



AGENDA

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

Tuesday, November 1, 2016, 9:30 A.M.

**Cotton Town Hall
9087 Highway 53
Cotton, Minnesota**

**STEVE RAUKAR, Chair
Seventh District**

**FRANK JEWELL, Vice-Chair
First District**

**PATRICK BOYLE
Second District**

**CHRIS DAHLBERG
Third District**

**TOM RUKAVINA
Fourth District**

**PETE STAUBER
Fifth District**

**KEITH NELSON
Sixth District**

County Auditor
Donald Dicklich

County Administrator
Kevin Gray

County Attorney
Mark Rubin

Clerk of the Board
Phil Chapman

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

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

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

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

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9:30 A.M. Moment of Silence
 Pledge of Allegiance
 Roll Call

Words of Wisdom: Commissioner Nelson, Sixth District

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

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

CONSENT AGENDA

Approval of business submitted on the consent agenda.

REGULAR AGENDA

Finance & Budget Committee – Commissioner Nelson, Chair

1. 2016 third quarter budget changes. {16-481}

2. Application for grant funding from the Arrowhead Regional Arts Council. {16-483}
 [Without recommendation.]

ADJOURNED:

BOARD LETTER NO. 16 – 481

FINANCE & BUDGET COMMITTEE NO. 1

NOVEMBER 1, 2016 BOARD AGENDA NO. 1

DATE: October 25, 2016 **RE:** 2016 Third Quarter Budget Changes

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor/Treasurer

RELATED DEPARTMENT GOAL:

Provide professional finance and accounting services in keeping with best practices, ensuring that public dollars are used exclusively for authorized public purposes.

ACTION REQUESTED:

It is requested that the St. Louis County Board authorize the budgetary revenue and expenditure changes incurred in the third quarter of 2016.

BACKGROUND:

Each year, the County Board adopts a resolution which allows for transfers and appropriations within funds for the current budget year. In addition, the 2016 Budget Resolution (No. 766, dated Dec. 15, 2015) requires that increases to the original governmental funds revenue and expenditure budgets cannot be made without County Board approval. The attached resolution represents the transfers and budgetary changes requested during the third quarter of 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the 2016 third quarter budget changes.

2016 Third Quarter Budget Changes

BY COMMISSIONER _____

WHEREAS, All increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, Departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, Proposed budget adjustments are levy neutral;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the following budget changes:

1. Transfer Planning budget from personnel to operating in the Natural Resources Block Grant to allow an increase to the contract with the North Soil & Water Conservation District (\$1,000.00).
2. Change account coding for the purchase of parcels from the City of Virginia to Property Management, Agency 128025, Object 660100, with funds transferred from general fund parking assigned fund balance, Fund 100, Object 311105 (Resolution No. 16-524) (\$118,846.50).
3. Increase Sheriff's Office Federal Boat & Water Supplemental Grant revenue and expense budget to account for a grant award larger than originally estimated in the 2016 adopted budget (Resolution No. 15-766) (\$21,000.00).
4. Increase Sheriff's Office State Boat & Water Grant revenue and expense budget due to a vendor refund for unacceptable boat repair, which was then returned to the state (\$2,000.00).
5. Change account coding for the tax abatement financing for City of Duluth – The District at Miller Hill to Fund 178, Agency 178001 (Resolution No. 16-467) (\$250,000.00).
6. Use of Attorney Forfeitures fund balance for donations to St. Louis County North and South Drug Courts, Life House, and First Witness Child Advocacy Center (\$26,095.69).
7. Use of fund balance to spend down Boundary Waters-Forfeiture fund due to Boundary Waters Drug Task Force joining Lake Superior Task Force (\$113,149.47).
8. Increase Economic Development revenue and expense budget to account for a Minnesota Investment Funds loan payoff from the City of Buhl, which will allow the funds to be reinvested in other eligible economic development project(s) (\$53,352.42).
9. Use of ditching fund balance to pay filing fee for legal proceeding (\$327.00).

