operations inside the transfer station, perform related work at the facility, and load and transport MSW and recyclable materials to the regional landfill and the recycling facility located in Virginia; and
WHEREAS, the current operations and haulage contract with Kangas Excavating, Inc. (Kangas) expires on December 31, 2007; and
WHEREAS, a competitive request for proposal (RFP) was issued by the Solid Waste and the Purchasing Departments; and
WHEREAS, one proposal was received from Kangas; and
WHEREAS, Kangas and the County agreed to amend the RFP to include back-hauls of regional landfill demolition material in 58 cubic yard boxes to the Hibbing Demolition Landfill for \$60 per pull; and
WHEREAS, Kangas was evaluated to be a very competent operator and proposer; and
WHEREAS, the Department requests authorization to enter into a contract with Kangas for a term of four years with two optional one-year extensions;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes

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the execution of a contract for the Hibbing Transfer Station Operations and Haulage with Kangas Excavating, Inc., for a four-year period with two optional one-year extensions. The contract is based on the fixed prices submitted by Kangas in their RFP and the additional \$60 per pull demolition back-haul price negotiated between Kangas and the Department, contingent upon approval by the County Attorney(s) Office, payable from Fund 600, Agency 604001.
Adopted November 6, 2007. No. 580

RESOLVED, that the St. Louis County Board of Commissioners approves the transfer of \$10,000 from the County Extension Service fund balance for operating expenses necessary to fund the expansion of the annual youth conference and additional unanticipated mileage and operational costs for the IRYA Program for fiscal year 2007;

RESOLVED FURTHER, that a total of \$10,000 be allocated from County Extension Service fund balance, Fund 184, Agency 186001 (Youth Task Force-North) to IRYA budget for operating expenses; Fund 184, Agency 186001 (Youth Task Force-North). Specific amounts to line items include: \$8,000 to Object 633100 (Employee Automobile Allowance); \$1,000 to 637900 (Other Miscellaneous Charges); \$800 to 641100 (Food and Beverage); and \$200 to 628000 (Intra-County Postage Meter).
Adopted November 6, 2007. No. 581

WHEREAS, there are several major industrial projects being proposed or in progress in Itasca County including Minnesota Iron and Steel, Excelsior Energy, and the Clay Boswell Improvement Project; and WHEREAS, it is the belief of the St. Louis County Board that the accumulated effects of the construction and operation of these major projects will negatively impact the remaining two-lane section of Trunk Highway 169 between Bovey and Pengilly, Minnesota, by increasing traffic amounts and turning movements; and

WHEREAS, the County Board believes the remaining two-lane section already has significant safety concerns; and

WHEREAS, the completion of the roadway as a four-lane expressway has been a priority of the communities along it for many years; and

WHEREAS, the County Board has a long history of documented support for the efforts of the Trunk Highway 169 (Iron Range Expressway) Improvement Task Force dating back to 1998 (Resolution 98-748) when St. Louis County Commissioners called for the swift completion of a modern four-lane roadway between Bovey and Pengilly;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners strongly urges the Minnesota Department of Transportation to complete the Trunk Highway 169 Cross-Range Expressway as a four-lane highway as soon as possible.

Adopted November 6, 2007. No. 582

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. 58658, 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:

C. C. Campground No. 717, Inc., d/b/a C. C. Campground No. 717, Inc., French Township, Tobacco Products License No. T0822;

Van Gillen's Dry Dock Bar, Inc., d/b/a Dry Dock Bar & Restaurant, Midway Township, Tobacco Products License No. T0842;

Violet Hall, d/b/a Greaney Store, Unorganized Township 63-21, Tobacco Products License No. T0858;

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Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, Tobacco Products License No. T08187;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Unorganized Township 68-21, Tobacco Products License No. T08189;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, Tobacco Products License No. T0876;

Curran Enterprises, Inc., d/b/a Makinen Market, Inc., Unorganized Township 56-16, Tobacco Products License No. T0888;

Landers, LLC, d/b/a Porky's Bar & Grill, Gnesen Township, Tobacco Products License No. T08227;

CMK Management, Inc., d/b/a Powerhouse Bar, City of Proctor, Tobacco Products License No. T08141;

Jeffrey/Betty Schanche, d/b/a Schanche's Side Lake Store, French Township, Tobacco Products License No. T08211;

Wayside Corner Store, Inc., d/b/a Wayside Corner Store, New Independence Township, Tobacco Products License No. T08214;

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Tobacco Products License No. T08185.

Adopted November 6, 2007. No. 583

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. 58658, 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. T08182, September 6, 1998, and August 16, 2003;

Misty, Inc., d/b/a Fredenberg Minnoette, Fredenberg Township, Tobacco Products License No. T0853, December 31, 2002;

Marshall's One Stop, Inc., d/b/a Lakewood One Stop, Lakewood Township, Tobacco Products License No. T0881, December 31, 2002;

Ely-Winton Rod & Gun Club, Inc., d/b/a Longbranch Clubhouse, City of Winton, Tobacco Products License No. T0886, December 15, 2002;

Paulson's Super Valu, Inc., d/b/a Paulson's Super Valu, Inc., Canosia Township, Tobacco Products License No. T08103, December 28, 2002;

Best Oil Co., Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T08110, September 30, 1998;

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Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, Tobacco Products License No. T08111, September 30, 1998, and December 22, 2000;

Stoneybrook Saloon, Inc., d/b/a Stoneybrook Saloon, Inc., City of Brookston, Tobacco Products License No. T08121, October 1, 1998, and December 23, 2004;

Bernard Zupancich/Edward Zupancich, d/b/a Zup's Cook, City of Cook, Tobacco Products License No. T08139, May 7, 2000, and October 18, 2002.
Adopted November 6, 2007. No. 584

BY COMMISSIONER SWEENEY:

WHEREAS, St. Louis County Planning Commission on June 14, 2007, initiated a text amendment to Ordinance 33, the St. Louis County Subdivision Regulations; and

WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed amendment on August 9, 2007, and continued until September 13, 2007; and

WHEREAS, the St. Louis County Planning Commission on September 13, 2007, voted to recommend that the St. Louis County Board of Commissioners adopt a text amendment to Ordinance 33, the St. Louis County Subdivision Regulations; and

WHEREAS, the St. Louis County Board held a public hearing on the proposed amendment on November 6, 2007; 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 33, the St. Louis County Subdivision Regulations, amendment on file in the office of the County Auditor, identified as County Board File No. 58761;

BE IT FURTHER RESOLVED, that the effective date will be December 7, 2007.

Unanimously adopted. November 6, 2007. No. 585

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the fee schedule - Part 1 for various departments for the year 2008, as on file in County Board File No. 58762.

Division of the Question:

Part 1 except for Sheriff's fees--

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

Nays - Commissioner Sweeney - 1

Sheriff's fees only--

Yeas - Commissioners Fink, Forsman, Nelson, and Raukar - 4

Nays - Commissioners O'Neil, Sweeney, and Chair Kron - 3

Adopted November 6, 2007. No. 586

BY COMMISSIONER O'NEIL:

WHEREAS, the Minnesota Legislature has allocated funding to St. Louis County to provide services to adults with serious and persistent mental illness; and

WHEREAS, expansion of benefits under the recent Mental Health Reform allows these funds to be reallocated from their previous uses to more pressing services; and

WHEREAS, a number of persons in St. Louis County are in need of mental case management services which they are unable to receive due to a shortage of case managers in the Department of Public Health and Human Services; and

WHEREAS, State and Federal funding is now available to provide such services without reliance on County property tax monies;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby

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authorizes the Department of Public Health and Human Services to increase its authorized staffing complement by 5.0 FTE social worker and 1.0 FTE public health nurse positions, effective January 1, 2008, in Fund 230, Agency 232016;

RESOLVED FURTHER, that the County Administrator, County Auditor and Director of Public Health and Human Services be directed to transfer \$325,571 from Fund 230, Agency 232006, Object 604200 (Public Aid Assistance), to Fund 230, Agency 232016, various personal services objects as required to achieve this end, such changes to be included in the budget to be voted upon by the Board December 11, 2007;

RESOLVED FURTHER, if at any time in the future the Adult Mental Health Grant funding used to fund these positions is insufficient to cover the costs of the positions, the positions will be terminated.

Unanimously adopted. November 6, 2007. No. 587

BY COMMISSIONER FINK:

WHEREAS, St. Louis County is the defendant in the case of Ruth Marleen Hall Walczynski v. St. Louis County; and

WHEREAS, a settlement conference has been ordered by the Court; and

WHEREAS, St. Louis County and three individual employees are defendants in the case of Neil Anderson v. St. Louis County et al.; and

WHEREAS, the attorney for the plaintiff in that case has submitted correspondence regarding the settlement posture of the case; and

WHEREAS, the St. Louis County Attorney's Office will provide legal advice to the County Board with respect to the evaluation of these cases and litigation strategy in these matters; and

WHEREAS, the Assistant County Attorney handling the cases requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in these matters; and

WHEREAS, public discussion of potential settlement and litigation strategy would benefit the opposing parties and counsel to the County's detriment; and

WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and

WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subd. 3(b), the County Board may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of November 6, 2007, to discuss with County Attorney personnel the strategy of defending these allegations and the settlement conference ordered by the Court.

RESOLVED FURTHER, that no other pending public business will be discussed at this closed session. Unanimously adopted. November 6, 2007. No. 588

At 4:04 P.M. on Tuesday, November 6, 2007, upon motion of Commissioner O'Neil, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Bill Kron, 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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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 NOVEMBER 13, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of November, 2007, at 9:34 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner O'Neil read a proclamation declaring November 19 as *Public Health Thank You Day*. Theresa Roebke and Vicki Maher, Public Health and Human Services, were present to accept the proclamation. Ms. Roebke thanked the Board for the recognition and all health care providers for their hard work on behalf of the public.

At 9:38 A.M., a public hearing was convened pursuant to County Board Resolution No. 549, adopted October 9, 2007, to consider text amendments to Ordinance No. 46 (Zoning Ordinance). The following persons addressed the issue:

Barbara Hayden, Planning Director, said the proposed text amendments clean up language ambiguities, brings the ordinance into statutory conformance and streamlines the variance process.

Scott Smith, Planning Department, explained in detail effects of some of the text amendments.

At 10:04 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the text amendments; seven yeas - zero nays. Resolution No. 601.

At 10:06 A.M., a public hearing was convened to receive public comment on the established priorities and funding recommendations included in the St. Louis County FY 2008 Action Plan and an amendment to the FY 2007 Action Plan on reprogrammed activities for Community Development Block Grant (CDBG), HOME and ESG programs. Barbara Hayden, Planning Director, said this is an annual plan that must be filed with the federal Department of Housing and Urban Development (HUD). Final contracts will be brought back to the Board when grants are awarded. Director Hayden explained types of projects that can be funded. Commissioner Raukar said CDBG grants have provided \$40 million directly to the County and leveraged more than \$200 million.

At 10:11 A.M., Commissioner Raukar, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas - zero nays. Commissioner Raukar, supported by Commissioner Forsman, moved to approve submission of the plan; seven yeas - zero nays. Resolution No. 602.

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

Sam Haddad, Duluth, and member of the Health Insurance Committee, asked the Board to seriously consider contracting with William Hembree, Health Research Institute, for assistance in reducing employee health insurance costs.

Marsh Stenerson, AFSCME, also asked the Board to listen closely to the presentation to be made later

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in the day by William Hembree and to consider his proposals.

Commissioner Forsman, supported by Commissioner Raukar, moved to direct the County Attorney to submit a letter to the Minnesota Department of Health canceling an agreement for food, beverage and lodging (FBL) inspections. The following persons addressed the issue:

Dana Frey, County Administrator, said FBL is an optional service and any cancellation letter sent will not be binding until March 1, 2008, with County inspections ceasing at the end of 2008.

Kevin Skwira-Brown, Duluth, urged the Board to raise FBL fees sufficiently to cover costs to retain jobs and maintain the FBL education program.

Marsh Stenerson, AFSCME, urged the Board to recoup the costs for these worthwhile services and save the jobs.

Commissioner Fink offered a friendly amendment - accepted by the makers - to direct the Administrator rather than the Attorney to submit the notification letter to Department of Health. After further discussion, Commissioner Sweeney, supported by Commissioner O'Neil, moved to table consideration until later in the meeting after an FBL fee schedule is adopted; seven yeas - zero nays.

Commissioner O'Neil, supported by Commissioner Sweeney, moved to authorize acceptance of \$145,822 Family Group Decision Making Grant from the Minnesota Department of Human Services. The grant will pay for one full time Social Worker. Kevin Skwira-Brown, Duluth, said approval is a positive step. Vicki Maher, Public Health and Human Services, said the Social Worker is an existing position and will be eliminated if grant funding ceases. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 603.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve Part II of the 2008 fee schedule for various departments. Consideration of Part II was tabled at the November 6 Board meeting. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, explained what was contained in Part II, including an across-the-board 3 percent increase where applicable. Deputy Administrator Eckenberg said an additional 9.4 percent increase in FBL fees is needed to fully cover costs for FBL inspections but only if \$60,000 grant funding is also used. A 20.6 percent FBL fee increase would be needed to offset FBL inspection costs if the \$60,000 grant funding is used for other public health purposes.

Vicki Maher, PHHS, said the \$60,000 grant used to indicate full funding for FBL is not necessarily earmarked for that purpose but is considered part of overall departmental revenue.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to increase FBL fees by 9.4 percent for 2008. After lengthy discussion, the amendment was approved; five yeas - two nays, Commissioners Forsman and Nelson. The amended fee schedule was then adopted; seven yeas - zero nays. Resolution No. 604.

At 11:45 A.M. in the forenoon of Tuesday, November 13, 2007, Chair Kron moved to recess the Board until 11:50 A.M. on November 13, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:51 A.M. on Tuesday, November 13, 2007, and the regular order of business resumed with all members present.

Deputy Administrator Eckenberg clarified that the 9.4 percent increase in FBL fees was in addition to

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the across the board 3 percent included in the proposed fee schedule Part II.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve a tobacco license for Keith and Lois Nelson, d/b/a At Your Convenience, Fayal Township. Commissioner Nelson said he would abstain from voting because he is half-owner of the establishment; six yeas - zero nays, with Commissioner Nelson abstaining. Resolution No. 609.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve health and dental rates for 2008. The following persons addressed the issue:

County Administrator Frey explained how rates were projected and said a 15 percent increase in health insurance rates is recommended.

Sam Haddad, Duluth and a member of the Health Insurance Committee, asked the Board to delay a decision on health insurance rates until after William Hembree makes his presentation to the Committee of the Whole.

Commissioner Forsman, supported by Commissioner Fink, moved to increase the insurance rates by 20 percent to fully cover anticipated employee health insurance costs for 2008.

At 12:15 P.M. in the afternoon of Tuesday, November 13, 2007, Chair Kron moved to recess the Board until 1:30 P.M. on November 13, 2007, in the Commissioners' Conference Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 3:03 P.M. on Tuesday, November 13, 2007, and the regular order of business resumed with all members present.

Discussion of the health and dental rates resumed with the amendment to raise health insurance rates by 20 percent back on the floor for discussion. William Hembree, Health Research Institute, said the Board must approve whatever rate is necessary to keep the fund solvent. Administrator Frey said projecting costs for next year is difficult because one or more expensive health cases can significantly deplete the insurance reserve fund. Commissioner Raukar noted the preliminary budget proposed a 9 percent increase and funding may be insufficient to set rates higher. After further discussion, the amendment failed; three yeas - four nays, Commissioners Fink, Sweeney, Nelson and Raukar. Commissioner Raukar then withdrew his original motion to approve a 15 percent rate increase. Commissioner Fink, supported by Commissioner O'Neil, moved to approve the 15 percent increase but it also failed; two yeas - five nays, Commissioners Forsman, Sweeney, Nelson, Raukar and Chair Kron. Commissioner Forsman moved to increase health rates by 25 percent, but the motion died without support. Commissioner Fink said there appears to be an impasse and he suggested referring the matter to next week's workshop. Administrator Frey said establishing rates after November 15 may cause problems for retirees included in the County plan. Commissioner Nelson, supported by Commissioner O'Neil, moved to increase rates by 12.5 percent as a compromise and that motion was approved; five yeas - two nays, Commissioners Fink and Forsman. Resolution No. 610.

Cancellation of an agreement with Minnesota Department of Health for FBL inspections, tabled earlier in the meeting, was back on the floor for consideration. After brief discussion, the motion to submit the notice made by Commissioner Forsman, supported by Commissioner Raukar, was approved; four yeas - three nays, Commissioners O'Neil, Sweeney and Chair Kron. Resolution No. 604.

A motion by Commissioner Raukar, supported by Commissioner Fink, as amended, creating an Appeals Board of Zoning Adjustment - tabled at the November 6 meeting - was on the floor for consideration. Melanie Ford, County Attorney, advised the proposed resolution did not address a process for access

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to the appeals board. The resolution was then approved without further changes; six yeas - one nay, Commissioner Nelson. Resolution No. 605.

Commissioner Nelson, supported by Commissioner Forsman, moved to approve a non exclusive roadway easement to Johnson, Hopkins and Canfield for access to their property located in T60N-R14W (Waasa); seven yeas - zero nays. Resolution No. 606.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve a non exclusive roadway easement to Johnson, Hopkins and Canfield for access to their property located in T55N-R16W (Ellsburg). In response to a question by Commissioner Fink, Robert Krepps, Land Commissioner, said the property located in Section 16 was forfeited and not school trust land; seven yeas - zero nays. Resolution No. 607.

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

Dana Frey, County Administrator, and Barbara Hayden, Planning Director, submitting Board Letter No. 07-452 regarding amendment to Ordinance No. 46 - the St. Louis County Zoning Ordinance.--58764

Lobbying Services Agreement between the County of St. Louis and the Arrowhead Counties Association.--07-989

Agreement for Professional Services between the County of St. Louis and Architectural Resources, Inc., for Hibbing Annex Energy Star Assessment and Application.--07-990

Agreement for Professional Services between the County of St. Louis and AEI Engineering for St. Louis County Laundry Water Heater Project.--07-991

Agreement for Professional Services between the County of St. Louis and Ayres Associates for Duluth Courthouse Secure Sally Port and Lockup Addition - Survey.--07-992

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14203A, between the St. Louis County Public Health and Human Services Department and TL Care Services, LLC, d/b/a Westview Services, for adult foster care services.--07-993ss

Home and Community-Based Waiver Services Contract, Contract No. 14203, between the St. Louis County Board of Commissioners and TL Care Services, LLC, d/b/a Westview Services, for adult foster care services.--07-994ss

St. Louis County Family Homeless Prevention and Assistance Program Agreement, Contract No. 20732, between St. Louis County and Churches United in Ministry.--07-995ss

St. Louis County Family Homeless Prevention and Assistance Program Agreement, Contract No. 20735, between St. Louis County and Life House, Inc.--07-996ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Patricia S. Rongstad for adult foster care/respice care.--07-997ss

Group Residential Housing Rate Agreement, Contract No. 50566, between the St. Louis County Board of Commissioners and Patricia S. Rongstad.--07-998ss

Purchase of Service Agreement, Contract No. 14204, between the St. Louis County Board of

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Commissioners and the Town of White for chore services - snowplowing.--07-999ss

Group Residential Housing Rate Agreement, Contract No. 50536, between the St. Louis County Board of Commissioners and Expanding Horizons - Observation House.--07-1000ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14160A, between the St. Louis County Public Health and Human Services Department and Expanding Horizons, Inc., for adult foster care services.--07-1001ss

Addendum to Purchase Agreement, Contract No. 13743, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Inc., d/b/a Arrowhead Transit, for transportation services.--07-1002ss

Addendum to Grant Agreement, Contract No. 20700A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for adult mental health integrated fund services.--07-1003ss

Addendum to Purchase Agreement, Contract No. 14109A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for consolidated chemical dependency treatment fund services.--07-1004ss

Addendum to Purchase Agreement, Contract No. 14108A, between the St. Louis County Board of Commissioners and Minnesota Indian Primary Residential Treatment Center, Inc., for consolidated chemical dependency treatment fund services.--07-1005ss

Employee Safety and Development Training Contract between St. Louis County and Patricia Merrier for one session of Enhancing Your Writing Skills.--07-1006

Employee Safety and Development Training Contract between St. Louis County and Ward Melenich for ten sessions of Google Search, Intro to Word, Intro to Excel, Word Int. Compare & Track Changes, and Excel Int. Lists.--07-1007

Employee Safety and Development Training Contract between St. Louis County and Ann Harrington for Compassionate Communications Trainings.--07-1008

Employee Safety and Development Training Contract between St. Louis County and Paul Mickelson for four sessions of Respectful Workplace Training Development.--07-1009

Employee Safety and Development Training Contract between St. Louis County and Clark Bennett for two sessions of Defensive Driving.--07-1010

Employee Safety and Development Training Contract between St. Louis County and Laraine Lekander for four sessions of Respectful Workplace Training Development.--07-1011

Addendum to Purchase Agreement, Contract No. 13647E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Bishop Woods for supported living services for children and adults.--07-1012ss

Addendum to Purchase Agreement, Contract No. 13213H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Daniels for supported living services for children and adults.--07-1013ss

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Addendum to Purchase Agreement, Contract No. 13212G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - East Fifth for supported living services for adults.--[07-1014ss](#)

Addendum to Purchase Agreement, Contract No. 13659E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Fairview for supported living services for adults.--[07-1015ss](#)

Addendum to Purchase Agreement, Contract No. 13221G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Galere for supported living services for adults.--[07-1016ss](#)

Addendum to Purchase Agreement, Contract No. 13215G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Gateway for supported living services for adults.--[07-1017ss](#)

Addendum to Purchase Agreement, Contract No. 13222H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Glendale for supported living services for adults.--[07-1018ss](#)

Addendum to Purchase Agreement, Contract No. 13219H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Jitney for supported living services for adults.--[07-1019ss](#)

Addendum to Purchase Agreement, Contract No. 13482G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Lambert for supported living services for adults.--[07-1020ss](#)

Addendum to Purchase Agreement, Contract No. 13224H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Mankato for supported living services for adults.--[07-1021ss](#)

Addendum to Purchase Agreement, Contract No. 13745E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Melrose for supported living services for children and adults.--[07-1022ss](#)

Addendum to Purchase Agreement, Contract No. 13436F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Meridian for supported living services for adults.--[07-1023ss](#)

Addendum to Purchase Agreement, Contract No. 13223H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Merritt for supported living services for adults.--[07-1024ss](#)

Addendum to Purchase Agreement, Contract No. 13220H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Northside for supported living services for adults.--[07-1025ss](#)

Addendum to Purchase Agreement, Contract No. 13218G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Noumenon for supported living services for adults.--[07-1026ss](#)

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Addendum to Purchase Agreement, Contract No. 13217G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Piedmont for supported living services for adults.--[07-1027ss](#)

Addendum to Purchase Agreement, Contract No. 13502G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Riverside for supported living services for adults.--[07-1028ss](#)

Addendum to Purchase Agreement, Contract No. 13202H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Rockridge for supported living services for adults.--[07-1029ss](#)

Addendum to Purchase Agreement, Contract No. 13205G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - SLS Foster Support.--[07-1030ss](#)

Addendum to Purchase Agreement, Contract No. 13203H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triggs for supported living services for children and adults.--[07-1031ss](#)

Addendum to Purchase Agreement, Contract No. 13739E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 1, for supported living services for adults.--[07-1032ss](#)

Addendum to Purchase Agreement, Contract No. 13740E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 2, for supported living services for adults.--[07-1033ss](#)

Addendum to Purchase Agreement, Contract No. 13741E, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Triplex, Apartment 3, for supported living services for adults.--[07-1034ss](#)

Addendum to Purchase Agreement, Contract No. 13211H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Wheeler for supported living services for adults.--[07-1035ss](#)

Addendum to Purchase Agreement, Contract No. 13214G, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Winona for supported living services for adults.--[07-1036ss](#)

Addendum to Purchase Agreement, Contract No. 13216H, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Woodland for supported living services for adults.--[07-1037ss](#)

Addendum to Purchase Agreement, Contract No. 13207F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - In-Home Family Support Services (North and South St. Louis County).--[07-1038ss](#)

Addendum to Purchase Agreement, Contract No. 13206F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. - Respite Care Services.--[07-1039ss](#)

Addendum to Purchase Agreement, Contract No. 13902A, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., for fiscal support entity services.--[07-1040ss](#)

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Addendum to Purchase Agreement, Contract No. 13351G, between the St. Louis County Board of Commissioners and E.B.I., Inc., Denfeld, for supported living services for adults.--[07-1041ss](#)

Addendum to Purchase Agreement, Contract No. 13905C, between the St. Louis County Board of Commissioners and E.B.I., Inc., Berkeley, for supported living services for adults.--[07-1042ss](#)

Addendum to Purchase Agreement, Contract No. 13352G, between the St. Louis County Board of Commissioners and E.B.I., Inc., for supported living services for adults.--[07-1043ss](#)

Addendum to Purchase Agreement, Contract No. 13750C, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Respite Care.--[07-1044ss](#)

Addendum to Purchase Agreement, Contract No. 13237H, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - II for supported living services for adults.--[07-1045ss](#)

Addendum to Purchase Agreement, Contract No. 13405F, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - Basswood Child SLS.--[07-1046ss](#)

Addendum to Purchase Agreement, Contract No. 13236H, between the St. Louis County Board of Commissioners and Taylor SLS, Inc. - I.--[07-1047ss](#)

Purchase of Service Agreement, Contract No. 14219, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Decker Road for supported living services for children.--[07-1048ss](#)

Addendum to Purchase Agreement, Contract No. 13767E, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Hunter's Park for supported living services for adults.--[07-1049ss](#)

Addendum to Purchase Agreement, Contract No. 13862D, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Lester Park for supported living services for children.--[07-1050ss](#)

Addendum to Purchase Agreement, Contract No. 13861D, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc. - Snelling Park for supported living services for adults.--[07-1051ss](#)

Addendum to Purchase Agreement, Contract No. 14021B, between the St. Louis County Board of Commissioners and CHOICE, Unlimited, for non-residential services.--[07-1052ss](#)

Addendum to Grant Agreement, Contract No. 20702A, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for adult mental health integrated fund services.--[07-1053ss](#)

Group Residential Housing Rate Agreement, Contract No. 50555, between the St. Louis County Board of Commissioners and Sheila Maylin - Carefree Living of Duluth.--[07-1054ss](#)

Addendum to Purchase Agreement, Contract No. 13618D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Respite Care.--[07-1055ss](#)

Addendum to Purchase Agreement, Contract No. 13225F, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - MA MR/RC Waiver Supported Employment.--[07-1056ss](#)

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Addendum to Purchase Agreement, Contract No. 13328G, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Crest House I for supported living services for adults.--[07-1057ss](#)

Addendum to Purchase Agreement, Contract No. 13842D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Gearhart II for supported living services for children.--[07-1058ss](#)

Addendum to Purchase Agreement, Contract No. 13329H, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown I (formerly Gearhart I) for supported living services for adults.--[07-1059ss](#)

Addendum to Purchase Agreement, Contract No. 13786E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown II for supported living services for adults.--[07-1060ss](#)

Addendum to Purchase Agreement, Contract No. 13332G, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Highland for supported living services for adults.--[07-1061ss](#)

Addendum to Purchase Agreement, Contract No. 13333H, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson I for supported living services for adults.--[07-1062ss](#)

Addendum to Purchase Agreement, Contract No. 13779E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hutchinson II for supported living services for adults.--[07-1063ss](#)

Addendum to Purchase Agreement, Contract No. 13915C, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - REM Apartment Support 1 (SLS Adult).--[07-1064ss](#)

Addendum to Purchase Agreement, Contract No. 13283H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Birchwood for supported living services for adults.--[07-1065ss](#)

Addendum to Purchase Agreement, Contract No. 13284G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Chester Park for supported living services for adults.--[07-1066ss](#)

Addendum to Purchase Agreement, Contract No. 13285G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Endion Park for supported living services for adults.--[07-1067ss](#)

Addendum to Purchase Agreement, Contract No. 13286H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Greysolon for supported living services for adults.--[07-1068ss](#)

Addendum to Purchase Agreement, Contract No. 13287G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - K & D for supported living services for adults.--[07-1069ss](#)

Addendum to Purchase Agreement, Contract No. 13288G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Kenwood for supported living services for

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adults.--07-1070ss

Addendum to Purchase Agreement, Contract No. 13289G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Lakeview for supported living services for adults.--07-1071ss

Addendum to Purchase Agreement, Contract No. 13290H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - London Road for supported living services for adults.--07-1072ss

