

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 1, 2015**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1st day of September 2015, at 9:43 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.

Chair Stauber then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. The following people addressed the Board regarding issues they have relating to shoreland lease sales: Mark Erickson, of Duluth, Don Graden, of Two Harbors, Steve Archambeau, of Hermantown, Ryan Gunderson, of Duluth, Mark Castleman, of Duluth, Dennis Heden, of Duluth, Jim Heilig, of Duluth, Galen Karlson, of Duluth, Patrick Murphy, of Two Harbors, Mike Bianchet, of Duluth, Daryle Waldriff, of Duluth, Candy Lee, of Duluth, Michael Holte, of Duluth, Mark Moroney, of Eagen, Gayle Moroney, of Eagen, Curt Workman, of Esko, Jeni Torgerson, of Two Harbors, Larry Thomas, of Duluth, Bernie Bourasa, of Duluth, Michael Orman, of Duluth, Heather Opsahl, of Duluth, and Carl Burt, of Virginia.

The Board recessed at 11:12 a.m. and reconvened at 11:26 a.m. with all members present.

At 11:27 a.m., pursuant to Resolution No. 15-487, adopted August 4, 2015, the St. Louis County Board considered bids received for the sale of surplus fee owned land located in Rice Lake Township. Commissioner Jewell, supported by Commissioner Boyle, pursuant to the requirements and procedures of Minn. Stat. § 373.01, moved to authorize the appropriate county officials to execute a quit claim deed conveying a four (4) acre parcel of non-conforming county feel land to Brendan Brooks and Xan F. Courville, for a bid amount of \$7,750. The motion passed; seven yeas, zero nays. Resolution No. 15-542.

At 11:28 a.m., a public hearing was conducted pursuant to Resolution No. 15-532, adopted August 11, 2015, to consider issuance of an off-sale intoxicating liquor license to Alborn Tavern, Inc. d/b/a Alborn Tavern, Alborn Township. St. Louis County Civil Division Head Attorney Kim Maki gave the initial presentation and submitted a packet for the record that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes and required documents for the license. Paula Gellatly, representing Alborn Tavern, Inc., was present at the meeting. Commissioner Nelson asked Ms. Gellatly if she read the liquor ordinance and will abide by the rules; Ms. Gellatly replied "yes." Chair Stauber asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action and no one came forth. Commissioner Dahlberg stepped out of the meeting from 11:28 a.m. to 11:31 a.m. At 11:32 a.m., Commissioner Nelson, supported by Commissioner Dahlberg, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Raukar, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating liquor license to Alborn Tavern, Inc. d/b/a Alborn Tavern, Alborn Township. The motion passed; seven yeas, zero nays. Resolution No. 15-543.

At 11:33 a.m., a public hearing was conducted pursuant to Resolution No. 15-533, adopted August 11, 2015, to consider allegations of a liquor law violation by A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, sale to a minor. St. Louis County Civil Division Head Attorney Kim Maki submitted a packet to the Board that included the resolution for the public hearing, required notices, and affidavits of mailing. Attorney Kim Maki explained that an agreement had been established prior to the board meeting. Adam Riesland, representing A. P. Inc. was present at the meeting. Mr. Reisland addressed the Board and explained changes he has implemented since the violation occurred. Chair Stauber asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action and no one came forth. At 11:39 a.m., Commissioner Dahlberg, supported by Commissioner Nelson, moved to close the public hearing; the motion passed seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Jewell, moved that Off-Sale Intoxicating Liquor License No. CTOFSL-00114 issued to A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, is hereby suspended for thirty (30) days and a \$2,000 civil penalty is due, with twenty (20) days of the suspension and \$1,700 of the civil penalty stayed for one (1) year, with no same or similar violations during that period. The remaining eight days (8) days of suspension and \$800 civil penalty be imposed on the licensee as a consequence for violating the term and condition of no same or similar violations as approved in County Board Resolution No. 14-77, adopted on October 28, 2014. For the July 6, 2015 liquor law violation, the dates of suspension of the liquor license will be September 17, 2015 through September 26, 2015. For the August 2, 2014 liquor law violation, the dates of suspension of the liquor license will be September 9, 2015 through September 16, 2015. A new violation within the next year (ending September 1, 2016), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 15-544.

Commissioner Nelson, supported by Commissioner Boyle, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Boyle stepped out of the meeting from 11:48 a.m. to 11:50 a.m.

