

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 12, 2015**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of May 2015, at 9:36 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Tom Rukavina, Keith Nelson, Steve Raukar, and Chair Pete Stauber - 7. Absent: None - 0.

Chair Stauber asked for a moment of silence to pray for the safety of service men and women, their families, and for all innocent victims of war and acts of terrorism followed by the pledge of allegiance.

An Employee Recognition Ceremony was held honoring St. Louis County employees and retirees with 25, 30, 35 and 40+ years of service to St. Louis County.

Commissioner Boyle, supported by Commissioner Raukar, moved that the St. Louis County Board of Commissioners proclaim its gratitude and recognition of the Public Health and Human Services Department Child Welfare Staff, who provide a continuum of services from prevention to child protection, for their dedication and essential work on behalf of the county's most vulnerable children. Commissioner Boyle read the proclamation. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 15-294.

St. Louis County Communications Manager Dana Kazel and St. Louis County and Public Health and Human Services Planner Kyle Heyesen gave a presentation to the Board regarding the recently published St. Louis County "One Goal" booklet.

The Board recessed from 10:19 a.m. to 10:26 a.m.

Terri Heaton, of Springsted Incorporated, gave a presentation to the Board summarizing the bids received relating to the issuance of \$38,415,000 General Obligation Capital Improvement Bonds, Series 2015C. Commissioner Nelson, supported by Commissioner, Dahlberg, moved to approve the issuance of \$38,415,000 General Obligation Capital Improvement Bonds, Series 2015C, establish the terms and form for the bond sale, create a debt service fund, and award the sale. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 15-299.

Chair Stauber then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

At 10:49 a.m., a public hearing was conducted pursuant to Resolution No. 15-225, adopted April 28, 2015, to consider the testimony on proposed Ordinance Number 63, "Prohibiting Electronic Delivery Devices in Public Places, Retail Environments and Places of Work". Commissioner Dahlberg stepped out of the meeting from 10:50 a.m. to 10:52 a.m. Commissioner Nelson stepped out of the meeting from 10:52 a.m. to 10:56 a.m. Commissioner Rukavina stepped of the meeting from 10:54 a.m. to 10:56 a.m. The following people spoke to Ordinance Number 63: Jeff Kletscher, Mayor

City of Floodwood, expressed support of enacting Ordinance Number 63 and was pleased that the Board was taking action at the county level. Annie Harala, ISD 709 School Board Member, expressed support of enacting Ordinance Number 63. Linda Krug, Duluth City Councilor, discussed the actions taken by the City of Duluth relating to e-cigarettes and urged the Board to enact the ordinance. Louise Anderson, Carlton-Cook-Lake-St. Louis Community Health Board Director, spoke in favor on enacting Ordinance Number 63. Dr. Mary Boylan, of Duluth, supports the ordinance and discussed health issues relating to vapors from e-cigarettes. Dr. Krista Huot, of Duluth, supported enactment and stated that the Food and Drug Administration (FDA) doesn't support the use of electronic delivery devices as a form of cigarette smoking cessation tool. Dan Campbell, of Duluth, expressed support for enacting the ordinance. Dr. Elizabeth Bilden, of Duluth, discussed public health concerns due to the use of electronic delivery devices. Bob Tammer, of Soudan, discussed the addictiveness of cigarettes. Augie Lindmark, of Duluth, expressed support for enactment of the ordinance. Amy Westbrook, of St. Louis County Public Health and Human Services, discussed the progress in preventing smoking in young people and urged the Board to pass the ordinance. Commissioner Jewell stepped out of the meeting from 11:24 a.m. to 11:29 a.m. Julie Zaruba-Foutain, College of St. Scholastica, expressed support of enacting the ordinance and discussed the increasing use of e-cigarettes by college students. Courtney Hunter, of Duluth, stated that e-cigarette use does not align with the Clean Air Act. Pat Mekone, American Lung Association, discussed the health issues related to e-cigarettes and encouraged the Board to enact the ordinance as it is currently written. Jerry Iozzo, of Hibbing, talked about his usage of electronic delivery devices to stop smoking and spoke in opposition of enacting the ordinance. Commissioner Rukavina stepped out of the meeting from 11:41 a.m. to 11:43 a.m. Brian Annis, of Lake Effect Vapor in Duluth, discussed effects the ordinance would have on small business owners and opposed the ordinance. Cap O'Rourke, of Minneapolis, spoke in opposition of passing the ordinance. Jill Doberstein, of Duluth, provided clarification of the American Heart Association's view on electronic delivery devices and expressed support for enacting the ordinance. At 11:58 a.m., Commissioner Nelson, supported by Commissioner Boyle, moved to close the public hearing. The motion passed; seven yeas, zero nays.

The Board recessed from 11:59 a.m. to 12:05 p.m.

Commissioner Boyle, supported by Commissioner Jewell, moved to adopt St. Louis County Ordinance Number 63, "Prohibiting Electronic Delivery Devices in Public Places, Retail Environments and Places of Work". The effective date for St. Louis County Ordinance Number 63 will be July 1, 2015. Commissioner Nelson stated that he owns a business that is licensed to sell tobacco products at retail and currently sells e-cigarettes; no Commissioners felt that there was a conflict of interest. Commissioner Raukar, supported by Commissioner Rukavina, offered an amendment to allow limited product sampling, product instruction, or testing of an electronic delivery device in a tobacco products shop. After further discussion, a roll-call vote was taken and the amendment failed; three yeas (Dahlberg, Rukavina, Raukar), four nays (Jewell, Boyle, Nelson, Stauber). Commissioner Raukar, supported by Commissioner Rukavina, made a motion to table the item. A roll-call vote was taken and the motion to table failed; two yeas (Rukavina, Raukar), five nays (Jewell, Boyle, Dahlberg, Nelson, Stauber). A roll-call vote was taken and the motion to adopt St. Louis County Ordinance Number 63 passed; five yeas (Jewell, Boyle, Nelson, Raukar, Stauber), two nays (Dahlberg, Rukavina). Resolution No. 15-295.

Commissioner Nelson, supported by Commissioner Jewell, moved to approve the consent agenda without Item #7, Approval of the Lake Superior Wetland Bank Application. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jewell, moved to approve the Lake Superior Wetland Bank application with the conditions in the Technical Evaluation Panel (TEP) findings and recommendations on file with the County Auditor. Chair Stauber then opened the meeting to persons who wanted to address the Board concerning the application approval. Don Triebwasser, of Cotton, discussed concerns he had regarding township participation.

The Board recessed at 12:57 p.m. At 2:25 p.m., the Board re-convened with all members present except Commissioner Raukar.

Commissioner discussion continued regarding the motion to approve the Lake Superior Wetland Bank application. Commissioner Raukar entered the meeting at 2:30 p.m. The motion passed; seven yeas, zero nays. Resolution No. 15-282.