Addendum to Purchase Agreement, Contract No. 13292G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Nuvo for supported living services for adults.--07-1073ss

Addendum to Purchase Agreement, Contract No. 13507G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Oneida for supported living services for adults.--07-1074ss

Addendum to Purchase Agreement, Contract No. 13293H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Piedmont for supported living services for adults.--07-1075ss

Addendum to Purchase Agreement, Contract No. 13294G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Spirit Valley for supported living services for adults.--07-1076ss

Addendum to Purchase Agreement, Contract No. 13295G, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Springvale for supported living services for adults.--07-1077ss

Addendum to Purchase Agreement, Contract No. 13296H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Tuhkanen for supported living services for adults.--07-1078ss

Addendum to Purchase Agreement, Contract No. 13297H, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Wallace for supported living services for adults.--07-1079ss

Addendum to Purchase Agreement, Contract No. 13956B, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc. - Respite Care.--07-1080ss

Addendum to Purchase Agreement, Contract No. 13398F, between the St. Louis County Board of Commissioners and Homes, Inc. - In-Home Family Support Services.--07-1081ss

Addendum to Purchase Agreement, Contract No. 13448F, between the St. Louis County Board of Commissioners and Homes, Inc. - SLS Foster Support.--07-1082ss

Addendum to Purchase Agreement, Contract No. 13400H, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia I (MA MR/RC Waiver, SLS).--07-1083ss

Addendum to Purchase Agreement, Contract No. 13399H, between the St. Louis County Board of Commissioners and Homes, Inc. - Virginia II (MA MR/RC Waiver, SLS).--07-1084ss

Addendum to Purchase Agreement, Contract No. 13402H, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing I (MA MR/RC Waiver, Women's SLS).--07-1085ss

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Addendum to Purchase Agreement, Contract No. 13401H, between the St. Louis County Board of Commissioners and Homes, Inc. - Hibbing II (MA MR/RC Waiver, Men's SLS).--[07-1086ss](#)

Addendum to Purchase Agreement, Contract No. 13075G, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver).--[07-1087ss](#)

Addendum to Purchase Agreement, Contract No. 13074G, between the St. Louis County Board of Commissioners and Range Center, Inc. (CCSA).--[07-1088ss](#)

Addendum to Purchase Agreement, Contract No. 13226F, between the St. Louis County Board of Commissioners and Range Center, Inc. (MA MR/RC Waiver Supported Employment).--[07-1089ss](#)

Addendum to Purchase Agreement, Contract No. 13274H, between the St. Louis County Board of Commissioners and Range Center, Inc. - Banyan for supported living services for adults.--[07-1090ss](#)

Addendum to Purchase Agreement, Contract No. 13275H, between the St. Louis County Board of Commissioners and Range Center, Inc. - Barrington for supported living services for adults.--[07-1091ss](#)

Addendum to Purchase Agreement, Contract No. 13629F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Bradford for supported living services for adults.--[07-1092ss](#)

Addendum to Purchase Agreement, Contract No. 13613G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Cypress for supported living services for adults.--[07-1093ss](#)

Addendum to Purchase Agreement, Contract No. 13719F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Frasier for supported living services for adults.--[07-1094ss](#)

Addendum to Purchase Agreement, Contract No. 13276H, between the St. Louis County Board of Commissioners and Range Center, Inc. - Hawthorne for supported living services for adults.--[07-1095ss](#)

Addendum to Purchase Agreement, Contract No. 13459G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Laurel for supported living services for adults.--[07-1096ss](#)

Addendum to Purchase Agreement, Contract No. 13458G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Logan for supported living services for adults.--[07-1097ss](#)

Addendum to Purchase Agreement, Contract No. 13724F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for supported living services for adults.--[07-1098ss](#)

Addendum to Purchase Agreement, Contract No. 13612G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Sequoia for supported living services for adults.--[07-1099ss](#)

Addendum to Purchase Agreement, Contract No. 13278G, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack for supported living services for children and adults.--[07-1100ss](#)

Addendum to Purchase Agreement, Contract No. 13277F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Outlook for in-home family support services.--[07-1101ss](#)

Addendum to Purchase Agreement, Contract No. 13279F, between the St. Louis County Board of Commissioners and Range Center, Inc. - Tamarack Respite Care.--[07-1102ss](#)

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Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for geotechnical exploration program for C-SAH 16 and C.R. 957, C.P. 9572.--07-1103

Land Department Training Contract between St. Louis County and Allison & Associates for consultation on an as needed basis in matters relating to supervisory management.--07-1104

Addendum to Purchase Agreement, Contract No. 13256G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Aldrich for supported living services for adults.--07-1105ss

Addendum to Purchase Agreement, Contract No. 13257G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Cedar for supported living services for adults.--07-1106ss

Addendum to Purchase Agreement, Contract No. 13258G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Central for supported living services for adults.--07-1107ss

Addendum to Purchase Agreement, Contract No. 13259H, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Douglas II for supported living services for adults.--07-1108ss

Addendum to Purchase Agreement, Contract No. 13260G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Evans for supported living services for adults.--07-1109ss

Addendum to Purchase Agreement, Contract No. 13261H, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Forest for supported living for adults.--07-1110ss

Addendum to Purchase Agreement, Contract No. 13264H, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Ivy for supported living services for adults.--07-1111ss

Addendum to Purchase Agreement, Contract No. 13265H, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Jones for supported living services for adults.--07-1112ss

Addendum to Purchase Agreement, Contract No. 13266G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services - Adult.--07-1113ss

Addendum to Purchase Agreement, Contract No. 13267G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Supported Living Services - Child.--07-1114ss

Addendum to Purchase Agreement, Contract No. 13268G, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. - Southside for supported living services for adults.--07-1115ss

Addendum to Purchase Agreement, Contract No. 13611G, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Horizons II for supported living services for adults.--07-1116ss

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Addendum to Purchase Agreement, Contract No. 13248H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Kingston for supported living services for adults.--[07-1117ss](#)

Addendum to Purchase Agreement, Contract No. 13259F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Linden for supported living services for adults.--[07-1118ss](#)

Addendum to Purchase Agreement, Contract No. 13250H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Nova Home for supported living services for adults.--[07-1119ss](#)

Addendum to Purchase Agreement, Contract No. 13251H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Orion Home for supported living services for adults.--[07-1120ss](#)

Addendum to Purchase Agreement, Contract No. 13252G, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Phoenix for supported living services for children.--[07-1121ss](#)

Addendum to Purchase Agreement, Contract No. 13253H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Quest Home for supported living services for adults.--[07-1122ss](#)

Addendum to Purchase Agreement, Contract No. 13254H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Rosewood for supported living services for adults.--[07-1123ss](#)

Addendum to Purchase Agreement, Contract No. 13255H, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Taurus for supported living services for adults.--[07-1124ss](#)

Addendum to Purchase Agreement, Contract No. 13255F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Utah Home for supported living services for adults.--[07-1125ss](#)

Addendum to Purchase Agreement, Contract No. 13249F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - Respite Care.--[07-1126ss](#)

Project Contract No. 4687 between the County of St. Louis and Mesabi Bituminous for Virginia Hotel Demolition.--[07-1127](#)

Agreement for Professional Services between the County of St. Louis and Whitney Crettol for Heading Home St. Louis County Initiative.--[07-1128ss](#)

Agreement for Professional Nursing Services, Contract No. 14205, between St. Louis County, through its Public Health and Human Services Department, and Lisa A. Brekke.--[07-1129ss](#)

Agreement for Professional Nursing Services, Contract No. 14210, between St. Louis County, through its Public Health and Human Services Department, and Kandi Marie Nelson.--[07-1130ss](#)

Agreement for Professional Nursing Services, Contract No. 14206, between St. Louis County, through

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its Public Health and Human Services Department, and Deborah J. Rosengren.--[07-1131ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No.14134B, between St. Louis County, through its Public Health and Human Services Department, and Tender Loving Care of Duluth, Inc., for adult foster care services.--[07-1132ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14134A, between St. Louis County, through its Public Health and Human Services Department, and Tender Loving Care of Duluth, Inc., for adult foster care services.--[07-1133ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14188, between the St. Louis County Board of Commissioners, through Public Health and Human Services Department, and Spectrum Community Health, Inc., for assisted living plus services.--[07-1134ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14200, between the St. Louis County Board of Commissioners, through Public Health and Human Services Department, and Senior Friend Associations, Inc., d/b/a Senior Friend Home Care, for assisted living plus services.--[07-1135ss](#)

Agreement between the St. Louis County Board of Commissioners and Roxanne M. Rengstorf and Greg Allen Rengstorf for child family foster care.--[07-1136ss](#)

Addendum to Purchase Agreement, Contract No. 14049B, between the St. Louis County Board of Commissioners and Range Mental Health Center for adult day care services.--[07-1137ss](#)

Addendum to Purchase Agreement, Contract No. 14106A, between the St. Louis County Board of Commissioners and Proctor Meals on Wheels for home delivered meals.--[07-1138ss](#)

Addendum to Purchase Agreement, Contract No. 14105A, between the St. Louis County Board of Commissioners and Lakeshore Lutheran Home for home delivered meals.--[07-1139ss](#)

Homes Plus Agreement between the St. Louis County Board of Commissioners and Verna J. Jeffers and Paul R. Jeffers for adult foster care/respice care.--[07-1140ss](#)

Addendum to Purchase Agreement, Contract No. 13550C, between the St. Louis County Board of Commissioners and Hassett Adult Foster Care Home.--[07-1141ss](#)

Addendum to Purchase Agreement, Contract No. 13549C, between the St. Louis County Board of Commissioners and Derungs Adult Foster Care Home.--[07-1142ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14147B, between the St. Louis County Board of Commissioners and Community Connection of Minnesota, Inc., for adult foster care services.--[07-1143ss](#)

Addendum to Purchase Agreement, Contract No. 13986B, between the St. Louis County Board of Commissioners and Benedictine Health Center for adult day care services.--[07-1144ss](#)

Addendum to Purchase Agreement, Contract No. 13985B, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC, d/b/a Home Instead Senior Care.--[07-1145ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14140, between the St. Louis County Board of Commissioners and Alternative Opportunities, Inc., for adult foster care services.--[07-1146ss](#)

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Home and Community-Based Waiver Services Contract, Contract No. 14202, between the St. Louis County Board of Commissioners and Auto Homes for adult foster care services.--07-1147ss

Group Residential Housing Rate Agreement, Contract No. 50554, between the St. Louis County Board of Commissioners and Auto Homes.--07-1148ss

Group Residential Housing Rate Agreement, Contract No. 50562, between the St. Louis County Board of Commissioners and Community Connection - Oak House.--07-1149ss

Group Residential Housing Rate Agreement, Contract No. 50564, between the St. Louis County Board of Commissioners and Verna J. Jeffers and Paul R. Jeffers.--07-1150ss

Home Plus Agreement between the St. Louis County Board of Commissioners and Cynthia Olson for adult foster care/respice care.--07-1151ss

Group Residential Housing Rate Agreement, Contract No. 50546, between the St. Louis County Board of Commissioners and Cynthia Olson.--07-1152ss

Homes Plus Agreement between the St. Louis County Board of Commissioners and Douglas C. Pearson and Karen M. Pope for adult foster care/respice care.--07-1153ss

Group Residential Housing Rate Agreement, Contract No. 50550, between the St. Louis County Board of Commissioners and Douglas C. Pearson and Karen M. Pope.--07-1154ss

Group Residential Housing Rate Agreement, Contract No. 50527, between the St. Louis County Board of Commissioners and Perpich Apartments.--07-1155ss

Group Residential Housing Rate Agreement, Contract No. 50563, between the St. Louis County Board of Commissioners and TLC Duluth Fern.--07-1156ss

Addendum to Purchase Agreement, Contract No. 13370H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Waterview (formerly Mitchell I), for supported living services for adults.--07-1157ss

Purchase of Service Agreement, Contract No. 14218, between the St. Louis County Board of Commissioners and Arsys, LLC, for in-home family support and respice care.--07-1158ss

Addendum to Purchase Agreement, Contract No. 30110D, between the St. Louis County Board of Commissioners and Johnston, Villegas-Grubbs and Associates, LLC, for consultation services.--07-1159ss

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 589 through 600, 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 23, 2007, are hereby approved.

Adopted November 13, 2007. No. 589

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

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of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58631, are hereby approved:

Real Estate - Jack Armstrong, \$220.12; Kai Bowen, \$276.46; Louis Hammel, \$270.70; Carroll Hawley, \$242.18; Joseph Manick, \$120.62; Russell Norlund, \$265.28; Dustin Olson, \$339.20; Jason Reilly, \$872.02; Carole Tesser, \$245.86; David Toldo, \$535.10.

Adopted November 13, 2007. No. 590

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. 58658, 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:

Susan Chalstrom/John Chalstrom, d/b/a Chalstrom's Bait, Rice Lake Township, Tobacco Products License No. T0824, December 31, 2002, and December 22, 2004;

Lakehead Oil Company, Inc., d/b/a Pike Lake Travel Plaza, Canosia Township, Tobacco Products License No. T08105, December 28, 2002, and December 22, 2004.

Adopted November 13, 2007. No. 591

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. 58641;

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, 2008:

DLC, Incorporated, d/b/a The El Roy, Unorganized Township 60-18, On-Sale Intoxicating Liquor License No. CMB08116 and Sunday On-Sale Intoxicating Liquor License No. SUN008116, new.

Adopted November 13, 2007. No. 592

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Sunrise at Oak Narrows on August 9, 2007; and

WHEREAS, the St. Louis County Planning Commission granted preliminary approval for the plat of Sunrise at Oak Narrows; 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 Sunrise at Oak Narrows, located in Sections 34 & 35, T63N, R17W (Greenwood).

Adopted November 13, 2007. No. 593

RESOLVED, that the Public Works Department is hereby authorized to amend the original agreement authorized by Resolution 05-582, dated November 22, 2005, whereby the County Public Works Department will pay for the extra cost of services of SEH, Inc., for design services of the reconstruction of Airport Road in Duluth, MN, S.P. 118-199-002, C.P. 3702. The original cost of the design services previously authorized was \$72,597.00 and the extra cost of these additional design services is

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\$29,731.00, resulting in a new total for the contract of \$102,328.00 payable from Fund 200, which will be reimbursed by City of Duluth funds under a separate agreement.

Adopted November 13, 2007. No. 594

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 with dispensing device and tipboards), on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Northland Vietnam Veterans Association to operate out of Tanski's Ridgeview Lanes, Rice Lake Township, 3930 East Calvary Road, Duluth, MN 55803, Renewal.

Adopted November 13, 2007. No. 595

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), on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Ely-Winton Rod & Gun Club, to operate out of Samz Place, Morse Township, 1225 Old Winton Road, Ely, MN 55731, Renewal.

Adopted November 13, 2007. No. 596

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 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; and

WHEREAS, St. Louis County has received grant monies on behalf of the same six counties for equivalent purposes which are included in the 2007 budget in the amount of \$300,807;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Public Health and Human Services Department to accept additional MFIP Innovative Projects Grant funds through the Minnesota Department of Human Services:

1. Grant Award amount: \$73,085.
2. Grant Dates: through December 31, 2007.
3. Public Purpose: Providing transportation services and paid/unpaid work experience to MFIP clients in the six county consortium.
4. Funding Source: Minnesota Department of Human Resources.
5. Grant coding: Fund 230, Agency 232020, Grant 23207.
6. Match money requirements: None.

Adopted November 13, 2007. No. 597

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. 07-989, 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 2008 legislative

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session not to exceed \$11,000 (excluding the County's in-kind contribution of \$2,000).
Adopted November 13, 2007. No. 598

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the St. Louis County Board of Adjustment; and
WHEREAS, two current citizen members have requested to serve another term on the Board of Adjustment; and
WHEREAS, there is one vacancy on this board which needs 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 Board of Adjustment for a three year term expiring December 31, 2010:

Marilyn Mueller, Greenwood Township
Darlene Majkich, Hibbing

BE IT FURTHER RESOLVED, that the Auditor advertise and accept applications until December 7, 2007, for the vacant position on the Board of Adjustment, serving a three-year term, expiring December 31, 2010.
Adopted November 13, 2007. No. 599

WHEREAS, the St. Louis County Board of Commissioners appoints citizens to serve on the St. Louis County Planning Commission; and
WHEREAS, there are vacancies on this commission which need to be filled through an advertised application process.
NOW, THEREFORE, BE IT RESOLVED, that the Auditor advertise and accept applications until December 7, 2007, for two vacant positions on the Planning Commission, one serving a three-year term expiring December 31, 2010, and one serving a partial term of one year, expiring December 31, 2008.
Adopted November 13, 2007. No. 600

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County Board of Commissioners, on October 10, 2006, initiated a text amendment to Ordinance 46, the St. Louis County Zoning Ordinance; and
WHEREAS, the St. Louis County Planning Commission, on June 14, 2007, initiated text amendments to Ordinance 46, Articles II, III, IV, and VI; and
WHEREAS, the St. Louis County Planning Commission held a public hearing on the proposed amendments on August 9, 2007, and continued it on September 13, 2007, and September 20, 2007; and
WHEREAS, the St. Louis County Planning Commission, on September 20, 2007, voted to recommend that the St. Louis County Board of Commissioners adopt text amendments to Ordinance 46; and
WHEREAS, the St. Louis County Board held a public hearing on the proposed amendment on November 13, 2007; 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 46, the St. Louis County Zoning Ordinance, amendment on file in the office of the County Auditor, identified as County Board File No. 58764.
BE IT FURTHER RESOLVED, that the effectuation date be December 14, 2007.
Unanimously adopted. November 13, 2007. No. 601

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

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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 costs of operations of shelters and transitional housing and in the provision of essential social services to homeless individuals; and

WHEREAS, the Secretary of Housing and Urban Development (HUD) is authorized to make grants to cities and counties to finance local CDBG, HOME and ESG Programs, submitted and approved in accordance with the Consolidated Plan regulations; and

WHEREAS, the St. Louis County Board desires to continue to carry out the 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 2008 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 funding 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 2008 Action Plan

<u>HUD CPD Funding Sources</u>	
Estimated 2008 CDBG Allocation	2,500,000
Estimated CDBG Program Income	100,000
Reprogrammed CDBG Project Pool Funds	983,336
Estimated 2008 HOME Allocation	689,299
Estimated HOME Program Income	150,000
Estimated 2008 ESG Allocation	107,000
Total Funds for FY 2008 Action Plan	
St. Louis County and Consortium	4,529,635

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

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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 Valuation Report (CAPER)*.

St. Louis County FY 2008 Action Plan

Project	Objective	Outcome	Indicator	Amount
<u>Housing</u>				
AEOA Housing Development Program	Decent Housing	Accessibility	3 units	195,000
AEOA Single Family Housing Rehab		Decent Housing	Sustainability	28 units
		650,000		
Mountain Iron Mountain Manor Improvements	Decent Housing	Sustainability	2 units	30,000
Northern Communities Land Trust Rehab	Decent Housing	Accessibility	2 units	110,000
Range Mental Health Perpich Apartments	Decent Housing	Accessibility	27 units	20,000
<i>Subtotal</i>				<i>1,005,000</i>
<u>Economic Development</u>				
NE Entrepreneur Micro-enterprise	Economic Opportunities	Accessibility	10 businesses	100,000
SOAR Career Solutions Lifeworks	Economic Opportunities	Accessibility	3 people	19,500
SLC Economic Development Set-Aside	Economic Opportunities	Accessibility	25 jobs	250,000
<i>Subtotal</i>				<i>369,500</i>
<u>Physical Improvement</u>				
B’Nai Abraham Museum & Cultural Center	Suitable Living	Sustainability	1 organization	75,000
Breitung Soudan Recreation Area Improvements	Suitable Living	Accessibility	1 public facility	5,611
Buhl Sewer Improvements	Suitable Living	Sustainability	903 people	120,000
Chicagami Flooring Replacement	Suitable Living	Sustainability	1 public facility	10,000
Ely Harvey/Conan Alley Utilities	Suitable Living	Sustainability	646 people	100,000
Eveleth City Hall ADA	Suitable Living	Accessibility	1 public facility	100,000
Eveleth Infrastructure Replacement	Suitable Living	Sustainability	2,530 people	266,000
Fairbanks Petrell Hall Access Project	Suitable Living	Suitable Living	Accessibility 1 public facility	
				7,225
Hibbing Public Utilities Infrastructure Repairs	Suitable Living	Sustainability	2,853 people	200,000
SLC Camp Esquagama Sewage Treatment Sys	Suitable Living	Sustainability	1 organization	125,000
Virginia Miners ADA	Suitable Living	Accessibility	1 public facility	100,000
SLC Community Development Program	Decent Housing	Accessibility		300,000
<i>Subtotal</i>				<i>1,408,836</i>
<u>Public Service</u>				
AEOA Homeless Shelter	Suitable Living	Accessibility	170 people	45,000
AEOA Homeownership Assistance Program	Decent Housing	Accessibility	230 households	17,000
AEOA Raising Our Children’s Kids (ROCK)	Suitable Living	Accessibility	12 people	12,000
Legal Aid Housing Counseling & Information	Suitable Living	Accessibility	300 people	47,000
Life House - Proctor House	Suitable Living	Accessibility	16 people	23,250
Range Transitional Housing	Suitable Living	Accessibility	50 people	42,000
Range Women’s Advocates Children’s Program	Suitable Living	Accessibility	170 people	24,000
Salvation Army - Hibbing Melting Pot Meals	Suitable Living	Accessibility	3,600 people	15,000
Salvation Army - Northern SLC Money Mgmt	Suitable Living	Accessibility	375 people	16,500
Salvation Army - Virginia Supper Club	Suitable Living	Accessibility	3,600 people	15,000
Sexual Assault Youth Outreach Services	Suitable Living	Accessibility	150 people	25,000
SOAR Career Solutions	Economic Opportunities	Accessibility	25 people	18,000
<i>Subtotal</i>				<i>300,000</i>

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<u>Administration</u>				
Administration	N/A	N/A	1 org	500,000
<i>Subtotal</i>				<i>500,000</i>

<u>Total FY 2008 CDBG Program</u>				
Housing				1,005,000
Economic Development				369,500
Physical Improvements				1,408,836
Public Service				
300,000				
Administration				500,000
TOTAL				3,583,336

2008 HOME Program - Northeast Minnesota HOME Consortium

Project	Objective	Outcome	Indicator	Amount
<u>HOME Program Categories</u>				
Home Ownership Assistance Program	Decent Housing	Affordability	80 units	325,107
Housing Development Fund	Decent Housing	Affordability	0 units	0
CHDO Set-Aside Projects	Decent Housing	Affordability	9 units	412,500
CHDO Operating Expense	Decent Housing	Affordability	3 orgs	33,897
Administration	N/A	N/A	1 org	67,795
<i>Subtotal</i>				<i>839,299</i>

FY 2008 ESG Program - St. Louis County

Project	Objective	Outcome	Indicator	Amount
<u>Housing</u>				
Operations Homeless Shelters	Decent Housing	Accessibility	2 orgs	38,100
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>107,000</i>

Unanimously adopted. November 13, 2007. No. 602

BY COMMISSIONER O'NEIL:

WHEREAS, St. Louis County Public Health and Human Services Department seeks to assure children have a safe and permanent living arrangement; and

WHEREAS, St. Louis County Public Health and Human Services Department and the Minnesota Department of Human Services recognize the value and strength of families jointly making permanent living decisions for their children; and

WHEREAS, the Minnesota Department of Human Services awarded \$145,822 for the Family Group Decision Making project for the period January 1, 2008, through December 31, 2008; and

WHEREAS, the St. Louis County Public Health and Human Services Department has contracted with Carlton County Public Health and Human Services and Fond du Lac Human Services since October 1, 2004, to provide Family Group Decision Making services on behalf of the County; and

WHEREAS, the St. Louis County Public Health and Human Services Department wishes to renew these Agreements;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby accepts the Minnesota Department of Human Services grant for Family Group Decision Making in the amount of \$145,822 for the period January 1, 2008, through December 31, 2008, such funds to be deposited into Fund 230, Agency 232099, Grant 23201.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners hereby authorizes the appropriate County officials to enter into contracts with Carlton County Public Health and Human Services and Fond du Lac Human Services to render specific Family Group Decision Making services to be paid from Fund 230, Agency 232099, Expense Object 166x.

RESOLVED FURTHER, that the Director of Public Health and Human Services and the County Administrator coordinate as necessary to maintain the authorized staffing complement of the St. Louis County Public Health and Human Services Department with 1 FTE Social Worker from January 1, 2008, through December 31, 2008, thus continuing to implement Family Group Decision Making within St. Louis County utilizing the grant funds, and incorporate the grant revenues and associated expenditures,

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into the proposed 2008 budget which will be presented for final Board action in December of 2007. When the grant ceases, the position funded by the grant will be eliminated.
Unanimously adopted. November 13, 2007. No. 603

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County Board has the responsibility, through a delegation agreement with the Minnesota Department of Health (MDH), for the licensing, inspection, and enforcement of public health rules and regulations in the food, beverage, and lodging facilities within the County, as well as in the manufactured home parks, swimming pools, schools, youth camps, and the recreational camping areas; and

WHEREAS, the County Board wishes to terminate the Food, Beverage & Lodging Delegation Agreement with MDH; and

WHEREAS, the delegation agreement stipulates that notification of cancellation must occur before December 31 of any year to give one full year notice of the county's desire to end the agreement.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby cancels the delegation agreement with MDH and directs the County Administrator's office to provide notification to MDH as required in the contract.

Yeas - Commissioners Fink, Forsman, Nelson, and Raukar - 4

Nays - Commissioners O'Neil, Sweeney, and Chair Kron - 3

Adopted November 13, 2007. No. 604

BY COMMISSIONER RAUKAR:

WHEREAS, the Minnesota Legislature adopted Minnesota Session Laws 2007 - Chapter 131, which directs St. Louis County to create an Appeals Board of Zoning Adjustment as a two-year pilot project; and

WHEREAS, the Governor signed Chapter 131 into law on May 25, 2007;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the creation of an Appeals Board of Zoning Adjustment;

RESOLVED FURTHER, that the Appeals Board of Zoning Adjustment shall consist of seven St. Louis County Commissioners;

RESOLVED FURTHER, that the St. Louis County Board appointed Commissioner who serves as their representative or alternate to the Planning Commission shall serve as Chair;

RESOLVED FURTHER, that the appeal application fee shall be \$500;

RESOLVED FURTHER, that the Appeals Board of Zoning Adjustment shall be in effect upon its assembly and shall remain in effect until July 31, 2009.

