

**OFFICIAL PROCEEDINGS**  
**OF THE**  
**BOARD OF COUNTY COMMISSIONERS**  
**OF ST. LOUIS COUNTY, MINNESOTA**

**FEBRUARY, 2009**

**OFFICIAL PROCEEDINGS OF THE MEETING**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF THE COUNTY OF ST. LOUIS, MINNESOTA,**  
**HELD ON FEBRUARY 3, 2009**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of February, 2009, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink asked for a moment of silence to honor U.S. troops serving throughout the world.

Commissioner Dahlberg took his turn presenting a County Reflection of a favorite place in St. Louis County by focusing on his own neighborhood of Morgan Park in the City of Duluth. Lucille Kolberg, Morgan Park resident, described the community and listed many of the annual events that occur there.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Kevin Skwira-Brown, Duluth, asked the Board to remove Item No. 8 (Code of Conduct) from the Consent Agenda for separate consideration.

At the request of Commissioner O'Neil, Item No. 8 was removed from the Consent Agenda for separate consideration under Central Management and Intergovernmental Committee. Commissioner Nelson, supported by Commissioner Raukar, moved to approve the remainder of the Consent Agenda; seven yeas - zero nays.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules to consider acceptance of a grant from the Minnesota Office of Justice Programs to undertake a Juvenile Justice Alternatives Initiative; seven yeas - zero nays. Commissioner Sweeney, supported by Commissioner Raukar, moved to authorize the acceptance. The following persons addressed the issue:

Melanie Ford, County Attorney, described the initiative and said grant funds will be used to determine reasons for the disproportional number of minorities being housed in the Arrowhead Juvenile Center. Attorney Ford said her office is the logical place to coordinate the effort and she supported adding one full time investigator to her staff complement. Time constraints were the reason for bringing the matter to the Board for consideration under rule suspension.

Donald Dicklich, County Auditor, noted the grant management policy that requires two separate resolutions for new grants.

Alan Mitchell, County Administrator, said the Board must move quickly to accept this grant in spite of Board policy because a grant decision will be made within the next week.

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Tom Roy, ARC Director, said his agency supports the grant acceptance adding some very unique data should emerge allowing ARC to make good decisions regarding the minority disparities. In response to a question from Chair Fink, Director Roy said ARC staff will probably not have the time to coordinate grant activities.

Commissioner Nelson offered a friendly amendment - not accepted by the makers - to direct all funding to the General Fund and to delete the portion of the resolution adding an investigator to the Attorney staff. Commissioner Nelson, supported by Commissioner Dahlberg, moved to formally amend the resolution. Administrator Mitchell suggested just deleting addition of the investigator and leaving the funding citations alone. After some discussion, the makers of the amendment accepted the suggestion. Commissioner Raukar offered a friendly amendment to the amendment - not accepted by the makers - to retain the addition of the investigator "contingent upon confirmation of the staffing plan by the stakeholders' group."

At 10:53 A.M. in the forenoon of Tuesday, February 3, 2009, Chair Fink moved to recess the County Board meeting until 11:00 A.M. on February 3, 2009, in the County Board Room, Courthouse, Duluth, Minnesota.

The Board reconvened at 11:00 A.M. on Tuesday, February 3, 2009, and the regular order of business resumed with all members present.

After further discussion, the amendment deleting the addition of one full time investigator to the County Attorney staff complement was approved; five yeas - two nays, Commissioners O'Neil and Sweeney. The amended resolution was then approved; seven yeas - zero nays. Resolution No. 56.

Item No. 8 from the Consent Agenda was then considered. Commissioner O'Neil, supported by Commissioner Sweeney moved to refer the Code of Conduct back to Committee of the Whole for discussion of proposed changes, but the motion failed; two yeas - five nays, Commissioners Dahlberg, Forsman, Nelson, Raukar and Chair Fink. Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the Code of Conduct as submitted. The following persons addressed the issue:

Melanie Ford, County Attorney, said she had concerns about requirements that a complaint be "written" and she asked for deletion of that part.

Alan Mitchell, County Administrator, explained the process does not require the complainant to file a written complaint but that any complaint - written or verbal - must be presented in written form to the Committee so there is no misunderstanding regarding circumstances.

Kevin Skwira-Brown, Duluth, asked for some wording changes to Section 6 of the Code.

Commissioner O'Neil moved to amend his motion to add "verbal or written" to Section 6. Commissioner Nelson did not accept the amendment and withdrew his support. Commissioner Sweeney then supported the amended motion. After further discussion, Commissioner O'Neil withdrew his amendment. Administrator Mitchell said a suggested change by Mr. Skwira-Brown substituting "may have" for "has" in Section 6 was probably a good substitution, but deleting the word "appropriate" was a decision for the Board. Commissioner O'Neil amended his motion - accepted by the second - to insert "may have" in Section 6 and leave "appropriate" in. The Code of Conduct, as amended, was approved; seven yeas - zero nays. Resolution No. 57.