Commissioner Nelson, supported by Commissioner Jewell, moved to approve the proposed acquisition of property described as Township 56, Range 17, SE ¼ SW ¼ (40 acres), Section 22, by the Minnesota Department of Natural Resources for the purpose of wildlife management, hunting, trapping, fishing, and wildlife observation within the Wildlife Management Area. DNR Tower Area Wildlife Supervisor Tom Rusch stated the purchase price of the property was \$69,000. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 15-545.

St. Louis County Public Works Director Jim Foldesi gave the Board a presentation regarding the Safe Routes to School Pilot Study approved at the August 11, 2015 Board meeting.

Commissioner Jewell exited the meeting at 12:02 p.m.

St. Louis County Planning & Community Development Director Barb Hayden discussed the AEOA Rental Rehabilitation Deferred Loan Pilot Program approved at the August 11, 2015 Board meeting.

Commissioner Nelson said that the Deputy Sheriff Bradley Alan Anderson Memorial Highway dedication will take place on September 2, 2015. Commissioner Rukavina said the dedication service will be held at the South Twin Lake beach facility in Aurora.

The following Board and contract files were created resulting from documents received at this Board meeting:

Kevin Gray, County Administrator, submitting Board Letter No. 15-336, DNR Acquisition Request – Anchor Lake Wildlife Management Area.—60185

Agreement for Services between the County of St. Louis and LHB Corporation, Duluth, MN, for engineering services for Bridge 414 (State Bridge 69A29) located on County State Aid Highway (CSAH) 4 in Colvin Township, CP 0004-213-068/SAP 69-604-076, Br 414.—15-858

Contract for County-State Aid Highway Project between the County of St. Louis and Dallco, Inc., Brook Park, MN, for approach grading and Bridge No. 69A25 (County Bridge 323) located on County Road (CR) 431/Short Road in Owens Township, CP 0431-213066 TST.—15-859

Contract for County-State Aid Highway Project between the County of St. Louis and Dallco, Inc., Brook Park, MN, for approach grading and Bridge No. 69A26 (County Bridge 303) located on CR 492/E. Anton Road in Angora Township, CP 0492-213057 TST.—15-860

Amendment No. 3 to Original Damion 2011-006514, Amendment No. 1 Damion 2014-008608, Amendment No. 2 Damion 2015-009234, between the County of St. Louis and Como Lube Supply, Inc., Duluth, MN, extending the terms of the Original Contract for an additional one (1) year effective August 1, 2015 through July 31, 2016.—15-861

General Obligation Bond Proceeds Grant Agreement – End Grant for the St. Louis County Sheriff's Rescue Squad Facility Project.—15-862

General Obligation Bond Proceeds Grant Agreement Predesign or Design Grant for the St. Louis County – Arrowhead Economic Opportunity Agency (AEOA) and Range Mental Health Center (RMHC) Office Building Project.—15-863

Addendum to Purchase Agreement, Contract No. 15502A, by and between the St. Louis County Board of Commissioners and Daniel Wiswell for Waiver Chore Services.—15-864

Addendum to Purchase Agreement, Contract No. 15503A, by and between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc., - Chore Program for Waiver Chore Services.—15-865

Purchase of Service Agreement, Contract No. 15515, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period May 1, 2015 through December 31, 2015.—15-866

Purchase of Service Agreement, Contract No. 15516, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period May 1, 2015 through December 31, 2015.—15-867

Purchase of Service Agreement, Contract No. 15518, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for Chore Services during the period June 1, 2015 through December 31, 2015.—15-868

Purchase of Service Agreement, Contract No. 15521, between the St. Louis County Board of Commissioners and Jacob Dahlin, Ely, MN, for Chore Services during the period June 1, 2015 through December 31, 2015.—15-869

Purchase of Service Agreement, Contract No. 15523, between the St. Louis County Board of Commissioners and Trillium Services, Inc., Duluth, MN, for Semi-Independent Living Services during the period July 1, 2015 through June 30, 2016.—15-870

Purchase of Service Agreement, Contract No. 15524, between the St. Louis County Board of Commissioners and Northern Habilitative Services, Inc. of Chisholm, Chisholm, MN, for Semi-Independent Living Services during the period July 1, 2015 through June 30, 2016.—15-871

Purchase of Service Agreement, Contract No. 15527, between the St. Louis County Board of Commissioners and East Range Developmental Achievement Center, Inc. (CCSA), Eveleth, MN, for Day Training and Habilitation Services during the period July 1, 2015 through June 30, 2016.—15-872