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

Nays - Commissioner Nelson - 1

Adopted November 13, 2007. No. 605

BY COMMISSIONER NELSON:

WHEREAS, the Land Department has reviewed a request from Johnson, Hopkins and Canfield for a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Johnson, Hopkins and Canfield'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 Statute Section 282.04, Subdivision 4(a), is hereby authorized to grant a non-exclusive roadway easement to Johnson, Hopkins and Canfield described as follows: A non-exclusive easement for ingress and egress 33.00 feet in width over, under, and across the northwest quarter of the northwest quarter of section 26, Township 60 North, Range 14 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

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northwest corner of said section 26; thence easterly on the calculated north line of said section 26 on an assigned azimuth of 89 degrees 17 minutes 19 seconds a distance of 993.71 feet to the point of beginning and the centerline of an existing road where all succeeding courses will follow said centerline; thence at an azimuth of 156 degrees 49 minutes 16 seconds (0 degrees=North) a distance of 15.7 feet; thence at an azimuth of 152 degrees 02 minutes 33 seconds a distance of 69.0 feet; thence at an azimuth of 155 degrees 38 minutes 16 seconds a distance of 89.3 feet; thence at an azimuth of 163 degrees 53 minutes 15 seconds a distance of 133.8 feet; thence at an azimuth of 159 degrees 25 minutes 04 seconds a distance of 119.6 feet; thence at an azimuth of 150 degrees 20 minutes 49 seconds a distance of 177.4 feet; thence at an azimuth of 149 degrees 54 minutes 53 seconds a distance of 49.2 feet; thence at an azimuth of 140 degrees 21 minutes 06 seconds a distance of 55.1 feet; thence at an azimuth of 118 degrees 45 minutes 17 seconds a distance of 23.6 feet; thence at an azimuth of 106 degrees 47 minutes 38 seconds a distance of 40 feet more or less to the east line of said northwest quarter of the northwest quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. EXCEPTING easements, restrictions, and reservations of record and SUBJECT to minerals and mining reservations of record. This easement is 773 feet in length and contains 0.58 acres more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$957.00 land use fee, \$315.00 administration fee and \$46.00 recording fee; for a total of \$1318.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Unanimously adopted. November 13, 2007. No. 606

WHEREAS, the Land Department has reviewed a request from Gary Johnson, Michael Hopkins and Eric Canfield for a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Johnson, Hopkins and Canfield's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minnesota Statute Section 282.04, Subd. 4 (a), allows for the granting of private easements across State tax forfeited land for such purposes;

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 non-exclusive roadway easement to Gary Johnson, Michael Hopkins and Eric Canfield, described as follows: All that part of the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4, Section 16, Township 55 North, Range 16 West of the Fourth Principal Meridian, St. Louis County, Minnesota that lies within 33 feet of the following described centerline: Commencing at the W 1/4 corner of said Section 16; thence N 89 degrees 44 minutes 01 seconds E, along the south line of the NW 1/4 of said Section 16, a distance of 1694.14 feet to the centerline of Stone Road; thence N 1 degree 41 minutes 47 seconds E, a distance of 36.08 feet to a tangential curve, concave to the west; thence northerly, along said curve, with a delta angle of 33 degrees 11 minutes 58 seconds and a radius of 300.00 feet, a distance of 173.83 feet to a tangential curve, concave to the east; thence northerly, along said curve, with a delta angle of 78 degrees 25 minutes 27 seconds and a radius of 200.00 feet, a distance of 273.75 feet to a tangential curve, concave to the west; thence northerly, along said curve, with a delta angle of 78 degrees 32 minutes 48 seconds and a radius of 220.00 feet, a distance of 301.60 feet to a tangential curve, concave to the east; thence northerly, along said curve, with a delta angle of 77 degrees 44 minutes 52 seconds and a radius of 400.00 feet, a distance of 542.78 feet to a tangential curve, concave to the northwest; thence northeasterly, along said curve, with a delta angle of 18 degrees 56 minutes 24 seconds and a radius of 400.00 feet, a distance of 132.23 feet to the south line of said NE 1/4 of the NW 1/4 and the point of beginning; thence continuing northeasterly along said curve, with a delta angle of 9 degrees 29 minutes 26 seconds and a radius of 400.00 feet, a distance of 66.25 feet; thence N 17 degrees 41 minutes 16 seconds E a distance of 170.17 feet to a tangential curve, concave to the southeast; thence northeasterly, along said curve, with a delta angle of 48 degrees 27 minutes 40 seconds and a radius of 400.00 feet, a distance of 338.32 feet; thence N 66 degrees 08 minutes 55 seconds E, a distance of 220.01 feet to a tangential curve, concave to the

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northwest; thence northeasterly, along said curve, with a delta angle of 27 degrees 50 minutes 30 seconds and a radius of 500.00 feet, a distance of 242.96 feet to a tangential curve, concave to the southeast; thence northeasterly, along said curve, with a delta angle of 24 degrees 5 minutes 46 seconds and a radius of 600.00 feet, a distance of 252.33 feet to a tangential curve, concave to the northwest; thence northeasterly, along said curve, with a delta angle of 34 degrees 30 minutes 12 seconds and a radius of 400.00 feet, a distance of 240.88 feet; thence N 27 degrees 53 minutes 59 seconds E, a distance of 203.04 feet to a tangential curve, concave to the south; thence easterly, along said curve; with a delta angle of 121 degrees 06 minutes 27 seconds and a radius of 90.00 feet, a distance of 190.24 feet; thence S 30 degrees 59 minutes 33 seconds E, a distance of 97.25 feet to a tangential curve, concave to the northeast; thence southeasterly, along said curve, with a delta angle of 29 degrees 07 minutes 21 seconds and a radius of 300.00 feet, a distance of 152.48 feet; thence S 60 degrees 06 minutes 53 seconds E, a distance of 231.07 feet to a tangential curve, concave to the north; thence easterly, along said curve, with a delta angle of 61 degrees 02 minutes 50 seconds and a radius of 100.00 feet, a distance of 106.55 feet; thence N 58 degrees 50 minutes 16 seconds E, a distance of 130.35 feet to a tangential curve, concave to the south; thence easterly, along said curve, with a delta angle of 24 degrees 15 minutes 52 seconds and a radius of 100.00 feet, a distance of 42.36 feet; thence N 83 degrees 06 minutes 08 seconds E, a distance of 106.44 feet to a tangential curve, concave to the northwest; thence northeasterly, along said curve, with a delta angle of 23 degrees 49 minutes 51 seconds and a radius of 200.00 feet, a distance of 83.18 feet to the East line of said NW 1/4 of the NE 1/4 and there terminating. The northerly and southerly right-of-way lines are extended to and truncated by the East line of said NW 1/4 and the NE 1/4 and the South line of said NE 1/4 of the NW 1/4. This easement is 2876.5 feet in length and contains 4.36 acres, more or less.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of a \$7,100.00 land use fee, \$975.00 administration fee and \$46.00 recording fee; for a total of \$8,121.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Unanimously adopted. November 13, 2007. No. 607

BY COMMISSIONER RAUKAR:

RESOLVED, that the St. Louis County Board of Commissioners hereby adopts the fee schedule - Part 2, as amended, for various departments for the year 2008 as on file in County Board File No. 58762. Unanimously adopted. November 13, 2007. No. 608

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. 58658, is hereby approved and the County Auditor is authorized to issue the license as follows:

Keith/Lois Nelson, d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T084, renewal.

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.

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

Nays - None

Abstained - Commissioner Nelson - 1

Adopted November 13, 2007. No. 609

BY COMMISSIONER NELSON:

WHEREAS, the County Board believes that a 12.5 percent rate increase for 2008 is reasonable based on the projected costs of the current County self-insured health plans and to maintain the current fund reserve level.

NOW, THEREFORE, BE IT RESOLVED, that the 2007 monthly rates for the self-funded Option A

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health coverage are increased 12.5 percent and approved for 2008 as follows:

	<u>2008 Rate</u>
SINGLE COVERAGE	\$ 578.12
FAMILY COVERAGE	\$1,342.70

RESOLVED FURTHER, that the 2007 monthly rates for the Option A retired employees are increased by 12.5 percent for 2008.

RESOLVED FURTHER, that the 2007 monthly rates for the Early Retirement Option (ERO) retired employees are increased by 12.5 percent for 2008.

RESOLVED FURTHER, that the stop loss rate payable to Blue Cross Blue Shield of Minnesota of \$3.19 per contract per month for the St. Louis County self-funded employee and retiree health plan in the year 2008 is approved;

RESOLVED FURTHER, a monthly rate of \$30.80 for dental insurance in 2008 is hereby adopted;

RESOLVED FURTHER, an administrative service fee with Delta Dental Plan of Minnesota for the period of January 1, 2008, through December 31, 2008, for the administration of the St. Louis County self-funded employee dental plan is approved at a rate of \$2.08 per employee per month.

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

Nays - Commissioners Fink and Forsman - 2

Adopted November 13, 2007. No. 610

At 3:55 P.M. on Tuesday, November 13, 2007, upon motion of Commissioner Raukar, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Bill Kron, 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 27, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of November, 2007, at 9:36 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

Commissioner Raukar presented a Volunteer Excellence Award to Iron Range Veterans Rider Volunteers who have been transporting Veterans to and from the Veterans Affairs (VA) Medical Center in Minneapolis since 1992. Bill Bean, Veterans Service Officer in Hibbing, introduced five of the twenty-four volunteer drivers who were present for the award.

At 9:47 A.M., a public hearing was convened, pursuant to County Board Resolution No. 537, adopted October 2, 2007, to consider renaming Big Island located on Pelican Lake in Leiding Township. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said the hearing was being conducted in compliance with 2007 legislation and the name Strand Island was suggested but others could be discussed.

Peter Boulay, Department of Natural Resources (DNR), explained the process for selecting a name, adding the DNR will coordinate a name change with federal authorities. In response to a Commissioner question, Mr. Boulay said he was unaware of any sunset or deadline for renaming the island.

At 10:00 A.M., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the hearing. Commissioner Forsman said he would prefer the hearing remain open to obtain more citizen comments on a proposed name change. Commissioner Sweeney withdrew her closing motion and moved to continue the hearing until the December 18 Board meeting in Ely. Commissioner Sweeney asked if the DNR would consider doing all future name changes in a group or groups rather than having individual hearings. In response to Commissioner requests, Deputy Administrator Eckenberg said he would contact all affected political subdivisions and the Bois Forte Nett Lake Reservation to solicit input on a name change. After further discussion, the continuation was approved; seven yeas - zero nays.

At 10:15 A.M., a public hearing was reconvened to consider a cartway petition submitted by Chad Sterle to allow access to his property. The hearing was continued from October 23, 2007. Deputy Administrator Eckenberg said Mr. Sterle is very close to completing an access agreement and he asked the Board to continue the hearing until February 26, 2008, in the event the deal falls through. If the access agreement is successful, Mr. Sterle intends to withdraw the cartway request, according to Deputy Administrator Eckenberg. Commissioner Nelson asked that future requests for continuances be submitted in writing for the official record. Commissioner Raukar, supported by Commissioner Sweeney, moved to continue the hearing to February 26, 2008, at 9:35 A.M., in Hibbing; seven yeas - zero nays.

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

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Kathy Heltzer, Duluth, said she is discouraged by the slow pace regarding adoption of a code of ethics for county employees including elected officials. She urged the Board to adopt a code of conduct.

Commissioner Raukar, supported by Commissioner Sweeney, moved to authorize the Auditor, Attorney, Administrator and Health Insurance Committee Co-Chair to enter into contract negotiations for up to \$40,000 with William Hembree, d/b/a Health Research Institute, to assist the St. Louis County Health Insurance Committee with development of programs/methods to contain rising employee health insurance costs. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 628.

Marsh Stenerson, AFSCME, said there are no silver bullets to magically control employee health insurance costs, but the County needs to do business differently and hiring Mr. Hembree was a good first step.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a lawful gambling license for Climb, Inc., to operate out of Kountry Krossroads, Pike Township; six yeas - one nay, Commissioner Fink. Resolution No. 629.

Commissioner Fink, supported by Commissioner Sweeney, moved to appoint Martha Watson as County Employee Relations Director at an annual salary of \$101,164 (Management Compensation Plan Grade 28/Merit I). At the request of Gary Eckenberg, Deputy County Administrator, the resolution was amended to make the appointment effective January 7, 2008; seven yeas - zero nays. Resolution No. 630.

Commissioner Fink, supported by Commissioner Forsman, moved to suspend the rules to consider a resolution to close the Board meeting for litigation purposes; seven yeas - zero nays. Melanie Ford, County Attorney, read the proposed resolution into the record; seven yeas - zero nays. Resolution No. 631.

At 11:00 A.M. in the forenoon of Tuesday, November 27, 2007, Commissioner Sweeney, supported by Commissioner O'Neil, moved to recess the Board until 11:30 A.M. on November 27, 2007, in the City Council Chambers, City Hall, Hibbing, Minnesota.

The Board reconvened at 12:08 P.M. on Tuesday, November 27, 2007, and the regular order of business resumed with all members present.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve a second Consent Agenda consisting of all items unanimously approved at the just completed Committee of the Whole meeting. At the request of Commissioner Fink, Item No. 4 from the Second Consent Agenda (amend an agreement with IBM for Fleet Maintenance/Cost Accounting Software) was removed for separate consideration. The remainder of the Consent Agenda was approved; seven yeas - zero nays.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve Item No. 4 (fleet maintenance/cost accounting software - Maximo) from the Second Consent Agenda. Commissioner Forsman said he spoke with James Foldesi, Public Works, who said IBM is willing to complete the software update at a cost of \$130,000 if a contract can be settled by the end of this year, otherwise costs will more than double. Commissioner Fink said the item should not have been included on a consent agenda because of the cost. After further discussion, the resolution was approved; seven yeas - zero nays. Resolution No. 644.

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

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Steve Raukar, Seventh District Commissioner, submitting information regarding the Volunteer Recognition Award given to the Iron Range Veterans Rider Volunteers.--[58765](#)

Agreement between the County of St. Louis and the St. Louis County Law Library Board for space and operation of the law libraries in Duluth, Hibbing and Virginia Courthouses.--[07-1160](#)

Employee Safety and Development Training Contract between St. Louis County and Jean Hammink for two sessions of Your Myers Briggs Type Indicator and Emotional Intelligence: How to Capitalize on Both.--[07-1161](#)

Employee Safety and Development Training Contract between St. Louis County and Leaders in Motion for two sessions of The Leadership Challenge: Essential Skills for Career and Personal Success.--[07-1162](#)

Employee Safety and Development Training Contract between St. Louis County and Maria Stalzer Wyant Cuzzo for four sessions of Respectful Workplace training, development and facilitation.--[07-1163](#)

Employee Safety and Development Training Contract between St. Louis County and Gary Boelhower for four sessions of Respectful Workplace training development.--[07-1164](#)

Employee Safety and Development Training Contract between St. Louis County and Ann Harrington for four sessions of Respectful Workplace training development.--[07-1165](#)

Employee Safety and Development Training Contract between St. Louis County and Keenan Consulting, LLC, for four sessions of Respectful Workplace training development.--[07-1166](#)

Employee Safety and Development Training Contract between St. Louis County and Amy Versnik Nowak for two sessions of Changing for Good.--[07-1167](#)

Employee Safety and Development Training Contract between St. Louis County and Jan Maki for one session of Pre-Retirement Planning (Nutrition and Health Care Directive).--[07-1168](#)

Employee Safety and Development Training Contract between St. Louis County and Angie VanDeHey for two sessions each of MS Access Consultant, DNN Master Forms Module, and MS Access Formatting Forms and Reports.--[07-1169](#)

Amendment to Service Contract No. 4587 between the County of St. Louis and Udovich Garbage Service for Canister Site Waste Haulage Service to extend the original agreement terms for one additional year through December 31, 2008.--[07-1170](#)

Purchase of Service Agreement, Contract No. 14212, between the St. Louis County Board of Commissioners and Metro Treatment of Minnesota, L.P., d/b/a Lake Superior Treatment Center, for Outpatient Chemical Dependency Treatment for adults and adolescents.--[07-1171ss](#)

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 611 through 627, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

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BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 6, 2007, are hereby approved.

Adopted November 27, 2007. No. 611

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. 58657, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 4,079,507.79
184	Extension Service	29,174.31
200	Public Works	3,394,514.11
230	Social Services	5,988,198.00
240	Forfeited Tax	325,362.57
250	St. Louis County HRA	5,629.60
600	Solid Waste Authorities	527,479.63
625	Chris Jensen Health & Rehab.	1,181,495.66
650	Laundry	77,345.76
660	Community Food Services	95,195.57
670	Supervised Living Facilities	56,264.93
700	Printing	11,522.31
715	County Garage	94,602.62
750	Management Information Systems	293,164.07
760	Telecommunications	88,192.12
925	Arrowhead Regional Corrections	1,255,597.51
955	Community Health Services	22,418.51
989	Regional Railroad Authority	<u>89,325.06</u>
		\$ 17,614,990.13

Adopted November 27, 2007. No. 612

RESOLVED, that the appraisal reports for the sale of timber to be offered at Sealed Bid/Oral Timber Auction, Tracts 1 through 25 (totaling \$841,077.81), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58640, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted November 27, 2007. No. 613

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 9, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted November 27, 2007. No. 614

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. 58658, 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:

C & B Warehouse Distr., Inc., d/b/a Britt Short Stop, Unorganized Township 60-18, Tobacco Products

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License No. T0818;

Charles Halmet, d/b/a Halmet's General Store, White Township, Tobacco Products License No. T0860;

Bois Forte Reservation Tribal Council, d/b/a Y Store, Vermilion Lake Township, Tobacco Products License No. T08217.

Adopted November 27, 2007. No. 615

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. 58658, 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:

C & B Warehouse Distr., Inc., d/b/a Ely Lake Short Stop, Fayal Township, Tobacco Products License No. T0846, December 10, 2002;

Leon Polley, d/b/a Polley's Resort, Unorganized Township 63-17, Tobacco Products License No. T08108, September 13, 1998.

Adopted November 17, 2007. No. 616

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey No. 43 pursuant to Minnesota Statutes 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey No. 43; and

WHEREAS, the final prints have been submitted for filing;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners grants final approval to Registered Land Survey No. 43 located in Section 32, Township 63 North, Range 17 West.

Adopted November 27, 2007. No. 617

WHEREAS, the contracts for the purchase of State tax forfeited lands described in County Board File No. 58648, have been cancelled by mutual agreement of the purchaser and St. Louis County; and

WHEREAS, the purchasers voluntarily agreed to admission of service and waiver of time to cure default 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 lands listed by the County Auditor, in County Board File No. 58648, 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 November 27, 2007. No. 618

WHEREAS, Mr. Jason Hadrava is in need of a non-exclusive roadway easement across State tax forfeited land; and

WHEREAS, there are no reasonable alternatives to obtain access to Mr. Hadrava's property; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minnesota Statute, Section 282.04, Subd. 4 (a), allows for the granting of private easements across State tax forfeited land for such purposes;

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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 non-exclusive roadway easement to Jason Hadrava described as follows: A permanent non-exclusive 33.00 foot easement for ingress and egress, being 16.50 feet on each side of a line located in the southeast quarter of the southeast quarter of section 22, Township 56 North, Range 16 West of the Fourth Principal Meridian, St. Louis County, Minnesota, described as follows: Commencing at the northeast corner of the said southeast quarter; thence on an assigned azimuth of 179 degrees 16 minutes 38 seconds a distance of 220.0 feet to the point of beginning; thence at an azimuth of 249 degrees on a centerline of an existing road where all succeeding courses will follow said centerline a distance of 190 feet; thence at an azimuth of 245 degrees a distance of 90 feet; thence at an azimuth of 260 degrees a distance of 35 feet; thence at an azimuth of 295 degrees a distance of 230 feet; thence at an azimuth of 285 degrees a distance of 475 feet; thence at an azimuth of 289 degrees a distance of 265 feet; thence at an azimuth of 299 degrees 14 minutes 50 seconds a distance of 119 feet more or less to the west line of said southeast quarter at a point 37.6 feet south of the northwest corner of said southeast quarter and there terminating. This easement is 1404 feet in length and contains 1.05 acres more or less.

BE IT FURTHER RESOLVED, that the granting of this easement is conditioned upon payment of a \$1,260.00 land use fee, \$300.00 administration fee and \$46.00 recording fee; for a total of \$1,606.00 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 27, 2007. No. 619

WHEREAS, an occupancy trespass was discovered through survey. Gene and Vicki Eldeen's structure is on the following described State tax forfeited property: Legal Description: E 150 FT OF W 200 FT OF N 90 FT OF SW 1/4 OF NW 1/4, TWP 63N RNG 18W SEC 1 (parcel code 250-20-51)

WHEREAS, the Land Department has proposed that this unintentional occupancy trespass be resolved through a direct sale of 0.31 acre parcel of State tax forfeited land; and

WHEREAS, Laws of Minnesota, 2007, Ch. 131, Article 2, Sec. 36, authorizes the sale of these State tax forfeited parcels; 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 parcels to Gene and Vicki Eldeen for the appraised value of \$1,705.00 plus the following fees: 3% assurance fee of \$51.15, deed fee of \$25.00, deed tax of \$5.63, and recording fee of \$46.00 and administration fee of \$985.00; for a total of \$2,817.78 to be deposited into fund 240 (Forfeited Tax Fund).

Adopted November 27, 2007. No. 620

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. N 1/2 of NW 1/4 of NE 1/4 of SE 1/4, Section 22, T51N, R14W (5 acres)
Parcel Code: 520-0016-00590
2. SW 1/4 of SW 1/4, Section 8, T50N, R16W (40 acres), Parcel Code: 530-0010-01510
3. Undivided 1/6 and Undivided 1/2 of Lot 9, Thompson Lake Addition, Section 12, T53N, R14W,
Parcel Codes: 375-0120-00091, 375-0120-00094
4. SLY 200 FT OF NLY 1220 FT OF LOT 4, Section 20, T54N, R18W (9.5 acres), Parcel Code:
405-0010-03394

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5. PART OF SW 1/4 SE 1/4 LYING N OF SLY 433 FT, Section 36, T57N, R21W (25 acres), Parcel Code: 141-0050-07345
6. PART OF LOT 8 BEG AT A POINT 200 FT EAST OF THE CENTER OF SECTION 5 THENCE SOUTH 300 FT THENCE E 300 FT THENCE NORTH 263 FT TO SHORE LINE OF ASH RIVER THENCE NWLY ALONG THE RIVER 325 FT THENCE SLY TO POINT OF BEG, Section 5, T68N, R19W (2 acres), Parcel Code: 731-0010-00845
7. PART OF SE 1/4 SW 1/4 LYING W OF DW & PRY AND N OF PLAT OF HALEY, Section 23, T63N, R19W (11 acres), Parcel Code: 350-0020-03730
8. SE 1/4 NW 1/4, Section 26, T58N, R19W (40 acres), Parcel Code: 385-0010-02610
9. NE 1/4 SW 1/4, Section 20, T59N, R20W (40 acres) Parcel Code: 235-0030-03110
10. LOT 4, Section 2, T61N, R19W (40 acres), Parcel Code: 200-0010-00230
11. SW 1/4 of SE 1/4, Section 19, T50N, R16W (40 acres), Parcel Code: 530-0010-03570
12. LOTS 15, 16, 17, 18, 19, BLOCK 1, COLMANS 4TH ACRE TRACT ADDITION TO DULUTH, Section 33, T51N, R14W, Parcel Codes: 520-0090-00150, 520-0090-00160, 520-0090-00180
13. BLOCKS 17, 18 and 20, PLAT OF VERMILION TRAIL LODGE, Section 13, T62N, R14W
14. E 1/2 of NW 1/4, SEC 27, T58N, R20W, BRUCE MINE EX HWY R/W (78 acres), Parcel Code: 235-0010-04010

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation enabling the public sale of the above described State tax forfeited lands in a manner provided for by Minnesota Statute, Section 282.01.

Adopted November 27, 2007. No. 621

WHEREAS, State tax forfeited land on public waters containing greater than 150 feet of water frontage cannot be sold at a non-public sale 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 sold to the Fond Du Lac Band of Lake Superior Chippewa:

1. Lot 5 Except Railroad Right of Way 3.15 Acres, Section 2, T50N, R18W (23.35 acres)
Parcel Code: 535-0010-00210
2. Lot 7 Except Railroad Right of Way 3.9 Acres, Section 2, T50N, R18W (30.1 acres)
Parcel Code: 535-0010-00300
3. Lot 5 Except Railroad Right of Way 3 Acres, Section 12, T50N, R18W (36 acres)
Parcel Code: 535-0010-01910
4. Lot 2 Except Railroad Right of Way, Section 35, T51N, R18W (22.5 acres)
Parcel Code: 310-0010-05650
5. Lot 1 Except GN Railroad Right of Way, Section 35, T51N, R18W (34 acres)
Parcel Code: 110-0040-00160

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WHEREAS, St. Louis County's best interest would be served from a land management viewpoint if the following parcel was returned to private ownership:

6. Lots 20 and 21, Plat of Twin Lakes, Government Lot 3, Section 32, T60N, R19W
(1.1 acres) Parcel Code: 385-0070-00200

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation enabling the private sale of the above described State tax forfeited lands.

Adopted November 27, 2007. No. 622

WHEREAS, a lawsuit has been filed against the U.S. Forest Service over management activities in the Echo Trail Project Area, Superior National Forest, which is mostly located in St. Louis County and partially in Lake County; and

WHEREAS, the lawsuit challenges the cutting of timber in accordance with the Land and Resource Management Plan for the Superior National Forest; and

WHEREAS, St. Louis County, through its Land Commissioner, and others participated in the development of the Resource Management Plan; and

WHEREAS, St. Louis County has environmental, forest management and economic interests that necessitate the management activities proceed, which are separate interests from those of the U.S. Forest Service, State of Minnesota, other counties, the forest industry and any other parties;

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners hereby authorizes the County Attorney to intervene in the litigation regarding the Echo Trail Project Area to protect the legal and financial interests of the citizens of St. Louis County.

Adopted November 27, 2007. No. 623

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (Pull Tabs), on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Ely Igloo Snowmobile Club to operate out of Hideaway Bar & Restaurant, Unorganized Township 61-13, 8310 Joseph Street, Babbitt, MN 55706, NEW.

Adopted November 27, 2007. No. 624

RESOLVED, that a public hearing will be held at 9:35 A.M. on December 11, 2007, at the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to DLH, Inc., d/b/a The El Roy, Unorganized Township 60-18.

Adopted November 27, 2007. No. 625

WHEREAS, the St. Louis County Auditor has been notified that System Innovators will discontinue product support in 2010 for the current Auditor cashiering software, CASHIER for Windows, originally installed in 1996; and

WHEREAS, a cashiering system needs assessment was performed and a Request for Information (RFI) was posted online by the County Purchasing Department; and

WHEREAS, a vendor ranking and cost comparison determined System Innovator's iNOVAH software to be the least expensive and most technologically capable system available;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is hereby authorized to negotiate a purchase of System Innovator's iNOVAH cashiering solution at an estimated cost of \$134,748 and begin implementation in February 2008, with funding included in the proposed 2008 Auditor budget (Fund 100, Agency 115001, Object 634800).

Adopted November 27, 2007. No. 626

RESOLVED, the St. Louis County Board of Commissioners hereby appoints Olaf Clemenson to the

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Civil Service Commission for a three-year term expiring December 31, 2010.
Adopted November 27, 2007. No. 627

BY COMMISSIONER RAUKAR:

WHEREAS, the St. Louis County Health Insurance Committee has recommended retaining the services of Mr. William Hembree, doing business as Health Resources Institute (HRI), to address several ways to reduce the healthcare costs of St. Louis County; and

WHEREAS, after hearing a presentation by Mr. William Hembree at the Committee of the Whole meeting held on November 13, 2007, Commissioners agreed to consider a contract for up to \$40,000 for the services of HRI; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby approves and authorizes contract negotiations for up to \$40,000 payable from the Health Insurance Fund (Fund 740), with Mr. William Hembree doing business as Health Resources Institute, for services designed to assist the Health Insurance Committee with programs/methods to contain rising health insurance costs;

RESOLVED FURTHER, the County Board directs the County Attorney, County Auditor, County Administrator, and Health Insurance Committee Co-Chair to enter into negotiations with Mr. William Hembree of Health Resources Institute and to bring a completed contract for Board approval.
Unanimously adopted. November 27, 2007. No. 628

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (Pull-tabs with dispensing, Paddlewheel and Bar bingo), on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Climb, Inc., to operate out of Kountry Krossroads, Pike Township, 7010 Highway 169, Virginia, MN 55792, RENEWAL.

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

Nays - Commissioner Fink - 1

Adopted November 27, 2007. No. 629

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board hereby confirms the appointment of Ms. Martha Watson as County Employee Relations Director, effective on January 7, 2008, at a 2007 salary rate of \$101,164 (MCP Grade 28/Merit I) and the level of employment benefits specified in the County Management Compensation Plan for new employees.

RESOLVED FURTHER, Ms. Watson may be reimbursed for moving-related expenses up to \$6,000 associated with her relocation for employment with St. Louis County upon submission of proper receipts.

RESOLVED FURTHER, Ms. Watson's appointment is conditional upon her 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 November 27, 2007. No. 630

Upon motion of Commissioner Fink, supported by Commissioner Forsman, the rules were suspended to adopt Resolution No. 631 which was not on the agenda.