10. Reimburse ditching fund balance (County Drainage Authority Resolution No. 15-02) due to lower than anticipated professional services expense (\$7,907.00).
11. Use of City/County Communications fund balance to replace a generator (\$23,000.00).
12. Correct funding source for Public Works project SP 69-604-073 (Sidewalk Project on CSAH 4/Rice Lake Road, Resolution No. 16-408) to be partially funded by transportation sales tax (\$562,700.98).
13. Increase Public Works revenue and expense budget to account for revenue received from Carlton County and Canosia Township for CP 0005-287158 (\$149,470.03).
14. Increase Public Works revenue and expense budget to account for Canosia Township's portion of overage expense on SAP 69-607-051 (Chip Seal Project, Resolution No. 16-184) (\$4,139.49).
15. Increase Public Health & Human Services pass-through revenue and expense budget for Supplemental Nutrition Assistance Program (SNAP) Employment and Training allocation from the MN Department of Human Services (\$74,670.25).
16. Use of Public Health & Human Services technology improvements assigned fund balance for the mobility project in the Children's Service Division (\$39,852.00).
17. Increase Public Health & Human Services revenue and expense budget to reflect a change in accounting for collaboratives (\$726,944.00).
18. Reduce Public Health & Human Services adopted use of Innovation assigned fund balance due to a Public Health Educator position being vacant for the first quarter of 2016 (\$16,275.80).
19. Use of Public Health & Human Services technology assigned fund balance to purchase computers for new hires and life cycle replacement (\$273,425.00).
20. Increase Public Health & Human Services revenue and expense budgets due to an increase in the MIECHV (Maternal, Infant, and Early Childhood Home Visiting) allocation from Community Health Board (\$7,500.00).
21. Increase Forest Resources revenue and expense budget to fund appraisal costs for leased lots, which are recovered when the lots are sold (\$250,000.00).
22. Close out 2013A Capital Improvement Bond budget to debt service fund to repay the debt (\$657,942.31).
23. Increase Capital Projects fund revenue and expense budget for a Conservation Improvement Program rebate received from Virginia Public Utilities (\$7,560.37).
24. Transfer funds from Public Works building construction fund to Capital Projects for its portion of a parking lot paving project in Virginia (\$40,365.25).
25. Increase 2015C Capital Improvement Bond interest revenue budget to match actual revenue received (\$14,406.29).
26. Transfer forgivable septic loan funds from the Onsite Wastewater fund to new special revenue septic loan funds (\$396,030.00).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	109999	629900	10902	2016	1,000.00					
	100	109999	610000	10902	2016	(1,000.00)					
2	100	128025	660100			118,846.50					
	100	999999	311105								(118,846.50)
3	100	129999	642900	12936	2016	21,000.00					
	100	129999	540906	12936	2016				(21,000.00)		
4	100	130999	695100	13001	2015	2,000.00					
	100	130999	583100	13001	2015				(2,000.00)		
5	100	100001	500900						(250,000.00)		
	178	178001	500900						250,000.00		
6	167	167001	624900			26,095.69					
	167	999999	311200								(26,095.69)
7	170	999999	311031								(113,149.47)
	170	170001	666200			70,000.00					
	170	170001	695100			8,958.16					
	170	170001	642800			34,191.31					
8	176	176001	545131						(53,352.42)		
	176	176001	629900			53,352.42					
9	178	999999	311037								(327.00)
	178	178002	637900			327.00					
10	178	178002	626600			(7,907.00)					
	178	999999	311037					7,907.00			
11	183	183001	665900			23,000.00					
	183	999999	311200								(23,000.00)
12	220	220398	652700			(562,700.88)					
	204	204060	652806			562,700.88					
13	200	203425	551506						(139,158.03)		
	200	203425	652800			139,158.03					
	200	203425	551511						(10,312.00)		
	200	203425	652800			10,312.00					
14	220	220389	551511						(4,139.49)		
	220	220389	652700			4,139.49					
15	230	231007	628200			74,670.25					
	230	231007	540101						(74,670.25)		
16	230	999999	311401								(39,852.00)
	230	230038	634802			21,609.00					
	230	230038	623700			18,243.00					
17	230	237001	540235						(354,108.00)		
	230	237001	540236						(372,836.00)		
	230	237001	696400			363,472.00					
	230	237001	696700			363,472.00					
18	230	233001	612100			(16,275.80)					
	230	999999	311405					16,275.80			
19	230	230038	640400			273,425.00					
	230	999999	311401								(273,425.00)
20	230	233999	541222	23321	2016				(7,500.00)		
	230	233999	629900	23321	2016	7,500.00					
21	290	290003	629900			250,000.00					
	290	290003	583100						(250,000.00)		
22	318	999999	311200					657,942.31			
	318	318001	590100								(657,942.31)
	440	440002	697600				657,942.31				
	440	440001	663100			(233,105.35)					
	440	440002	629900			(410,699.29)					
	440	440003	629900			(13,400.75)					
	440	440003	660265			(736.92)					
23	400	400015	545117						(7,560.37)		