Purchase of Service Agreement, Contract No. 15528, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc. (CCSA), Cloquet, MN, for Day Training and Habilitation Services during the period July 1, 2015 through June 30, 2016.—15-873

Purchase of Service Agreement, Contract No. 15530, between the St. Louis County Board of Commissioners and UDAC, Inc. (CCSA), Duluth, MN, for Day Training and Habilitation Services during the period July 1, 2015 through June 30, 2016.—15-874

Purchase of Service Agreement, Contract No. 15532, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, during the period June 1, 2015 through December 31, 2016.—15-875

Group Residential Housing Rate Agreement, Contract No. 52893, by and between the St. Louis County Board of Commissioners and William and Terry Johnson Foster Home, Duluth, MN.—15-876

Group Residential Housing Rate Agreement, Contract No. 52973, by and between the St. Louis County Board of Commissioners and Expanding Horizons - 1222, Duluth, MN.—15-877

Group Residential Housing Rate Agreement, Contract No. 52974, by and between the St. Louis County Board of Commissioners and Expanding Horizons – 1222 ½, Duluth, MN.—15-878

Group Residential Housing Rate Agreement, Contract No. 52975, by and between the St. Louis County Board of Commissioners and Expanding Horizons – Chester Bowl, Duluth, MN.—15-879

Group Residential Housing Rate Agreement, Contract No. 52976, by and between the St. Louis County Board of Commissioners and Expanding Horizons – Endion, Duluth, MN.—15-880

Group Residential Housing Rate Agreement, Contract No. 52977, by and between the St. Louis County Board of Commissioners and Expanding Horizons – Heights, Duluth, MN.—15-881

Group Residential Housing Rate Agreement, Contract No. 52978, by and between the St. Louis County Board of Commissioners and Expanding Horizons – Observation, Duluth, MN.—15-882

Group Residential Housing Rate Agreement, Contract No. 52979, by and between the St. Louis County Board of Commissioners and Expanding Horizons – Robin, Duluth, MN.—15-883

Group Residential Housing Rate Agreement, Contract No. 52994, by and between the St. Louis County Board of Commissioners and Katherine’s House, Eveleth, MN.—15-884

Group Residential Housing Rate Agreement, Contract No. 52995, by and between the St. Louis County Board of Commissioners and Nora Zywiski, Cloquet, MN.—15-885

Group Residential Housing Rate Agreement, Contract No. 52996, by and between the St. Louis County Board of Commissioners and Michael and Heidi Cooney, Duluth, MN.—15-886

Agreement for Services between the County of St. Louis and Short Elliot Hendrickson, Inc., St. Paul, MN, to perform a photometric lighting analysis on decorative lighting units on CSAH 9/4th Street in Duluth, MN, SP 069-609-040, CP 0009-147349.—15-887

Agreement for Professional Services between the County of St. Louis and Barr Engineering Co., Duluth, MN, for grant application preparation assistance during the period July 1, 2015 through June 30, 2016.—15-888

State of Minnesota, Minnesota Department of Veterans Affairs, County Veterans Service Office Operational Enhancement Grant Program Grant Agreement in the amount of \$17,500 between the Minnesota Department of Veterans Affairs and St. Louis County for the period July 1, 2015 through June 30, 2016.—15-889

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for culvert replacements on CSAH 5, CR 447, CR 452, and CSAH 103 located in the cities of Hibbing and Mt. Iron and Cherry Township.—15-890

Agreement between the County of St. Louis and St. Louis County Jail Corrections Officers AFSCME, Local 1934 and St. Louis County Communication Department Essential Employees AFSCME, Local 66, Minnesota Council for 2015-2016.—15-891

Indemnification Agreement by and between St. Louis County and EIP Minnesota, LLC, a Delaware limited liability company.—[15-892](#)

Financial Assurances Agreement by and between St. Louis County and EIP Credit Co., LLC, a Delaware limited liability company.—[15-893](#)

Service Contract between the County of St. Louis and EPC Engineering & Testing, Duluth, MN, for geotechnical exploration for the A.P. Cook Building Exterior Renovation, Landscaping and Parking Lot Project.—[15-894](#)

Project Contract #5262 between the County of St. Louis and Northwoods Forestry, Eleva, WI, for Bud Capping Application 2015.—[15-895](#)

