

AGENDA

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA



Tuesday, November 22, 2011, 9:30 A.M.

**Hibbing City Council Chambers
401 East 21st Street
Hibbing, Minnesota 55746**

**STEVE O'NEIL, Chair
Second District**

**FRANK JEWELL
First District**

**CHRIS DAHLBERG
Third District**

**MIKE FORSMAN
Fourth District**

**PEG SWEENEY
Fifth District**

**KEITH NELSON, Vice-Chair
Sixth District**

**STEVE RAUKAR
Seventh District**

County Auditor
Don Dicklich

County Administrator
Kevin Gray

County Attorney
Mark Rubin

Clerk of the Board
Patricia Stolee

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter which does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.****

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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9:30 A.M. Pledge of Allegiance
Roll Call
Recognition of Excellence in the Arts & Sciences – Commissioner Steve Raukar, Seventh District

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS ON THE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

CONSENT AGENDA

Approval of business submitted on the consent agenda.

REGULAR AGENDA

Finance & Budget Committee - Commissioner Nelson, Chair

1. Application for license to sell tobacco products at retail for Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, renewal. {11-431}

Central Management & Intergovernmental Committee – Commissioner Raukar, Chair

2. 2012 Proposed legislative agenda. [Without recommendation.] {11-432}
3. A closed session of the Committee of the Whole has been requested for litigation purposes.

NOTE: Because there will not be a County Board meeting until December 13, 2011, the Board will recess after approving the above listed items and reconvene to consider items passed at the Committee of the Whole.

BOARD LETTER NO. 11 - 431

FINANCE & BUDGET COMMITTEE NO. 1

NOVEMBER 22, 2011 BOARD AGENDA NO. 1

DATE: November 8, 2011 **RE:** Tobacco Products License
Application (Fayal Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the application for a Tobacco License.

BACKGROUND:

The following Tobacco Products Licensing Application has been submitted for Board approval:

Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T124, *RENEWAL*.

The business is a gas and convenience store located on U.S. Highway 53, in Fayal Township.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the requested tobacco license.

Tobacco Products License Application (Fayal Township)

BY COMMISSIONER _____

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. 59239, is 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. T124, *RENEWAL*.

RESOLVED FURTHER, that if named license holder 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 license holder.

2012 Proposed Legislative Agenda

BY COMMISSIONER _____

WHEREAS, the County Board was presented with a draft of legislative priorities for the 2012 Legislative Session at its Committee of the Whole meeting on November 8, 2011; and

WHEREAS, Intergovernmental Relations Director John Ongaro discussed each item with commissioners and received input in finalizing the list of priorities.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the "2012 St. Louis County Legislative Priorities" as found in County Board File No. _____, and directs its Intergovernmental Relations Director to work to achieve these outcomes during the 2012 Legislative Session.

2012 St. Louis County Legislative Priorities

November 22, 2011

Top Priorities

- **Authority to Sell Lakeshore Tax Forfeited Parcels.** A number of shoreline lots (278) are currently leased to cabin owners across the county. In addition to needed legislation, next steps include resurveying and bringing the lots into zoning compliance. Once completed, these lots will add significant dollars to the county-wide tax base.
- **Include Tax Forfeited Trust Distribution of Minerals Management Account.** Currently if this account exceeds \$3 million, any excess is distributed only to the Permanent School Fund and the Permanent University Fund. Many of the impacted properties involve tax forfeited lands; therefore, the Tax Forfeited Trust should be included in any distribution of any revenues over \$3 million.
- **Seek Other Legislation Related to Minerals Management.** This includes ensuring timely information sharing by Minnesota Department of Natural Resources minerals group; providing for a change in accounting for taconite tailings royalties and taxation; and removing dollar limits on tax forfeit land surface leases, currently limited to a \$12,000 maximum annually.
- **Change Legislation Stipulating Interest and Penalty Calculations Associated with Delinquent Property Tax Payments.** Given the current real estate and economic scenario, this change would be more in line with the ability for a delinquent property owner to catch up with a payment plan.
- **Monitor Annual Tax Forfeit/Riparian Lands Bill.** Often overlooked, two years ago the Lands Bill was vetoed by the Governor, resulting in St. Louis County suffering the temporary loss of \$500,000 in revenues.
- **Pursue ARMER Sales Tax Exemption on Equipment.** All other regions in the state (that have implemented this mandate) have thus far received this exemption, so this is a simple question of fairness. An alternative proposal might be to tap the 9-1-1 State Account (surplus) to help fund these costs for the remaining counties who have not yet implemented ARMER.
- **Protect Disparity Reduction Aid, County Program Aid and Taconite Tax.** The property tax increases that would accompany the elimination of these programs would be absolutely devastating to our citizens.