BY COMMISSIONER FINK:

WHEREAS, an Employee has filed a complaint with the U.S. Equal Employment Opportunity Commission alleging sexual harassment by another employee; and

WHEREAS, the employee has retained private counsel and submitted to the Board a proposal of settlement to avoid litigation over this matter; and

WHEREAS, the St. Louis County Attorney will provide legal advice to the County Board with respect

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to the evaluation of this settlement proposal and litigation strategy in this matter; and
WHEREAS, the County Attorney requires a candid and open discussion with the County Board in order to render professional and adequate advice to the Board in this matter; and
WHEREAS, public discussion of this settlement proposal and litigation strategy in the presence of the employee and opposing counsel would benefit the employee and opposing counsel to the County's detriment; and
WHEREAS, a closed session would benefit the public because potential financial liability in this matter could result in expenditure of public funds; and
WHEREAS, pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3 (b), the County Board may close a meeting as permitted by the attorney-client privilege.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby closes the meeting of November 27, 2007, to discuss with the County Attorney the strategy of defending these allegations and the specific settlement proposal submitted by the employee's attorney.
RESOLVED FURTHER, that no other pending public business will be discussed at this closed session. Unanimously adopted. November 27, 2007. No. 631

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, Resolutions No. 632 through 643, 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 is committed to providing waste disposal services to residents in the northern regions of the County; and
WHEREAS, since 1999, the County has been leasing the property located in the SW 1/4 of the NW 1/4 of the NW 1/4 of the NE 1/4 of Section 18, Township 69, Range 21, under the terms of an existing Agreement; and
WHEREAS, it has been determined that it is in the best interest of the County to continue to provide a canister site to the residents in this area;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Solid Waste Department is authorized to enter into a five-year agreement with the Kabetogama Lake Association to lease the above parcel to operate a solid waste canister site, to expire on December 31, 2012. The annual cost of this lease will be equal to \$1.00 plus the current yearly property tax amount, payable from Fund 600, Agency 603001.
Adopted November 27, 2007. No. 632

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 located within the reservation boundary of the Fond Du Lac Band of Lake Superior Chippewa that have forfeited to the State of Minnesota for non-payment of taxes. These parcels are described as:

Government Lot 2 EX RY R of W (3 20/100 acres), Section 26, Township 50 North, Range 17 West

Undivided 1349/68040 Interest, Government Lot 2, Section 34, Township 50 North, Range 17 West

WHEREAS, the 1985 Legislature passed into law Chapter 138, Section 5, which gave the Fond Du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the reservation boundary; and
WHEREAS, Minnesota Session Laws, 2002, Chapter 366, Section 23, authorized St. Louis County to sell by private sale the State tax forfeited parcels described herein which border public waters; 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;

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board approves the sale of the following State tax forfeited parcels to the Fond Du Lac Band of Lake Superior Chippewa:

Government Lot 2 EX RY R of W (3 20/100 acres), Section 26, Township 50 North, Range 17 West, for the appraised value of \$30,000.00 plus fees;

Undivided 1349/68040 Interest, Government Lot 2, Section 34, Township 50 North, Range 17 West, for the appraised value of \$724.00 plus fees.

Adopted November 27, 2007. No. 633

WHEREAS, bids have been received electronically and by hard copy by the St. Louis County Purchasing Department for the following project: Bid No. 4715, Phase II of the renovation/replacement of the Heating and Ventilating system of the St. Louis County Maintenance Facility in Virginia, MN

WHEREAS, said bids or proposals were opened in the St. Louis County Purchasing Department at 1:00 P.M., November 1, 2007, and this Board has, with the County Purchasing Director, determined the lowest bidder for which proposals were invited and submitted; and

WHEREAS, it is in the best interest of St. Louis County that the award 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>
Thelen Heating & Roofing	1717 - 13th Street SE Brainerd, MN 56401	\$305,800.00

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 bonds and contract with the Contractor for the above listed project payable from Fund 405, Agency 405018, Object 661100.

Adopted November 27, 2007. No. 634

WHEREAS, the County of St. Louis has in the past sponsored Federal Enhancement for various cities, townships and organized groups; and

WHEREAS, cities under 5000 in population need a sponsor; and

WHEREAS, the listed projects merit sponsorship by St. Louis County; and

WHEREAS, Project No. 1 and No. 2 listed below do not require funding or maintenance by St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County shall agree to sponsor the listed projects for the purpose of securing SAFETEA-LU funding; and

RESOLVED FURTHER, that St. Louis County shall provide assistance on a limited basis to assure the success of the following projects:

1. Bike/Pedestrian Trail (2012): High School to Meritt Elementary School, by City of Mt. Iron.

2. Bike/Pedestrian Trail (2012): Proctor Connection to Munger Trail, by City of Proctor.

Adopted November 27, 2007. No. 635

WHEREAS, pursuant to the dictates of Minnesota Statutes, Section 163.11, Subdivision 5A, a St. Louis County hearing was held on November 14, 2007, in concurrence with County Board Resolution No. 567, adopted October 23, 2007.

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WHEREAS, 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 Elmer Township, Cardinal Road, C.R. No. 197, originally legalized as part of County Ditch Road 4-3 consolidated and renamed by resolution of the County Board, February 7, 1918; beginning at or near the north quarter corner of Section 18, T53N, R19W, thence southerly along the north - south quarter section line a distance of one mile more or less to the South Quarter Corner of Section 18, T53N, R19W;

RESOLVED FURTHER, that the Clerk of the County Board will forward two certified copies of the resolution to the Elmer Township Board.

Adopted November 27, 2007. No. 636

WHEREAS, on May 23, 2007, the County Extension Committee recommended that the St. Louis County Board of Commissioners approve 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, 2008, through December 31, 2008, with contract services including five positions identified as Extension Educators (2 FTEs) and 4-H Program Coordinator (2.75 FTEs) for a total contract price of \$333,625.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute the 2008 Memorandum of Agreement with the University of Minnesota to provide Extension programs with funding in the proposed 2008 budget, County Extension (Fund 184, Agency 184001, Object 629900 - \$ 286,600; and Fund 184, Agency 186002, Object 629900 - \$47,025).

Adopted November 27, 2007. No. 637

RESOLVED, that the St. Louis County Board of Commissioners approves the transfer of \$884.00 from the County Extension Service fund balance for necessary storage space in the Government Services Center, beginning with the proposed 2008 budget to be approved on December 11, 2007.

RESOLVED FURTHER, that a total of \$884.00 be allocated from County Extension Service fund balance, Fund 184, Agency 184001 (County Extension Service), to County Extension Service budget for additional lease expense, Fund 184, Agency 184001, Object 634400 effective January 1, 2008.

Adopted November 27, 2007. No. 638

WHEREAS, the County Auditor may refer any penalty abatement request to the Board of Commissioners for its consideration; and

WHEREAS, the County Auditor has referred a request for the abatement of a \$21.78 late payment penalty fee assessed to Mr. Sten Bylund of Duluth, MN, for being one day late with property tax payment due in the County Auditor's Office on October 15, 2007; and

WHEREAS, the County Board is being asked to consider that St. Louis County Board Policies, Taxes, Chapter 25.2 and 25.3. are designed to ensure reasonableness with individual taxpayers and prudence with the tax and other monies due to the taxing authorities operating within St. Louis County; and

WHEREAS, the Board is being asked to consider the "reasonableness" of abating this penalty for the "unjust or unreasonable" nature of the penalty due to Mr. Bylund's advanced age (91), his medical mobility issues, and the added mailing confusion created by the current reconstruction of the United States Post Office main building located at 2731 West Michigan Street, Duluth, MN;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby abates the \$21.78 late payment penalty fee assigned to the October 15, 2007, property tax payment of Mr. Sten Bylund of Duluth, MN, and directs the County Auditor to issue a refund of the penalty fee.

Adopted November 27, 2007. No. 639

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

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of this resolution, on file in the office of the County Auditor, identified as County Board File No. 58631, are hereby approved:

Real Estate - Corey Behlke, \$277.90; Jeremiah Brandau, \$1,052.66; Shawn Burr, \$301.60; Lindzi Campbell, \$291.76; John Chisholm, \$1,428.08; City of Eveleth, \$4,554.12; Amanda Hanson, \$246.40; Greg Hartel, \$189.42; Sandra Helin, \$1,420.34; Danielle Himes, \$218.76; Charles Markasich, \$401.74; Ryan Matson, \$829.56; Cindy Robinson, \$474.30; State of Minnesota, \$113.44; Dennis Thompson, \$300.48; Mary Thorne, \$427.86.

Personal Property - Roy Hanson, \$326.72; Harddrives, Inc., \$267.32.

Adopted November 27, 2007. No. 640

WHEREAS, St. Louis County is committed to providing comprehensive waste management services including land disposal to its residents; and

WHEREAS, St. Louis County continues to expand and develop its Regional Landfill in Virginia to provide land disposal services to residents of its solid waste service area and continued use of the Regional Landfill will require construction of Phase 5 in 2008; and

WHEREAS, the County requires the assistance of an engineer to provide Phase 5 design engineering, bidding assistance, construction management and certification services (Phase 5 engineering services); and

WHEREAS, Northeast Technical Services, Inc. (NTS), represents that it is qualified to provide engineering and/or architectural services as required by the Agreement and is duly registered to provide said services pursuant to Minnesota Statute, Sections 326.02 through 326.15; and

WHEREAS, St. Louis County requested that NTS provide the County with a proposal for Phase 5 engineering services for the Regional Landfill ; and

WHEREAS, St. Louis County has reviewed and evaluated the proposal submitted by NTS (with Liesch Associates, Inc., as a subcontractor) and found it acceptable and meeting the County's needs; and

WHEREAS, funds not to exceed \$91,085 have been appropriated for said engineering services;

NOW, THEREFORE, BE IT RESOLVED, that the appropriate County officials are authorized to enter into an agreement with Northeast Technical Services, Inc., to provide Phase 5 engineering services for the development of Phase 5 landfill construction at a cost not to exceed \$91,085, payable from Fund 600, Agency 607001 Landfill.

Adopted November 27, 2007. No. 641

RESOLVED, the St. Louis County Board of Commissioners hereby reappoints the following individuals to serve three-year terms on the County Extension Committee:

Dr. George Host, for a term expiring December 31, 2009

Jan Dzwonkowski, for a term expiring December 31, 2010

Jennifer Lipke, for a term expiring December 31, 2010

Adopted November 27, 2007. No. 642

WHEREAS, the St. Louis County Law Library Board of Trustees has been duly established for the purpose of management of law libraries in St. Louis County; and

WHEREAS, pursuant to Minnesota Statute, Section 134A.01, et al, the St. Louis County Board is authorized to provide support to the St. Louis County Law Library; and

WHEREAS, it is the desire and intent of the parties to continue to operate said law library at various quarters in the St. Louis County Courthouses in Duluth, Hibbing and Virginia.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Chair of the St. Louis County Board and the Auditor to execute the agreement with the St. Louis County Law Library Board, on file in the office of the County Auditor, identified as Contract File No. 07-1160, for space and operation of the St. Louis County Law Libraries in the Duluth, Hibbing, and Virginia Courthouses.

Adopted November 27, 2007. No. 643

BY COMMISSIONER FORSMAN:

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

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RESOLVED, that the appropriate County officials are hereby authorized to approve an amendment with IBM Corporation of Bethesda, MD, whereby the County will continue to purchase the services of IBM for software, implementation, training, and maintenance services for Fleet Maintenance and Cost Accounting Software, identified as Maximo Version 6.0. The estimated additional cost of the software and services is \$130,000.00, payable from MIS Fund 750, Agency 751028.
Unanimously adopted. November 27, 2007. No. 644

At 12:15 P.M. on Tuesday, November 27, 2007, upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Bill Kron, 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

DECEMBER, 2007

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON DECEMBER 11, 2007

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of December, 2007, at 9:42 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Dennis Fink, Steve O'Neil, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. Troops serving throughout the world.

At 9:43 A.M., a public hearing was convened pursuant to County Board Resolution No. 625, adopted November 27, 2007, to consider granting an off sale intoxicating liquor license to DLC, Inc., d/b/a The El Roy, Unorganized Township 60-18. Melanie Ford, County Attorney, advised the Board that: all required County Departments had reviewed the application and recommended approval; the establishment was located in an unorganized area so no town board approval was required; the Liquor Licensing Committee met with the applicant and, after discussing the location and propriety of the business, recommended approval; all required notices were given; and, required insurance certificates were submitted by the applicant. Deanna Lynn Conkey, owner of The El Roy, was present and said she understood and would abide by provisions of state statutes and County Ordinance No. 28 (Liquor Ordinance). No one else chose to address the issue.

At 9:48 A.M., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the hearing; seven yeas - zero nays. Commissioner Forsman, supported by Commissioner Nelson, moved to approve granting the license; seven yeas - zero nays. Resolution No. 650.

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

Durbin Keeney, Veterans Representative (MALV), said closing of the YWCA in Duluth will cause problems for homeless Veterans and he described a \$1.6 million proposal to establish a housing facility for Veterans in West Duluth. Mr. Keeney thanked the Board for their support and said homeless programs for Veterans will be expanding to the Iron Range where there is also a need.

Steve Sigford, Duluth, said his real estate taxes increased 14 percent while his Social Security received only a 2 percent boost.

Jim Ross, Duluth, asked why taxes on his property in Grand Lake increased 19.2 percent for 2008. Donald Dicklich, County Auditor, looked at Mr. Ross's Truth In Taxation statement and noted a large increase in valuation.

Thomas Archer, Duluth, questioned taxes and valuation of property he owns in Fredenberg.

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Carol Strom, Cloquet, also questioned the valuation and subsequent taxes levied against property she owns in Meadowlands.

Chair Kron asked Administration to direct speakers with questions about their taxes and valuations to the County Assessor's Office for an explanation.

Dana Frey, County Administrator, presented an overview of the proposed 2008 budget that will include a 4.27 percent levy increase. Administrator Frey noted that beginning next year all fund balance usage will have to be approved by Board action. In response to a request by Commissioner Fink, Administrator Frey detailed some of the factors forcing property taxes to absorb more County costs including reductions in intergovernmental aids, unfunded mandates and increasing personnel costs. Commissioner Raukar, supported by Commissioner Nelson, moved to approve the budget and budget addendum resolution. Chair Kron noted two economic development funding proposals were not included in the addendum (\$5,000 for the Center for EcoIndustrial Development and \$15,000 for the Duluth Airshow). Commissioner Nelson asked for a footnote to the addendum that would clearly indicate that Veterans funding was increased by \$50,000 for 2008. Chair Kron asked for a friendly amendment - not accepted by the maker - to include the economic development projects and the footnote. Chair Kron, supported by Commissioner Fink, moved to formally amend the addendum.

At 11:20 A.M. in the forenoon of Tuesday, December 11, 2007, Chair Kron moved to recess the Board until 11:25 A.M. on December 11, 2007, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:30 A.M. on Tuesday, December 11, 2007, and the regular order of business resumed with all members present.

Commissioner Raukar reconsidered the amendment offered by Chair Kron and he accepted it as a friendly amendment.

The following person addressed the Board regarding the budget:

Richard Paulson, Duluth, asked how the County funds deficits at Chris Jensen Health and Rehabilitation Center. Commissioners noted that the deficits cited by Mr. Paulson were cumulative but the County was doing everything possible to minimize or eliminate subsidies.

Melanie Ford, County Attorney, said the Victim/Witness reduction contained in the addendum will be difficult to recoup and she asked the Board to allow her to use certain fund balances to make up the budget shortfall. Administrator Frey explained the policy for use of fund balances to cover personnel costs. Commissioner O'Neil, supported by Commissioner Sweeney, moved to take \$28,000 out of fund balances to cover the Attorney costs. After discussion, the amendment failed: three yeas - four nays, Commissioners Fink, Forsman, Nelson and Raukar. After further discussion, the original budget and addendum motion with the accepted friendly amendment was approved; seven yeas - zero nays. Resolution No. 651 (addendum) and Resolution No. 652 (budget).

Commissioner Raukar, supported by Commissioner Nelson, moved to suspend the rules to consider a budgetary increase request by the Sheriff. Commissioner Raukar, supported by Commissioner Sweeney, moved to approve the request. Administrator Frey said the Sheriff was routinely underbudgeted and annual shortfalls were made up with fund balances. New procedures recommended by the Internal Auditor require Board approval for all fund balance use so budgeting procedures for the Sheriff have been changed, according to Administrator Frey. After further discussion, the request was approved; seven yeas - zero nays. Resolution No. 653.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve inclusion of County Attorney management positions in the Unclassified Managers' Pay Plan effective to the date of their

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appointment. Commissioner Fink disagreed with the retroactivity of the proposal and he offered a friendly amendment - not accepted by the makers - to make the inclusion effective January 1, 2008. Commissioner Fink, supported by Commissioner Nelson, moved to formally amend the motion. County Attorney Ford said there is very little financial impact from the proposal. After further discussion, the amendment failed; two yeas - five nays, Commissioners O'Neil, Forsman, Sweeney, Raukar and Chair Kron. The original motion was then approved; six yeas - one nay, Commissioner Fink. Resolution No. 654.

Commissioner Fink, supported by Commissioner Nelson, moved to suspend the rules to consider the 2006-2007 Merit System Supervisory Bargaining Agreement; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Sweeney, moved to approve the contract; seven yeas - zero nays. Resolution No. 655.

Commissioner Fink, supported by Commissioner Nelson, moved to go to a closed session for litigation purposes at the conclusion of the Board meeting; seven yeas - zero nays.

Commissioner Nelson noted the Iron Range Building Trades has negotiated a project labor agreement with Steel Dynamics for restoration of the old LTV Steel plant in Hoyt Lakes.

Commissioner Nelson, supported by Commissioner Raukar, made a directive motion to send a letter signed by Commissioners objecting to a lack of due process in the recent Association of Minnesota Counties (AMC) debate about the Federal Clean Water Act rewrite. Commissioner Fink said he disagrees with portions of the letter; six yeas - one nay, Commissioner Fink.

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

Documentation from public hearing held on December 11, 2007, to consider the granting of an Off-Sale Intoxicating Liquor License to DLC, Inc., d/b/a The El Roy, Unorganized Township 60-18.--58766

Mike Forsman, Fourth District Commissioner, submitting correspondence suggesting that to save the state money people should pass a urine test to get a public assistance check.--58767

Durbin Keeney, Veterans Service Officer, submitting photograph of a building on 52nd Avenue West and Ramsey Street in Duluth which is to be used as a Veterans' housing facility.--58768

St. Louis County Board of Commissioners submitting copy of letter to the Association of Minnesota Counties conveying their disappointment with the lack of due process extended and displayed at the AMC policy platform adoption session regarding the issue of the Federal Clean Water Act rewrite.--58769

St. Louis County Merit System Supervisory Bargaining Unit Agreement for 2006/2007.--07-1172

Addendum to Purchase Agreement, Contract No. 14025B, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc., for non-residential services.--07-1173ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14156A, between the Public Health and Human Services Department and Accessible Space, Inc., for assisted living and customized living services.--07-1174ss

Family Homeless Prevention and Assistance Program Agreement, Contract No. 20731, between St. Louis County and Arrowhead Economic Opportunity Agency.--07-1175ss

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Addendum to Contract No. 20676C between the St. Louis County Board and Arrowhead Economic Opportunity Agency for food support employment and training services.--[07-1176ss](#)

Addendum to Purchase Agreement, Contract No. 13084F, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Virginia for semi-independent living services.--[07-1177ss](#)

Addendum to Purchase Agreement, Contract No. 13083F, between the St. Louis County Board of Commissioners and Homes, Inc. (SILS) - Hibbing for semi-independent living services.--[07-1178ss](#)

Addendum to Purchase Agreement, Contract No. 13341E, between the St. Louis County Board of Commissioners and Choice, Unlimited - CORE (Community Outreach for Retirement Enrichment) - Personal Support.--[07-1179ss](#)

Addendum to Purchase Agreement, Contract No. 13081F, between the St. Louis County Board of Commissioners and Duluth Regional Care Center (SILS) for semi-independent living services.--[07-1180ss](#)

Addendum to Purchase Agreement, Contract No. 13298F, between the St. Louis County Board of Commissioners and Choice, Unlimited - Work by Design - SES (MA MR/RC Waiver Supported Employment).--[07-1181ss](#)

Family Homeless Prevention and Assistance Program Agreement, Contract No. 20736, between St. Louis County and Range Transitional Housing.--[07-1182ss](#)

Addendum to Purchase Agreement, Contract No. 14094A, between the St. Louis County Board of Commissioners and Miller-Dwan Medical Center for Consolidated Chemical Dependency Treatment Fund Services.--[07-1183ss](#)

Addendum to Purchase Agreement, Contract No. 13980B, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC, for non-residential services.--[07-1184ss](#)

Addendum to Home and Community- Based Waiver Services Contract, Contract No. 14101B, between the East Range Development Achievement Center, Inc., for non-residential services.--[07-1185ss](#)

Addendum to Purchase Agreement, Contract No. 13982B, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Services, Inc., for non-residential services.--[07-1186ss](#)

Addendum to Purchase Agreement, Contract No. 14091A, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., for Consolidated Chemical Dependency Treatment Fund Services.--[07-1187ss](#)

Addendum to Purchase Agreement, Contract No. 13988D, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for adult day care services.--[07-1188ss](#)

Group Residential Housing Rate Agreement, Contract No. 50575, between the St. Louis County Board of Commissioners and Northland AFC, Inc. (Decker).--[07-1189ss](#)

Addendum to Purchase Agreement, Contract No. 14107A, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, d/b/a Arrowhead Meals on Wheels.--[07-1190ss](#)

Purchase of Service Agreement, Contract No. 14207, between the St. Louis County Board of

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Commissioners and Alpine Medical Alert, Inc., for supplies and equipment.--07-1191ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14186A, between the St. Louis County Public Health and Human Services Department, and Anderson's Pine Grove Home, for assisted living plus and customized living.--07-1192ss

Addendum to Purchase Agreement, Contract No. 13985C, between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC, d/b/a Home Instead Senior Care. --07-1193ss

Addendum to Purchase Agreement, Contract No. 14064B, between the St. Louis County Board of Commissioners and Care at Home, Inc., for home care services.--07-1194ss

Addendum to Purchase Agreement, Contract No. 14061B, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota, Inc., for non-residential services.--07-1195ss

Addendum to Contract No. 20675B between the St. Louis County Board and the City of Duluth for food support employment and training services.--07-1196ss

Addendum to Purchase Agreement, Contract No. 13987B, between the St. Louis County Board of Commissioners and Cook Hospital, d/b/a Daybreak Adult Day Services.--07-1197ss

Family Homeless Prevention and Assistance Program Agreement, Contract No. 20733, between St. Louis County and Damiano of Duluth, Inc.--07-1198ss

Addendum to Purchase Agreement, Contract No. 14035B, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., for non-residential services. --07-1199ss

Addendum to Purchase Agreement, Contract No. 13989B, between the St. Louis County Board of Commissioners and Home Health Services of Hibbing, d/b/a Home Care Specialists.--07-1200ss

Addendum to Purchase Agreement, Contract No. 14038B, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc., for non-residential services.--07-1201ss

Agreement for Family Foster Care for Children between the St. Louis County Board of Commissioners and Mary Hughley and Arnold Hughley.--07-1202ss

Addendum to Grant Agreement, Contract No. 20701A, between the St. Louis County Board of Commissioners and Human Development Center for adult mental health integrated fund services.--07-1203ss

Addendum to Purchase Agreement, Contract No. 14026B, between the St. Louis County Board of Commissioners and Lutheran Social Service Family Resource Center for non-residential services.--07-1204ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14102B, between the St. Louis County Public Health and Human Services Department and Northstar Specialized Services, Inc., d/b/a NHS - Northstar Specialized Services, for adult and child foster care services.--07-1205ss

Addendum to Purchase Agreement, Contract No. 14028B, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for non-residential services. --07-1206ss

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Addendum to Purchase Agreement, Contract No. 14196A, between the St. Louis County Board of Commissioners and Proactive-Caring-Accommodating Services, LLC, for home care services.--[07-1207ss](#)

Addendum to Purchase Agreement, Contract No. 14050B, 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.--[07-1208ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14199A, between the St. Louis County Public Health and Human Services Department and REM Arrowhead, Inc., for adult foster care services.--[07-1209ss](#)

Home and Community-Based Waiver Services Contract, Contract No. 14199, between the St. Louis County Board of Commissioners, through its Public Health and Human Services Department, and REM Arrowhead, Inc., for adult foster care services.--[07-1210ss](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14159A, between the St. Louis County Public Health and Human Services Department and Stepping Stones for Living, LLC, for adult foster care services.--[07-1211ss](#)

Addendum to Purchase Agreement, Contract No. 14024B, between the St. Louis County Board of Commissioners and TBI Residential and Community Services, Inc., for non-residential services.--[07-1212ss](#)

Addendum to Purchase Agreement, Contract No. 14193A, between the St. Louis County Board of Commissioners and Touching Hearts at Home for home care services.--[07-1213ss](#)

Addendum to Purchase Agreement, Contract No. 14017C, between the St. Louis County Board of Commissioners and Trillium Works! Inc., for non-residential services.--[07-1214ss](#)

Group Residential Housing Rate Agreement, Contract No. 50569, between the St. Louis County Board of Commissioners and Stepping Stones for Living - Duncan.--[07-1215ss](#)

Addendum to Purchase Agreement, Contract No. 13059F, between the St. Louis County Board of Commissioners and Access to Employment Too, Inc. (CCSA), for adult day training, habilitation and transportation.--[07-1216ss](#)

Addendum to Purchase Agreement, Contract No. 13060F, between the St. Louis County Board of Commissioners and Access to Employment, Too, Inc. (MA MR/RC Waiver), for day training, habilitation and transportation.--[07-1217ss](#)

Addendum to Purchase Agreement, Contract No. 13503E, between the St. Louis County Board of Commissioners and Access to Employment, Too, Inc. (MA MR/RC Waiver Supported Employment and Transportation - Extended).--[07-1218ss](#)

Addendum to Purchase Agreement, Contract No. 13235F, between the St. Louis County Board of Commissioners and ARC Northland for respite care.--[07-1219ss](#)

Addendum to Purchase Agreement, Contract No. 13903C, between the St. Louis County Board of Commissioners and Capstone Services, LLC (SLS Foster Support).--[07-1220ss](#)

Addendum to Purchase Agreement, Contract No. 13427H, between the St. Louis County Board of

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Commissioners and Capstone Services, LLC - Kingswood for supported living services for adults.--[07-1221ss](#)

Addendum to Purchase Agreement, Contract No. 13061F, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (CCSA) for day training, habilitation and transportation.--[07-1222ss](#)

Addendum to Purchase Agreement, Contract No. 13062F, between the St. Louis County Board of Commissioners and Choice, Unlimited - Choice (MR/RC Waiver) for adult day training, habilitation and transportation.--[07-1223ss](#)

Addendum to Purchase Agreement, Contract No. 13063F, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (CCSA) for adult day training, habilitation and transportation.--[07-1224ss](#)

Addendum to Purchase Agreement, Contract No. 13064F, between the St. Louis County Board of Commissioners and Choice, Unlimited - Options (MA MR/RC Waiver) for adult day training, habilitation and transportation.--[07-1225ss](#)

Addendum to Purchase Agreement, Contract No. 13769D, between the St. Louis County Board of Commissioners and Welter Adult Foster Home for supported living services for adults. --[07-1226ss](#)

Addendum to Purchase Agreement, Contract No. 13326F, between the St. Louis County Board of Commissioners and Worry - Free Respite.--[07-1227ss](#)

Addendum to Purchase Agreement, Contract No. 13927C, between the St. Louis County Board of Commissioners and Cole Schneider - Possibilities Plus - Vinland for supported living services for children and adults.--[07-1228ss](#)

Addendum to Purchase Agreement, Contract No. 13312G, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Home - House I for semi-independent living services for adults.--[07-1229ss](#)

Addendum to Purchase Agreement, Contract No. 13066F, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (MA MR/RC Waiver), for day training, habilitation and transportation.--[07-1230ss](#)

Addendum to Purchase Agreement, Contract No. 13065F, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (CCSA), for day training, habilitation and transportation.--[07-1231ss](#)

Addendum to Purchase Agreement, Contract No. 13614E, between the St. Louis County Board of Commissioners and Employment Links (MA MR/RC Waiver Supported Employment).--[07-1232ss](#)

Addendum to Purchase Agreement, Contract No. 13342F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - In Home family support.--[07-1233ss](#)

Addendum to Purchase Agreement, Contract No. 13340F, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI), for semi-independent living services.--[07-1234ss](#)

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Addendum to Purchase Agreement, Contract No. 13347G, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Aurora for supported living services for adults.--[07-1235ss](#)

Addendum to Purchase Agreement, Contract No. 13346G, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Biwabik for supported living services for adults.--[07-1236ss](#)

Addendum to Purchase Agreement, Contract No. 13345G, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Embarrass for supported living services for adults.--[07-1237ss](#)

Addendum to Purchase Agreement, Contract No. 13344H, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Heritage for supported living services for adults.--[07-1238ss](#)

Addendum to Purchase Agreement, Contract No. 13343H, between the St. Louis County Board of Commissioners and Empowerment Services of Minnesota, Inc. (ESI) - Mountain Iron for supported living services for children and adults.--[07-1239ss](#)

Addendum to Purchase Agreement, Contract No. 13282G, between the St. Louis County Board of Commissioners and Family Support, Inc., of Moose Lake for specialist services.--[07-1240ss](#)