	400	400015	663100					7,560.37	
24	405	405077	630900					(40,365.25)	
	400	400039	590500						(40,365.25)
	405	405077	697700				40,365.25		
	400	400039	660600					40,365.25	
25	444	444001	571000						(14,406.29)
	444	444001	629900					14,406.29	
26	285	285999	590100	28501	2014				(17,402.00)
	285	999999	311200				17,402.00		
	286	286999	590100	28601	2012				(173,462.00)
	286	999999	311200				173,462.00		
	287	287999	590100	28701	2014				(155,304.00)
	287	287999	590100	28701	2012				(49,862.00)
	287	999999	311200				205,166.00		
	616	616999	697600	61602	2012		112,610.00		
	616	616999	697600	61602	2014		270,287.00		
	616	616999	697600	61602	2015		13,133.00		
	616	999999	311200						(396,030.00)

Application for Grant Funding from the Arrowhead Regional Arts Council

BY COMMISSIONER _____

WHEREAS, "The Hill of Three Waters" is a rare water feature known as a triple divide where three major watersheds diverge, located north of the overlook on Hibbing Taconite property, resulting in water running in three directions - toward the Gulf of Mexico, the Gulf of St. Lawrence and Hudson Bay; and

WHEREAS, St. Louis County Commissioner Steve Raukar has requested that the County Board approve a grant application to the Arrowhead Regional Arts Council for partial funding of a mural depicting "The Hill of Three Waters," which has particular significance to the Anishinaabe Indian Tribes of the region, to be installed in the courtroom assigned to Minnesota Sixth Judicial District Judge David E. Ackerson in the Hibbing Courthouse;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a grant application of up to \$5,000 to the Arrowhead Regional Arts Council for partial funding of a mural depicting "The Hill of Three Waters" to be installed in one of the courtrooms of the St. Louis County Courthouse in Hibbing, MN.

RESOLVED FURTHER, That St. Louis County commits to be the fiscal agent for the administration of this grant and any others that may be received to accomplish the funding of this project.



DAVID E. ACKERSON
JUDGE OF THE DISTRICT COURT
SIXTH JUDICIAL DISTRICT
ST. LOUIS COUNTY COURT HOUSE
HIBBING, MINNESOTA 55746
218-262-0148

July 13, 2016

Commissioner Steve Raukar
County Commissioner's Office
1810 12th Ave. E.
Hibbing, MN 55746

Re: Mural painting for wall of Courtroom #1, St. Louis
County Courthouse, Hibbing, Minnesota

Dear Commissioner Raukar:

At your request and as we have discussed, the purpose of this letter is to put into words the idea for a mural painting on the wall of my courtroom at the St. Louis County Courthouse in Hibbing, in order to explain to other groups or agencies or individuals, including the Bois Forte Band, the Arrowhead Counsel for the Arts, and potential artists, what is being envisioned.

The specific project we have discussed is a mural painting of a landscape scene depicting the "Hill of Three Waters", the true "Laurentian Divide", which is located on Hibbing Taconite Company property a few miles northwest of the main part of the City of Hibbing.

As you and I are aware, but other people may not be, the court system in Minnesota is entirely a state system, funded by the State of Minnesota. However, local counties have the responsibility and authority to provide courtroom facilities and court administrative space at the local county courthouses for the State trial court system to utilize. Therefore, I have input into what my courtroom should look like, but it is within the authority of the St. Louis County Board to determine exactly how the courtroom space will be developed and maintained.

The St. Louis County Courthouse in Hibbing was built in the 1950's to replace the original courthouse that was built in "North Hibbing", and is no longer present at that location due to the expansion of iron mining activities in the early 20th century. The current Courthouse reflects the architecture of the 1950's, and does not have any wall mural paintings, such as are present in Hibbing at the High School and at City Hall, that were created in the 1920's during the original iron mining expansion period. All of these existing murals are from the perspective of the early development of white European culture in the Minnesota Iron Range area.