Grant Agreement in the amount of \$689,188.00 between St. Louis County and Minnesota Housing Finance Agency, St. Paul, MN, for the Family Homelessness Prevention and Assistance Program for the period July 1, 2015 through June 30, 2017.—[15-896](#)

Service Contract between the County of St. Louis and SAS and Associates, Duluth, MN, for Duluth Courthouse Landscaping Repairs.—[15-897](#)

Agreement for Services between the County of St. Louis and Short Elliott Hendrickson, Virginia, MN, for Preliminary Engineering Services for CR 715 Relocation in Biwabik, MN.—[15-898](#)

St. Louis County On-Line Software Subscriber Agreement by and between the County of St. Louis and Northern Lights Surveying Co., Virginia, MN.—[15-899](#)

Addendum to Purchase Agreement, Contract No. 15492A, by and between the St. Louis County Board of Commissioners and Mark Musakka for Waiver Chore Services.—[15-900](#)

Addendum to Purchase Agreement, Contract No. 15493A, by and between the St. Louis County Board of Commissioners and Mark Musakka for Waiver Chore Services.—[15-901](#)

Addendum to Purchase Agreement, Contract No. 15501A, by and between the St. Louis County Board of Commissioners and Timothy Ellison for Waiver Chore Services.—[15-902](#)

Addendum to Purchase Agreement, Contract No. 15509A, by and between the St. Louis County Board of Commissioners and Timothy Ellison for Waiver Chore Services.—[15-903](#)

Addendum to Purchase Agreement, Contract No. 15510A, by and between the St. Louis County Board of Commissioners and Timothy Ellison for Waiver Chore Services.—[15-904](#)

Purchase of Service Agreement, Contract No. 15519, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period June 1, 2015 through December 31, 2015.—[15-905](#)

Purchase of Service Agreement, Contract No. 15519A, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period June 1, 2015 through December 31, 2015.—15-906

Purchase of Service Agreement, Contract No. 15522, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc., Duluth, MN, for Semi-Independent Living Services during the period July 1, 2015 through June 30, 2016.—15-907

Group Residential Housing Rate Agreement, Contract No. 52859, by and between the St. Louis County Board of Commissioners and S.A.F.E. Harbor Homes – Depot, Duluth, MN.—15-908

Group Residential Housing Rate Agreement, Contract No. 52892, by and between the St. Louis County Board of Commissioners and Shelly Tahja, Floodwood, MN.—15-909

Group Residential Housing Rate Agreement, Contract No. 52894, by and between the St. Louis County Board of Commissioners and Focus on Living – 402, Duluth, MN.—15-910

Group Residential Housing Rate Agreement, Contract No. 52895, by and between the St. Louis County Board of Commissioners and Focus on Living – 404, Duluth, MN.—15-911

Group Residential Housing Rate Agreement, Contract No. 52896, by and between the St. Louis County Board of Commissioners and Focus on Living – Proctor House, Proctor, MN.—15-912

Group Residential Housing Rate Agreement, Contract No. 52897, by and between the St. Louis County Board of Commissioners and Focus on Living – Rose House, Duluth, MN.—15-913

Group Residential Housing Rate Agreement, Contract No. 52898, by and between the St. Louis County Board of Commissioners and Focus on Living – West, Duluth, MN.—15-914

Group Residential Housing Rate Agreement, Contract No. 52987, by and between the St. Louis County Board of Commissioners and Third Avenue Hotel, Virginia, MN.—15-915

Group Residential Housing Rate Agreement, Contract No. 52990, by and between the St. Louis County Board of Commissioners and Northland Village – Buhl 500, Buhl, MN.—15-916

Group Residential Housing Rate Agreement, Contract No. 52991, by and between the St. Louis County Board of Commissioners and Northland Village – Buhl 502, Buhl, MN.—15-917

Group Residential Housing Rate Agreement, Contract No. 52992, by and between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes 421, Hoyt Lakes, MN.—15-918

Group Residential Housing Rate Agreement, Contract No. 52993, by and between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes 423, Hoyt Lakes, MN.—15-919

Group Residential Housing Rate Agreement, Contract No. 52997, by and between the St. Louis County Board of Commissioners and Arrowhead House Foster Care – Southwest, Duluth, MN.—15-920

Group Residential Housing Rate Agreement, Contract No. 52998, by and between the St. Louis County Board of Commissioners and Arrowhead House Foster Care – Wahldorf 1, Duluth, MN.—15-921