Commissioner Boyle, supported by Commissioner Jewell, moved to appoint Melanie F. Shepard (District 1) and Janet Kennedy (District 3) to serve as members of the Public Health and Human Services (PHHS) Advisory Committee with terms expiring on December 31, 2017. St. Louis County Public Health and Human Service Director Ann Busche stated that she just received word that the Fond du Lac Band has appointed Nate Sandman as representative to the PHHS Advisory Committee. Commissioner Nelson, supported by Commissioner Boyle, offered an amendment in support of the Fond du Lac Band's appointment of Nate Sandman as representative to serve as a member of the PHHS Advisory Committee. The amendment passed; seven yeas, zero nays. After further discussion, the amended motion passed; seven yeas, zero nays. Resolution No. 15-296.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to consider a resolution to approve granting an On-Sale and Sunday On-Sale Intoxicating Liquor License to Frye's Lake Place, LLC d/b/a Island Lake Inn, Gnesen Township; the item has not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve granting an On-Sale and Sunday On-Sale Intoxicating Liquor License to Frye's Lake Place, LLC d/b/a Island Lake Inn, Gnesen Township. The motion passed; seven yeas, zero nays. Resolution No. 15-297.

Commissioner Jewell, supported by Commissioner Rukavina, moved to appoint Doug Hoffbauer and Megan Brant to the St. Louis County Cooperative Extension Committee with terms expiring December 31, 2017. The motion passed; seven yeas, zero nays. Resolution No. 15-298.

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

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 15-181, Classification of December 2, 2014 Forfeitures (Conservation).—60110

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 15-182, Classification of December 2, 2014 Forfeitures (Non-conservation).—60111

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 15-192, Establish Public Hearing to Consider Adoption of Proposed Ordinance 62, Zoning Ordinance.—60112

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor/Treasurer, submitting Board Letter No. 15-197, Request for Free Conveyance of State Tax Forfeited Land to the City of Proctor.—60113

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 15-187, Advance Construction Agreement for Federal Funds – CSAH 90/Arlington Avenue Preservation Project (Duluth).—60114

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 15-191, Updated Post-Retirement Health Care Savings Plan Policy – Civil Service Supervisory Unit.—60115

Proclamation: Child Welfare Staff Appreciation.—60116

Kevin Gray, County Administrator, Donald Dicklich, County Auditor/Treasurer, and Mark Rubin, County Attorney, submitting Board Letter No. 15-201, Consider On-Sale and Sunday On-Sale Intoxicating Liquor License (Gnesen Township).—60117

Kevin Gray, County Administrator, and Ann Busche, Public Health and Human Services Director, submitting Board Letter No. 15-195, Appointment of Public Health and Human Services Advisory Committee Members.—60118

Kevin Gray, County Administrator, and Patty Swedberg, County Extension, submitting Board Letter No. 15-198, Appointments to the St. Louis County Cooperative Extension Committee.—60119

Dana Kazal, Communications Manager, and Kyle Heyesen, Public Health & Human Services Planner, submitting St. Louis County “One Goal” booklet.—60120

Agreement by and between the County of St. Louis, Donald Dicklich, St. Louis County Auditor, and the Arrowhead Regional Corrections Board (ARC) for Fiscal Services during CY 2015.—15-298

Agreement by and between the County of St. Louis, by and through its Human Resources Department, and the Arrowhead Regional Corrections Board (ARC) for Personnel and Training Services during CY 2015.—15-299

Cooperative Agreement between St. Louis County and the City of Eveleth for 2015 Maintenance Striping whereby the City of Eveleth will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-243581, 2015 Maintenance Striping.—15-300

Agreement between the County of St. Louis and the City of Floodwood for 2015 Crack Sealing whereby the City of Floodwood will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-235367, SAP 60-030-036, Crack Sealing 2015.—15-301

Contract for County-State Aid Highway Project between the County of St. Louis and Asphalt Surface Technologies Corporation a/k/a Astech Corp., St. Cloud, MN, for Tied Rout, Seal Coat, Crack Repair and Fog Seal Projects on roads located in various townships and the City of Babbitt, CP 0021-243053, SAP 069-621-035(Low); CP 0558-243402; CP 0583-243407; CP 8215-243413; CP 8217-243414; CP 0615-217665; CP 0620-243406; CP 0065-250568; CP 8172-250569; CP 0615-250442.—15-302

Purchase of Service Agreement between the St. Louis County Board of Commissioners and Arrowhead Psychological Clinic, P.A., Duluth, MN, for Forensic Psychological Services during the period January 1, 2015 through December 31, 2015.—15-303

Purchase of Service Agreement, Contract No. 15464, between the St. Louis County Board of Commissioners and Kidspace Mesabi Academy, Inc., Buhl, MN, for services to address youth behavioral, emotional, chemical and mental health needs during the period January 1, 2015 through December 31, 2015.—15-304

Purchase of Service Agreement, Contract No. 15465, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter), Duluth, MN, Group Home Residential Service and Diagnostic 25-Day Evaluation during the period January 1, 2015 through December 31, 2015.—15-305

Purchase of Service Agreement, Contract No. 15467, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota, Bethany Crisis Shelter – Supervised Visitation Program, Duluth, MN, for Supervised Visitation services during the period January 1, 2015 through December 31, 2015.—15-306

Purchase of Service Agreement, Contract No. 15469, between the St. Louis County Board of Commissioners and Duluth Family Visitation Center, Duluth, MN, for Children in Need of Protection or Services (CHIPS) Supervised Parenting Time Services Duluth period January 1, 2015 through December 31, 2015.—15-307

Purchase of Service Agreement, Contract No. 15473, between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Foster Care Program), Duluth, MN, for Child Protective Services during the period January 1, 2015 through December 31, 2015.—15-308

Purchase of Service Agreement, Contract No. 15479, between the St. Louis County Board of Commissioners and Arrowhead Regional Corrections, Duluth, MN, for Children’s Mental Health Screenings during the period January 1, 2015 through December 31, 2015.—15-309

Agreement and Contract for Services between St. Louis County Public Health and Human Services and Generations Health Care Initiatives, Inc., Duluth, MN, for the Accountable Communities for

Health Grant Program as part of the Minnesota Accountable Health Model – SIM Minnesota from the Minnesota Department of Health in the amount of \$195,337 for the grant period January 2015 through December 2016.—[15-310](#)

Service Contract between the County of St. Louis and Isola Design, Duluth, MN, for programming, initial planning, and block design services for the Purchasing Division and Assessor's Department move to the A.P. Cook Building in Duluth, MN.—[15-311](#)

Service Contract between the County of St. Louis and Caldwell Plumbing & Heating, LLC, Duluth, MN, to perform rainwater collection system testing, maintenance and reporting at the Duluth Motor Pool.—[15-312](#)

Enhancement Proposal for a Computer Aided Dispatch (CAD) Upgrade from Tiburon, Inc., San Ramon, CA.—[15-313](#)

Group Residential Housing Rate Agreement, Contract No. 52543, by and between the St. Louis County Board of Commissioners and RSI – Denfeld, Duluth, MN.—[15-314](#)

Group Residential Housing Rate Agreement, Contract No. 52549, by and between the St. Louis County Board of Commissioners and EBI, Inc., Duluth, MN.—[15-315](#)

Group Residential Housing Rate Agreement, Contract No. 52550, by and between the St. Louis County Board of Commissioners and EBI, Inc., - Berkeley, Hermantown, MN.—[15-316](#)