My own perspective is that a courthouse should artistically reflect the ideal of "justice". As I complete my 35th year as a Minnesota trial judge attempting to be an agent for justice, I would like my courtroom to artistically reflect this ideal. I have come to learn that there is a deeper justice that cannot be derived solely from notions of contemporary culture.

This deeper justice harkens back to a time when this area was inhabited by the native people who had lived in harmony with all of creation since the last glaciers receded from this area more than 10,000 years ago. The Hibbing area is the site of a very rare geological phenomenon that is now referred to as the "Laurentian Divide", but was known by the native people as the "Hill of Three Waters" or "Top of the World", where for hundreds of years native people would meet for councils by traveling upstream from the flowages of the Mississippi River, the Great Lakes, and the flowage north to Hudson Bay.

Thus my idea of a mural would be a landscape of the location of the "Hill of Three Waters", with the addition of artistic depictions of traditional Native American culture as it existed prior to white immigration into this area.

I believe that such a courtroom mural would be a significant and positive artistic achievement in its own right. In addition, such an artistic project would relate to the deeper sense of justice of which I speak, and relate to the most basic attributes of this area, meaning the geology as well as the traditional native culture, which references this area as the "Mesabi", or the "Sleeping Giant". The body of this giant, in the days prior to the

land being disturbed, always had significant importance to the native people from the time of the last glaciers until the time of the disruption caused by western civilization.

In terms of justice, I believe that such a mural would reflect the deeper justice inherent in all of the earth, all of creation, including the original human beings who lived in this area for thousands of years. Such a work of art would reflect what the land looked like, as well as the culture of those people who lived in harmony with all of creation.

At this time in our history, not only of this area, not only of this nation, but of the entire earth, we who wish to be agents of true justice would do well to be mindful of what we might today now call "environmental justice", meaning to learn to live in holistic harmony with all of our world, as the native peoples have modeled for us for many thousands of years.

For the above reasons, I believe the mural project as described in this letter is a worthwhile project that I would be very happy to be involved in.

Very truly yours,



Hon. David E. Ackerson
Judge of District Court

DEA:tmm

Hill of Three Waters

Minnesota is home to a rare water feature known as a triple divide where three major watersheds diverge, and it's located about a mile north of the overlook on Hibbing Taconite property. The area is where two major watersheds, the Northern Divide and the St. Lawrence Seaway Divide, intersect. As a result, water runs in three directions – toward the Gulf of Mexico, the Gulf of St. Lawrence and Hudson Bay (information provided by MN Department of Natural Resources).

The location is referred to as “The Hill of Three Waters,” and according to oral history, a famous meeting of the Anishinaabe Indian Tribes took place there before the white man settled in the area. One story about this meeting starts with the Anishinaabe, who lived in the woods of Eastern Minnesota, Wisconsin, and Canada around the Lake of the Woods. They were skilled in hunting in the woods and fishing the area's streams and lakes.

The Sioux Indians were skilled horsemen who lived on the prairies and plains in Western Minnesota and parts of the Dakotas. The Sioux survived off the food and clothing that were generated by hunting the huge herd of buffalo that migrated up from the south each spring. One year, the herd of buffalo did not migrate north and the Sioux were forced into the forests of the Anishinaabe to find food and clothing. Because they were encroaching on Anishinaabe hunting grounds, the Sioux had to send war parties to drive the Anishinaabe out.

It was at this time that the Anishinaabeg, who were made up of small Bands, called a council of war to decide how they could meet this threat of losing their forests. They decided to meet at the large rock on the "Hill of Three Waters". Chiefs from Mille Lacs and Big Sandy Lakes, Canada and Lake of the Woods, Nett Lake, Wisconsin, Lake Superior and Fond du Lac traveled long distances for the meeting on the "Hill".

Many small battles were fought in the war that followed; one of them at a lake near Togo, which is now known as Battle Lake. In another story, a war party of Sioux was near Balsam Lake when the group was ambushed by Anishinaabeg. Only one Sioux survived the attack, but he was wounded by an arrow in the foot. The Anishinaabeg tracked the Sioux's blood as he swam across the narrows we now call Cutfoot Sioux. He was eventually located and killed by the Anishinaabeg.

The Council at the "Hill of Three Waters" united the tribes in a concerted plan of action and while the Sioux were brave and fierce warriors, they were no match for their enemies in the home forests of the Anishinaabe.

With the exception of a plaque marking its geological significance, the area remains undisturbed by mine operations and is not accessible by the general public.