Group Residential Housing Rate Agreement, Contract No. 52999, by and between the St. Louis County Board of Commissioners and Arrowhead House Foster Care – Wahldorf 2, Duluth, MN.—15-922

Group Residential Housing Rate Agreement, Contract No. 53000, by and between the St. Louis County Board of Commissioners and Arrowhead House Foster Care – Wahldorf 3, Duluth, MN.—15-923

Group Residential Housing Rate Agreement, Contract No. 53001, by and between the St. Louis County Board of Commissioners and Gina Davis, Floodwood, MN.—15-924

Group Residential Housing Rate Agreement, Contract No. 53002, by and between the St. Louis County Board of Commissioners and Lakeside Manor, Duluth, MN.—15-925

Group Residential Housing Rate Agreement, Contract No. 53036, by and between the St. Louis County Board of Commissioners and Pines III Assisted Living, Duluth, MN.—15-926

Upon motion by Commissioner Nelson, supported by Commissioner Boyle, resolutions numbered 15-536 through 15-541, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 11, 2015, are hereby approved.

Adopted September 1, 2015. No. 15-536

RESOLVED, That the appraisal reports for sale of timber, numbered Tracts 1 & 2 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 60009, are approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal reports.

Adopted September 1, 2015. No. 15-537

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated August 7, 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 September 1, 2015. No. 15-538

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated August 21, 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 September 1, 2015. No. 15-539

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. 60058, is hereby approved and the County Auditor is authorized to issue the license as follows:

Caywood Country Store, LLC d/b/a Caywood Country Store, LLC, Brevator Township, transfer;

RESOLVED FURTHER, That if named license holder sells their licensed business, the County Board may, at its discretion and after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the license holder.

Adopted September 1, 2015. No. 15-540

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 60005, are hereby approved and the County Auditor shall issue checks in the following amounts:

July 2015

100	General Fund	\$8,070,508.87
148	Volunteer Fire Departments	2,782.38
149	Personal Service Fund	732.20
150	Sheriff's NEMESIS Fund Group	18,481.05
167	Attorney's Forfeitures	23,375.37
168	Sheriff's State Forfeitures	630.75
169	Attorney Trust Accounts-VW	1,737.46
170	Boundary Waters – Forfeiture	5,000.00
172	Sheriff Federal Forfeitures	2,977.93
173	Emergency Shelter Grant	8,478.54
176	Revolving Loan Fund	251.93
178	Economic Development – Tax Forf.	22,256.71
180	Law Library	17,274.12
183	City/County Communications	267.47
184	Extension Service	101,107.18
200	Public Works	4,555,558.27
204	Local Option Transit Sales Tax	463,369.21
210	Road Maint – Unorg Townships	442.49
220	State Road Aid	6,192,843.33
225	PW – June 2012 Flood	301,319.88
230	Public Health & Human Services	7,804,535.55
240	Forfeited Tax	551,970.38
250	St. Louis County HRA	4,557.20
260	CDBG Grant	116,642.26

261	CDBG Program Income	62,268.80
270	HOME Grant	19,975.32
280	Federal Septic Loan – EPA Fund	15,000.00
290	Forest Resources	82,034.99
400	County Facilities	698,897.50
402	Depreciation Reserve Fund	121,807.50
405	Public Works Building Const.	351,667.60
407	Public Works – Equipment	919,607.88
440	2013A Capital Improvement Bond	1,171,741.11
600	Environmental Services	664,260.62
616	On-Site Waste Water Division	53,512.27
715	County Garage	77,957.38
720	Property Casualty Liability	18,627.36
730	Workers Compensation	328,926.92
740	Medical Dental Insurance	3,775,704.21
770	Retired Employees Health Ins.	7,431.08
		<u>\$36,636,521.07</u>

Adopted September 1, 2015. No. 15-541

BY COMMISSIONER JEWELL:

WHEREAS, The Property Management Team has approved the sale of the following non-conforming property, and it was offered for sale to the adjoining property owners pursuant to Minn. Stat. § 373.01, Subd. 1(i):

The northerly four-hundred thirty five and six tenths (435.6) feet of the westerly four hundred (400) feet of the Northeast 1/4 of Northeast 1/4 of Section 12, Township 51 North, Range 14, containing 4.00 acres, more or less; and

WHEREAS, Brendan Brooks and Xan F. Courville have submitted the only bid for the property at the minimum bid amount of \$7,750;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subd. 1(i), the St. Louis County Board authorizes the appropriate county officials to execute and deliver a quit claim deed, conveying the above listed property to Brendan Brooks and Xan F. Courville, for the amount of \$7,750 payable to Fund 100, Agency 128014, Object 583202. The buyers are responsible for recording and associated filing fees.