Group Residential Housing Rate Agreement, Contract No. 52551, by and between the St. Louis County Board of Commissioners and EBI, Inc., - Denfeld, Duluth, MN.—[15-317](#)

Group Residential Housing Rate Agreement, Contract No. 25265, by and between the St. Louis County Board of Commissioners and The Hummingbird, Meadowlands, MN.—[15-318](#)

Group Residential Housing Rate Agreement, Contract No. 52580, by and between the St. Louis County Board of Commissioners and Rita Vidal and Jose Vidal, Orr, MN.—[15-319](#)

Group Residential Housing Rate Agreement, Contract No. 52582, by and between the St. Louis County Board of Commissioners and FACES North, Hibbing, MN.—[15-320](#)

Group Residential Housing Rate Agreement, Contract No. 52584, by and between the St. Louis County Board of Commissioners and Maria Allen, Duluth, MN.—[15-321](#)

Group Residential Housing Rate Agreement, Contract No. 52604, by and between the St. Louis County Board of Commissioners and Julie Balmer, Duluth, MN.—[15-322](#)

Group Residential Housing Rate Agreement, Contract No. 52612, by and between the St. Louis County Board of Commissioners and Kathy Jo Carlson, Eveleth, MN.—[15-323](#)

Group Residential Housing Rate Agreement, Contract No. 52618, by and between the St. Louis County Board of Commissioners and Chad Schmitt, d/b/a Schmitt AFC, Duluth, MN.—[15-324](#)

Group Residential Housing Rate Agreement, Contract No. 52547, by and between the St. Louis County Board of Commissioners and Kathy Brevik, Gilbert, MN.—15-325

Group Residential Housing Rate Agreement, Contract No. 52553, by and between the St. Louis County Board of Commissioners and Northland AFC – Almac, Proctor, MN.—15-326

Group Residential Housing Rate Agreement, Contract No. 52554, by and between the St. Louis County Board of Commissioners and Northland AFC – Arrowhead, Cloquet, MN.—15-327

Group Residential Housing Rate Agreement, Contract No. 52555, by and between the St. Louis County Board of Commissioners and Northland AFC – Celia, Duluth, MN.—15-328

Group Residential Housing Rate Agreement, Contract No. 52556, by and between the St. Louis County Board of Commissioners and Northland AFC – Decker, Duluth, MN.—15-329

Group Residential Housing Rate Agreement, Contract No. 52557, by and between the St. Louis County Board of Commissioners and Northland AFC – East, Duluth, MN.—15-330

Group Residential Housing Rate Agreement, Contract No. 52558, by and between the St. Louis County Board of Commissioners and Northland AFC – Midway, Hermantown, MN.—15-331

Group Residential Housing Rate Agreement, Contract No. 52559 by and between the St. Louis County Board of Commissioners and Northland AFC – Saginaw, Saginaw, MN.—15-332

Group Residential Housing Rate Agreement, Contract No. 52560, by and between the St. Louis County Board of Commissioners and Northland AFC – Solway, Saginaw, MN.—15-333

Group Residential Housing Rate Agreement, Contract No. 52561, by and between the St. Louis County Board of Commissioners and Northland AFC – Springvale, Duluth, MN.—15-334

Group Residential Housing Rate Agreement, Contract No. 52562, by and between the St. Louis County Board of Commissioners and Northland AFC – Ugstad, Hermantown, MN.—15-335

Group Residential Housing Rate Agreement, Contract No. 52563, by and between the St. Louis County Board of Commissioners and Northland AFC – West, Duluth, MN.—15-336

Group Residential Housing Rate Agreement, Contract No. 52564, by and between the St. Louis County Board of Commissioners and Northland AFC – Woodbridge, Hermantown, MN.—15-337

Group Residential Housing Rate Agreement, Contract No. 52566, by and between the St. Louis County Board of Commissioners and Lee Foster Care – Norwood, Duluth, MN.—15-338

Group Residential Housing Rate Agreement, Contract No. 52567, by and between the St. Louis County Board of Commissioners and Lee Foster Care – Lakeside, Duluth, MN.—15-339

Group Residential Housing Rate Agreement, Contract No. 52568, by and between the St. Louis County Board of Commissioners and Lee Foster Care – White House, Duluth, MN.—15-340

Group Residential Housing Rate Agreement, Contract No. 52575, by and between the St. Louis County Board of Commissioners and Rural Living Environments – Aspen, Babbitt, MN.—15-341

Group Residential Housing Rate Agreement, Contract No. 52576, by and between the St. Louis County Board of Commissioners and Rural Living Environments – Balsam, Babbitt, MN.—15-342

Group Residential Housing Rate Agreement, Contract No. 52577, by and between the St. Louis County Board of Commissioners and Rural Living Environments – Birch, Babbitt, MN.—15-343

Group Residential Housing Rate Agreement, Contract No. 52578, by and between the St. Louis County Board of Commissioners and Rural Living Environments – Fir, Babbitt, MN.—15-344

Group Residential Housing Rate Agreement, Contract No. 52579, by and between the St. Louis County Board of Commissioners and Rural Living Environments – Olsen, Babbitt, MN.—15-345

Group Residential Housing Rate Agreement, Contract No. 52595, by and between the St. Louis County Board of Commissioners and Joy Rankin, Duluth, MN.—15-346

Group Residential Housing Rate Agreement, Contract No. 52596, by and between the St. Louis County Board of Commissioners and Bluewater – Arlington Avenue, Duluth, MN.—15-347

Group Residential Housing Rate Agreement, Contract No. 52597, by and between the St. Louis County Board of Commissioners and Bluewater – East Superior Street, Duluth, MN.—15-348

Group Residential Housing Rate Agreement, Contract No. 52598, by and between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. A, Duluth, MN.—15-349

Group Residential Housing Rate Agreement, Contract No. 52599, by and between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. B, Duluth, MN.—15-350

Group Residential Housing Rate Agreement, Contract No. 52600, by and between the St. Louis County Board of Commissioners and Bluewater – Lakewood Road, Duluth, MN.—15-351

Group Residential Housing Rate Agreement, Contract No. 52601, by and between the St. Louis County Board of Commissioners and Bluewater – Vermillion Road, Duluth, MN.—15-352

Group Residential Housing Rate Agreement, Contract No. 52602, by and between the St. Louis County Board of Commissioners and Bluewater – Woodland Avenue, Duluth, MN.—15-353

Upon motion by Commissioner Nelson, supported by Commissioner Jewell, resolutions numbered 15-276 through 15-281 and 15-283 through 15-293, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, The parcels described in County Board File No. 60110 forfeited to the State of Minnesota on December 2, 2014, 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 ‘non-conservation’ as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that the parcels be classified as ‘conservation’ after considering many factors including 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 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 forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality’s or town’s disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 60110 as ‘conservation’, and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted May 12, 2015. No. 15-276

WHEREAS, The parcels described in County Board File No. 60111 forfeited to the State of Minnesota on December 2, 2014, 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 ‘non-conservation’ as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that the parcels be classified as ‘non-conservation’ after considering many factors including 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 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 forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality’s or town’s disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 60111 as ‘non-conservation’, and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted May 12, 2015. No. 15-277

WHEREAS, St. Louis County is committed to providing fair land appraisals; and

WHEREAS, The Land and Minerals Department is in need of contracted appraisal services for land sales on Park Point and other special projects;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Ramsland and Vigen, Inc., to provide appraisal services for the Land and Minerals Department for 2015 at an estimated cost of \$50,000 payable from Fund 240, Agency 241003, Organization 241003, Object 629900.