Commissioner Nelson said he recently had to respond to a number of Tribal Chairs who received an edited, out-of-context recording of a County Board Workshop discussion from a member of the public who attended the workshop. Commissioner Nelson asked if the public can be banned from using

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recording devices at workshops. Chair Fink asked Attorney Ford to investigate the legality of such a ban.

County Attorney Ford said her office will host an open house on Thursday for international students attending the Humphrey Institute at the University of Minnesota.

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

Finance and Budget Committee submitting recommendations for payment of claims and bills against St. Louis County for the year 2009.--58901

Alan Mitchell, County Administrator, and James T. Foldesi, Interim Public Works Director, submitting Board Letter No. 09-22 regarding acquisition of right of way for the replacement of County Bridge No. 699 and reconstruction of 1050 feet of the adjacent County Road No. 962.--58902

Revised St. Louis County Code of Conduct.--58903

James R. Dorsey, Leonard, Street and Deinard, regarding the State of Minnesota v. Meridian Duluth Limited Partnership, et al (Parcel 30, Duluth Shopping Center Associates).--58904

Mark A. Monacelli, County Recorder, submitting a report of all business transacted and monies received as County Recorder and Registrar of Titles for and during the year 2008.--58905

Civil Service Supervisory Bargaining Unit Agreement for 2008/2009.--09-80

Grant Agreement between St. Louis County and the St. Louis County Historical Society on behalf of the Veterans' Memorial Hall.--09-81

Agreement for Purchase of Services between St. Louis County and the St. Louis County Historical Society.--09-82

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, for Chris Jensen Barn Floor Load Capacity Study.--09-83

Agreement for Professional Services between the County of St. Louis and Gary Kuyava for appointment as County Agricultural Inspector.--09-84

Addendum to Contract No. 20782B between the St. Louis County Board and Lakes and Pines Community Action Council, Inc., for participants of the Minnesota Family Investment Program Employment Services.--09-85ss

Grant Agreement, Contract No. 20839, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training.--09-86ss

Grant Agreement, Contract No. 20830, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency.--09-87ss

Grant Agreement, Contract No. 20841, between the St. Louis County Board of Commissioners and Minnesota Chippewa Tribe.--09-88ss

Addendum to Contract No. 20675E between the St. Louis County Board and the City of Duluth for food

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support employment and training services employment services and FSET support services.--09-89ss

Employee Development Training Contract between St. Louis County and Ward Melenich for four sessions of Excel Introduction and Excel Lists.--09-90

Agreement for Vending Services between the County of St. Louis and Ronald Houghton Candy, Inc., for vending equipment in designated County owned facilities.--09-91

Agreement for Purchase of Services between the County of St. Louis and Arrowhead Regional Corrections for certain specified services to allow for the continuation of Special Court Programs.--09-92

Upon motion of Commissioner Nelson, supported by Commissioner Raukar, Resolutions No. 49 through 55, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

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. 58901, are hereby approved and the County Auditor shall issue checks in the following amounts:

<u>FUND</u>		<u>TOTAL</u>
100	General Fund	\$ 5,088,989.44
149	Personnel Service Fund	600.00
150	Sheriff's Nemesis Fund Group	284,670.33
160	MN Trail Assistance	48,190.40
166	Sheriff Fine Contingency	808.10
168	Sheriff's State Forfeitures	213.00
169	Attorney Trust Accounts	220.35
170	Boundary Waters - Forfeiture	10,224.52
173	Emergency Shelter Grant	11,372.64
179	Enhanced 9-1-1	17,017.64
180	Law Library	14,399.49
183	City/County Communications	319.78
184	Extension Service	42,009.51
200	Public Works	2,801,301.81
210	Road Maint - Unorg Townships	71.04
220	State Road Aid	1,021,531.50
230	Public Health & Human Services	6,102,459.72
240	Forfeited Tax	333,135.50
250	St. Louis County HRA	130.00
260	CDBG Grant	60,072.77
270	Home Grant	290,798.87
290	Forest Resources	10,412.44
304	Capital Improve Bonds 2001	1,121,947.50
308	Capital Equipment Notes 2004B	766,325.00
309	Capital Improve Bonds 2004A	995,843.75
310	AJC Refunding Bonds 2004C	168,137.50
312	Law Enforce Refund Bonds 2005B	432,887.50
313	Cap Imp Cross Ref Bonds 2006A	147,093.75
314	Capital Equipment Notes 2007	1,215,000.00
400	County Facility	369,830.72