- **Payment in Lieu of Taxes (PILT).** If there is another state budget shortfall, PILT again will need to be defended from even further cuts. Meanwhile, a Special State Task Force will soon begin meeting to fulfill the Special Study on PILT that was required in the 2011 Session. The Outdoor Heritage Council is considering some form of alternative PILT payment for private lands purchased as part of the Legacy Amendment.
- **Address Poverty and Related Issues.** Greater financial burden for maintaining safety net and anti-poverty programs has fallen onto county governments. Almost all major income maintenance programs are reaching record numbers of caseload increases, yet, not enough attention is being given to making sure the safety net is adequately maintained and reinforced. County governments administer most of these programs.
- **Monitor Efforts to Restore the Homestead Market Value Credit.** Several bills have already been pre-filed to restore this method of property tax relief, which will likely further impact county costs.

Bonding Projects

- **Economic Development Corridor: County Road No. 666 from County State Aid Highway No. 110 to Hoyt Lakes.** 6.2 miles long and serves as the primary access to Polymet's proposed engineering and mining operations, and also serves Mesabi Nugget's operations. The project can be delivered at an approximate cost of \$3million. This project is not eligible for state aid or federal aid dollars, since it is a local county road. Provided it is designated as a route of "Regional Significance," state General Obligation Bonding can apply.
- **Arrowhead Regional Corrections' Northeast Regional Corrections Center (NERCC) facility improvements.** The overall infrastructure has many components and systems that are at the critical needs stage and/or at the end of their useful lifecycle. The project would improve energy efficiency and cost-effectiveness, upgrade building systems and safety for protection of residents and staff. Bonding request is \$736,500 with an equal amount of local funds secured by members of the five-county Arrowhead Regional Corrections joint powers board. This is truly a project of "Regional and Statewide Significance."

During the first week of November, State Senate Bonding Committee members reacted very favorably to the presentation regarding this proposal. Both the fact that NERCC is the only "true" work farm in Minnesota, and that its recidivism rate is extremely low, heightened the interest of committee members.

- **Pursue Bonding Bill items that would benefit counties:**
Local Bridge Repair & Replacement Program
Local Road Improvement Program
Local Road Wetland Replacement Program

Other Priorities:

- Oppose cost shifts to counties, including repealing recent cost shifts such as: Sex Offender Civil Commitments; Chemical Dependency Treatment Funding and the elimination of Child Support Incentive Grants.
- Remove or reduce all remaining Maintenance of Effort (MOEs), especially Child Care.
- Smarter Government: Pursue reform, redesign, collaborative and cooperation efforts. The proposed Minnesota MAGIC Act, contains many priorities for counties.
- Protect gas tax revenue dedicated to unorganized township roads.
- Amend cartway statute to allow alternatives to the current system which requires the entire county board to serve as both judge and jury. Move responsibility to the District Court or a sub-committee of the county board.
- Revise statutes to allow for future sale of nursing home property and facilities.
- Conservation Easements: Consider the negative property tax implications of granting these easements.
- Intermediate Auction Sales: Some results from the Minnesota Timber Producers/Forest Industries survey have now arrived.