Adopted May 12, 2015. No. 15-278

WHEREAS, Minnesota Session Laws, 2012, Chapter 236, Section 28, authorizes St. Louis County to sell state tax forfeited shoreland parcels currently under lease, and directs that the parcels be surveyed, appraised and offered for sale to the current lease holder; and

WHEREAS, The final print of Easy Days has been submitted and conforms with the requirements of the St. Louis County Surveyor;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of Easy Days, located in Gnesen Township.

Adopted May 12, 2015. No. 15-279

WHEREAS, St. Louis County requires the replacement/addition of new transfer trailers for waste haulage from transfer stations to the Regional Landfill; and

WHEREAS, The purchase of a new trailer was competitively quoted in March 2015, with three quotes received;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of a transfer trailer from Wilkins Industries, Inc., of Morris, MN, for the total quoted price of \$83,575.50, payable from Fund 600, Agency 604001.

Adopted May 12, 2015. No. 15-280

WHEREAS, The St. Louis County Planning Commission, on December 28, 2014, initiated proposed St. Louis County Ordinance 62, Zoning Regulations; and

WHEREAS, The Planning Commission, after soliciting comments for 60 days, held a public hearing regarding the proposed St. Louis County Ordinance 62, Zoning Regulations on March 12, 2015; and

WHEREAS, The Planning Commission on March 12, 2015, approved ordinance language and provided an additional 30 days for public comment; and

WHEREAS, On April 16, 2015, the Planning Commission held a second public hearing; and

WHEREAS, The Planning Commission voted to recommend that the St. Louis County Board adopt the proposed Zoning Ordinance 62 repealing and replacing the current Zoning Ordinance 46;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a public hearing to be held on Tuesday, May 26, 2015 at 9:40 a.m. at the St. Louis County Courthouse in Hibbing, Minnesota for the purpose of receiving citizen comments on the proposed Ordinance 62, Zoning Regulations.

Adopted May 12, 2015. No. 15-281

WHEREAS, EIP Credit Company, LLC has proposed funding an endowment to benefit the county in conjunction with the sale of wetland credits from the Lake Superior Wetland Bank; and

WHEREAS, This fund will ensure that the county continues to receive distributions equivalent to current property tax revenue from the Lake Superior Wetland Bank area;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the Lake Superior Wetland Bank Fund agreement as approved by the St. Louis County Attorney;

RESOLVED FURTHER, That the St. Louis County Board authorizes the acceptance of distributions from the Lake Superior Wetland Bank Fund, to be deposited into the General Fund.

Adopted May 12, 2015. No. 15-283

WHEREAS, In 2014 the Minnesota Legislative Session established the Aquatic Invasive Species Prevention Aid Program, Minnesota Session Law Chapter 308; and

WHEREAS, County Board Resolution No. 14-582, dated October 28, 2014, authorized the Planning and Community Development Department to develop an Aquatic Invasive Species Prevention Plan for St. Louis County; and

WHEREAS, After soliciting public input, a draft Aquatic Invasive Species Prevention Plan has been prepared and made available for public comment;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the Aquatic Invasive Species Prevention Plan and authorizes the Planning and Community Development Director to solicit proposals for use of the 2014 and 2015 Aquatic Invasive Species Prevention Aid;

RESOLVED FURTHER, That the Planning and Community Development Director shall review all proposals and provide a funding recommendation to the St. Louis County Board for final consideration.

Adopted May 12, 2015. No. 15-284

WHEREAS, Pursuant to Minn. Stat. § 282.01, 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 Proctor has requested a free conveyance of state tax forfeited land for public park and trail purposes, legally described as:

CITY OF PROCTOR
SE 1/4 OF NW 1/4
TOWNSHIP 49 NORTH, RANGE 15 WEST, SECTION 3
Parcel Code: 185-0240-00070
40 acres

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 Proctor to be used for public park and trail purposes, upon payment of \$250 administrative fee, \$250 Department of Revenue fee, \$1.65 deed tax, \$25 deed fee, and \$46 recording fee; for a total of \$572.65, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted May 12, 2015. No. 15-285

RESOLVED, That the St. Louis County Board authorizes an agreement with Lake County, and any amendments approved by the County Attorney, where Lake County will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-235367, SAP 69-030-036, Crack Sealing 2015, with the funds to be receipted into Fund 220, Agency 220351, Object 551508.

Adopted May 12, 2015. No. 15-286

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation is hereby appointed as agent of St. Louis County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects;

RESOLVED FURTHER, That the Board Chairman and County Auditor are hereby authorized and directed for and on behalf of the county to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1000502”, a copy of which was before the County Board and is made a part hereof by reference for federal funding on County Project CP 0090-8203, SP 69-690-013. Funds to be received into Fund 220, Agency 220364.

Adopted May 12, 2015. No. 15-287

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 60032.

Adopted May 12, 2015. No. 15-288

RESOLVED, That the workers’ compensation report of claims by employees for work-related injuries, dated May 1, 2015, on file in the office of the County Auditor, identified as County Board File No. 60026, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted May 12, 2015. No. 15-289

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby approved for the following application to sell/serve outside the designated serving area of the County Liquor License, as per application on file in the office of the County Auditor, identified as County Board File No. 60027:

Dawghouse Bar & Grill, LLC d/b/a Dawghouse Bar & Grill, Northland Township, June 13 and 14, 2015;

RESOLVED FURTHER, That said license is approved contingent on Environmental Services approval.

Adopted May 12, 2015. No. 15-290

WHEREAS, The Sheriff’s Office has requested the reallocation of an Information Specialist III to Information Specialist II classification; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go before the County Board for approval; and

WHEREAS, The funding decrease is necessary for additional staffing changes in the Sheriff’s Office budget;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of an Information Specialist III (pay grade 14) to an Information Specialist II (pay grade 10) in the Sheriff’s Office (Fund 100, Agency 129003).

Adopted May 12, 2015. No. 15-291

WHEREAS, The Assessor’s Office provides assessment services to the majority of the county’s jurisdictions and, due to the increased workload and responsibility, the Department needs to add a higher level of supervisory duties; and

WHEREAS, The Human Resources Department has determined that reallocation of a Principal Appraiser to an Assistant County Assessor is appropriate, given the job duties; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must be approved by the County Board; and

WHEREAS, These changes will result in an annual budget increase of \$8,796 which the Assessor's Office has available;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of a Principal Appraiser Position (Civil Service Basic Unit Pay Plan, Pay Grade B23) to an Assistant County Assessor (Civil Service Supervisory Unit Pay Plan, Pay Grade E27) in the Assessor's Office. Funding for this reallocation is available in Fund 100, Agency 118001.