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404	SLC Water/Sewer	568,941.00
405	Road & Bridge Building Const.	214,832.47
421	Northland Office Bldg Improv.	67,647.65
426	Sheriff's Admin/911 Building	1,199.50
431	2005 Interest & Costs	437,957.50
434	Law Enforcement Center - Equip	52,014.98
436	2007 Capital Equipment Note	628,908.65
438	2008 Capital Improvement Bond	59,103.93
600	Environmental Services	671,750.54
616	On-Site Waste Water Division	57,046.18
625	Chris Jensen Health & Rehab	1,036,885.36
635	Nursing Home Rev Bond 2002A	111,787.50
650	Laundry	4,980.32
660	Community Foods	101,352.24
670	Supervised Living	59,857.27
700	Printing	8,006.88
705	Postage Office Supplies	17,473.97
715	County Garage	77,013.07
720	Property Casualty Liability	26,642.50
730	Workers Compensation	240,093.14
750	Management Info Systems	428,580.12
760	Telecommunications	111,865.28
770	Retired Employees Health Ins	4,531.33
900	State of Minnesota	107,856.47
902	Courts	306,157.00
908	Cities and Towns Taxes	26,703,429.15
909	Tax Refunds	92,025.68
910	School Districts Taxes	1,840,531.56
911	Taxes and Penalties	125.19
925	Arrowhead Regional Corrections	1,494,291.32
955	Community Health Board	60,703.51
985	Collective Local Collaborative	15,325.17
989	Regional Railroad Authority	94,966.31
990	Northern Cities Land Use	1,029.34
992	Permits to Carry - Firearms	2,940.00
994	Sheriff Forfeits/Evidence	571.93
998	MPL-DUL Train Alliance	6,119.64
		\$ 57,070,558.22

Adopted February 3, 2009. No. 49

WHEREAS, a contract with Donlee Pulford for the purchase of State tax forfeited land is in default for nonpayment of taxes; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract and has failed to cure the default.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the cancellation of contract for purchase of State tax forfeited land, listed in County Board File No. 58889, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

Adopted February 3, 2009. No. 50

WHEREAS, Minnesota Power has requested an overhead powerline utility easement across State tax forfeited land; and

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WHEREAS, exercising the easement will not conflict with public use of land; and  
WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for electrical powerlines.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Minnesota Power described as follows: The west 150.00 feet of the Northeast Quarter of the Northeast Quarter, Section 5, Township 61 North, Range 15 West; and The west 150.00 feet of the Southeast Quarter of the Northeast Quarter, Section 5, Township 61 North, Range 15 West, upon payment of \$12,740.00 land use fee, \$5,435.00 timber damages, and \$46.00 recording fee; for a total of \$18,221.00 to be deposited into Fund 240 (Forfeited Tax Fund).  
Adopted February 3, 2009. No. 51

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 699 and to reconstruct approximately 1050 feet of the adjacent County Road 962 located 0.2 mile south of County-State Aid Highway No. 5; and

WHEREAS, these improvements consist of widening and reconstructing the roadway and bridge as determined necessary for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction (together with temporary construction easements) which include State of Minnesota tax forfeited land.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

RESOLVED FURTHER, that pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant the necessary right of way easements across the following tax forfeited parcel: That part of the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) Section 31, Township 62N, Range 21W (PIN 757-0010-04900), as fully described on Exhibit A, on file in the office of the County Auditor, identified as County Board File No. 58902.

Adopted February 3, 2009. No. 52

WHEREAS, the Public Works Department equipment budget includes eight dump bodies and hydraulic systems for trucks previously purchased; and

WHEREAS, Midland Equipment Company of Lakeville, MN, was the lowest responsible bidder for the purchase and installation of eight dump bodies with hydraulic systems for \$270,320.00; and

WHEREAS, the purchase will be subject to State of Minnesota sales taxes of \$17,570.80 for a total cost of \$287,890.80.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the purchase and installation of eight dump bodies with hydraulic systems from Midland Equipment Company of Lakeville, MN, for \$287,890.80, with \$262,930.23 payable from Fund 437, Agency 437001, Object 666300, and; \$24,960.57 payable from Fund 407, Agency 407001, Object 666300.

Adopted February 3, 2009. No. 53

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Cooperative Extension Committee; and

WHEREAS, the Cooperative Extension Committee has three individuals, Jerry Meier, Shari McCorison, Allen Willman, whose term expired December 31, 2008, but are eligible for reappointment and interested in continuing to serve.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appointment of Jerry Meier, Shari McCorison, and Allen Willman for three year terms expiring December 31, 2011.