Addendum to Purchase Agreement, Contract No. 13067F, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (CCSA), for day training, habilitation and transportation.--[07-1241ss](#)

Addendum to Purchase Agreement, Contract No. 13068F, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc. (MA MR/RC Waiver), for day training, habilitation and transportation.--[07-1242ss](#)

Addendum to Purchase Agreement, Contract No. 13318G, between the St. Louis County Board of Commissioners and Barbara Gross Adult Foster Home for supported living services for adults.--[07-1243ss](#)

Employee Safety & Development Training Contract between St. Louis County and Mary McHardy for one session of Pre-Retirement Planning (Psychological Considerations of Retirement). --[07-1244](#)

Amendment No. 1 for CFMS Contract No. A82141 between the St. Louis County Public Works Department and the Minnesota Department of Natural Resources for the McQuade Safe Harbor Project.--[07-1245](#)

Agreement for Professional Services between the County of St. Louis and Dave Skelton.--[07-1246](#)

Consulting Project Agreement, Contract 1007R2MN, between Region 2 Interoperable Communications Group - St. Louis County, through the Sheriff's Office, and GeoComm, Incorporated.--[07-1247](#)

Addendum to Purchase Agreement, Contract No. 13232G, between the St. Louis County Board of Commissioners and Hermantown Residential Care for supported living services for adults.--[07-1248ss](#)

Addendum to Purchase Agreement, Contract No. 13483E, between the St. Louis County Board of Commissioners and Innovative Living, Inc. (SILS), for semi-independent living services.--[07-1249ss](#)

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Addendum to Purchase Agreement, Contract No. 13815D, between the St. Louis County Board of Commissioners and Innovative Living, Inc. - Hermantown III for supported living services for adults.--[07-1250ss](#)

Addendum to Purchase Agreement, Contract No. 13309E, between the St. Louis County Board of Commissioners and William and Terry Johnson Foster Home for supported living services for adults.--[07-1251ss](#)

Addendum to Purchase Agreement, Contract No. 13319G, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 1, for supported living services for adults. --[07-1252ss](#)

Addendum to Purchase Agreement, Contract No. 13320G, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 2, for supported living services for adults. --[07-1253ss](#)

Addendum to Purchase Agreement, Contract No. 13321G, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 3, for supported living services for adults. --[07-1254ss](#)

Addendum to Purchase Agreement, Contract No. 13881D, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 4, for supported living services for adults. --[07-1255ss](#)

Addendum to Purchase Agreement, Contract No. 13323G, between the St. Louis County Board of Commissioners and Kiminki Homes, Inc. - No. 5, for supported living services for adults. --[07-1256ss](#)

Addendum to Purchase Agreement, Contract No. 13231G, between the St. Louis County Board of Commissioners and Lakewind, Inc., for supported living services for adults.--[07-1257ss](#)

Addendum to Purchase Agreement, Contract No. 13957C, between the St. Louis County Board of Commissioners and Claudette Lentz Adult Foster Home for supported living services for adults.--[07-1258ss](#)

Addendum to Purchase Agreement, Contract No. 13247F, between the St. Louis County Board of Commissioners and NHS - Northstar Specialized Service, Inc. - In Home Family Support. --[07-1259ss](#)

Addendum to Purchase Agreement, Contract No. 13327G, between the St. Louis County Board of Commissioners and Nora Renne Adult Foster Home for supported living services for adults.--[07-1260ss](#)

Addendum to Purchase Agreement, Contract No. 13196F, 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.--[07-1261ss](#)

Addendum to Purchase Agreement, Contract No. 13197F, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Respite Care Services (MA MR/RC Waiver).--[07-1262ss](#)

Addendum to Purchase Agreement, Contract No. 13194H, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Chester Creek for supported living services for adults.--[07-1263ss](#)

Addendum to Purchase Agreement, Contract No. 13193H, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Hunter's Park for supported living services for adults.--[07-1264ss](#)

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Addendum to Purchase Agreement, Contract No. 13816D, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Jefferson for supported living services for adults.--[07-1265ss](#)

Addendum to Purchase Agreement, Contract No. 13315H, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Morley Park for supported living services for adults.--[07-1266ss](#)

Addendum to Purchase Agreement, Contract No. 13195H, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Piedmont for supported living services for adults.--[07-1267ss](#)

Addendum to Purchase Agreement, Contract No. 13192H, between the St. Louis County Board of Commissioners and Residential Services of Northeastern MN, Inc. (RSI) - Westbrook for supported living services for adults.--[07-1268ss](#)

Addendum to Purchase Agreement, Contract No. 13620E, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. - Balsam Home for supported living services for adults.--[07-1269ss](#)

Addendum to Purchase Agreement, Contract No. 13932B, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. - Birch Home for supported living services for adults.--[07-1270ss](#)

Addendum to Purchase Agreement, Contract No. 14220A, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. - Olsen Home for supported living services for adults.--[07-1271ss](#)

Purchase of Service Agreement, Contract No. 14220, between the St. Louis County Board of Commissioners and Rural Living Environments, Inc. - Olsen Home for supported living services for adults.--[07-1272ss](#)

Addendum to Purchase Agreement, Contract No. 13631E, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home for supported living services for adults.--[07-1273ss](#)

Addendum to Purchase Agreement, Contract No. 13358F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - In Home Family Support Services.--[07-1274ss](#)

Addendum to Purchase Agreement, Contract No. 13359F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Respite Care.--[07-1275ss](#)

Addendum to Purchase Agreement, Contract No. 12552F, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for semi-independent living services.--[07-1276ss](#)

Addendum to Purchase Agreement, Contract No. 13770D, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Anderson Road for supported living services for children.--[07-1277ss](#)

Addendum to Purchase Agreement, Contract No. 13367G, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Apple Ridge (formerly Ramsey III) for supported living services for adults.--[07-1278ss](#)

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Addendum to Purchase Agreement, Contract No. 13374G, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Como (formerly Faribault) for supported living services for adults.--[07-1279ss](#)

Addendum to Purchase Agreement, Contract No. 13774E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Crosley for supported living services for children and adults.--[07-1280ss](#)

Addendum to Purchase Agreement, Contract No. 14219A, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Decker Road for supported living services for children.--[07-1281ss](#)

Addendum to Purchase Agreement, Contract No. 13962C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ensign for supported living services for children.--[07-1282ss](#)

Addendum to Purchase Agreement, Contract No. 13363H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Highland I for supported living services for adults.--[07-1283ss](#)

Addendum to Purchase Agreement, Contract No. 13775E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ivanhoe for supported living services for adults.--[07-1284ss](#)

Addendum to Purchase Agreement, Contract No. 13650F, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Jackson Estates for supported living services for adults.--[07-1285ss](#)

Addendum to Purchase Agreement, Contract No. 13610G, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - London Road for supported living services for adults.--[07-1286ss](#)

Addendum to Purchase Agreement, Contract No. 13773E, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - McKinley for supported living services for children and adults.--[07-1287ss](#)

Addendum to Purchase Agreement, Contract No. 13373H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Oakley for supported living services for adults.--[07-1288ss](#)

Addendum to Purchase Agreement, Contract No. 13628G, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Palisade Circle (formerly Isanti) for supported living services for adults.--[07-1289ss](#)

Addendum to Purchase Agreement, Contract No. 13371H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood I for supported living services for adults.--[07-1290ss](#)

Addendum to Purchase Agreement, Contract No. 13509G, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Parkwood II for supported living services for adults.--[07-1291ss](#)

Addendum to Purchase Agreement, Contract No. 13369H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Ramsey I for supported living services for

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adults.--07-1292ss

Addendum to Purchase Agreement, Contract No. 13361H, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Selfridge for supported living services for adults.--07-1293ss

Addendum to Purchase Agreement, Contract No. 13360G, between the St. Louis County Board of Commissioners and Trillium Services, Inc., for supported living services for adults and children.--07-1294ss

Addendum to Purchase Agreement, Contract No. 13931C, between the St. Louis County Board of Commissioners and Trillium Services, Inc. - Swan Lake for supported living services for adults.--07-1295ss

Addendum to Purchase Agreement, Contract No. 133701, between the St. Louis County Board of Commissioners and Trillium Services, Inc.- Waterview (formerly Mitchell I) for supported living services for adults.--07-1296ss

Addendum to Purchase Agreement, Contract No. 13357F, between the St. Louis County Board of Commissioners and Trillium Works! for supported employment.--07-1297ss

Addendum to Purchase Agreement, Contract No. 13230G, between the St. Louis County Board of Commissioners and Tuominen Adult Foster Home.--07-1298ss

Addendum to Purchase Agreement, Contract No. 13076F, between the St. Louis County Board of Commissioners and UDAC, Inc. (CCSA), for day training, habilitation and transportation.--07-1299ss

Addendum to Purchase Agreement, Contract No. 13077F, between the St. Louis County Board of Commissioners and UDAC, Inc. (MA MR/RC Waiver), for day training, habilitation and transportation.--07-1300ss

Addendum to Contract No. 20722 between the St. Louis County Board of Commissioners and the Northeast Minnesota Office of Job Training for providing statewide Minnesota Family Investment Program Employment Services, Diversionary Work Program Services and Unallocated Performance Funds for innovation projects.--07-1301ss

Purchase of Service Agreement, Contract No. 14233, between the St. Louis County Board of Commissioners and Greg Bolf Construction for adaptive aids/modifications.--07-1302ss

Addendum to Purchase Agreement, Contract No. 13078F, between the St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (CCSA), for day training and habilitation.--07-1303ss

Addendum to Purchase Agreement, Contract No. 13079F, between the St. Louis County Board of Commissioners and Pinewood - Duluth, Inc. (MA MR/RC Waiver), for day training, habilitation and transportation.--07-1304ss

Agreement for Professional Services between the County of St. Louis and Bond Appraisal Group for County fee land appraisal of two lots in the City of Duluth.--07-1305

Agreement for Professional Services between the County of St. Louis and DSGW Architects for Depot Facility Space Study - Phase I.--07-1306

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Agreement for Professional Services between the County of St. Louis and Universal Title Company, d/b/a Consolidated Title and Abstract Company for Depot Property Abstract.--07-1307

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for geotechnical exploration program for County Bridges No. 528, 605, 642 and 699.--07-1308

Agreement for Professional Services between the County of St. Louis and Gale-Tec Engineering, Inc., for geotechnical engineering for County Bridge No. 41 and the repair of County Road 834 (West Fine Lakes Road).--07-1309

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 645 through 649, 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 November 13, 2007, are hereby approved.

Adopted December 11, 2007. No. 645

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 27, 2007, are hereby approved.

Adopted December 11, 2007. No. 646

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, as set forth by the County Attorney, dated November 23, 2007, on file in the office of the County Auditor, identified as County Board File No. 58633, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted December 11, 2007. No. 647

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. 58658, 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:

Traci Melin, d/b/a Char Mars, Alborn Township, Tobacco Products License No. T08230;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township, Tobacco Products License No. T0828;

Country Market, Inc., d/b/a Country Market, City of Meadowlands, Tobacco Products License No. T08215;

Furry's, Inc., d/b/a Dino's, City of Aurora, Tobacco Products License No. T08201;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Unorganized Township 68-21, Tobacco Products License No. T0855;

Gruben's Marina, Inc., d/b/a Gruben's Marina, Greenwood Township, Tobacco Products License No. T0859;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 85, City of Proctor, Tobacco Products

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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License No. T0864;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore No. 184, White Township, Tobacco Products License No. T0865;

Homecroft Super Valu, Inc., d/b/a Homecroft Super Valu, Rice Lake Township, Tobacco Products License No. T0866;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T0869;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Cotton Township, Tobacco Products License No. T0870;

Lakeview Castle, Inc., d/b/a Lakeview Castle, Duluth Township, Tobacco Products License No. T08232;

Edwards Oil Co., Inc., d/b/a Lucky Seven General Store, City of Aurora, Tobacco Products License No. T0887;

Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, Tobacco Products License No. T08216;

Liupakka, Inc., d/b/a Munger Tavern & Grill, Solway Township, Tobacco Products License No. T08163;

Mar Mar, Inc., d/b/a Novy's Haven, City of Hoyt Lakes, Tobacco Products License No. T08172;

Tim & Jesse, Inc., d/b/a Rudy's Bar, City of Aurora, Tobacco Products License No. T08183;

Brian Scott Kirsh, d/b/a Sportsmens Inn, Gnesen Township, Tobacco Products License No. T08200;

Timbuktu Marina, LLC, d/b/a Timbuktu Marina, Greenwood Township, Tobacco Products License No. T08161;

Sullivan's Mercantile, Inc., d/b/a Twig General, Grand Lake Township, Tobacco Products License No. T08129;

Wilbert, Inc., d/b/a Wilbert Café & El Toro Lounge, Cotton Township, Tobacco Products License No. T08199;

City of Winton, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T08135;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T08140.

Adopted December 11, 2007. No. 648

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. 58658, 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:

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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. T083, 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. T089, May 25, 2000;

City of Cook, d/b/a Cook Last Chance Liquors, City of Cook, Tobacco Products License No. T0830, September 1, 1998, and August 25, 2001;

T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, Tobacco Products License No. T0833, August 25, 2001;

Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, Tobacco Products License No. T0836, December 10, 2002, and November 15, 2007;

5717, Inc., d/b/a Crossroads Store, Brevator Township, Tobacco Products License No. T0837, October 1, 1998, and December 23, 2004;

Edwards Oil, Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T0844, September 7, 1998, August 25, 2001, and October 18, 2002;

Susan/Patrick Carey, d/b/a Lakeland Store, Biwabik Township, Tobacco Products License No. T08169, December 15, 2002;

Martinson Log Cabin, Inc., d/b/a Log Cabin, Angora Township, Tobacco Products License No. T0885, September 26, 1998;

Frederick A. Meyer, d/b/a Meyer's Minnows, Gas & More, Unorganized Township 63-19, Tobacco Products License No. T08151, July 10, 2003;

Ronald Martin/Susan Martin, d/b/a Moosebirds, Beatty Township, Tobacco Products License No. T0894, September 7, 1998;

Korby's, Inc., d/b/a Pequaywan Inn, Unorganized Township 54-13, Tobacco Products License No. T08173, December 29, 2003;

Curtis Convenience Stores, Inc., d/b/a Superamerica, Cotton Township, Tobacco Products License No. T0850, December 23, 2004.

Adopted December 11, 2007. No. 649

BY COMMISSIONER FORSMAN:

WHEREAS, DLC, Inc., d/b/a The El Roy, 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 December 11, 2007, at or about 9:35 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license The El Roy 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 CMB08116) shall be issued to DLC, Inc., d/b/a The El Roy, Unorganized Township 60-18;

FURTHER RESOLVED, that said liquor license shall be effective through June 30, 2008;

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. December 11, 2007. No. 650

BY COMMISSIONER RAUKAR:

RESOLVED, that the proposed 2008 St. Louis County Operating and Capital Budget is hereby amended as follows:

Administration:

- Funding included in Fund 100-104005-629900 designated for Veterans is \$50,000.

Attorney:

- Delete \$34,500 from the Attorney budget but retain addition of a .5 FTE Investigator for the Victim/Witness Division (113002-629900).

Aid to Other Agencies:

- Increase Arrowhead Regional Corrections budget by \$20,682 for a new total of \$10,709,730 (103002-694700).
- Add \$8,000 for Range Women's Advocates designated as a rent subsidy (103023-695100).
- Add \$6,000 designated for the audit costs of Historical Society Affiliates (103020-690900).

Employee Relations:

- Reduce Employee Development Division of Employee Relations by \$15,000 (126001-629900).

Economic Development:

- Increase funding for Veterans Memorial Hall by \$10,000 for a Veterans' oral history documentation project for a new total \$48,412 (102004-690200).
- Add \$5,000 for the Center for EcoIndustrial Development (CEID), contingent upon formal request and approval by the County Attorney and Auditor (102009-695100).
- Add \$15,000 for the Duluth Airshow contingent upon formal request and contract approval by the County Attorney and Auditor (102010-695100).

Sheriff:

- Authorize an increase of two (2) FTE Deputy Sheriffs to the staff complement and reduce overtime for a total increase of \$95,112 (129003).

Public Health and Human Services:

- Reduce the out of home placement budget by \$30,000 (232008-601200).

RESOLVED FURTHER, the levy amount will remain the same and any offset needed will go into the monies designated for contract settlements.

RESOLVED FURTHER, that the above listed changes will be incorporated in the final 2008 St. Louis County Operating and Capital Budget document.

Unanimously adopted. December 11, 2007. No. 651

Note: Changes included in the Budget Addendum, identified as Resolution No. 651, adopted December 11, 2007, are incorporated in the 2008 St. Louis County Operating and Capital Budget.

FINAL
BUDGET AND LEVY RESOLUTION
2007 FOR FISCAL YEAR 2008

A. County-wide Levy (Non-debt)

Fund 100 General Fund	36,885,771	
Fund 184 County Extension	824,431	
Fund 200 Road & Bridge Fund	21,691,707	
Fund 230 Public Health & Human Services	32,080,171	
Fund 400 Capital Projects-Courthouse	1,404,992	
Fund 405 Capital Project - Road & Bridge	532,876	
		<u>\$ 93,419,948</u>

B. Regional Levy (Non-debt)

Fund 100 General Fund - Arrowhead Regional Library	782,389	
		<u>\$ 782,389</u>

C. Debt Service funds (County-wide)

Fund 302 Hibbing PW Facility	86,099	
Fund 304 Capital Improvement Bond - 2001	1,106,590	
Fund 305 Refunding Bond Correctional Facilities - 2002B	1,159,410	
Fund 308 Capital Equipment Note - 2004B	590,783	
Fund 309 Capital Improvement Bond 2004A	1,235,522	
Fund 310 AJC Refunding Bond 2004C	153,589	
Fund 311 Capital Improvement Bond 2005	512,111	
Fund 312 Law Enforcement Refunding Bond 2005	457,564	
Fund 314 Capital Equipment Note 2007	1,427,315	
		<u>\$ 6,728,983</u>

D. Enterprise fund debt service (County-wide)

Fund 635 Nursing Home Revenue Bond	119,254	
Fund 625 Chris Jensen Nursing Home	517,517	
		<u>\$ 636,771</u>
		<u>\$ 101,568,092</u>

The levy amounts include change so the total may be off due to rounding for whole numbers.

		Total Use of Assets				Total Source of Assets				
		Adopted Expenditures	697600 Transfers Out	311201 Accumulation of Fund Balance	Total	500100 Property Tax Levy	Other Revenue	590100 Transfers In	311202 Use of Fund Balance	Total
GENERAL FUND	100 General Fund	80,421,647	633,834	-	81,055,482	(37,668,160)	(39,352,603)	(2,339,795)	(1,694,923)	(81,055,482)
	150 Sheriff's Nemesis Fund Group	207,097	-	-	207,097	-	(207,097)	-	-	(207,097)
	166 Sheriff Fine Contingency	70,000	-	-	70,000	-	(70,000)	-	-	(70,000)
	168 Sheriff's State Forfeitures	55,000	-	-	55,000	-	(55,000)	-	-	(55,000)
	170 Boundary Waters-Forfeiture	38,000	-	-	38,000	-	(38,000)	-	-	(38,000)
	171 Controlled Substances	25,000	-	-	25,000	-	(25,000)	-	-	(25,000)
	173 Emergency Shelter Grant	116,000	-	-	116,000	-	(116,000)	-	-	(116,000)
	178 Economic Development-Tax Forf	250,000	285,951	131,539	667,500	-	-	(667,500)	-	(667,500)
	179 Enhanced 9-1-1	365,000	-	-	365,000	-	(365,000)	-	-	(365,000)
	180 Law Library	169,764	-	-	169,764	-	(169,764)	-	-	(169,764)
	183 City/County Communications	20,500	-	-	20,500	-	(20,500)	-	-	(20,500)
	184 Extension Service	872,161	-	-	872,161	(824,431)	(47,730)	-	-	(872,161)
		<u>82,610,170</u>	<u>919,795</u>	<u>131,539</u>	<u>83,661,504</u>	<u>(38,492,591)</u>	<u>(40,466,694)</u>	<u>(3,007,295)</u>	<u>(1,694,923)</u>	<u>(83,661,504)</u>
SPECIAL REVENUE FUNDS	200 Public Works	39,196,493	-	-	39,196,493	(21,691,707)	(17,504,786)	-	-	(39,196,493)
	210 Road Maint - Unorg Townships	225,070	-	-	225,070	-	(225,070)	-	-	(225,070)
	220 State Road Aid	28,471,431	-	-	28,471,431	-	(28,471,431)	-	-	(28,471,431)
	230 Public Health & Human Services	78,663,763	-	-	78,663,763	(32,080,171)	(46,583,592)	-	-	(78,663,763)
	240 Forfeited Tax	8,020,690	2,095,407	-	10,116,097	-	(10,116,097)	-	-	(10,116,097)
	250 St. Louis County HRA	316,077	-	-	316,077	-	(192,500)	-	(123,577)	(316,077)
	260 CDBG Grant	5,352,159	-	-	5,352,159	-	(5,352,159)	-	-	(5,352,159)
	270 Home Grant	1,900,000	-	-	1,900,000	-	(1,900,000)	-	-	(1,900,000)
290 Forest Resources	2,784,600	200,000	-	2,984,600	-	(660,247)	(327,907)	(1,976,446)	(2,984,600)	
		<u>184,930,283</u>	<u>2,295,407</u>	<u>-</u>	<u>167,225,690</u>	<u>(53,771,878)</u>	<u>(111,025,882)</u>	<u>(327,907)</u>	<u>(2,100,023)</u>	<u>(167,225,690)</u>
DEBT SERVICE FUNDS	302 Hibbing PW Facility 1997	86,099	-	-	86,099	(86,099)	-	-	-	(86,099)
	304 Cap Improvement 2001	1,353,895	-	52,695	1,406,590	(1,106,590)	-	-	(300,000)	(1,406,590)
	305 Jail Refunding Bonds 2002B	1,404,200	-	55,210	1,459,410	(1,159,410)	-	-	(300,000)	(1,459,410)
	308 Capital Equipment Note 2004B	777,650	-	28,133	805,783	(590,783)	-	-	(215,000)	(805,783)
	309 Capital Improvement Bond 2004A	1,206,688	-	58,834	1,265,522	(1,235,522)	-	-	(30,000)	(1,265,522)
310 AJC Refunding Bond 2004C	176,275	-	7,314	183,589	(153,589)	-	-	(30,000)	(183,589)	

		Total Use of Assets				Total Source of Assets				
		Adopted Expenditures	697600 Transfers Out	311201 Accumulation of Fund Balance	Total	500100 Property Tax Levy	Other Revenue	590100 Transfers In	311202 Use of Fund Balance	Total
DEBT SERVICE FUNDS	311 Capital Improve Bond 2005A	540,915	-	166,437	707,352	(512,111)	(142,051)	-	(53,190)	(707,352)
	312 Law Enforce Refund Bond 2005B	485,775	-	21,789	507,564	(457,564)	-	-	(50,000)	(507,564)
	313 Cap Imp Cross Ref 2006a	294,188	-	-	294,188	-	(294,188)	-	-	(294,188)
	314 Cap Equip Note 2007A	1,404,444	-	67,967	1,472,411	(1,427,315)	-	-	(45,096)	(1,472,411)
		<u>7,730,129</u>	<u>-</u>	<u>458,379</u>	<u>8,188,508</u>	<u>(6,728,983)</u>	<u>(436,239)</u>	<u>-</u>	<u>(1,023,286)</u>	<u>(8,188,508)</u>
CAPITAL PROJECTS FUNDS	400 County Facility	1,768,890	-	-	1,768,890	(1,404,992)	(35,008)	(328,890)	-	(1,768,890)
	405 Road & Bridge Building Const	550,000	-	-	550,000	(532,876)	(17,124)	-	-	(550,000)
	436 2007 Capital Equipment Note	2,758,540	-	-	2,758,540	-	(2,758,540)	-	-	(2,758,540)
		<u>5,077,430</u>	<u>-</u>	<u>-</u>	<u>5,077,430</u>	<u>(1,937,868)</u>	<u>(2,810,672)</u>	<u>(328,890)</u>	<u>-</u>	<u>(5,077,430)</u>
PERMANENT FUND	500 Shoreline Sales	-	120,000	-	120,000	-	-	-	(120,000)	(120,000)
			<u>-</u>	<u>120,000</u>	<u>-</u>	<u>120,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(120,000)</u>
ENTERPRISE FUNDS	625 Chris Jensen Health & Rehab	15,339,855	328,890	-	15,668,745	(517,517)	(14,762,485)	-	(388,743)	(15,668,745)
	600 Environmental Services	8,709,309	-	-	8,709,309	-	(6,722,170)	-	(1,987,139)	(8,709,309)
	635 Nursing Home Rev Bond 2002A	113,575	-	5,679	119,254	(119,254)	-	-	-	(119,254)
	660 Community Foods	1,255,996	-	-	1,255,996	-	(1,097,262)	-	(158,734)	(1,255,996)
	670 Supervised Living	1,318,348	-	11,849	1,330,197	-	(1,330,197)	-	-	(1,330,197)
			<u>26,737,083</u>	<u>328,890</u>	<u>17,528</u>	<u>27,083,501</u>	<u>(636,771)</u>	<u>(23,912,114)</u>	<u>-</u>	<u>(2,534,616)</u>
INTERNAL SERVICE FUNDS	700 Printing	694,818	-	-	694,818	-	(680,000)	-	(14,818)	(694,818)
	705 Postage Office Supplies	845,000	-	-	845,000	-	(845,000)	-	-	(845,000)
	710 Plat Book Revolving	75,000	-	750	75,750	-	(75,750)	-	-	(75,750)
	715 County Garage	2,103,827	-	-	2,103,827	-	(1,986,245)	-	(117,582)	(2,103,827)
	720 Property Casualty Liability	485,000	-	308,000	793,000	-	(793,000)	-	-	(793,000)
	730 Workers Compensation	3,478,631	-	172,001	3,650,632	-	(3,650,632)	-	-	(3,650,632)
	740 Medical Dental Insur	29,448,755	-	-	29,448,755	-	(29,448,755)	-	-	(29,448,755)
	750 Management Info Systems	4,967,493	-	35,310	5,002,803	-	(5,002,803)	-	-	(5,002,803)
	760 Telecommunications	1,644,816	-	-	1,644,816	-	(1,365,155)	-	(279,661)	(1,644,816)
			<u>43,743,340</u>	<u>-</u>	<u>516,061</u>	<u>44,259,401</u>	<u>-</u>	<u>(43,847,340)</u>	<u>-</u>	<u>(412,061)</u>
Total	330,828,436	3,664,092	1,123,606	335,616,035	(101,568,092)	(222,498,941)	(3,664,092)	(7,884,909)	(335,616,035)	

2008
Proposed
Budget

General Fund

Policy & Management

Board of Commissioners	1,068,113
Aid to Other Agencies-Grants	192,475
Aid to Other Agencies	11,882,417
Administration	2,203,956
Intergovernmental Affairs	326,872
Labor Relations	85,500
	<hr/>
	15,759,332

Planning & Development

Community Development	261,536
Planning & Development	2,174,745
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	2,436,281

Administration

Veterans Service Officer	705,089
Mine Inspector	310,691
Safety and Risk Management	621,375
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	1,638,155

Property Management

Property Management	6,897,646
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	6,897,646

Purchasing

Purchasing	528,474
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	528,474

Auditor

Auditor	5,108,400
Elections	289,500
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	5,395,900

Reserve for Retired Employees

Ret Employee Health Ins/Payoff	1,045,984
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	1,045,984

Employee Relations

Employee Relations	1,622,013
Employee Development & Wellness	158,380
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	1,780,393

Attorney

County Attorney	6,663,958
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	6,663,958

Assessor

Assessor	2,170,475
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	2,170,475

Recorder

Recorder	3,220,687
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	3,220,687

Communications

Emergency Communications	3,689,445
Radio Maintenance	635,707
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	4,325,152

Commitment Representation

Commitment Representation	67,825
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	67,825

2008
Proposed
Budget

General Fund

Sheriff

Sheriff	13,000,688
Boat & Water Safety	137,045
Medical Examiner	454,400
Emergency Management	242,033
Rescue Squad	230,834
Law Enforcement Services	949,915
Jail Prisoners	11,190,673
	<u>26,205,588</u>