Adopted May 12, 2015. No. 15-292

WHEREAS, The St. Louis County Board adopted a post-retirement health care savings plan policy for Civil Service Supervisors by County Board Resolution No. 02-766 on November 26, 2002; and

WHEREAS, The policy needs to be updated to reflect an agreement reached in 2015-16 collective bargaining to also contribute the cash equivalent of accrued unused comp time at retirement;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby adopts the updated Post-Retirement Health Care Savings Plan Policy for the Civil Service Supervisory collective bargaining unit contained in County Board File No. 60115;

RESOLVED FURTHER, That the previous Post-Retirement Health Care Savings Plan, dated December 21, 2002, is hereby rescinded.

Adopted May 12, 2015. No. 15-293

BY COMMISSIONER BOYLE:

-Proclamation-

CHILD WELFARE STAFF APPRECIATION

May 12, 2015

WHEREAS, Children are our most valuable resource and will shape the future of St. Louis County; and

WHEREAS, Children of all ages have the basic right to a family and a safe, loving and supportive home that promotes their social, emotional and developmental well-being; and

WHEREAS, Child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, Child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences; and

WHEREAS, Child protection is a core function of county government in the state of Minnesota, with abuse and neglect prevention remaining the best defense for our children and families; and

WHEREAS, The ability to protect children at risk for abuse and neglect rests on the dedication and professionalism of St. Louis County's Welfare Staff, often working under extreme stress because of their commitment to the children who need them;

NOW, THEREFORE BE IT RESOLVED, That the St. Louis County Board of Commissioners, committed to ensuring the safety and well-being of all children in our community,

hereby proclaims its gratitude and recognition of the Public Health and Human Services Department Child Welfare Staff, who provide a continuum of services from prevention to child protection, for their dedication and essential work on behalf of the county's most vulnerable children.

Unanimously adopted May 12, 2015. No. 15-294

BY COMMISSIONER BOYLE:

WHEREAS, E-cigarettes produce a vapor of undetermined and potentially harmful substances, which may appear similar to smoke emitted by traditional tobacco products; and

WHEREAS, The United States Food and Drug Administration has determined that various samples of e-cigarettes from two leading manufacturers contained not only nicotine, but also detectable levels of known carcinogens and toxic chemicals; and

WHEREAS, St. Louis County Ordinance Number 63 "Prohibiting Electronic Delivery Devices in Public Places, Retail Environments and Places of Work" was recommended for passage by the Public Health & Human Services Advisory Committee; and

WHEREAS, The St. Louis County Board held a public hearing on May 12, 2015 at 9:40 a.m., in the County Board Room, St. Louis County Courthouse, 100 N. 5th Avenue West, Duluth, MN, to consider testimony on proposed Ordinance Number 63;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners adopts St. Louis County Ordinance Number 63, "Prohibiting Electronic Delivery Devices in Public Places, Retail Environments and Places of Work";

RESOLVED FURTHER, That the effective date for St. Louis County Ordinance Number 63 will be July 1, 2015.

Yeas – Commissioners Jewell, Boyle, Nelson, Raukar and Chair Stauber – 5

Nays – Commissioners Dahlberg and Rukavina – 2

Adopted May 12, 2015. No. 15-295

BY COMMISSIONER BOYLE:

WHEREAS, The St. Louis County Public Health and Human Services (PHHS) Advisory Committee was established to make recommendations relative to the public health and human service needs of St. Louis County communities; and

WHEREAS, Members of the PHHS Advisory Committee are appointed by the St. Louis County Board to serve three-year staggered terms of membership;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following citizens to serve as members of the PHHS Advisory Committee with terms expiring on December 31, 2017:

District 1 Melanie F. Shepard

District 3 Janet E. Kennedy

RESOLVED FURTHER, That the St. Louis County Board supports the Fond du Lac Band's appointment of Nate Sandman as representative to serve as a member of the PHHS Advisory Committee.

Unanimously adopted May 12, 2015. No. 15-296

WHEREAS, Pursuant to the provisions of Minn. Stat. Section 340A, as amended, and Rules and Regulations adopted by the St. Louis County 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. 60027; and

WHEREAS, Said license is approved contingent upon license holder paying real estate or personal property taxes when due; and

WHEREAS, 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 the license fees to the license holder;

THEREFORE, BE IT RESOLVED, Said license shall be effective May 12, 2015 through June 30, 2016:

Fryes' Lake Place, LLC d/b/a Island Lake Inn, Gnesen Township, On-Sale and Sunday On-Sale Intoxicating Liquor License.

Unanimously adopted May 12, 2015. No. 15-297

WHEREAS, The St. Louis County Board appoints citizens to serve on the St. Louis County Cooperative Extension Committee and attempts to appoint citizen members who represent a geographical balance across the county; and

WHEREAS, There are two current openings on the Cooperative Extension Committee and three applications have been received from Douglas Hoffbauer, Lesley Lenox and Megan Brant; all residents of Duluth, MN;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following two individuals to the St. Louis County Cooperative Extension Committee with terms expiring December 31, 2017:

Doug A. Hoffbauer
Megan E. Brant

Unanimously adopted May 12, 2015. No. 15-298

BY COMMISSIONER NELSON:

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA PROVIDING FOR THE ISSUANCE, SALE AND
DELIVERY OF \$38,415,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS,
SERIES 2015C; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT
SERVICE FUND THEREFOR; AND AWARDING THE SALE THEREOF**

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

Section 1. Purpose and Authorization

1.01 Under and pursuant to the authority contained in Minnesota Statutes, Section 373.40, and Minnesota Statutes, Chapter 475 (collectively the "Act"), the County is authorized to issue capital improvement bonds to provide funds for capital improvements pursuant to an approved capital improvement plan.

1.02 Pursuant to Resolution No. 15-114 adopted by the Board on March 3, 2015, the Board proposed an amendment to the County's Capital Improvement Plan, stated that it was considering issuing capital improvement bonds to finance capital improvements under the Capital Improvement Plan, as amended, and called for a public hearing to be held on March 24, 2015, regarding the plan amendment and the issuance of capital improvement bonds.

1.03 Following published notice and a public hearing according to the Act, the Board, pursuant to Resolution No. 15-168 adopted on March 24, 2015, approved the Capital Improvement Plan, as amended for the years 2015 through 2019 (the "Plan"), as presented to the Board and on file as County Board Document File No. 60051, and authorized the issuance of general obligation capital improvement bonds in the maximum amount of \$40,000,000 for the purpose of providing funds for the following capital improvements under the Plan and for the payment of costs of issuance of such bonds:

- Road and Bridge Improvements— a portion of the road and bridge improvements identified in the "St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014," which is a part of the County's Capital Improvement Plan, as amended (the "Project").

1.04 No petition requesting a vote on the issuance of the bonds authorized pursuant to Resolution No. 15-168 has been filed with the County Auditor in accordance with the Act.

1.05 The Board has determined that it is necessary and expedient to issue its General Obligation Capital Improvement Bonds, Series 2015C (the "Bonds"), in the maximum amount of \$40,000,000 to provide funds to finance the Project and the costs of issuance of the Bonds. The maximum amount of principal and interest to become due in any year on the Bonds and all the outstanding bonds issued pursuant to Section 373.40 of the Act will not equal or exceed 0.12 percent of the estimated market value of property in the County.