Adopted February 3, 2009. No. 54

RESOLVED, that the 2008/2009 Civil Service Supervisory contract is approved and the appropriate County officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in

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Contract File No. 09-80.  
Adopted February 3, 2009. No. 55

Upon motion of Commissioner Sweeney, supported by Commissioner O'Neil, the rules were suspended to adopt Resolution No. 56 which was not on the agenda.

**BY COMMISSIONER SWEENEY:**

WHEREAS, a study commissioned by Arrowhead Regional Corrections concluded that there is a disproportionate representation of minority children confined in juvenile detention; and  
WHEREAS, the St. Louis County Attorney convened a meeting with stakeholders from across the County to discuss the report and hear about the work of the Annie E. Casey Foundation and Minnesota Office of Justice Programs regarding juvenile detention alternatives; and  
WHEREAS, that group of stakeholders wish to move forward with a Juvenile Detention Alternatives Initiative with the goal of reducing unwarranted confinement of juveniles and reducing disproportionate minority confinement; and  
WHEREAS, collaboration is necessary between the County, other governmental entities, and community organizations that work with youth in St. Louis County; and  
WHEREAS, the St. Louis County Board of Commissioners desires to support juvenile detention reform in order to more effectively rehabilitate youth and to maintain a fair and equitable justice system for juveniles.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of a grant from the Minnesota Office of Justice Programs for FY 2009 in the amount of \$90,000 to undertake a Juvenile Detention Alternatives Initiative, with funds receipted into Fund 100, Agency 113999, Grant 11304, Grant Year 2009, and expended from Fund 100, Agency 113999, Grant 11304, Grant Year 2009.

RESOLVED FURTHER, that at the conclusion of the grant, any positions funded by the grant shall be terminated.

Unanimously adopted. February 3, 2009. No. 56

**BY COMMISSIONER O'NEIL:**

RESOLVED, the revised St. Louis County Code of Conduct, a copy of which is on file in County Board File No. 58903, is adopted effective February 3, 2009.

RESOLVED FURTHER, that the St. Louis County Board will review the Code of Conduct in two years and each biennium thereafter.

Unanimously adopted. February 3, 2009. No. 57

At 12:10 P.M. on Tuesday, February 3, 2009, upon motion of Commissioner Dahlberg, supported by Commissioner Nelson, the Board of County Commissioners adjourned.

Dennis Fink, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 17, 2009**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 17th day of February, 2009, at 9:30 A.M. in the County Board Room, Courthouse, Duluth, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink asked for a moment of silence to honor U.S. troops serving throughout the world.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Rebecca St. George, Duluth, asked the Board to reconsider a directive to not sell forfeited land located within reservation boundaries back to the affected Tribal Band. Ms. St. George urged Commissioners to meet with Tribal Members prior to making decisions having direct effects.

Ricky DeFoe, Duluth, said reservation lands were never intended as a revenue source for county government and he described the mutual aid process for law enforcement. Mr. DeFoe decried the presence of institutional racism in law enforcement and other establishments.

Tony LaDeaux, Duluth, said comments made at a recent Board Workshop may have been unintentional and he urged the Board to work things out with the Tribe.

Kathy Heltzer, Duluth, said comments made at the recent workshop showed disrespect and she asked that steps be taken to repair the damage.

John Day, Duluth, said Tribal Bands are aware of the economic impact of the sale of tax forfeited lands and he invited Commissioners to attend a Tribal Council meeting and make a presentation.

Gretchen Ransom, Proctor, urged Commissioners to take a closer look at the world of Native Americans by opening their hearts and minds and remembering that words are often reality.

Reverend Alan Kitto, Duluth, a Korean War Veteran, said he was considered a "ward" of the federal government until citizenship was granted to Native Americans in 1955. Recent comments by Commissioners at a Workshop were surprising and disturbing.

Jan Karon, Duluth, suggested the Board consult with affected persons or groups when changes are proposed. Early notification would be helpful.

Chair Fink said actions at the Workshop did not establish new policy but merely set research in motion. Commissioner Raukar thanked speakers for appearing at the meeting and said the Board works cooperatively with Tribal Bands, adding the press has created a media-charged issue over a workshop discussion item where no binding action was taken.

At the request of Alan Mitchell, County Administrator, Commissioner Nelson asked to remove Item No. 9 from the Consent Agenda (lease of forfeited land to the Mt. Iron Economic Development Authority for wind energy project) for separate discussion under Environment and Natural Resources Committee. Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the remainder of the

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Consent Agenda; seven yeas - zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to table until the February 24, 2009, Board meeting a proposal to lease tax forfeited to the Mt. Iron Economic Development Authority for a wind energy project (Item No. 9 from Consent Agenda); seven yeas - zero nays.