Courts

Court Administrator	1,374,022
Examiner of Titles	200,343
	<u>1,574,365</u>

Public Works

Surveyor	1,082,367
	<u>1,082,367</u>

Management Information Systems

Microfilming	262,902
	<u>262,902</u>

Total Expenses

81,055,482

Means of Financing

Property Taxes	(37,668,160)
Other Taxes	(6,389,108)
Licenses and Permits	(122,650)
Intergovernmental Revenues	(12,855,555)
Charges for Services	(5,900,278)
Fines and Forfeitures	(1,000)
Investment Earnings	(4,000,000)
Gifts and Contributions	(7,500)
Miscellaneous	(890,307)
Other Financing Sources	(2,339,795)
Intra-County Revenues	(9,186,205)

Total Revenues

(79,360,559)

Total General Fund

Use of (Contribute to) Fund Balance

1,694,923

MN Extension Service

MN Extension Service

MN. Extension Services/S.L.C	643,006
MN. Extension Service - Grants	34,035
Youth Task Force	195,121
	<u>872,161</u>

Total Expenses

872,161

Means of Financing

Property Taxes	(824,431)
Intergovernmental Revenues	(15,200)
Charges for Services	(26,530)
Gifts and Contributions	(6,000)

Total Revenues

(872,161)

Total MN Extension Service

Use of (Contribute to) Fund Balance

-

**2008
Proposed
Budget**

Emergency Shelter Grant

Emergency Shelter Grant	
SLC-Essential Service - ESG	116,000
	<u>116,000</u>
Total Expenses	<u>116,000</u>
Means of Financing	
Intergovernmental Revenues	(116,000)
Total Revenues	<u>(116,000)</u>
Total Emergency Shelter Grant	<u> </u>
Use of (Contribute to) Fund Balance	<u> </u>

Economic Development

Economic Development	
Economic Dev - Forf Lands	535,961
	<u>535,961</u>
Total Expenses	<u>535,961</u>
Means of Financing	
Other Financing Sources	(667,500)
Total Revenues	<u>(667,500)</u>
Total Economic Development	<u> </u>
Use of (Contribute to) Fund Balance	<u>(131,539)</u>

**2008
Proposed
Budget**

Other General Fund

Fund 150 Nemesis	
Nemesis	207,097
	<u>207,097</u>
Fund 166 Sheriff's Fine Contingency	
Sheriff Fine Contingency	70,000
	<u>70,000</u>
Fund 168 Sheriff State Forfeitures	
Sheriff's State Forfeitures	55,000
	<u>55,000</u>
Fund 170 Boundary Waters - Forfeitures	
Boundry Waters-Forfeiture	38,000
	<u>38,000</u>
Fund 171 Controlled Substances	
Controlled Substances	25,000
	<u>25,000</u>
Fund 179 Enhanced 911	
Enhanced 9-1-1	365,000
	<u>365,000</u>
Fund 180 Law Library	
Law Library	88,918
Hibbing Law Library	43,635
Virginia Law Library	37,211
	<u>169,764</u>
Fund 183 City County Communications	
Emergency Communications	20,500
	<u>20,500</u>
Total Expenses	<u>950,361</u>
Means of Financing	
Intergovernmental Revenues	(350,000)
Charges for Services	(220,597)
Fines and Forfeitures	(145,000)
Investment Earnings	(22,000)
Gifts and Contributions	(80,894)
Miscellaneous	(131,870)
Total Revenues	<u>(950,361)</u>
Total Other General Fund	<u> </u>
Use of (Contribute to) Fund Balance	<u> </u>

	2008 Proposed Budget
<u>Public Works</u>	
Administration & Engineering	8,161,085
Road Maintenance	14,835,379
Equipment and Shops	6,282,108
Road Construction - County	3,703,000
PW Inventory Control	6,214,920
Road Maint-Unorg Townships	225,070
Road Construction - State	28,471,431
Total Expenses	67,892,995
Means of Financing	
Property Taxes	(21,691,707)
Other Taxes	(6,868,701)
Licenses and Permits	(28,000)
Intergovernmental Revenues	(28,794,689)
Charges for Services	(6,667,972)
Miscellaneous	(3,843,925)
Total Revenues	(67,892,985)
Total Public Works	-
Use of (Contribute to) Fund Balance	-

Public Health & Human Services

Administration	10,366,734
Financial	13,865,112
Social Services	47,999,217
Public Health Nursing	3,687,419
Public Health Administration	1,192,149
Environmental Health	1,553,132
Total Expenses	78,663,763
Means of Financing	
Property Taxes	(32,080,171)
Other Taxes	(2,012)
Intergovernmental Revenues	(41,825,014)
Charges for Services	(4,208,680)
Miscellaneous	(547,886)
Total Revenues	(78,663,763)
Total Public Health & Human Services	-
Use of (Contribute to) Fund Balance	-

Land Department

Land - Administration	10,116,097
Total Expenses	10,116,097
Means of Financing	
Intergovernmental Revenues	(16,097)
Timber and Land Sales	(9,875,000)
Miscellaneous	(225,000)
Total Revenues	(10,116,097)
Total Land Department	-
Use of (Contribute to) Fund Balance	-

	2008 Proposed Budget
<u>Other Special Revenue Funds</u>	
HRA Administration	316,077
	<u>316,077</u>
Total Expenses	<u>316,077</u>
Means of Financing	
Other Taxes	(192,500)
Total Revenues	<u>(192,500)</u>
Total Other Special Revenue Funds	
Use of (Contribute to) Fund Balance	<u>123,577</u>
<u>Comm Devel Block Grant</u>	
CDBG Administration	5,352,159
Total Expenses	<u>5,352,159</u>
Means of Financing	
Intergovernmental Revenues	(5,352,159)
Total Revenues	<u>(5,352,159)</u>
Total Comm Devel Block Grant	
Use of (Contribute to) Fund Balance	<u>-</u>
<u>Home Grant</u>	
Home Projects	1,900,000
Total Expenses	<u>1,900,000</u>
Means of Financing	
Intergovernmental Revenues	(1,900,000)
Total Revenues	<u>(1,900,000)</u>
Total Home Grant	
Use of (Contribute to) Fund Balance	<u>-</u>
<u>Forest Resources</u>	
Memorial Forests	2,984,600
Total Expenses	<u>2,984,600</u>
Means of Financing	
Other Taxes	(580,247)
Intergovernmental Revenues	(100,000)
Other Financing Sources	(327,907)
Total Revenues	<u>(1,008,154)</u>
Total Forest Resources	
Use of (Contribute to) Fund Balance	<u>1,976,446</u>

**2008
Proposed
Budget**

Debt Service Funds

Hibbing PW Facility	86,099
Cap Improvement 2001	1,353,895
Jail Refunding Bonds 2002B	1,404,200
Capital Equipment Note 2004B	777,650
Capital Improvement Bond 2004	1,206,688
AJC Refunding Bond 2004C	176,275
Capital Improvement Bond 2005	540,915
Law Enforcement Refunding Bond	485,775
Cap Imp Crossover Refund	294,188
2007 Capital Equipment Note	1,404,444

Total Expenses 7,730,129

Means of Financing

Property Taxes	(6,728,983)
Investment Earnings	(294,188)
Miscellaneous	(142,051)

Total Revenues (7,165,222)

Total Debt Service Funds

Use of (Contribute to) Fund Balance 564,907

Capital Projects Funds

Court House - Capital Projects	1,768,890
Road & Bridge Build Constr	550,000
2007 Capital Equipment Note	2,758,540

Total Expenses 5,077,430

Means of Financing

Property Taxes	(1,937,868)
Other Taxes	(108)
Intergovernmental Revenues	(52,024)
Other Financing Sources	(3,087,430)

Total Revenues (5,077,430)

Total Capital Projects Funds

Use of (Contribute to) Fund Balance -

Environmental Services

Administration-Environmental Se	1,880,299
Recycling - Score	1,527,080
Canister	907,246
Transfer Stations	1,860,724
Demolition Fill	264,914
Household Hazardous Waste	332,417
Regional Landfill	1,936,629

Total Expenses 8,709,309

Means of Financing

Licenses and Permits	(4,000)
Intergovernmental Revenues	(528,900)
Charges for Services	(5,175,000)
Investment Earnings	(645,685)
Miscellaneous	(368,585)

Total Revenues (6,722,170)

Total Environmental Services

Use of (Contribute to) Fund Balance 1,987,139

2008
Proposed
Budget

Chris Jensen Heath & Rehab Cen

Jensen Nursing Home	14,874,118
Nursing Home Rev Bond 2002A	113,575
Laundry	794,627

Total Expenses 15,782,320

Means of Financing

Property Taxes	(636,771)
Intergovernmental Revenues	(50,222)
Charges for Services	(14,588,673)
Miscellaneous	(13,590)
Intra-County Revenues	(110,000)

Total Revenues (15,399,256)

Total Chris Jensen Heath & Rehab Cen

Use of (Contribute to) Fund Balance 383,064

Community Foods

Community Food Services	1,255,996
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Total Expenses 1,255,996

Means of Financing

Intergovernmental Revenues	(116,292)
Charges for Services	(949,510)
Miscellaneous	(31,460)

Total Revenues (1,097,262)

Total Community Foods

Use of (Contribute to) Fund Balance 188,734

Supervised Living

Supervised Living Facilities	1,318,348
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Total Expenses 1,318,348

Means of Financing

Intergovernmental Revenues	(1,222,409)
Charges for Services	(96,587)
Miscellaneous	(11,201)

Total Revenues (1,330,197)

Total Supervised Living

Use of (Contribute to) Fund Balance (11,849)

Printing

Printing	694,818
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Total Expenses 694,818

Means of Financing

Intra-County Revenues	(680,000)
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Total Revenues (680,000)

Total Printing

Use of (Contribute to) Fund Balance 14,818

	2008 Proposed Budget
	<hr/>
<u>County Garage/Motor Pool</u>	
County Garage - Motor Pool	1,584,842
MP Inventory Control	538,985
Total Expenses	<hr/> 2,103,827
Means of Financing	
Charges for Services	(373,740)
Miscellaneous	(14,700)
Intra-County Revenues	(1,597,805)
Total Revenues	<hr/> (1,986,245)
Total County Garage/Motor Pool Use of (Contribute to) Fund Balance	<hr/> 117,582
<u>Property Casualty Liability</u>	
Property Casualty Liability	485,000
Total Expenses	<hr/> 485,000
Means of Financing	
Charges for Services	(5,000)
Investment Earnings	(288,000)
Intra-County Revenues	(502,000)
Total Revenues	<hr/> (793,000)
Total Property Casualty Liability Use of (Contribute to) Fund Balance	<hr/> (308,000)
<u>Workers Compensation</u>	
Workers Compensation	3,478,631
Total Expenses	<hr/> 3,478,631
Means of Financing	
Intergovernmental Revenues	(450,000)
Investment Earnings	(172,000)
Intra-County Revenues	(3,028,632)
Total Revenues	<hr/> (3,650,632)
Total Workers Compensation Use of (Contribute to) Fund Balance	<hr/> (172,001)
<u>Medical Dental Insurance</u>	
Medical/Dental Self Insurance	29,448,755
Total Expenses	<hr/> 29,448,755
Means of Financing	
Charges for Services	(29,043,755)
Investment Earnings	(405,000)
Total Revenues	<hr/> (29,448,755)
Total Medical Dental Insurance Use of (Contribute to) Fund Balance	<hr/> -

	2008 Proposed Budget
	<hr/>
<u>Management Info Systems</u>	
MIS Administration	4,236,535
MIS Capital/5 year plan	730,958
Total Expenses	<hr/> 4,967,493
Means of Financing	
Charges for Services	(100,000)
Miscellaneous	(651,384)
Intra-County Revenues	(4,251,419)
Total Revenues	<hr/> (5,002,803)
Total Management Info Systems	
Use of (Contribute to) Fund Balance	<hr/> (35,310)
<u>Telecommunications</u>	
Telecommunication Admn	1,339,816
Telecommunications Capital	305,000
Total Expenses	<hr/> 1,644,816
Means of Financing	
Intra-County Revenues	(1,365,155)
Total Revenues	<hr/> (1,365,155)
Total Telecommunications	
Use of (Contribute to) Fund Balance	<hr/> 279,661
<u>Other Internal Service Funds</u>	
Postage/Office Supplies	845,000
Plat Book Revolving	75,000
	<hr/> 920,000
Total Expenses	<hr/> 920,000
Means of Financing	
Charges for Services	(845,000)
Miscellaneous	(75,750)
Total Revenues	<hr/> (920,750)
Total Other Internal Service Funds	
Use of (Contribute to) Fund Balance	<hr/> (750)
<u>Permanent Fund</u>	
Shoreline Sales Trust	120,000
Total Expenses	<hr/> 120,000
Means of Financing	
Total Revenues	
Total Permanent Fund	
Use of (Contribute to) Fund Balance	<hr/> 120,000
Total Expenses	334,492,528
Total Revenues	(327,731,126)
Total Use of Fund Balance	<hr/> 6,761,403

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 2007 encumbrances will be carried forward into the 2008 budget.

RESOLVED FURTHER, that the 2007 unspent balances of those grants which extend into 2008 will be carried forward into the 2008 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 2008 levy, plus the 2008 County Program Aid.

RESOLVED FURTHER, that the county board authorizes the county auditor to use the designated for Retiree Obligations portion of the fund balance in the governmental funds to pay for any retiree obligations that are not budgeted.

RESOLVED FURTHER, that 100% of the estimated retiree obligations (vested sick leave) amount and 8/9 of the estimated vesting sick leave amount are designated as of December 31, 2007 for governmental funds.

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 2008 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 increases to the original governmental funds revenue and expenditure budgets can not be made without County Board approval.

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.

RESOLVED FURTHER, that beginning January 1, 2008, a change in the medical insurance premium will be implemented for all non-represented employees and elected officials enrolled under single coverage. All non-represented 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 \$40 per month of the total single premium cost and all non-represented 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 \$70 per month of the total single premium cost. In addition, any non-represented employees, who work on a part-time basis, will be required to contribute a pro-rated portion of the employer contribution, based on hours worked.

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 December 22, 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 \$53,694 effective January 1, 2008, the same two percent increase as for unrepresented employees. Any commissioner may choose a lesser amount upon written notification to the county auditor before December 31, 2007.

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.

RESOLVED FURTHER, effective January 1, 2008 that the Employee Safety and Development Division of Administration will be renamed the Safety and Risk Management Division of Administration.

RESOLVED FURTHER, effective January 1, 2008 that the Mine Inspectors (100-138001), including all related funds and associated staff, be transferred from Public Works to the Safety and Risk Management Division of Administration.

Attorney

RESOLVED FURTHER, that the board approves the addition of a .5 FTE Investigator for the Victim/Witness Division funded from 113002-629900.

Aid to Other Agencies

Arrowhead Regional Corrections

RESOLVED FURTHER, Arrowhead Regional Correction's 2008 budget is the following:

2008 Amount Requested	\$10,709,730
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RESOLVED FURTHER, that the 2008 administrative budget includes funding allocations for FY 2008 for grants to the following agencies within the Aid to Other Agencies Account:

St. Louis County Historical Society (103003-690200)	\$250,686
Historical Society/Range Affiliates (103020-690900)	6,000
Community Fairs (103005-690400)	1,000
County Fair, Hibbing (103006-690500)	12,806
South St. Louis County Fair, Proctor (103007-690600)	12,806
Arrowhead Library System (103016-694500)	782,389
Methamphetamine Prevention (103022-629900)	7,000
Heating Assistance (103021-629900)	92,000
Range Women's Advocates (103022-629900)	8,000
TOTAL:	\$1,172,687

RESOLVED FURTHER, that the county administrator will be responsible for monitoring the results achieved by purchasing services through the use of performance measures.

RESOLVED FURTHER, that the \$7,000 of funding for Methamphetamine Prevention is to fund drug-related costs at Safe Haven Shelter for Battered Women.

Employee Relations

RESOLVED FURTHER, effective January 1, 2008 that the Civil Service/Personnel Office will be renamed the Employee Relations Department.

RESOLVED FURTHER, effective January 1, 2008 that Employee Development (100-126001 and 100-126002), including all related funds and associated staff, be transferred from the Employee Safety and Development Division of Administration to the Employee Relations Department.

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 2008, 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 Recorder's Integrated Fund revenues:

Planning Department GIS (109003)	\$383,834
911 Communications (135001) Personnel Budget	80,071
Assessor's Office (118001) Personnel Budget	21,345
Auditor's Office (115009) Personnel Budget	64,750
Total	\$550,000

Planning and Development

RESOLVED FURTHER, that effective January 1, 2008 the Planning Department be renamed the Planning and Development Department.

Auditor

RESOLVED FURTHER, that the county auditor is directed to make any changes in departmental budgets to comply with this resolution.

Economic Development

RESOLVED FURTHER, that the following projects be budgeted in the 2008 budget and funded from the Economic Development Fund, Fund 178, Agency 178001:

Planning Department	105,486
Arrowhead Business Connection-Northspan	19,800
Duluth Port Authority	35,585
North Shore Management Board	2,500
St. Louis County Promotional Bureau	54,178
Geographic Information Systems (GIS) paid from 178	250,000
Veterans' Memorial Hall	48,412
Center for EcoIndustrail Development	5,000
Duluth Airshow	15,000
Total	<u><u>505,961</u></u>

RESOLVED FURTHER, that the \$5,000 for the Center for EcoIndustrial Development (CEID) is contingent upon formal request and approval by the County Attorney and Auditor (102009-695100).

RESOLVED FURTHER, that the \$15,000 for the Duluth Airshow is contingent upon formal request and contract approval by the County Attorney and Auditor (102010-695100).

Sheriff

RESOLVED FURTHER, that an increase of two (2) FTE Deputy Sheriffs to the staff complement and reduce overtime for a total increase of \$95,112 (129003).

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 the 2008 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
First Witness		27,968
Elder Services Network		24,319
United Way of Greater Duluth (211 Information & Referral activities)		10,000
TOTAL:		\$403,619

RESOLVED FURTHER, that the county board approves 1 FTE chemical health social worker, Family Drug Court (232006).

RESOLVED FURTHER, that the county board approves .5 FTE public health nurse (233001).

RESOLVED FURTHER, that the county board approves 6.5 FTE social workers for Child Protection Services and Indian Child Welfare Act Services (232008).

Land Department

RESOLVED FURTHER, that the auditor is authorized to bill the Land Department (Fund 240) for the 2008 services it will receive as follows:

Legal services from the Attorney's Office	\$132,968
Accounting services and indirect costs from the Auditor's Office	29,087
Personnel services from the Civil Service/Personnel Department	78,593
Purchasing services from the Purchasing Department	21,323
Rent	58,359
Dataprocessing	98,139
Telecommunications	23,706
Data Comm	19,534
Employee Development	5,752
Occupational Safety	13,875
Administration	19,296
TOTAL	\$500,632

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 2008 net receipts remaining after expenses 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. Of the remainder:

Up to 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, \$667,500 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 \$2,750,000, with \$1,100,000 going to the General Fund of the county, \$1,100,000 to the school districts, and \$550,000 going to the cities and townships.

Forest Resources

RESOLVED FURTHER, authorize the transfer of \$50,000 from the Forest Resources Fund, Fund 290, Forest Recreation, Agency 290002, to the Regional Railroad Authority for the Mesabi Trail Project.

RESOLVED FURTHER, that qualified expenses of the Land Department fund 240 can be transferred to fund 290 beginning in 2007.

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 increase in net assets due 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.

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 2007 and the beginning of 2008.

ENTERPRISE FUNDS

Environmental Services

RESOLVED FURTHER, effective January 1, 2008 that the Solid Waste Department is renamed the Environmental Services Department.

RESOLVED FURTHER, that the auditor is authorized to bill the Environmental Services Department (Fund 600) for 2008 services it will receive as follows:

Legal services from the Attorney's Office	\$54,101
Accounting services and indirect costs from the Auditor's Office	73,875
Personnel services from the Civil Service/Personnel Department	63,008
Purchasing services from the Purchasing Department	75,382
Rent	18,500
Dataprocessing	54,284
Telecommunications	12,089
Data Comm	6,414
Employee Development	3,834
Occupational Safety	9,249
Administration	12,865
Employee Motor Pool Usage	318
TOTAL	\$383,919

RESOLVED FURTHER, that Individual Sewage Treatment Systems (ISTS) (230-23601) including all related funds and associated staff be transferred from the Public Health Human Services Department to the Environmental Services Department, effective March 1, 2008.

RESOLVED FURTHER, that the county board approves 2 FTE solid waste worker intermediate for canister site vacancies, funded from 600001-550802.

Chris Jensen

RESOLVED FURTHER, that 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 2008 services it will receive as follows:

Legal services from the Attorney's Office	\$42,500
Dataprocessing	76,502
Telecommunications	23,023
Data Comm	17,201
Accounting Services	4,000
Employee Motor Pool Usage	1,222
TOTAL	\$164,448

RESOLVED FURTHER, that supervision of the Community Foods Enterprise Fund (660) and the Supervised Living Facilities Enterprise Fund (670), including all related funds and associated staff, will be transferred from Public Health Human Services to the Chris Jensen Health and Rehabilitation Center.

RESOLVED FURTHER, that the Laundry Enterprise Fund (650), including all related funds and associated staff will be closed out effective January 1, 2008, and the laundry combined with the Chris Jensen Health and Rehabilitation Center Enterprise Fund (625).

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	1,100,000
240-241001 Forfeited Tax Sale	178-178001 Economic Development	Apportionment of net proceeds	667,500
240-241001 Forfeited Tax Sale	290-290001 Memorial Forest	Apportionment of net proceeds	277,907
240-241001 Forfeited Tax Sale	290-290002 Forest Recreation Grants	Apportionment of net proceeds	50,000
290-290002 Forest Resources	100-109002 General	Planning Department for GIS	200,000
178-178001 Economic Development	100-109002 Planning	Planning	105,486
178-178001 Economic Development	100-102008 North Shore Mgmt Board	For Uniform Land Use Plan	2,500
500-500001 Shoreline Sales	100-109002 General	Soil and Water Conservation Districts	120,000
178-178001 Economic Development	100-102004 Vets Memorial Hall	Vets Memorial Hall	48,412

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 Integration Fund	100-109003 Plan & GIS Research	GIS Planning	383,834
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
625-625001 Chris Jensen	400-400023 Capital Projects	Res. 504-2007 CJ Lift Equipt	328,890
178-178001 Economic Development	100-102010 Duluth Airshow	Duluth Airshow	15,000
178-178001 Economic Development	100-102009 (CEID)	Center for EcoIndustrial Development	5,000
	Total		3,664,092

Unanimously adopted. December 11, 2007. No. 652

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Upon motion of Commissioner Raukar, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 653 which was not on the agenda.

BY COMMISSIONER RAUKAR:

WHEREAS, the St. Louis County Sheriff's Administration and Jail budgets were under-budgeted in certain line items for 2007; and

WHEREAS, these line item budgets need to be increased to meet the remaining anticipated 2007 expenditures; and

WHEREAS, the St. Louis County Sheriff, Emergency Communications and Medical Examiner agencies also require budgetary increases to meet remaining 2007 expenditures and to budget for new revenue.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the following 2007 budget adjustments:

Sheriff Administration, Agency 129003, Object 633600, is increased \$52,655

Jail, Agency 137002, Object 623900, is increased \$88,945

Jail, Agency 137002, Object 643500, is increased \$148,094

Jail, Agency 137002, Object 635300, is increased \$399,506

Emergency Communications, 136001, Object 626000, is increased \$12,000

Emergency Communications, 136001, Object 635100, is increased \$2,950

Emergency Communications, 136001, Object 653200, is increased \$7,350

Medical Examiner, 131001, Object 627500, is increased \$17,600

Medical Examiner, 131001, Object 550402, is increased (\$55,000)

Fund 100 (General Fund) Fund Balance (311200) is reduced \$729,100.

Unanimously adopted. December 11, 2007. No. 653

BY COMMISSIONER RAUKAR:

RESOLVED, the County Board approves inclusion of the County Attorney's Office management positions of "Division Head" and "Victim/Witness Director" in the County Unclassified Managers Pay Plan Q1, with benefits as defined in the County Management Compensation Plan; and

RESOLVED FURTHER, that the effective dates for placement of the current incumbents on the Q1 Pay Plan shall be the date of their appointment.

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

Nays - Commissioner Fink - 1

Adopted December 11, 2007. No. 654

Upon motion of Commissioner Fink, supported by Commissioner Nelson, the rules were suspended to adopt Resolution No. 655 which was not on the agenda.

BY COMMISSIONER FINK:

RESOLVED, that the 2006/2007 St. Louis County Merit System Supervisory Bargaining Unit Agreement, a copy of which is on file in Contract File No. 07-1172, is hereby ratified and the appropriate County officials are authorized to execute said contract.

Unanimously adopted. December 11, 2007. No. 655

At 12:30 P.M. on Tuesday, December 11, 2007, upon motion of Commissioner Raukar, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Bill Kron, Chair of the Board of

County Commissioners

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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 DECEMBER 18, 2007**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 18th day of December, 2007, at 9:37 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, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Bill Kron - 7. Absent: None.

Chair Kron asked for a moment of silence to honor U. S. troops serving throughout the world.

At 9:39 A.M., a public hearing was reconvened to consider renaming Big Island located on Pelican Lake in the Town of Leiding. The hearing was continued from the November 27, 2007, Board meeting in Hibbing. The following persons addressed the issue:

Gary Eckenberg, Deputy County Administrator, said letters were sent to the Town of Leiding and the Bois Forte Tribal Council about the proposed name change and no responses were received.

Rose Berens, Tower, and an officer of Bois Forte Historical Council, suggested the name "Gitchi Miniss", which translates into Big Island. Gitchi Miniss was the name used by Native Americans who inhabited the island many years ago.

Commissioner Nelson asked that the name be presented to the Tribal Elders Council for formal recommendation. Commissioner Forsman said State Representative Rukavina passed special legislation to rename the island Strand Island and, as a compromise, he suggested "Strand Gitchi Miniss". Ms. Berens said she would take the suggestion back to the Tribal Elders Council for a recommendation.

At 10:04 A.M., Commissioner O'Neil, supported by Commissioner Fink, moved to continue the public hearing until January 15, 2008, at 9:35 A.M. in the Duluth Courthouse; seven yeas - zero nays.

Chair Kron 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, Minnesota Senior Federation Northeast, distributed a DVD to the Board regarding County-Based Purchasing (CBP) for participants in medical assistance programs. Ms. Hart asked Commissioners to view the disk and reconsider CBP.

Clayton Lind, Occupational Development Center (ODC), asked the Board to consider increasing the contract allowance for ODC services from \$8.50 per day to \$15 per day to reflect rising costs of providing services.

At the request of Commissioner Sweeney, Parcel No. 6 was removed from the list of forfeited properties to be offered for sale at the February land sale (Item No. 14 of the Consent Agenda) because of the presence of a recreational trail across the property. The resolution to establish the sale (Item No. 14) remained as part of the Consent Agenda. Commissioner Forsman asked for separate consideration of Item No. 11 (sale of tax forfeited land to Mittal Steel) under Environment and Natural Resources Committee because of a possible conflict of interest. Commissioner Raukar, supported by Commissioner O'Neil, moved to approve the amended Consent Agenda; seven yeas - zero nays.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve Item No. 11 from the Consent Agenda; six yeas - zero nays, with Commissioner Forsman abstaining. Resolution No. 693.

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Commissioner Nelson, supported by Commissioner Forsman, moved to approve a six-year contract with two optional two-year extensions with Kangas Excavating, Inc., for operation of the Regional Landfill in Virginia. Commissioner Fink said he would not support the resolution because of the length of the contract. Terry Soderberg, Solid Waste Department, said the contract contains a 120-day termination clause. The contract length allows Solid Waste to concentrate on other matters and Kangas Excavating to recoup costs of new equipment, according to Mr. Soderberg. After further discussion, the contract was approved; six yeas - one nay, Commissioner Fink. Resolution No. 694.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a proposal to extend Social Security coverage to certain elected officials who are members of the Minnesota PERA Defined Contribution Plan. Deputy Administrator Eckenberg briefly described the proposal. Commissioner O'Neil said he would abstain from voting because he was the only County official affected by the proposed extension of Social Security coverage; six yeas - zero nays, with Commissioner O'Neil abstaining. Resolution No. 695.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve a waiver of Section 11:05 of County Ordinance No. 28 (Liquor Ordinance) to allow Billy's, Rice Lake Township, to remain open from 1:00 A.M. to 8:00 A.M., January 27-30, 2008, to serve food and provide services to mushers and race officials of the John Beargrease Sled Dog Marathon. Commissioner Fink asked for a friendly amendment - accepted by the makers - to delete language that appeared to limit food service to Beargrease participants; seven yeas - zero nays. Resolution No. 696.