1.06 The County has solicited proposals for the sale of the Bonds in the amount of \$40,000,000 and has received and considered all proposals presented pursuant to the Terms of Proposal and has determined that the most favorable proposal is that of Robert W. Baird & Co., Inc. of Milwaukee, Wisconsin (the "Purchaser"). Based on the premium bid of the Purchaser and the limitation on the sale price of obligations, including the Bonds, under Section 475.60, Subd. 1 of the Act, the par amount of the Bonds was resized and the Purchaser agreed to purchase the Bonds in the principal amount of \$38,415,000 at a cash price of \$40,795,437.13, which is within the permissible limitation of the Act, and upon condition that the Bonds mature and bear interest at the times and annual rates set forth in Section 2. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. The Chair is authorized and directed to execute on the part of the County a contract for the sale of the Bonds in accordance with the Purchaser's proposal. All actions of the Chair, the County Auditor, the Administrator and Springsted Incorporated, independent municipal advisor to the County, taken with regard to the sale of the Bonds are hereby ratified and approved.

Section 2. Terms, Execution, and Delivery of the Bonds

2.01 The Bonds to be issued hereunder shall be dated the date of issuance of the Bonds, as the date of original issue, shall be issued in the denomination of \$5,000, or any integral multiple thereof, in fully registered form and lettered and numbered R-1 and upward. The Bonds shall mature on December 1 in the respective years and amounts stated and shall bear interest at the annual rates as follows:

Year	Amount	Interest Rate
2016	\$1,885,000	5.000%
2017	\$1,980,000	5.000%
2018	\$2,080,000	5.000%
2019	\$2,180,000	5.000%
2020	\$2,290,000	2.000%
2021	\$2,335,000	5.000%
2022	\$2,455,000	3.000%
2023	\$2,530,000	5.000%
2024	\$2,655,000	5.000%
2025	\$2,785,000	3.000%
2026	\$2,870,000	3.000%
2027	\$2,955,000	3.000%
2028	\$3,045,000	3.000%
2029	\$3,135,000	3.125%
2030	\$3,235,000	3.250%

2.02 The Bonds maturing in the years 2016 through 2024 shall not be subject to redemption and prepayment before maturity, but those maturing in the year 2025 and in subsequent years shall each be subject to redemption and prepayment at the option of the County on December 1, 2024, and on any day thereafter, in whole or in part, and if in part, at the option of the County and in such manner as the County shall determine. If less than all the Bonds of a maturity are called for redemption, the County, through the Bond Registrar, will notify The Depository Trust Company, New York, New York (“DTC”) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed. All payments shall be at a price equal to the principal amount thereof plus accrued interest. No more than 60 days and no fewer than 30 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed, at the address shown on the registration books of the County.

2.03 The interest shall be payable semiannually on June 1 and December 1 in each year (each referred to herein as an “Interest Payment Date”), commencing December 1, 2015. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The Bond Registrar designated below shall make all interest payments with respect to the Bonds by check or draft mailed to the registered owners of the Bonds shown on the bond registration records maintained by the Bond Registrar at the close of the business on the 15th day (whether or not on a business day) of the month next preceding the Interest Payment Date at such owners’ addresses shown on such bond registration records.

2.04 A. The Bonds shall be prepared for execution in accordance with the approved form and shall be signed by the facsimile or manual signature of the Chair and attested by the manual or facsimile signature of the Clerk of the County Board and the County Auditor. In case any officer whose signature shall appear on the Bonds shall cease to be an officer before delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

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 printed on or attached to each Bond.

2.05 A. The Board hereby appoints the County Auditor as registrar, paying agent and transfer agent for the Bonds (the “Bond Registrar”). The County reserves the right to name a substitute, successor Bond Registrar upon giving prompt written notice to each registered bond holder. The manual signature of the County Auditor on the Bonds shall be conclusive evidence that it has been executed and delivered under this Resolution.

B. The County shall cause to be kept by the Bond Registrar at its principal office, a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the County shall provide for the registration of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred as herein provided. In the event of the resignation or removal of the Bond Registrar or its incapability of acting as such, the bond registration records shall be maintained at the office of the successor Bond Registrar as may be appointed by the Board.

2.06 Book-Entry System

A. In order to make the Bonds eligible for the services provided by 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. Notwithstanding any provision herein to the contrary, so long as the Bonds shall be in Book-Entry Form, the provisions of this Section 206 shall govern.

C. All of the Bonds shall be registered in the name of Cede & Co., as nominee for DTC. Payment of interest on and principal of any Bond registered in the name of Cede & Co. shall be made by wire transfer or New York Clearing House or equivalent same day funds by 10:00 a.m. CT or as soon as possible thereafter following the Bond Registrar’s receipt of funds from the County on each Interest Payment Date to the account of Cede & Co. on each Interest Payment Date at the address indicated in or pursuant to the Representation Letter.

D. DTC (or its nominees) shall be and remain recorded on the Bond Register as the holder of all Bonds which are in Book-Entry Form. No transfer of any Bond in Book-Entry Form shall be made, except from DTC to another depository (or its nominee) or except to terminate the Book-Entry Form. All Bonds of such stated maturity of any Bonds in Book-Entry Form shall be issued and remain in a single Bond certificate registered in the name of DTC (or its nominee); provided, however, that upon termination of the Book-Entry Form pursuant to the Representation Letter, the County shall, upon delivery of all Bonds of such series from DTC, promptly execute, and the Bond Registrar shall thereupon authenticate and delivery, Bonds of such series to all persons who were beneficial owners thereof immediately prior to such termination; and the Bond Registrar shall register such beneficial owners as holders of the applicable Bonds.

The Bond Registrar shall maintain accurate books and records of the principal balance, if any, of each such outstanding Bond in Book-Entry Form, which shall be conclusive for all purposes whatsoever. Upon the execution or the authentication of any new Bond in Book-Entry Form in exchange for a previous Bond the Bond Registrar shall designate thereon the principal balance remaining on such bond according to the Bond Registrar’s books and records.

No beneficial owner (other than DTC) shall be registered as the holder on the Bond Register for any Bond in Book-Entry Form or entitled to receive any bond certificate. The beneficial ownership interest in any Bond in Book-Entry Form shall be recorded, evidenced and transferred solely in accordance with the Book-Entry System.

Except as expressly provided to the contrary herein, the County and the Bond Registrar may treat and deem DTC to be the absolute owner of all Bonds of each series which are in Book-Entry Form (i) for the purpose of payment of the principal of and interest on such Bond, (ii) for the purpose of giving notices hereunder, and (iii) for all other purposes whatsoever.

E. The County and the Bond Registrar shall each give notices to DTC of such matters and at such times as are required by the Representation Letter, including the following:

- (i) with respect to notices of redemption; and
- (ii) with respect to any other notice required or permitted under this Bond Resolution to be given to any holder of a Bond.

All notices of any nature required or permitted hereunder to be delivered to a holder of a Bond in Book-Entry Form shall be transmitted to beneficial owners of such Bonds at such times and in such manners as shall be determined by DTC, the participants and indirect participants in accordance with the Book-Entry System and the Representation Letter.