Commissioner Sweeney said she had good discussions with legislators at the recent St. Louis County/Duluth Days at the state legislature. She also met last week with Senate candidate Al Franken and the mayors of Duluth and Two Harbors.

Chair Fink said there will be budget discussions/testimony this week at the legislature.

Commissioner Nelson said he spoke with many legislators and their budget shortfall estimates indicate St. Louis County may see as much as \$5 million in state funding cuts.

Melanie Ford, County Attorney, said she researched the issue of banning electronic recording devices at public meetings such as Board Workshops and - while state and federal laws are ambiguous and a ban may be permissible under certain limited circumstances - she advised the Board "not to go there" because of potential litigation.

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

Finance and Budget Committee submitting recommendations for reduction and correction of assessed valuations and taxes for the year 2009.--58906

Alan L. Mitchell, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 09-28 regarding amendment to Ordinance No. 46, County Zoning Maps, for the SW 1/4, Section 35, Township 58 North, Range 19 West (Great Scott Township).--58907

Alan L. Mitchell, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 09-29 regarding amendment to Ordinance No. 46, County Zoning Maps, for a portion of Government Lot 5, Section 8, Township 54 North, Range 12 West (Pequaywan).--58908

Alan L. Mitchell, County Administrator, and Barbara Hayden, Planning and Development Director, submitting Board Letter No. 09-30 regarding amendment to Ordinance No. 46, County Zoning Maps, for portions of Sections 3, 4, 9 and 10, Township 52 North, Range 15 West (Fredenberg).--58909

Alan L. Mitchell, County Administrator, and Tony Mancuso, Property Management Director, submitting Board Letter No. 09-32 regarding sale of County fee land described as the NW 1/2 of the NW 1/4, Section 30, Township 59 North, Range 17 West, to the City of Virginia.--58910

County Auditor submitting applications for license to sell intoxicating liquor for the year 2009.--58911

Alan L. Mitchell, County Administrator, and David Sipila, County Assessor, submitting Board Letter No. 09-35 regarding establishing a public hearing to consider the Aggregate Resource Preservation Property Tax Law.--58912

Charles H. Andresen, Andresen & Butterworth, P.A., submitting Summons and Complaint in the matter of Michael J. Glen vs. St. Louis County, Minnesota, Donald Klande and Fay Klande, David R. Elsner and Shelly K. Elsner.--58913

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Quit Claim Deed conveying property at the section corner of Sections 29, 30, 31 and 32, Township 61, Range 18 (Angora Township), from the County of St. Louis to Dean Squires and Linda Squires.--58914

Agreement for Professional Services between the County of St. Louis and Dave Skelton.--09-93

Amendment to Contract between St. Louis County and Louis Leustek and Sons, Inc., for construction of Phase 5 at the Regional Landfill in Virginia.--09-94

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Incorporated, for Old Jail Hazardous Material Abatement, Monitoring, and Testing.--09-95

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis, through its Auditor's Office, and Miranda Woodard, on behalf of American Title, Inc.--09-96

Group Residential Housing Rate Agreement, Contract No. 50712, between the St. Louis County Board of Commissioners and Edgewood Vista Mabel's Home Alzheimer's Care.--09-97ss

Group Residential Housing Rate Agreement, Contract No. 50708, between the St. Louis County Board of Commissioners and Edgewood Vista Hermantown Assisted Living.--09-98ss

Group Residential Housing Rate Agreement, Contract No. 50716, between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's C.--09-99ss

Group Residential Housing Rate Agreement, Contract No. 50715, between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's B.--09-100ss

Group Residential Housing Rate Agreement, Contract No. 50714, between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's A.--09-101ss

Group Residential Housing Rate Agreement, Contract No. 50713, between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Assisted Living.--09-102ss

Group Residential Housing Rate Agreement, Contract No. 50711, between the St. Louis County Board of Commissioners and Edgewood Vista Hermantown Alzheimer's C.--09-103ss

Group Residential Housing Rate Agreement, Contract No. 50710, between the St. Louis County Board of Commissioners and Edgewood Vista Hermantown Alzheimer's B.--09-104ss

Group Residential Housing Rate Agreement, Contract No. 50709, between the St. Louis County Board of Commissioners and Edgewood Vista Hermantown Alzheimer's A.--09-105ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14252A, between the St. Louis County Public Health and Human Services Department and Edgewood Virginia I Senior Living, LLC.--09-106ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14251A, between the St. Louis County Public Health and Human Services Department and Edgewood Hermantown II Senior Living, LLC.--09-107ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14250A, between the St. Louis County Public Health and Human Services Department and Edgewood Hermantown I Senior Living, LLC.--09-108ss