Commissioner Fink, supported by Commissioner Sweeney, moved to appoint Richard Dumancas as County Veterans Service Officer (VSO) effective January 7, 2008. Commissioner Raukar said although he was satisfied the selection process was fair, he would not support the appointment as a show of support for interim VSO Wilson Spence who was not selected. Chair Kron said he will send a letter of thanks to Wilson Spence for his service as interim VSO. After further discussion, the appointment was approved; six yeas - one nay, Commissioner Raukar. Resolution No. 697.

Commissioner Nelson, supported by Commissioner Raukar, moved to adjust the salary scales for the County Recorder and Property Manager effective January 1, 2007. Commissioner Fink expressed reservations about the retroactivity; seven yeas - zero nays. Resolution No. 698.

Commissioner Fink, supported by Commissioner Nelson, moved to adjust the salary of the Sheriff effective January 1, 2008. Commissioner Sweeney offered a friendly amendment - not accepted by the makers - to make the adjustment retroactive to January 1, 2007. Commissioner Sweeney, supported by Commissioner O'Neil, moved to amend the motion to make January 1, 2007, the effective date of the adjustment. Commissioner Sweeney said the Sheriff asked for the retroactivity and Donald Dicklich, County Auditor, confirmed the wishes/intent of the Sheriff. After further discussion, the amendment was approved; five yeas - two nays, Commissioners Fink and Nelson. Commissioner Fink requested a division of the question with the retroactive date considered separately from the adjustment. The salary adjustment was approved; seven yeas - zero nays. The retroactive date of January 1, 2007, was then approved; five yeas - two nays, Commissioners Fink and Nelson. Resolution No. 699.

Commissioner Fink, supported by Commissioner O'Neil, moved to approve the Emergency Conditions Policy effective December 18, 2007. Commissioner Fink, supported by Commissioner Nelson, moved to amend policy language to make the Chair or Vice-Chair of the Board solely responsible for closure of County facilities during emergency conditions. Deputy Administrator Eckenberg said the proposed amendment changes the role of the Administrator. After further discussion, the amendment failed; two yeas - five nays, Commissioners O'Neil, Forsman, Sweeney, Raukar and Chair Kron. The Emergency Conditions Policy was adopted; seven yeas - zero nays. Resolution No. 701.

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Commissioner Fink, supported by Commissioner Nelson, moved to adopt a Code of Conduct that would apply to elected officials in St. Louis County. Commissioner Kron, supported by Commissioner Sweeney, moved to amend the motion by substituting a revised code that clarified language regarding complaint procedures and consequences (parts 7 and 8) as suggested by County Attorney Melanie Ford. The following persons addressed the Code of Conduct issue:

Kathy Heltzer, Duluth, said the original draft was ineffective and she supported adoption of the amended version.

Phil Stern, Duluth, urged rejection of the original draft and asked the Board to adopt an enforceable code.

Lyn Clark Pegg, Duluth, said external monitoring and review are necessary and the draft version does provide accountability.

Marlene Hart, Lakewood, said she has been a victim of harassment and a code with a process for complaints and possible consequences is needed.

Bob Tammen, Soudan, said old attitudes die hard and adjustments are needed.

Ellen O'Neill, Duluth Township, said the draft has no teeth and she urged adoption of a strong code.

Bob Mayry, Clinton Township Supervisor, said Commissioners are well-educated people who will be taken care of by the electorate if there are problems.

Clyde Nelson, Lakewood, said establishment of an external board of review usurps power from the voters. Statutes are clear regarding removal of elected officials. Commissioners as elected officials must determine how a code of conduct is enforced.

At 11:50 A.M. in the afternoon of Tuesday, December 18, 2007, Chair Kron moved to recess the Board until 11:55 A.M. on December 18, 2007, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 11:57 A.M. on Tuesday, December 18, 2007, and the regular order of business resumed with all members present.

The following persons addressed the proposed Code of Conduct:

Kristin Larson, Pequaywan, said it is often hard to follow Board actions when Commissioners are impolite to each other. She urged adoption of a strong code of conduct so the County will be able to defend itself against harassment charges/complaints.

Scott Mead, Pequaywan, supports the amended version because it holds everyone accountable and will help restore public trust.

John Lukan, Gnesen, said statutes provide a petition process for removal of an elected official and he decried the current "judgement by newspaper."

Vicki Nelson, Cherry, said she has been involved for 24 years with programs for battered women and new behaviors can be learned. She urged adoption of a strong code.

Betty Firth, Ely, said the County should have a structure in place to handle complaints.

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Melanie Ford, County Attorney, explained some of the legal consequences if a code is not in place and said Sections 7 and 8 were rewritten to help mitigate County liability. Attorney Ford also asked that references to "their" in the code be replaced with "his/her" for clarity.

Lengthy discussion ensued. Commissioner Raukar offered a friendly amendment - accepted by the makers - clarifying language in Sections 7 and 8 and adding applicable statutory citations.

At 12:55 P.M. in the afternoon of Tuesday, December 18, 2007, Chair Kron moved to recess the Board until 2:15 P.M. on December 18, 2007, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 2:18 P.M. on Tuesday, December 18, 2007, and the regular order of business resumed with all members present.

After lengthy discussion, the motion amending the language for Sections 7 and 8 was approved; seven yeas - zero nays. Commissioner Fink, supported by Commissioner Nelson, moved to amend the resolution adopting the code to include a section requiring review of policies and procedures identified in the code by July 1, 2008. Chair Kron offered a friendly amendment - accepted by the makers - to extend the deadline to October 1, 2008. The resolution adopting a Code of Conduct for elected officials, as amended, was then approved; seven yeas - zero nays. Resolution No. 700.

Commissioner Fink, supported by Commissioner Sweeney, moved to table to the January 8, 2008, Board meeting the support and development of a DWI Court for St. Louis County; seven yeas - zero nays.

At 3:05 P.M. in the afternoon of Tuesday, December 18, 2007, Chair Kron moved to recess the Board until 3:30 P.M. on December 18, 2007, in the Morse Town Hall, Ely, Minnesota.

The Board reconvened at 4:37 P.M. on Tuesday, December 18, 2007, and the regular order of business resumed with all members present.

Commissioner Raukar, supported by Commissioner O'Neil, moved to approve a second consent agenda consisting of all items unanimously approved at Committee of the Whole; seven yeas - zero nays.

Commissioner Raukar, supported by Commissioner Fink, moved to establish the mileage reimbursement rate for Commissioners, Sheriff, Auditor, Attorney and Intergovernmental Relations Officer at \$.726 per mile beginning January 1, 2008; five yeas - two nays, Commissioner O'Neil and Chair Kron. Resolution No. 707.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve a lobbying contract for \$40,000 with Kevin Goodno of Fredrikson & Byron, P.A., for services during the 2008 Minnesota Legislative Session; six yeas - one nay, Commissioner Fink. Resolution No. 706.

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. 07-491 regarding reclassification of state tax forfeited land (non-conservation).--58770

Dana Frey, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 07-512 regarding final 2007 fund transfers and appropriations.--58771

Emergency Conditions Policy.--58772

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St. Louis County Code of Conduct.--58773

Amendment between the County of St. Louis, through its Department of Public Health and Human Services, and the Virginia Regional Medical Center for respite care services.--07-1310ss

Amendment to Professional Services Agreement between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for ADA upgrades for Depot facility restrooms and elevator.--07-1311

Agreement for Professional Services between St. Louis County and LHB Engineers and Architects for designing and producing bridge construction plans for Minnesota State Bridge No. 69625, County Bridge No. 434, on C-SAH 16 over Mudhen Creek.--07-1312

Amendment No. 2 to 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 2005 Law Enforcement Terrorism Prevention Program Grant.--07-1313

Contract between Arrowhead Regional Corrections and the County Attorney for legal services for 2008.--07-1314

Contract between the St. Louis County Housing and Redevelopment Authority and the County Attorney for legal services for 2008.--07-1315

Contract between Arrowhead Regional Corrections and the Employee Relations Department for personnel services for 2008.--07-1316

Contract between Arrowhead Regional Corrections and the County Auditor for fiscal services for 2008.--07-1317

Contract between the Carlton-Cook-Lake-St. Louis Community Health Board and the County Auditor for fiscal services for 2008.--07-1318

Contract between Arrowhead Regional Corrections and the Employee Development for personnel services for 2008.--07-1319

Contract between Arrowhead Regional Corrections and Safety and Risk Management Department for personnel services for 2008.--07-1320

Contract between the St. Louis County and Lake Counties Regional Railroad Authority for fiscal services for 2008.--07-1321

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 656 through 692, 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. 58657, 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	\$ 3,861,350.59
184	Extension Service	123,520.83
200	Public Works	2,642,733.68
230	Social Services	5,430,350.58
240	Forfeited Tax	273,109.21
250	St. Louis County HRA	(940.75)
600	Solid Waste Authorities	635,665.95
625	Chris Jensen Health & Rehab.	1,183,197.70
650	Laundry	59,978.11
660	Community Food Services	88,702.31
670	Supervised Living Facilities	50,698.32
700	Printing	14,360.45
715	County Garage	120,938.14
750	Management Information Systems	219,682.03
760	Telecommunications	194,496.99
925	Arrowhead Regional Corrections	789,343.94
955	Community Health Services	36,640.91
989	Regional Railroad Authority	<u>99,604.30</u>
		\$ 15,823,433.29

Adopted December 18, 2007. No. 656

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. 58631, are hereby approved:

Real Estate - Joseph Bedi, \$221.22; Bryon Blair, \$240.10; Dan Chandler, \$293.74; Charles Cossetta, \$739.88; Joel Maynard, \$2,350.88; Ann Silverness, \$296.52; Casey Marshall, \$260.44.

Adopted December 18, 2007. No. 657

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. 58658, 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:

Burns Bar & Grill, Inc., d/b/a Burns Bar & Grill, Inc., Rice Lake Township, Tobacco Products License No. T0821;

Yesterdaze Ent., Inc., d/b/a Cherry Corner Store, Cherry Township, Tobacco Products License No. T08213;

Paul/Mary Lautigar, d/b/a Corner Express, Biwabik Township, Tobacco Products License No. T0831;

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Gnesen Township, Tobacco Products License No. T08186;

Joni Stutzman/Sharon Stutzman, d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License No. T0868;

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Back Country Bar, Inc., d/b/a Hugo's, Ault Township, Tobacco Products License No. T08207;

Burcar's Island Lake Inn, Inc., d/b/a Island Lake Inn, Gnesen Township, Tobacco Products License No. T08231;

JLH Vermilion Enterprise, Inc., d/b/a JLH's the Landing, Inc., Beatty Township, Tobacco Products License No. T08222;

J & J Investments of Britt, Inc., d/b/a The Oasis, Unorganized Township 60-18, Tobacco Products License No. T08209;

BTL Enterprises, Inc., d/b/a Old Muni Bar & Lounge, City of Cook, Tobacco Products License No. T08221;

Erceg Enterprises, Inc., d/b/a Saginaw Grand Lake Station, Solway Township, Tobacco Products License No. T08212;

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Morse Township, Tobacco Products License No. T08116;

Lakeway Drive II, LLC, d/b/a Sunset Bottle Shop & Lounge, Rice Lake Township, Tobacco Products License No. T08152;

Thirsty Moose Bar & Grill, Inc., d/b/a Thirsty Moose Bar and Grill, Cherry Township, Tobacco Products License No. T08218;

Trailside Lounge & Grill, Inc., d/b/a Trailside Lounge & Grill, City of Meadowlands, Tobacco Products License No. T08234.

Adopted December 18, 2007. No. 658

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. 58658, 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:

Buffalo Valley, Inc., d/b/a Buffalo House, Midway Township, Tobacco Products License No. T08202, September 30, 1998;

Randall Willeck, d/b/a Country Corner, Culver Township, Tobacco Products License No. T0832, December 30, 2002, and December 23, 2004;

Jauert, Inc., d/b/a Eagle's Nest Resort, Fredenberg Township, Tobacco Products License No. T0843, December 29, 2003;

JTÆs General Stores, Inc., d/b/a JT's General Store, Colvin Township, Tobacco Products License No. T08168, December 15, 2002;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Canosia Township, Tobacco Products License No. T08106, December 28, 2002;

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Teresa M. Kaseno, d/b/a Pike-Sandy Co-op, Pike Township, Tobacco Products License No. T08107, October 20, 1998.

Adopted December 18, 2007. No. 659

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey No. 77 pursuant to Minn. Stat. 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey No. 77; and

WHEREAS, the final prints have been submitted for filing;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners grants final approval to Registered Land Survey No. 77 located in Section 9, Township 49N, Range 15.

Adopted December 18, 2007. No. 660

WHEREAS, Land Department plans are to plant tree seedlings on approximately 550 acres in Spring 2008; and,

WHEREAS, the containerized portion of those tree seedlings needed for planting have already been purchased; and,

WHEREAS, bids were requested for bare-root seedlings through Demand Star, 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, 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 372,000 bare-root tree seedlings for delivery in spring 2008, in accordance with the specifications of Bid No. 4718, and subject to approval of the County Attorney, at their low specification bid price of \$90,901.00, payable from Fund 290 Forest Resources, Agency 290001 Memorial Forest Fund.

Adopted December 18, 2007. No. 661

WHEREAS, the Land Department has reviewed a request of Lake Country Power for an overhead electrical powerline utility easement across State tax forfeited land; and

WHEREAS, the crossing requested has previously been approved, paid for, and recorded as Easement No. E13060012 allowing for ingress and egress and a utility corridor; and

WHEREAS, exercising the easement will not conflict with public use of land; and

WHEREAS, Minnesota Statute Section 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for electrical powerlines;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Lake Country Power described as follows:

A 66-foot wide easement for 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

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terminate. This easement is 1300 feet in length and contains 2.0 acres more or less.

The granting of this easement is conditioned upon payment of \$300.00 administration fee, and \$46.00 recording fee; for a total of \$346.00 to be deposited into Fund 240 - Forfeited Tax Fund.
Adopted December 18, 2007. No. 662

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. 58770 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. 58770 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 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. 58770 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 December 18, 2007. No. 663

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, Cliffs Erie, LLC, successor to Erie Mining Company, has applied to repurchase the following parcel located in:

CITY OF KINNEY
UND 3/128 SE 1/4 OF NW 1/4, UND 3/128 SE 1/4 OF NW 1/4, UND 3/128 SE 1/4
OF NW 1/4, UND 1/32 SE 1/4 OF NW 1/4 AND UND 3/128 SE 1/4 OF NW 1/4
SECTION 10, TOWNSHIP 58, RANGE 19
Parcel Codes: 150-0030-00040, 00041, 00043, 00044 and 00045

WHEREAS, Cliffs Erie, LLC, successor to Erie Mining Company, 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 Cliffs Erie, LLC, is approved for the property described above, and will be subject to payment including taxes and assessments of \$741.93, a repurchase application fee of \$114.00, a deed fee of \$25.00, a deed tax of \$2.44, and a recording fee of \$46.00; for a total of \$929.37 to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted December 18, 2007. No. 664

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WHEREAS, the Land Department has reviewed a request from the Minnesota Department of Natural Resources for snowmobile trail easements across State tax forfeited land; and

WHEREAS, exercising the easements will not conflict with public use of land; and

WHEREAS, Minnesota Statute Section 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for recreational trails;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minnesota Statute Section 282.04, Subd. 4, is hereby authorized to grant snowmobile trail easements across State tax forfeited land to the Minnesota Department of Natural Resources described as follows:

A perpetual non-exclusive easement for multiple use trail system 66.00 feet in width over, under, and across the north one-half of the southeast quarter of section 33, Township 50 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 east quarter corner of said section 33; thence southerly on the east line of section at an assigned azimuth of 178 degrees 36 minutes 01 seconds a distance of 627.1 feet to the centerline of an existing trail and the point of beginning where all succeeding courses will follow said centerline; thence at an azimuth of 319 degrees (0?=North) a distance of 300.86 feet to a tangential curve, concave to the south, having a radius of 135.55 feet and a delta angle of 78 degrees 10 minutes 21 seconds a distance of 184.94 feet; thence at an azimuth of 240 degrees 49 minutes 47 seconds a distance of 385.0 feet; thence at an azimuth of 254 degrees a distance of 220.0 feet; thence at an azimuth of 260 degrees a distance of 200.0 feet; thence at an azimuth of 275 degrees a distance of 100.0 feet; thence at an azimuth of 287 degrees a distance of 66.0 feet to a tangential curve, concave to the southeast, having a radius of 34.60 feet and a delta angle of 107 degrees a distance of 64.62 feet; thence at an azimuth of 180 degrees a distance of 268.33 feet; thence at an azimuth of 265 degrees a distance of 365.0 feet; thence at an azimuth of 269 degrees 16 minutes 02 seconds a distance of 707.03 feet to Point "A"; thence continuing on the previous azimuth of 269 degrees 16 minutes 02 seconds a distance of 248 feet more or less to the west line of the north one-half of the southeast quarter and there terminating this portion of said easement; thence returning to Point "A"; thence southeasterly at an azimuth of 128 degrees 25 minutes 16 seconds a distance of 605 feet more or less to the south line of the N 1/2 of the SE 1/4 and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. EXCEPTING easements, restrictions, and reservations of record and SUBJECT to minerals and mining reservations of record. This easement is 3715 feet in length and contains 5.55 acres more or less.

A non-exclusive easement for multiple use trail system 66.00 feet in width over, under, and across the northeast quarter of the northwest quarter of section 09, Township 50 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 southwest corner of the northeast quarter of the northwest quarter; thence northerly on the west line of said quarter quarter a distance of 33.00 feet to the centerline of said easement and the point of beginning; thence easterly on an assigned azimuth of 89 degrees 10 minutes 17 seconds where 0 degrees equals North, parallel to the south line of the NE 1/4 of the NW 1/4 a distance of 1096.38 feet; thence at an azimuth of 38 degrees a distance of 313.93 feet to a point 33.00 feet west of the east line of said quarter quarter; thence at an azimuth of 359 degrees 48 minutes 45 seconds a distance of 1038 feet more or less to the north line of said quarter quarter and there terminating. The side lines of said easement are prolonged or shortened to terminate on the respective land lines. EXCEPTING restrictions, and reservations of record and SUBJECT to minerals and mining reservations of record. This easement is 2449 feet in length and contains 3.71 acres more or less.

BE IT FURTHER RESOLVED, that the granting of the easement in Section 9 is conditioned upon payment of \$3,663.00 land use fee, \$150.00 administration fee and \$46.00 recording fee; and, the granting of the easement in Section 33 is conditioned upon payment of \$1,110.00 land use fee, \$150.00 administration fee and \$66.00 recording fee, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 18, 2007. No. 665

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WHEREAS, an occupancy trespass was discovered on State Tax Forfeited land involving a cabin and propane tank owned by Mr. Dennis Perrault; and

WHEREAS, the Land Department has proposed that this unintentional occupancy trespass be resolved through a direct sale of a .23 acre parcel of tax forfeited land to Mr. Perrault; and

WHEREAS, Laws of Minnesota, 2007, Chapter 131, Article 2, Section 36, authorizes St. Louis County to sell by private sale State tax forfeited land described as:

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.

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; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the above described State tax forfeited parcel to Dennis Perrault for the appraised value of \$1,620.00 plus the following fees: 3% Assurance Fee of \$48.60, Administrative Fee of \$500.00, Deed Fee of \$25.00, Deed Tax of \$5.35 and Recording Fee of \$46.00; for a total of \$2,244.95 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted December 18, 2007. No. 666

WHEREAS, the Duluth Economic Development Authority (DEDA) has offered to purchase the following described State tax forfeited lands for the appraised value of \$108,400.00 plus fees for the purpose of a residential housing development:

Legal: Lots 1-14 and Lots 16-40, Block 1 AND
Lots 1-8, Lots 10-26, and Lots 28-40, Block 2 AND
Lots 1-7, Lots 14-27, Lots 29-35, Lots 38-40, Block 3 AND
LOTS 1-25 and 27-40, BLOCK 4
LAKEVIEW MANOR DULUTH AND
Lots 3, 4, 5, 7, 8, 9, 10, 11 Block 1, Ex Hwy Rt of Way
Lot 6, Block 1, Ex Sly 120 Ft and Ex Hwy Rt of Way
Lots 26 thru 30, 31, 33, Block 1 Ex Hwy Rt of Way
Brighton Gardens 1st Division of Duluth AND
W 1/2 of S 1/2 of S 1/2 of S 1/2 of S 1/2 of SE 1/4 of NE 1/4
Twp 51N Rng 13W Sec 33

Parcel Codes: 10-2800-10, 20, 30, 40, 50, 90, 70, 110, 120, 130, 140, 160, 260, 270,
350, 360, 410, 440, 450, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 680, 710,
720, 730, 740, 780, 790, 800, 810, 820, 830, 840, 940, 950, 960, 970, 980, 990, 1090,
1120, 1130, 1140, 1150, 1180, 1210, 1220, 1230, 1270, 1280, 1290, 1330, 1340,
1350, 1360, 1370, 1440, 1450, 1470, 1480, 1490, 1500, 1510, 1520, 1530
10-280-30, 40, 50, 60, 70, 100, 110, 260, 270, 310, 330
10-2690-1220

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City of Duluth
+-22.24 Acres

WHEREAS, a residential development is an authorized public purpose; and
WHEREAS, Minnesota Statute 282.01, Subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for an authorized public purpose; and
WHEREAS, said lands have not been withdrawn from sale pursuant to Minnesota Statutes 84.012, 92.461, 282.01, Subd. 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 Duluth Economic Development Authority (DEDA), for the purpose stated above, for the appraised value of \$108,400.00 plus the following fees: 3% assurance fee of \$3,252.00, deed fee of \$25.00, deed tax of \$357.72, and a recording fee of \$252.00, administration fee of \$2,250.00 for a total of \$114,536.72 to be deposited into Fund 240-Forfeited Tax Fund, and notice of classification and sale will be transmitted to the clerk of the City of Duluth;
BE IT FURTHER RESOLVED, 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 December 28, 1007. No. 667

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. 58667 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, Section 84.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale; and
WHEREAS, the 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;
NOW, THEREFORE, 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, February 14, 2008, at 10:00 A.M. at the Depot, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted December 18, 2007. No. 668

WHEREAS, St. Louis County through its Solid Waste Department has jurisdictional authority for those portions of the County not included in the Western Lake Superior Sanitary District (WLSSD); and
WHEREAS, the County Solid Waste Ordinance (Ordinance 45) identifies a service area as "a geographical area within the County, established by resolution of the County Board, to receive Solid Waste Management services"; and
WHEREAS, the County has established a South Solid Waste Service Area as a discrete area to receive solid waste services within the County; and
WHEREAS, the County has established hauler collected and line item service fees in the South Solid Waste Service Area to pay for the costs of providing solid waste services within that area; and
WHEREAS, the County determined that it is most efficient and effective for WLSSD to provide certain solid waste services to residents within the South Solid Waste Service Area;
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County to extend for a period of five (5) years the agreement with WLSSD under which the County will provide WLSSD with 75% of the solid waste fee funding raised within the South Solid Waste

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Service Area, and WLSSD will provide residents and businesses within the South Solid Waste Service Area with recycling, waste reduction, education, household hazardous waste, appliance, battery, tire, used oil, construction and demolition waste, and solid waste management services;

RESOLVED FURTHER, that the Department will provide WLSSD with the appropriate level of SCORE funding received from the State of Minnesota for the South Solid Waste Service Area to be paid from the Solid Waste Enterprise Fund 600, Agency 600001.

Adopted December 18, 2007. No. 669

WHEREAS, the 2007 St. Louis County budget has M.P. 130-1274 in the 2007 construction program in the amount of \$420,000.00; and

WHEREAS, this project has not been advertised for bidding due to concerns regarding funding that have arisen in the 2007 construction season; and

WHEREAS, after reviewing the 2007 construction projects, it has been determined that there is sufficient funding available to proceed with this project.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works Department is hereby authorized to proceed with the advertising and award of M.P. 130-1274 in 2008; and

RESOLVED FURTHER, that \$420,000.00 in the 2007 Public Works Department Construction Budget, Fund 200, Agency 203088, Object 652800, be carried forward into the 2008 Public Works Department Construction Budget, Fund 200, Agency 203088, Object 652800.

Adopted December 18, 2007. No. 670

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement, and approve any amendments authorized by the County Attorney, whereby the County will purchase the services of LHB Corporation for design services for the reconstruction of County Bridge 528 along County State Aid Highway 68 over the Pike River in Pike Township, S.A.P. 69-668-004, C.P. 9588. The total cost of these services is \$29,000.00, payable from Fund 220, Agency 220225, Object 626600.

Adopted December 18, 2007. No. 671

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement, and approve any amendments authorized by the County Attorney, whereby the County will purchase the services of LHB Corporation for design services for the reconstruction of County Bridge 605 along County Road 447 over West Two River in Cherry Township, S.A.P. 69-598-033, C.P. 1834. The total cost of these services is \$29,000.00, payable from Fund 200, Agency 200008, Object 626600.

Adopted December 18, 2007. No. 672

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement, and approve any amendments authorized by the County Attorney, whereby the County will purchase the services of LHB Corporation for design services for the reconstruction of County Bridge 642 along County Road 492 over the Sturgeon River in Sturgeon Township, MN, S.A.P. 69-598-034, C.P. 1818. The total cost of these services is \$43,000.00, payable from Fund 200, Agency 200008, Object 626600.

Adopted December 18, 2007. No. 673

RESOLVED, that the Public Works Department is hereby authorized to enter into an agreement, and approve any amendments authorized by the County Attorney, whereby the County will purchase the services of LHB Corporation for design services for retaining walls along County State Aid Highway (CSAH) 91 between the Canadian National Railroad crossing, and Morris Thomas Road (CSAH 56) in Duluth, and Hermantown, MN, under project number S.P. 69-691-020, C.P. 8269. The total cost of these services is \$99,000, with \$50,000 payable from Fund 200, Agency 200008, Object 626600, and \$49,000 payable from Fund 220, Agency 220182, Object 626600.

Adopted December 18, 2007. No. 674

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of five tandem

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dump trucks equipped with dump bodies and snow and ice control equipment; and
WHEREAS, the purchase of five Mack model GU713 tandem chassis were approved in August; and
WHEREAS, the Public Works Department presented specifications to the Purchasing Department for preparation of Bid No. 4721 - Ten Cubic Yard Dump Bodies with Hydraulic Systems; and
WHEREAS, Midland Equipment Co. of Lakeville, Minnesota, was the low bidder with a bid price of \$108,350.00 for the installation of Bibeau M-1 dump bodies, hoists and hydraulic systems; and
WHEREAS, the costs for an optional ladder and transportation to the plow and wing up-fitter will bring the purchase price for the installation to \$109,725.00; and
WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$7,132.13 for a cost to the County of \$116,857.13.
NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Director of Purchasing to issue a purchase order to Midland Equipment Co. of Lakeville, Minnesota, for the installation of five dump bodies, hoists and hydraulic systems plus applicable State of Minnesota taxes; payable from Fund 200, Agency 202020, Object 666300.
Adopted December 18, 2007. No. 675

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, in order to perform said reconstruction, it is necessary for the County of St. Louis to obtain additional highway right of way; and
WHEREAS, the following numbered parcels have not been acquired by negotiation and direct purchase:

<u>Parcel</u>	<u>Owner(s)</u>
4	Thomas and Arlene Bollinger
10	Citizens Telecommunications Company of Minnesota
11	Michael J. Ehlert
13	Brad and Brenda Snickers
14	Mark and Erlane Kosanovich
22	Theodore J. and Dorothy M. Smigiel
38	Janet Larsen, etal
70	Peter and Sandra Bloom

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 highway right of way by condemnation proceedings.
Adopted December 18, 2007. No. 676

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of five (5) tandem dump trucks for hauling materials and snow and ice control; and
WHEREAS, the five 2008 Mack GU713 tandem chassis are on order; and
WHEREAS, specifications for Little Falls Machine, Inc., snow and ice control systems including plows and wings for all five units and underbody scrappers for two of the units were forwarded to the Purchasing Department to request State of Minnesota Contract pricing from the two vendors providing this product; and
WHEREAS, the lower contract price is provided by Bert's Truck Equipment, Inc., of Moorhead, Minnesota, with a total of \$100,263, and the applicable State of Minnesota sales tax will add \$6,510.10 bringing the total cost to \$106,680.10; 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

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of snow and ice control equipment on five tandem trucks at their State of Minnesota contract price plus applicable sales taxes; payable from Fund 200, Agency 202020, Object 666300.
Adopted December 18, 2007. No. 677

WHEREAS, the Public Works Department 2007 equipment budget includes replacement of a Unit No. 3291, a 1993 Hamm 2311 vibratory compactor at the third highway district; and
WHEREAS, the Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from the two area vendors offering heavy compaction equipment; and
WHEREAS, St. Joseph Equipment, Inc., of Duluth, Minnesota, provided the lower "with trade-in" State contract price of \$61,993.00 for a Case SV208, vibratory compactor with a 66-inch drum width; and
WHEREAS, the purchase will be subject to a State of Minnesota sales tax of \$4,029.55 for a total cost to the County of \$66,022.55; and
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., of Duluth, Minnesota, for a new Case SV208 vibratory compactor at their "with trade-in" state contract price plus applicable State of Minnesota taxes; payable from Fund 200, Agency 202020, Object 666400.
Adopted December 18, 2007. No. 678

WHEREAS, the County of St. Louis is planning to implement County-State Aid Construction Projects in 2008 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:

Project No. S.A.P. 69-616-038	\$3,200,000.00
Project No. S.P. 69-606-017	\$1,600,000.00
Project No. S.P. 69-607-043	\$700,000.00
Total 2008 Advance Amount:	\$5,500,000.00

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 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 in an amount up to \$5,500,000 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 2009 year allocations until fully repaid.
Adopted December 18, 2007. No. 679

RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes an amendment to Agreement 84043 (SLC 2006-003206, approved by Res. 06-262, dated April 25, 2006) with the Duluth, Winnipeg and Pacific Railway and the Commissioner of Transportation for crossing improvements at the intersection of C.R. (County Road) 694 (Seville Road), between County-State Aid Highway 98 (Canosia Road) and C.R. 223 (Munger Shaw Road) NW of Hermantown, MN, identified as S.P. 69-00173, S.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 amended share of the cost shall be 10% of the total estimated project cost of \$202,688.42, or \$20,268.84; payable from Fund 200, Agency 203129.