F. All payments of principal, redemption price of and interest on any Bonds in Book-Entry Form shall be paid to DTC (or Cede & Co.) in accordance with the Book-Entry System and the Representation Letter in same day funds by wire transfer.

2.07 The principal of and interest on the Bonds shall be payable by the Bond Registrar in such funds as are legal tender for the payment of debts due the United States of America. The County shall pay the reasonable and customary charges of the Bond Registrar for the disbursement of principal and interest.

2.08 If a Bond becomes mutilated or is destroyed, stolen, or lost, the Bond Registrar will deliver a new Bond of like amount, number, maturity date, and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen, or lost, upon the payment of the reasonable expenses and charges of the Bond Registrar and the County in connection therewith, including the cost of printing new Bonds; and, in the case of a Bond destroyed, stolen, or lost, upon filing with the Bond Registrar and the County of evidence satisfactory to it and the County that the Bond was destroyed, stolen, or lost, and of the ownership thereof, and upon furnishing to the Bond Registrar of an appropriate bond or indemnity in form, substance, and amount satisfactory to it and the County and as provided by law, in which both the County and the Bond Registrar must be named as obligees. Bonds so surrendered to the Bond Registrar will be canceled by the Bond Registrar and evidence of such cancellation must be given to the County. If the mutilated, destroyed, stolen, or lost Bond has already matured or been called for redemption in accordance with its terms, it is not necessary to issue a new Bond prior to payment.

2.09 Delivery of the Bonds and payment of the purchase price shall be made at a place mutually satisfactory to the County and the Purchaser. Executed Bonds shall be furnished by the County without cost to the Purchaser. The Bonds, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the County Auditor to the Purchaser thereof upon receipt of the purchase price plus accrued interest.

Section 3. Form of the Bonds.

3.01 The Bonds shall be printed or typewritten in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA

ST. LOUIS COUNTY

GENERAL OBLIGATION CAPITAL IMPROVEMENT BOND,
SERIES 2015C

R-__			\$ _____
<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	December 1, 20__	June 11, 2015	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

St. Louis County, Minnesota (the "County"), for value received, promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest on said principal amount to the registered owner hereof from the Date of Original Issue, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, until the principal amount is paid or discharged, said interest being at the rate per annum specified above. Interest is payable semiannually on June 1 and December 1 of each year (each referred to herein as an "Interest Payment Date") commencing on December 1, 2015. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the main office of the County Auditor, as registrar, paying agent, authenticating agent and transfer agent (the "Bond Registrar"), or at the office of such successor registrar as may be designated by the Board of Commissioners. The Bond Registrar shall make all interest payments with respect to this Bond directly to the registered owner hereof shown on the bond registration records maintained on behalf of the County by the Bond Registrar at the close of business on the 15th day of the month next preceding the Interest Payment Date (whether or not a business day) at such owner's address shown on said bond registration records, without, except for payment of principal on the Bond, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Payment of principal shall be made upon presentation and surrender of this Bond to the Bond Registrar when due. 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 Bond is one of a series issued by the County in the aggregate amount of \$38,415,000, all of like date and tenor, except as to number, amount, maturity date and interest rate, pursuant to the authority contained in Minnesota Statutes, Section 373.40 and Minnesota Statutes, Chapter 475, amendments to the County's Capital Improvement Plan approved by the governing board of the County on March 24, 2015 (the "Plan") and all other laws thereunto enabling, and pursuant to an authorizing resolution adopted by the governing body of the County on May 12, 2015 (the "Resolution"). This Bond is issued for the purpose of providing funds to finance road and bridge improvements, as more fully set forth in the Plan. 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 Bonds, as such principal and interest respectively come due.

The Bonds of this series maturing in the years 2016 through 2024 are not subject to optional redemption before maturity, but those maturing in the year 2025 and in subsequent years are each subject to redemption and prepayment at the option of the County on December 1, 2024, and on any day thereafter, in whole or in part, and if in part at the option of the County and in such manner as the County shall determine and by lot as to Bonds maturing in the same year, at a price of par plus accrued interest. Not less than 30 days nor more than 60 days prior to the date fixed for redemption and prepayment of any Bonds, notice of redemption shall be mailed to each registered owner of a Bond to be redeemed; however, so long as the Bonds are registered in the name of Cede & Co., as nominee for The Depository Trust Company, Jersey City, New Jersey ("DTC"), notice of redemption shall be given in accordance with the terms of the Blanket Issuer Letter of Representations executed by the County and DTC. If any Bond is redeemed in part, upon surrender of the Bond being redeemed, the County shall deliver or cause to be delivered to the registered owner of such Bond, a Bond in like form in the principal amount equal to that portion of the Bond so surrendered not being redeemed.

The Bonds of this series are issued as fully registered obligations without coupons, in the denomination of \$5,000 or any integral multiple thereof. Subject to limitations set forth in the Resolution, the County will, at the request of the registered owner, issue one or more new fully registered Bonds in the name of the registered owner in the aggregate principal amount equal to the unpaid principal balance of this Bond, and of like tenor except as to number and principal amount. This Bond is transferable by the registered owner hereof upon surrender of this Bond for transfer at the principal corporate office of the Bond Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bond Registrar and executed by the registered owner hereof or the owner's attorney duly authorized in writing. Thereupon the County shall execute and the Bond Registrar shall authenticate if required by law or the Resolution, and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee, of an authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity, and bearing interest at the same rate. No service charge shall be made for any transfer or exchange hereinbefore referred to but the County may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection therewith.

IT IS CERTIFIED AND RECITED that all acts and conditions required by laws and the Constitution of the State of Minnesota to be done and to exist precedent to and in the issuance of this Bond, in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done and do exist in form, time and manner as so required; that all taxable property within the corporate limits of the County is subject to the levy of ad valorem taxes to the extent needed to pay the principal hereof and the interest thereon when due, without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, St. Louis County, Minnesota, by its governing body, has caused this Bond to be executed in its name by the manual or facsimile signatures of the Chair, the Clerk of the County Board and the County Auditor.

ATTEST:

(form-no signature required)

Clerk of the County Board

(form-no signature required)

Chair

(form-no signature required)

County Auditor

Certificate as to Legal Opinion

I certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issuance of the Bonds, dated as of the date of delivery of and payment for the Bonds.

(form-no signature required)

County Auditor

Date of Execution: _____

REGISTRATION CERTIFICATE

This Bond must be registered as to both principal and interest in the name of the owner on the books to be kept by the County Auditor of St. Louis County, Minnesota, as Bond Registrar. No transfer of this Bond shall be valid unless made on said books by the registered owner or the owner's attorney thereunto duly authorized and similarly noted on the registration books. The ownership of the unpaid principal balance of this Bond and the interest accruing thereon is registered on the books of the County Auditor in the name of the registered owner last noted below.

<u>Date</u>	<u>Registered Owner</u>	<u>Signature of County Auditor</u>
6/11/2015	Cede and Co. c/o The Depository Trust Company 570 Washington Blvd. Jersey City, New Jersey 07310 Federal Taxpayer I.D. No. 13-2555119	<u>(form-no signature required)</u>

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

Social Security or Other

Identifying Number of Assignee

the within Bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the fact of the within Bond with every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

(Bank, Trust Company, member of
National Securities Exchange)

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Section 4. 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 Bonds and the interest thereon, in accordance with the terms set forth in this Resolution.