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Group Residential Housing Rate Agreement, Contract No. 50724, between the St. Louis County Board of Commissioners and At Home Living - Hermantown.--09-109ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14261C, between the St. Louis County Public Health and Human Services Department and At Home Living Facilities, Inc.--09-110ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14289A, between the St. Louis County Public Health and Human Services Department and Ecumen, d/b/a Lakeshore.--09-111ss

Addendum to Purchase Agreement, Contract No. 14092D, between the St. Louis County Board of Commissioners and Duluth Bethel Society for Consolidated Chemical Dependency Treatment Fund Services.--09-112ss

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14258B, between the St. Louis County Public Health and Human Services Department, and Family Counseling and Extended Services, Inc., d/b/a Faces North.--09-113ss

Addendum to Purchase Agreement, Contract No. 13338I, between the St. Louis County Board of Commissioners and Lee Foster Care Home I.--09-114ss

Home and Community-Based Waiver Services Contract, Contract No. 14453, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and A & E Homes, Inc.--09-115ss

Home and Community-Based Waiver Services Contract, Contract No. 14449, between the St. Louis County Board of Commissioners, through the Public Health and Human Services Department, and L & M Opportunities, Inc.--09-116ss

Grant Agreement, Contract No. 20843, between the St. Louis County Board of Commissioners and the Community Action Duluth (CAD) for Minnesota Family Investment Program Racial Disparities Innovation Funds.--09-117ss

Agreement for Purchase of Services between St. Louis County and the St. Louis County Promotional Bureau.--09-118ss

Agreement for Purchase of Services between St. Louis County and Duluth Seaway Port Authority for economic development funds.--09-119

General Obligation Bond Proceeds Grant Agreement - Construction Grant for S.A.P. 69-030-019, C.P. 9321, Project under the Local Road Improvement Program, Rural Road Safety Account.--09-120

Amendment Number 1 to the Agreement for Professional Services between St. Louis County and Short Elliot Hendrickson, Inc., for S.P. 118-119-002, C.P. 3702.--09-121

Employee Development Training Contract between St. Louis County and Dr. Erick Anderson for one session of The Basics of Chiropractics.--09-122

Employee Development Training Contract between St. Louis County and Clark Bennett for two sessions of Defensive Driving.--09-123

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Agreement between the County of St. Louis; St. Louis County Attorney; and St. Louis County Housing and Redevelopment Authority for legal services for 2009.--09-124

Project Contract No. 4761-1 between the County of St. Louis and JBN, Inc., for construction of the Camp Esquagama Main Lodge Waste Water Treatment System.--09-125

Safety & Risk Management Training Contract between St. Louis County and the American Red Cross for Adult CPR, AED Training, Infant and Child CPR, and First Aid Training sessions.--09-126

Balkan Township Canister Site Operating Agreement between the County of St. Louis and Balkan Township.--09-127

Upon motion of Commissioner Nelson, supported by Commissioner Dahlberg, Resolutions No. 58 through 71, as submitted to this Board 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 January 27, 2009, are hereby approved.  
Adopted February 17, 2009. No. 58

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 3, 2009, are hereby approved.  
Adopted February 17, 2009. No. 59

RESOLVED, that the St. Louis County Board approves the applications of persons and firms petitioning for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual to the date of this resolution, identified in County Board File No. 58906.  
Adopted February 17, 2009. No. 60

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 58894, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.  
Adopted February 17, 2009. No. 61

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 30, 2009, on file in the office of the County Auditor, identified as County Board File No. 58886, is hereby received and ratified as payable from Fund 730, Agency 730001.  
Adopted February 17, 2009. No. 62

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding a request to rezone the SW 1/4, Section 35, Township 58N, Range 19W, on January 8, 2009; and  
WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for the SW 1/4, S35, T58N, R19W, from FAM-3 to MUNS-4, effective March 6, 2009.  
Adopted February 17, 2009. No. 63

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding a request to rezone that portion of Government Lot 5, Section 8, Township 54N, Range 12W, lying west of County-State Aid Highway (C-SAH) 44, Pequaywan Lake Road, and east of old Highway 44, on January 8, 2009; and  
WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning; and

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WHEREAS, the St. Louis County Board vacated old Highway 44 in GL5, S8, T54N, R12W, on October 14, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for that portion of GL5, S8, T54N, R12W (Pequaywan), lying west of C-SAH 44, Pequaywan Lake Road, and east of old Highway 44, from RES-4 to RES-7, effective March 6, 2009.

Adopted February 17, 2009. No. 64

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding a request to rezone those portions of Section 3, Section 4, Section 9 and Section 10, Township 52N, Range 15W, lying north of the North Dike Road and south of the old North Dike Road, on November 20, 2008; and WHEREAS, the St. Louis County Planning Commission recommends approval of the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves rezoning for those portions of S3, S4, S9 and S10, T52N, R15W, lying north of the North Dike Road and south of the old North Dike Road, from MUNS-4 to SMU-7, effective March 6, 2009.