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Adopted December 18, 2007. No. 680

RESOLVED, that pursuant to Minnesota Statutes 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (Pull-tabs, Tipboards, Paddlewheel) on file in the office of the County Auditor, identified as County Board File No. 58649, for the following organization:

Alborn Sno Devils to operate out of Char Mars, Alborn Township, 8506 Swan Lake Road, Alborn, MN 55702, *Renewal*.

Adopted December 18, 2007. No. 681

RESOLVED, that the fund transfers and appropriations for 2007 within the various listed funds, as on file in County Board File No. 58771, are hereby approved.

Adopted December 18, 2007. No. 682

WHEREAS, the 2007 Minnesota State Legislature funded a much needed increase in veterans programming throughout the state, and one of these funding increases given to existing programming was under the Grants to Counties program, allowing MDVA to open a grant process requesting proposals for grants to enhance the benefits programs and services provided to Minnesota veterans; and WHEREAS, the St. Louis County Veterans Service Office prepared a grant application for \$180,759.20 for a comprehensive outreach and collaboration program for a two year period including expenses for the operations of the Iron Range Veterans Rider transportation program, two entry-level outreach Veterans Service Officers in the Virginia and Duluth offices, three highway billboards, and the cost of promotional items to reinforce the message that St. Louis County "will not tolerate any veteran being forgotten"; and

WHEREAS, on November 16, 2007, St. Louis County received notification that it had been awarded a County Veterans Service Officer Enhancement Grant in the amount of \$75,164, for the purpose of outreach and collaboration; and

WHEREAS, that since the award is significantly less than the application amount, Administration and the Veterans Service Office will revise the analysis of how best to use the funding to provide outreach to County veterans for reintegration into society, reducing homelessness in the veteran population, and collaborating with other agencies and community resources providing veterans' services;

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners accepts the County Veterans Service Officer Enhancement Grant for outreach and collaboration from the Minnesota Department of Veterans Affairs in the amount of \$75,164, and authorizes appropriate county officials to execute the grant agreement and documents related thereto;

RESOLVED FURTHER, the Veterans Service Office 2008 proposed budget is amended to include receipt of \$75,164 from the Minnesota Department of Veterans Affairs (MDVA), with said funds to be deposited into Fund 100, Agency 124999, Grant 12403, Year 2008.

RESOLVED FURTHER, that any positions created as a result of this grant award will be terminated at the close of the grant period.

Adopted December 18, 2007. No. 683

WHEREAS, St. Louis County has a variety of children's services available in the community that are Federal Title IV-E eligible at a reimbursement rate of approximately 15 to 20 percent. The balance of the cost is paid with local taxes. The County pays the entire cost for any child who does not have private insurance coverage or is not MA eligible.

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, the Department wishes to renew these Agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes the Director of Public Health and Human Services to execute Agreements for children's

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services covering the period January 1, 2008, through December 31, 2008, with the following providers at the per diem rates listed as follows:

Bethany Crisis Shelter/Duluth	\$145.21
25-Day Diagnostic Evaluation	\$165.24
Family Assessment Fee for Diagnostic	\$ 86.00
Basic Health Screening Fee	\$ 70.00
LSS Family Resource Ctr.-Range Youth Shelter	\$188.35
Basic Health Screening Fee	\$ 40.00

Woodland Hills	
Main Residential Treatment Center	\$199.20
Chisholm House Short-Term Program	\$127.02
Chisholm House Treatment Program	\$177.35
Community Treatment Program	\$167.05

Mesabi Academy	
Long-Term Open Residential Program	\$185.81
Long-Term Secure Residential Program	\$201.65
Sexual Offender Residential Treatment	\$225.93
Diagnostic Residential Program	\$213.26
Short-Term Residential Program	\$149.92
Short-Term Secure Residential Program	\$201.65
Northwood Children's Services	
Residential Services	\$197.48
Diagnostic & Assessment	\$205.29

These are funded by county funds and paid from Fund 230, Object Code 601200.

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to enter into Purchase of Service Agreements with Northwood Children's Services, Fond du Lac Foster Care Licensing and Placement Agency, and LSS Bethany Foster Care Program for Child Foster Care. The Purchase of Service Agreements with Northwood Children's Services should include therapeutic Child Foster Care Services. The therapeutic Child Foster Care Service rates for Northwood Children's Services and Child Foster Care with the Fond du Lac Foster Care Licensing and Placement Agency and LSS Bethany Foster Care Program should comply with Basic Maintenance and Difficulty of Care (DOC) Rates set by the Minnesota Department of Human Services (DHS). Respite Child Foster Care, emergency Child Foster Care and the licensing and placement fees will be at the per diem rates listed below. This Agreement will be in effect from January 1, 2008, through December 31, 2008, such services to be paid from Fund 230, Agency 232008.

Northwood Children's Services		
Therapeutic Foster Care	DHS Difficulty of Care (DOC) Guidelines	
Licensing & Placement Administration		\$28.12
Fond du Lac Foster Care Licensing & Placement Agency		
Foster Care	DHS Difficulty of Care (DOC) Guidelines	
Licensing & Placement Administration		\$20.00
Respite Care (paid to foster home)		\$35.00
LSS - Bethany Foster Care Program		
Foster Care	DHS Difficulty of Care (DOC) Guidelines	

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

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Licensing & Placement Administration

\$25.00

RESOLVED FURTHER, that the St. Louis County Board of Commissioners authorizes the appropriate County officials to enter into Purchase of Service Agreements with the following providers at the below listed rates for Child Day Treatment services effective January 1, 2008, through December 31, 2008, such services to be paid from Fund 230, Agency 232008, Object Code 601600.

Woodland Hills Therapeutic Day Treatment	\$74.73 per diem
Northwood Children's Services Intensive Day Treatment	\$82.40 per diem

Adopted December 18, 2007. No. 684

WHEREAS, St. Louis County has Child Protection and Intervention and Prevention Programs; and WHEREAS, the Department of Public Health and Human Services contracted with Lutheran Social Services (LSS) Bethany Crisis Shelter and LSS Family Resource Center to provide Supervised Visitation Services on behalf of the County; and

WHEREAS, the Department wishes to renew the Agreement 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 an Agreement with LSS Bethany Crisis Shelter and LSS Family Resource Center for the period January 1, 2008, through December 31, 2008, at \$31.87 per hour. Mileage for transportation reimbursement is hereby authorized to be paid to the LSS Bethany Crisis Shelter and the LSS Family Resource Center to various sites at the Board-authorized, Internal Revenue Service (IRS) standard rate of 48.5 cents per mile, whose rate will automatically change as the Board adopts the IRS standard rate modifications. Payment to LSS of \$600 per month is hereby authorized for their Duluth rental space for the purpose of visitations. The Agreement is payable from Fund 230, Agency 232008, Object 602000.

Adopted December 18, 2007. No. 685

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 an Emotional Disorder or a Severe Emotional Disorder by instilling social skills, promoting self-esteem, and focusing on goals, providing the youth 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, 2008, through December 31, 2008, and pay a maximum of \$40,000, including MA reimbursements, for the LSS "Youth Empowerment-Duluth/Positive Directions-Iron Range" contract, payable from Fund 230, Agency 232008, Object 601600.

Adopted December 18, 2007. No. 686

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 for an early intervention service committed to the prevention of child abuse and maltreatment by providing short-term emergency care for children and support services for families during times of crisis;

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, 2008, to December 31, 2008, and authorizes payment of \$35,905 for Bethany Crisis Nursery payable from Fund 230, Agency 232008, Object 601200.

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Adopted December 18, 2007. No. 687

WHEREAS, the Minnesota Senior Care Plus program (MSC+) takes effect January 1, 2008; and
WHEREAS, all former Prepaid Medical Assistance Plan (PMAP) seniors (65+) will be mandatorily enrolled in MSC+ on January 1, 2008; and
WHEREAS, three Managed Care Organizations desire to contract with St. Louis County Public Health and Human Services for the provision of care coordination services for MSC+ enrollees; and
WHEREAS, it is anticipated that the number of participants in the MSC+ program will increase as more PMAP recipients turn 65 years old;
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby authorizes approval of contracts between Medica, First Plan, and UCare Minnesota and St. Louis County Public Health and Human Services for the provision of care coordination services to MSC+ persons enrolled in these three Managed Care Organizations;
RESOLVED FURTHER, that the Board authorizes the Director of Public Health and Human Services to hire one additional social worker for each additional 70 customers that are added to the MSC+ program;
RESOLVED FURTHER, that if any of these contracts are terminated at a future date, social workers hired in support of the terminated contract will be reassigned to fill staff vacancies that occur due to retirements.

Adopted December 18, 2007. No. 688

BE IT RESOLVED, the appropriate County officials are authorized to execute a contract addendum with the AFSCME Civil Service Basic Bargaining Unit to add the Laundry Worker II title, at Salary Grade B04, on Exhibit C of the Bargaining Unit Agreement.

Adopted December 18, 2007. No. 689

RESOLVED, that the St. Louis County Board of Commissioners approves entering into the Master Support Agreement with Tiburon, Inc., for software and system support. St. Louis County's share will be paid from Fund 100, Agency 179001, Object 634800.

RESOLVED FURTHER, that the Chair of the Board, Auditor, and Sheriff are authorized to execute all documents necessary, subject to approval as to form and execution by the County Attorney.

Adopted December 18, 2007. No. 690

RESOLVED, that the St. Louis County Board of Commissioners authorizes the transfer of ownership of the radio tower located at 4848 Lackland Street, Duluth, MN, to the City of Duluth upon termination of the rental agreement and surrender of the premises to the Duluth Airport Authority;

RESOLVED FURTHER, that the City of Duluth will be responsible for all maintenance and operation costs of the tower and tower site and St. Louis County will be able to continue using the tower, equipment room and power at no charge;

RESOLVED FURTHER, that the Chair of the Board, Auditor, and Sheriff are authorized to execute all documents affecting this transfer, subject to approval as to form and execution by the County Attorney.

Adopted December 18, 2007. No. 691

RESOLVED, the St. Louis County Board of Commissioners hereby reappoints the following individual to serve a three-year term on the County Extension Committee:

Douglas Hoffbauer, for a term expiring December 31, 2010

Adopted December 18, 2007. No. 692

BY COMMISSIONER NELSON:

WHEREAS, Mittal Steel USA - Minorca Mine, Inc., has requested to purchase the following described State tax forfeited property for mining purposes:

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E 2/3 OF W 1/2 OF NE 1/4 OF NE 1/4 EXCEPT A TRIANGULAR TRACT 300 X 400 FT AT SE CORNER AND EXCEPT HWY RT OF WAY, SURFACE ONLY, SECTION 9, T58N, R16W, Parcel Code 015-0070-00215 (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, T58N, R16W, Parcel Code 015-0070-00220 (6.58 acres).

WHEREAS, St. Louis County's land management interests would best be served if the lands were returned to private ownership; and

WHEREAS, Laws of Minnesota, 2007, Ch. 131, Article 2, Sec. 36, authorizes the private sale of the State tax forfeited parcels described herein; 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 parcels to Mittal Steel USA - Minorca Mine, Inc., for the appraised value of \$47,500.00 plus the following fees: 3% assurance fee of \$1,425.00, deed fee of \$25.00, deed tax of \$156.75, and recording fee of \$46.00; for a total of \$49,152.75 to be deposited into Fund 240 (Forfeited Tax Fund).

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

Nays - None

Abstaining - Commissioner Forsman - 1

Adopted December 18, 2007. No. 693

WHEREAS, St. Louis County operates the 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 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, 2007; and

WHEREAS, the County believes that the most cost effective and efficient option at this time is to negotiate a six-year contract (with two additional two-year extensions, upon the mutual agreement of both parties) with Kangas for operation of the Regional Landfill from January 1, 2008, through December 31, 2013; 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 authorized to enter into a six-year contract with Kangas for the operation of the County's Regional Landfill in Virginia. The Agreement may be extended for two additional two-year extensions, upon the mutual agreement of both parties. Under the proposed contract, the Department will pay Kangas \$31,000 per month for basic landfill services, a fuel cost adjustment under which the Department reimburses Kangas for off-road diesel fuel costs in excess of \$2.50 per gallon and fixed hourly rates for work performed outside of basic landfill services. Estimated total contract costs for 2008 are \$409,000. Funding for this contract is available in Fund 600, Agency 607001 (Regional Landfill).

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

Nays - Commissioner Fink - 1

Adopted December 18, 2007. No. 694

BY COMMISSIONER RAUKAR:

WHEREAS, legislative changes made in 2006 to Minnesota Statutes Section 355 establish procedures that allow a governmental subdivision to extend Social Security coverage to certain local elected officials who are members of, or are eligible for membership in, the Defined Contribution Plan

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

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administered by the Public Employees Retirement Association; and
WHEREAS, St. Louis County desires to offer Social Security coverage to its eligible elected officials.
NOW, THEREFORE, BE IT RESOLVED, that it is hereby declared to be the policy of St. Louis County to extend the provisions of Minnesota Statutes Section 355, as amended by Chapter 271 of 2006, providing Social Security coverage to eligible elected officials of the County.
FURTHER RESOLVED, in pursuance of said policy, the County hereby requests and authorizes the execution of a divided vote referendum under Section 218(d)(6) of the Social Security Act for the purpose of allowing current eligible elected officials the option of paying the Social Security tax. The coverage of current local elected officials shall be effective as of January 1, 2008, for those eligible officials who vote "Yes" in the divided vote Social Security referendum. The referendum will be conducted pursuant to applicable state and federal laws and regulations by a designee of this County under the supervision of a representative of the Public Employees Retirement Association acting as the designated State Social Security Administrator.
FURTHER RESOLVED, that the Public Employees Retirement Association is hereby directed to execute a modification to the Section 218 Agreement between the State of Minnesota and the Secretary of Health and Human Services to secure Social Security coverage of the eligible elected officials who vote "Yes" in the referendum and all local newly-elected officials of this governmental subdivision.
FURTHER RESOLVED, that withholdings from the salaries of elected officials for the purposes provided in this resolution are hereby authorized to be made in the amounts and at such times as may be required by applicable federal and state laws and regulations.
FURTHER RESOLVED, that employer contributions shall be paid from amounts appropriated for such purposes and payment of employee and employer contributions shall be paid to the Internal Revenue Service in such amounts and at such times as are designated in Internal Revenue Code.
FURTHER RESOLVED, the County shall maintain such records and submit such reports as may be required by the Public Employees Retirement Association or the Social Security Administration.
Yeas - Commissioners Fink, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 6
Nays - None
Abstaining - Commissioner O'Neil - 1
Adopted December 18, 2007. No. 695

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 27 through January 30, 2008, 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.
NOW, THEREFORE, BE IT RESOLVED, that pursuant to the rules and regulations adopted by the County Board under St. Louis County Ordinance No. 28 (Liquor Ordinance), adopted May 22, 1978, as amended, the application submitted by the below listed establishment for a waiver of Section 11.05 (requiring patrons to vacate licensed premises by 1:20 A.M.) is hereby approved.

Ragnar Properties, Inc., d/b/a Billy's
3502 West Tischer Road
Duluth, MN 55803
Rice Lake Township

RESOLVED FURTHER, that said waiver shall be effective January 27 through January 31, 2008, from 1:00 A.M. until 8:00 A.M.; and

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RESOLVED FURTHER, no alcohol shall be served or consumed on the licensed premises during the waiver period, although Billy's will be allowed to serve food.
Unanimously adopted. December 18, 2007. No. 696

BY COMMISSIONER FINK:

RESOLVED, that the St. Louis County Board hereby confirms the appointment of Mr. Richard Dumancas as County Veterans Service Officer, effective on January 7, 2008, at a 2007 salary rate of \$44,938 (Unclassified Managers Pay Plan, Q1, Step A) and the level of employment benefits specified in the County Management Compensation Plan for new employees, with the requirement of subsequent appointment every four years thereafter, according to Minnesota Statute 197.60, Subd. (2).

RESOLVED FURTHER, Mr. Dumancas's appointment is conditional upon his successful completion of a background check and the standard drug test required for all new hires to St. Louis County employment.

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

Nays - Commissioner Raukar - 1

Adopted December 18, 2007. No. 697

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County contracted with Fox/Lawson and Associates in 2007 to conduct comprehensive salary studies on St. Louis County jobs in answer to concerns that some of the county's wage scales were falling below labor market rates; and

WHEREAS, currently, +/-10% of labor market rates is the Board Policy applied in classification/compensation studies on St. Louis County jobs; and

WHEREAS, the County Recorder and Property Management Director salary scales have been identified at approximately 10% below the median market rate for comparable positions in the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the Property Management Director's and County Recorder's salary scales each be adjusted from the Management Compensation Plan - U25, median rate \$76,903 to the U27 scale, which has a median rate of \$84,785, effective January 1, 2007.

RESOLVED FURTHER, that the 2007 budget be adjusted as follows:

Property Management: Fund 100, Agency 128002, Object 610100: increase \$8,909.36

Recorder: Fund 100, Agency 121001, Object 610100: increase \$8,909.36

Administration: Fund 100, Agency 104001, Object 619900: reduce \$17,818.72

RESOLVED FURTHER, that the 2008 budget be adjusted as follows:

Property Management: Fund 100, Agency 128002, Object 610100: increase \$9,216

Recorder: Fund 100, Agency 121001, Object 610100: increase \$9,216

Administration: Fund 100, Agency 104001, Object 619900: reduce \$18,432

Unanimously adopted. December 18, 2007. No. 698

BY COMMISSIONER FINK:

WHEREAS, St. Louis County contracted with Fox/Lawson and Associates in 2007 to conduct comprehensive salary studies on St. Louis County jobs in answer to concerns that some of the county's wage scales were falling below labor market rates; and

WHEREAS, currently, +/-10% of labor market rates is the Board Policy applied in classification/compensation studies on St. Louis County jobs; and

WHEREAS, the County Sheriff salary scales have been identified at approximately 10% below the median market rate for comparable positions in the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board of Commissioners authorizes the County Sheriff's salary scale be adjusted from the Management Compensation Plan - U30E, to the U31E scale effective January 1, 2007.

RESOLVED FURTHER, that the 2007 budget be adjusted as follows:

Sheriff: Fund 100, Agency 129003, Object 610100: increase \$5,023.55

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Administration: Fund 100, Agency 104001, Object 619900: reduce \$5,023.55

RESOLVED FURTHER, that the 2008 budget be adjusted as follows:

Sheriff: Fund 100, Agency 129003, Object 610100; increase \$5,196

Administration: Fund 100, Agency 104001, Object 619900: reduce \$5,196

Division of the Question:

Without the effective date--

Yeas - Commissioners Fink, O'Neil, Forsman, Sweeney, Nelson, Raukar, and Chair Kron - 7

Nays - None

With the effective date--

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

Nays - Commissioners Fink and Nelson - 2

Adopted December 18, 2007. No. 699

BY COMMISSIONER KRON:

RESOLVED, that the St. Louis County Code of Conduct, a copy of which is on file in County Board File No. 58773, is hereby adopted effective December 18, 2007.

RESOLVED FURTHER, that each policy identified in the Code of Conduct will be reviewed by the County Board for policy, process, procedure and implementation clarity. All reviews are to be completed by October 1, 2008.

Unanimously adopted. December 18, 2007. No. 700

BY COMMISSIONER FINK:

RESOLVED, that the Emergency Conditions Policy, a copy of which is on file in County Board File No. 58772, is hereby amended effective December 18, 2007.

Unanimously adopted. December 18, 2007. No. 701

Upon motion of Commissioner Raukar, supported by Commissioner O'Neil, Resolutions No. 702 through 705, 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 RAUKAR:

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 300 acres in the East Range Joint Powers Board Cliffs/Erie Subzone No. 65; and

WHEREAS, the East Range Joint Powers Board wishes to reallocate 160 acres; 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 65 within the East Range Joint Powers Board Cliffs/Erie subzone as follows:

Remove the following parcels originally designated for the Mesabi Nugget project from Cliffs/Erie Sub Zone #65: 142-0080-02310 (NE 1/4 of NE 1/4, Sec. 15, Twp. 59, Rg. 14), 142-0080-02340 (SE 1/4 of NE 1/4, Sec. 15, Twp. 59, Rg. 14), 142-0080-02200 (NW 1/4 of NW 1/4, Sec. 14, Twp. 59, Rg. 14) and 142-0080-02210 (SW 1/4 of NW 1/4, Sec. 14, Twp. 59, Rg. 14) each containing 40 acres;

Reallocate to the following parcels:

in Section 13 the Southerly 330 ft of parcel 570-0032-00470 (10 acres) and Southerly 330 ft of parcel 570-0032-00480 (10 acres); in Section 23 the SE 1/4 of parcel 570-0034-00010 (10 acres); in Section 24 the N 1/2 of parcel 570-0034-00170 (20 acres), 570-0034-00180 (40 acres), 570-0034-00210 (40

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acres), the SE 1/4 of 570-0034-00220 (10 acres) and the N1/2 of 570-0034-00240 (20 acres), all in Township 59 N, Range 15 W, and consisting of a total of 160 acres.
Adopted December 18, 2007. No. 702

WHEREAS, the employees and customers of St. Louis County are at significant risk for cardiovascular disease and associated cardiac arrest; and

WHEREAS, Employee Safety and Development is recommending the implementation of an Automated External Defibrillator (AED) Program to minimize the impact of an individual cardiac arrest on persons present at County facilities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the purchase and installation of 28 Automated External Defibrillators and associated equipment at 21 facilities throughout the County and the training of County employees on the proper use of the AED, at a cost of \$62,005.90, payable from the Health Insurance Fund (Fund 740, Agency 740002, Object 629900).

Adopted December 18, 2007. No. 703

WHEREAS, all uses of fund balance must go to the St. Louis County Board of Commissioners for approval; and

WHEREAS, fund balance was used for various projects in 2007.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners authorizes the following uses of fund balance in 2007:

- | | |
|-----------|--|
| \$70,529 | Use of General Fund designated for parking to pay for door replacement and parking ramp light in GSC parking ramp, the solar parking lot lights for the Green Lot, and engineering fees for the Virginia Parking lot. |
| \$122,704 | Use of General Fund designated for retiree obligations to pay for retiree sick leave payouts. |
| \$1,307 | Legally required debt service payment. |
| \$49,600 | Use of Capital Projects Fund designated for future appropriations (Nopeming Sale) to pay for flooring at Chris Jensen. |
| \$120,000 | Use of Capital Projects Fund designated for future appropriations (Nopeming Sale) make repairs or corrections at Chris Jensen that violated codes, rules, or were broken. This includes elevator repairs, redo dining operations, replace the Willows nurses' station, replace shades throughout the facility, replace a bathtub, and replace furniture. |
| \$12,000 | The Sheriff's fine and forfeiture funds have a maximum allowable fund balance at each year's end, per State statute. Recent additional forfeiture distributions exceed the amount originally budgeted for 2007. (Sheriff Fine Contingency Fund, Fund 166, Increase Expenditure and use fund balance) |
| \$50,000 | The Sheriff's fine and forfeiture funds have a maximum allowable fund balance at each year's end, per State statute. Recent additional forfeiture distributions exceed the amount originally budgeted for 2007. (Sheriff Fines and Forfeiture Fund, Fund 168, Increase Expenditure and use fund balance) |

Adopted December 18, 2007. No. 704

RESOLVED, that the necessary County officials are hereby authorized to execute the following agreements:

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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. 07-1315, to be reimbursed to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Attorney with Arrowhead Regional Corrections for legal services in the amount of \$45,837, the agreement contained in Contract File No. 07-1314, and that said funds will be reimbursed to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Employee Relations Department with Arrowhead Regional Corrections for personnel services in the amount of \$119,235, the agreement contained in Contract File No. 07-1316, and that said funds will be reimbursed to the St. Louis County Civil Service/Personnel Department, Fund 100, Agency 123001.

St. Louis County Employee Development with Arrowhead Regional Corrections for personnel services in the amount of \$9,154, the agreement contained in Contract File No. 07-1319, and that said funds will be reimbursed to the St. Louis County Employee Training Division, Fund 100, Agency 126001.

St. Louis County Safety and Risk Management with Arrowhead Regional Corrections for personnel services in the amount of \$18,891, the agreement contained in Contract File No. 07-1320, and that said funds will be reimbursed to the St. Louis County Civil Service/Personnel Department, Fund 100, Agency 139001.

St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$193,648, the agreement contained in Contract File No. 07-1317, 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. 07-1318, 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 Regional Rail Authority for fiscal services in the amount of \$5,500, the agreement contained in Contract File No. 07-1321, and that said funds will be reimbursed to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

Adopted December 18, 2007. No. 705

BY COMMISSIONER RAUKAR:

RESOLVED, that the appropriate St. Louis County officials are hereby authorized to enter into an agreement with Kevin Goodno (Fredrikson & Byron, Pa.) in the amount of \$40,000 to assist the Director of Intergovernmental Relations with gaining passage of the 2008 St. Louis County Legislative Program, payable from Fund 100, Agency 105000, Object 629900.

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

Nays - Commissioner Fink - 1

Adopted December 18, 2007. No. 706

WHEREAS, certain County officials are effectively precluded from using County-owned vehicles for business-related transportation due to their required participation in political activities; and

WHEREAS, the standard mileage rate is often inadequate to compensate for the cost of operation of private vehicles for business purposes, resulting in an effective loss of compensation for these officials. NOW, THEREFORE, BE IT RESOLVED, by December 10 of each year, the St. Louis County Administrator shall calculate an additional mileage factor for transportation costs by selected St. Louis County officials for the following year. The additional mileage factor shall be equal to the difference between the Standard Mileage Rate as set by the Internal Revenue Service for the coming year and the

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cost of operating a representative vehicle as determined by the American Automobile Association, and as adjusted for local fuel costs and inflation.

RESOLVED FURTHER, that the 2008 mileage reimbursement rate for County Commissioners, the Auditor, Sheriff, Attorney and Intergovernmental Relations Officers is hereby established at \$.726 per mile for private vehicles used for county business.

RESOLVED FURTHER, that reimbursement amounts above Standard Mileage Rate established by the Internal Revenue Service (\$.505 for 2008) will be considered as income for federal income tax purposes.

RESOLVED FURTHER, the above named County officials may accept a lesser amount upon written notification to the County Auditor.

Yeas - Commissioners Fink, Forsman, Sweeney, Nelson, and Raukar - 5

Nays - Commissioner O'Neil and Chair Kron - 2

Adopted December 18, 2007. No. 707

At 4:40 P.M. on Tuesday, December 18, 2007, upon motion of Commissioner Nelson, supported by Commissioner Raukar, the Board of County Commissioners adjourned.

Bill Kron, 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)