4.02 On receipt of the purchase price of the Bonds, the County shall credit \$40,795,437.13 of the proceeds from the sale of the Bonds to a separate construction fund, which is hereby created and designated as the "Series 2015C Capital Improvement Bonds Construction Account" in the Capital Projects Fund (the "Construction Fund"). The Construction Fund shall be used solely to pay costs of construction of the Project, and costs of issuance of the Bonds, as such payments become due.

4.03 A. Debt Service Fund. For the convenience and proper administration of the monies to be borrowed and repaid on the Bonds and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the 2015C

General Obligation Capital Improvement Bonds Debt Service Fund (the “Debt Service Fund”) to be administered and maintained by the County Auditor as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Debt Service Fund shall be maintained in the manner herein specified until all of the Bonds and interest thereon have been fully paid.

B. To the Debt Service Fund there is hereby pledged and irrevocably appropriated and there shall be credited: (i) \$721,167.89 of the County’s funds, as described in Section 4.05; (ii) all investment earnings on funds in the Debt Service Fund; (iii) rounding in the amount of \$0.00; (iv) any taxes levied to pay the principal and interest on the Bonds; and (v) any and all other monies which are properly available and are appropriated by the County to the Debt Service Fund.

The money in the Debt Service Fund shall be used for no purpose other than the payment of principal of and interest on the Bonds. If the balances in the Debt Service Fund are ever insufficient to pay all principal and interest then due on the Bonds, the County Auditor shall nevertheless provide sufficient money from any other funds of the County which are available for that purpose, and such other funds shall be reimbursed from the Debt Service Fund when the balance therein is sufficient.

4.04 A. To assure sufficient monies for the payment of the principal of and interest on the Bonds, there is hereby levied a direct, annual, ad valorem tax upon all taxable property in the County which shall be extended upon the tax rolls and collected with and as part of the other general property taxes in the County for the years and in the amounts as follows:

Levy Year	Collection Year	Tax Levy
2015	2016	\$3,506,430
2016	2017	\$3,507,217
2017	2018	\$3,508,267
2018	2019	\$3,504,067
2019	2020	\$3,505,117
2020	2021	\$3,504,277
2021	2022	\$3,507,690
2022	2023	\$3,509,107
2023	2024	\$3,507,532
2024	2025	\$3,504,645
2025	2026	\$3,506,167
2026	2027	\$3,505,012
2027	2028	\$3,506,430
2028	2029	\$3,505,012
2029	2030	\$3,507,145

B. The tax levies are such that if collected in full they, together with the County’s deposit to the Debt Service Fund described in Sections 4.03B and 4.05 and the rounding amount, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. Such tax receipts shall be deposited in the Debt Service Fund. If the tax receipts from such levies are ever insufficient to pay all principal and interest on the Bonds 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 collections when received.

C. Such tax levies shall be irrevocable as long as any of the Bonds issued hereunder are outstanding and unpaid; provided, however, that prior to November 30 of each year, while any Bonds issued hereunder remain outstanding, the Board 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 Bonds, and may direct the County Auditor to reduce the levy for such year by that amount. The Board anticipates annually utilizing local option transit sales tax proceeds to cancel all or a portion of such tax levies.

4.05 The Board hereby appropriates from Fund 204 – Local Option Transit Sales Tax Fund to the Debt Service Fund \$721,167.89 for payment of the interest due on the Bonds on December, 2015.

4.06 Monies on deposit in the Construction Fund and in the Debt Service Fund may, at the discretion of the County, be invested in securities permitted by Minnesota Statutes, Chapter 118A; provided, that any such investments shall mature at such times and in such amounts as will permit for payment of the principal and interest on the Bonds when due.

Section 5. Tax Covenants.

5.01 The County covenants and agrees with the holders of the Bonds that the County will (i) take all action on its part necessary to cause the interest on the Bonds to be exempt from federal income taxes including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Bonds to be subject to federal income taxes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes.

5.02 A. No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Notes or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Debt Service Fund (or any other County account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods of minor portion made available under the federal arbitrage regulations.

B. In addition, the proceeds of the Bonds and money in the Debt Service Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof it and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue code of 1986, as amended (the "Code").

C. The County hereby covenants not to use the proceeds of the Bonds, or to cause or permit them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

5.03 Unless the proceeds are spent pursuant to an arbitrage rebate spending exception, the County covenants to compute and cause the payment to the United States of all amounts required under the rebate requirement of Code Section 148(f), the regulations issued thereunder with regard to the Bonds. To this end, the County agrees to:

(1) maintain records identifying all “gross proceeds” as defined in Code Section 148(f)(6)(B) attributable to the Bonds, the yield at which such gross proceeds are invested, any arbitrage profit derived therefrom (earnings in excess of the yield on the Bonds) and any earnings derived from the investment of such arbitrage profit;

(2) make, or cause to be made within 30 days after the close of each fifth bond year, the annual determination of the amount, if any, of excess arbitrage required to be paid to the United States by the County (the “Rebate Amount”);

(3) pay, or cause to be paid, to the United States at least once every five bond years the Rebate Amount, if any, including the last installment which must be made no later than 60 days after the day on which the Bonds are paid in full;

(4) retain all records of the annual determination of the foregoing amounts until six years after the Bonds have been fully paid.

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 section.

Section 6. Miscellaneous

6.01 The County Auditor is directed to file a certified copy of this Resolution and such other information as may be required, and to provide to bond counsel a certificate stating that the Bonds herein authorized have been duly entered on his register.

6.02 The officers of the County are authorized and directed to prepare and furnish to the Purchaser and to bond counsel, certified copies of all proceedings and records of the County relating to the legality and marketability of the Bonds, as such facts appear from the official books and records in the officers’ custody or are otherwise known to them. All such certified copies, Bonds, and affidavits, including any heretofore furnished, constitute representations of the County as to the correctness of the facts recited therein and the action stated therein to have been taken.

6.03 The Chair and the County Auditor are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.04 In the event of the absence or disability of the Chair or the 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 Bonds, and do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers.

Section 7. Continuing Disclosure. The County acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”). The Rule governs the obligations of certain underwriters to require that issuers of municipal bonds enter into agreements for the benefit of the bondholders to provide continuing disclosure with respect to the bonds. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit underwriters of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Chair and the County Auditor are hereby authorized and directed to execute a Continuing Disclosure Certificate substantially in the form of the Certificate currently on file in the office of the County Auditor.

Section 8. Post-Issuance Compliance Policy and Procedures. The Board has previously approved a Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures which applies to qualifying obligations to provide for compliance with all applicable federal regulations for tax-exempt obligations or tax-advantaged obligations (collectively, the “Policy and Procedures”). The Board hereby approves the Policy and Procedures for the Bonds. The County Auditor continues to be designated to be responsible for post-issuance compliance in accordance with the Policy and Procedures.

Adopted: May 12, 2015.

Unanimously adopted May 12, 2015. No. 15-299

At 2:54 p.m., May 12, 2015, Commissioner Boyle, supported by Commissioner Jewell, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.


Vice ~~Pete Stauber~~, 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)