Unanimously adopted September 1, 2015. No. 15-542

BY COMMISSIONER RAUKAR:

WHEREAS, Alborn Tavern, Inc. d/b/a Alborn Tavern, Alborn Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

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

WHEREAS, A public hearing was held on September 1, 2015, at 9:45 a.m., in the St. Louis County Courthouse, Duluth, MN, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, Alborn Tavern 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 an off-sale intoxicating liquor license shall be issued to Alborn Tavern, Inc. d/b/a Alborn Tavern, Alborn Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150;

RESOLVED FURTHER, That said liquor license shall be effective September 1, 2015 through June 30, 2016;

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 and after an investigation, transfer the license to a new owner but without pro-rated refund of license fee to the license holder.

Unanimously adopted September 1, 2015. No. 15-543

BY COMMISSIONER DAHLBERG:

WHEREAS, The St. Louis County Liquor Licensing Committee met on August 4, 2015, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on July 6, 2015, against A. P. Inc. d/b/a A. P. Liquor, Gnesen Township; and

WHEREAS, The Liquor Licensing Committee recommended a thirty (30) day suspension and \$2,000 civil penalty, with twenty (20) days of the suspension and \$1,700 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, The Liquor Licensing Committee recommended that due to this incident, the remaining eight (8) days of suspension and \$800 civil penalty be imposed on the licensee as a consequence for violating the term and condition of no same or similar violations as approved in Board Resolution No. 14-577, adopted on October 28, 2014; and

WHEREAS, After hearing testimony on the matter at a public hearing conducted on September 1, 2015, at 9:50 a.m., in the St. Louis County Courthouse, 100 North 5th Avenue West, Room 200, Duluth, MN 55802, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation;

THEREFORE, BE IT RESOLVED, That Off-Sale Intoxicating Liquor License No. 16-CTOFSL-00114, issued to A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, is hereby suspended for thirty (30) days and a \$2,000 civil penalty is due, with twenty (20) days of the suspension and \$1,700 of the civil penalty stayed for one (1) year, with no same or similar violations during that period;

RESOLVED FURTHER, That the remaining eight (8) days of suspension and \$800 civil penalty be imposed on the licensee as a consequence for violating the term and condition of no same or similar violations as approved in County Board Resolution No. 14-577, adopted on October 28, 2014;

RESOLVED FURTHER, That for the July 6, 2015 liquor law violation, the dates of suspension of the liquor license will be September 17, 2015 through September 26, 2015;

RESOLVED FURTHER, That for the August 2, 2014 liquor law violation, the dates of suspension of the liquor license will be September 9, 2015 through September 16, 2015.

RESOLVED FURTHER, That a new violation within the next year (ending September 1, 2016) will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Unanimously adopted September 1, 2015. No. 15-544

BY COMMISSIONER NELSON:

WHEREAS, The Minnesota Department of Natural Resources (DNR) is considering the acquisition of one parcel within the Anchor Lake Wildlife Management Area, located approximately ten miles southeast of Eveleth, MN; and

WHEREAS, The parcel is owned by the Frank Fink family, of Gilbert, MN, willing sellers who have contacted the DNR with the request that the parcel be added to the Anchor Lake Wildlife Management Area that is already being managed by the agency; and

WHEREAS, In accordance with Minn. Stat. § 97A.145, Subd. 2, on July 28, 2015, a representative of the Department of Natural Resources provided the St. Louis County Board with a description of lands to be acquired by the State of Minnesota for wildlife, forestry, water, and natural plant community conservation purposes. Lands to be acquired are described as follows:

T56, R17, SE1/4 of SW1/4 (40 acres), Sec. 22;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the proposed acquisition of the above described property by the Minnesota Department of Natural Resources for the purpose of wildlife management, hunting, trapping, fishing, and wildlife observation within the Wildlife Management Area.

Unanimously adopted September 1, 2015. No. 15-545

At 12:14 p.m., September 1, 2015, Commissioner Raukar, supported by Commissioner Boyle, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Jewell).

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)