Adopted February 17, 2009. No. 65

WHEREAS, the City of Virginia, Minnesota, has requested the transfer of 88.1 acres of County fee land described as the Northwest 1/2 of the Northwest 1/4, of Section 30, Township 59, Range 17; and

WHEREAS, the purpose of this request is to consolidate the Kline-Cuppoletti Trap Club and the Virginia Rifle and Pistol Club to one site to create a public shooting facility; and

WHEREAS, pursuant to Minn. Stat. § 465.035, St. Louis County may transfer property to a public agency for a public purpose.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the appropriate County officials to execute a purchase agreement and quit claim deed with the City of Virginia, Minnesota, for the 88.1 acre parcel of fee land described as the Northwest 1/2 of the Northwest 1/4, of Section 30, Township 59, Range 17.

Adopted February 17, 2009. No. 66

RESOLVED, that a public hearing will be held at 9:35 A.M. on March 24, 2009, at the Hoyt Lakes Community Center, Hoyt Lakes, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to PAV MAC, LLC, d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17.

Adopted February 17, 2009. No. 67

WHEREAS, the provisions of Minn. Stat. § 273.1115, Aggregate Resource Preservation Property Tax Law, grants special and unique treatment to owners of land containing aggregate deposits, in comparison with other property in the County; and

WHEREAS, the provisions of Minn. Stat. § 273.1115, Aggregate Resource Preservation Property Tax Law, subject a county to the legislation unless it acts to terminate application of this law; and

WHEREAS, the County Board is required to hold a public hearing as part of the process to terminate application of this law.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board elects to consider establishing a public hearing for Tuesday, March 3, 2009, at 9:30 A.M. in the St. Louis County Courthouse, Duluth, MN.

Adopted February 17, 2008. No. 68

WHEREAS, the St. Louis County Board adopted Resolution No. 09-35 on January 13, 2009, and

WHEREAS, the vehicles in Items 3.0 and 3.1 of the resolution are no longer available from Denny Hecker's Automall due to their cancellation of the State Contract; and

WHEREAS, the State Contract for the Chrysler products was reassigned by the State to the second lowest bidder, Nelson Auto Center of Fergus Falls, MN; and

WHEREAS, the vehicles are priced lower on the State Contract than on the County bid.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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NOW, THEREFORE, BE IT RESOLVED, that the Director of Purchasing is hereby authorized to purchase, in accordance with the specifications of Bid No. 4785, and State of Minnesota Contract, 2009 vehicles as follows:

- 3.0 Three (3) Class II, mid-size, four door sedan, from Nelson Auto Center of Fergus Falls, MN, at their State of Minnesota contract price of \$14,133.99 each delivered to Duluth for a total of \$42,401.97, plus 6.5% State Sales Tax of \$2,756.13, for a total purchase price of \$45,158.10, payable from Fund 715 (County Garage), Agency 715001, Object Code 666100 (Automobiles).
- 3.1 Three (3) Class II, mid-size, four door sedan, from Nelson Auto Center of Fergus Falls, MN, at their State of Minnesota contract price of \$14,133.99 each delivered to Virginia for a total of \$42,401.97, plus 6.5% State Sales Tax of \$2,756.13, for a total purchase price of \$45,158.10, payable from Fund 715 (County Garage), Agency 715001, Object Code 666100 (Automobiles).

Adopted February 17, 2009. No. 69

WHEREAS, Minnesota established a deputy registrar system to provide citizens convenient locations to conduct registration services for motor vehicles; and

WHEREAS, the State, in 1949, established a service fee on motor vehicle transactions to be retained by the deputy registrar to defray the cost of providing the service; and

WHEREAS, the State has shifted costs and responsibilities onto the deputy registrars, such as regular replacement schedules of computers and associated electronic equipment, printing of previously supplied State forms, and expanding auditing tasks that were previously the responsibility of the State; and

WHEREAS, the State now competes with deputy registrar offices for services that were traditionally provided by deputy registrars; and

WHEREAS, the deputy registrar system annually handles over \$1 billion for the State of Minnesota with considerable risk, such as dishonored checks being the responsibility of the deputy registrar after remitting the bulk of those funds to the State; and

WHEREAS, the fee designed to support the cost for providing motor vehicle transactions no longer covers the operational costs to maintain most deputy registrar offices, with lower volume rural areas in jeopardy of losing the service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports legislation authorizing secure alternative payment methods at deputy registrar offices, and a greater retention of existing payments or increased fees to maintain local registration service.

