

## AGENDA

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



**Tuesday, May 6, 2014, 9:30 A.M.**

**County Board Room, Second Floor  
St. Louis County Courthouse  
100 N. 5<sup>th</sup> Avenue West  
Duluth, Minnesota**

**MIKE FORSMAN, Chair  
Fourth District**

**FRANK JEWELL  
First District**

**PATRICK BOYLE  
Second District**

**CHRIS DAHLBERG  
Third District**

**PETE STAUBER, Vice-Chair  
Fifth District**

**KEITH NELSON  
Sixth District**

**STEVE RAUKAR  
Seventh District**

County Auditor  
Donald Dicklich

County Administrator  
Kevin Gray

County Attorney  
Mark Rubin

Clerk of the Board  
Phil Chapman

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 that 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. Moment of Silence  
Pledge of Allegiance  
Roll Call

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 LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

9:40 A.M. PUBLIC HEARING, pursuant to Resolution No. 14-230, adopted April 22, 2014, to consider granting an off-sale intoxicating liquor license to Elbow Lake Holdings, LLC d/b/a Elbow Lake Lodge, Beatty Township. **{14-157}**

**CONSENT AGENDA**

Approval of business submitted on the consent agenda.

**REGULAR AGENDA**

**Public Works & Transportation Committee – Commissioner Raukar, Chair**

1. Agreement with the City of Duluth for temporary construction access and depositing of excess construction materials for the Public Works project on County State Aid Highway 89 (Duluth and Hermantown). **[Has not been to committee; requires consent of the Board to be considered.] {14-158}**

**ADJOURNED:**



**Public Hearing to Consider Off-Sale Intoxicating Liquor License  
(Beatty Township)**

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

WHEREAS, Elbow Lake Holdings, LLC d/b/a Elbow Lake Lodge, Beatty Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, A public hearing was held on May 6, 2014, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, Elbow Lake Lodge has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

THEREFORE, BE IT RESOLVED, That Off-Sale Intoxicating Liquor License (License Number CMB14159) shall be issued to Elbow Lake Holdings, LLC d/b/a Elbow Lake Lodge, Beatty Township, located in Area 3, for an annual fee of \$150.00;

RESOLVED FURTHER, That said liquor license shall be effective May 6, 2014 through June 30, 2014;

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due;

RESOLVED FURTHER, 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 license holder.

# **BOARD LETTER NO. 14 - 158**

## **PUBLIC WORKS & TRANSPORTATION COMMITTEE**

### **MAY 6, 2014 BOARD AGENDA NO. 1**

**DATE:** May 6, 2014

**RE:** Agreement with City of Duluth for Use of a Disposal Site for the Reconstruction of CSAH 89 (Duluth and Hermantown)

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

James T. Foldesi  
Public Works Director/Highway Engineer

#### **RELATED DEPARTMENT GOAL:**

Provide a safe, well maintained road and bridge system.

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to authorize an agreement with the City of Duluth for the use of city owned property as a disposal area as part of the reconstruction of Highland Street and 57<sup>th</sup> Avenue West/County State Aid Highway (CSAH) 89 (SAP 069-689-004).

#### **BACKGROUND:**

The Public Works Department has a reconstruction project in progress on Highland Street and 57<sup>th</sup> Avenue West/CSAH 89. During the design of this project, Public Works identified a disposal area adjacent to the intersection of Skyline Parkway, Vinland Street, Getchell Road, and Highland Street for use by the contractor. Availability of this disposal site resulted in significant savings on the bids since there are very few disposal areas near the project. The majority of the disposal site is on St. Louis County tax forfeit land and a portion is on City of Duluth property. The site is an abandoned gravel pit that will be restored to its original character. The City of Duluth has requested an agreement outlining responsibilities for the use of the property. There is no cost to this proposed agreement.

#### **RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize an agreement with the City of Duluth outlining responsibilities for use of the proposed disposal area on City of Duluth property.

**Agreement with City of Duluth for Use of a Disposal Site for the Reconstruction  
of CSAH 89 (Duluth and Hermantown)**

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

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments authorized by the County Attorney, with the City of Duluth for the use of city property as a disposal area for the reconstruction of Highland Street and 57<sup>th</sup> Avenue West/County State Aid Highway 89, SAP 69-689-004, CP 0089-176509.

# Exhibit A

Approximate Boundary of Excess Soil Disposal Area for St. Louis County's CSAH 89 highway & bridge project (SAP 069-689-004)

City of Duluth Parcels  
Lots 13, 14, 15 of Block 18  
of Bay View Addition No. 1