Adopted February 17, 2009. No. 70

RESOLVED, that the appropriate County officials are hereby authorized to enter into the following agreements:

St. Louis County Attorney with the St. Louis County Housing and Redevelopment Authority for legal services in the amount of \$40,000, and with Arrowhead Regional Corrections in the amount of \$45,000 to be payable to the St. Louis County Attorney's Office, Fund 100, Agency 113002.

St. Louis County Employee Relations Department with Arrowhead Regional Corrections for personnel and training services in the amount of \$105,000.62, and that said funds will be payable to the St. Louis County Employee Relations Department, Fund 100, Agency 123001.

St. Louis County Safety and Risk Management with Arrowhead Regional Corrections for consulting and testing services up to the amount of \$23,767.83, and that said funds will be payable to the St. Louis County Safety and Risk Management Department, Fund 100, Agency 139001.

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St. Louis County Auditor with Arrowhead Regional Corrections for fiscal services in the amount of \$167,573, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

St. Louis County MIS Department with Arrowhead Regional Corrections for telephone services in the amount of \$58,697.09, computer network services in the amount of \$56,030.96, and data processing services in the amount of \$213,882.51, and that said funds will be payable to the St. Louis County MIS Department, Fund 760, Agency 760001, for telephone services, and Fund 750, Agency 750001, for data processing and computer network services.

St. Louis County Property Management with Arrowhead Regional Corrections for rent in the amount of \$338,390.43, and that said funds will be payable to the St. Louis County Property Management Department, Fund 100, Agency 128000.

St. Louis County Auditor with the Carlton-Cook-Lake-St. Louis Community Health Board for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001.

St. Louis County Auditor with the Regional Rail Authority for fiscal services in the amount of \$5,500, and that said funds will be payable to the St. Louis County Auditor's Office, Fund 100, Agency 115001. Adopted February 17, 2009. No. 71

At 10:22 A.M. on Tuesday, February 17, 2009, upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Dennis Fink, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON FEBRUARY 24, 2009**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of February, 2009, at 9:32 A.M. in the City Council Chambers, City Hall, Hibbing, Minnesota. The meeting was called to order by the Chair with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, Steve Raukar, and Chair Dennis Fink - 7. Absent: None.

Chair Fink asked for a moment of silence to honor U.S. troops serving throughout the world.

Commissioner Raukar, an amateur photographer, took his turn presenting his County favorite place by sharing a photograph of a stunning sunrise at a lake. His ultimate favorite place, however, is his own couch.

Chair Fink opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Elaine Palcich, Chisholm, expressed concern about a number of environmental issues related to the proposed Polymet Mining venture including wetland mitigation and the Hoyt Lakes to Babbitt corridor. Ms. Palcich also urged the Board to hire a young person to fill the County Administrator slot. Commissioner Forsman noted that Polymet actually opposes the Hoyt Lakes to Babbitt corridor. Commissioner Raukar invited Ms. Palcich to contract Administration and/or his office to discuss her issues.

Commissioner Raukar noted that Item No. 7 of the Consent Agenda was related to construction of a Habitat for Humanity home and he invited the Board to tour the site if time permitted.

Commissioner Raukar, supported by Commissioner Forsman, moved to approve a lease of tax forfeited land over portions of Section 15, T59N, R15W (Town of White), to the Mt. Iron Economic Development Authority for a wind energy project. The following persons addressed the issue:

Alan Mitchell, County Administrator, explained the item was removed from last week's Consent Agenda because of some questions about the joint powers agreement. A contingency was added requiring Mt. Iron Economic Development Authority to establish authority to enter into the lease agreement.

Elaine Palcich, Chisholm, said residents of Biwabik are opposed to the lease and she expressed concern about construction of new power lines and access roads.

Gary Cerkvenik, consultant for the wind energy project, presented an overview of the proposal and said the Town of White location is deemed the best site. In response to a question from Commissioner O'Neil, Mr. Cerkvenik said access to wind study data is proprietary at this point.

After further discussion, the lease authorization was approved; seven yeas - zero nays. Resolution No. 87.

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

County Auditor submitting applications for permits authorizing the consumption of and display of

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA**

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intoxicating liquors for the year 2009.--58915

County Auditor submitting applications for license to sell intoxicating liquor for the year 2009.--58916

County Auditor submitting applications for Lawful Gambling License applications for the year 2009.--58917

Emily Johnson, Duluth, on behalf of St. Louis County Citizens regarding sale of tax-forfeited land to Indian tribes.--58918

Linda Rau, Co-Chair, Clayton Jackson McGhie Memorial, Inc., Board of Directors, requesting the County Board to reconsider its January workshop recommendation relative to land sales and take a position that unites St. Louis County.--58919

Steve Raukar, Seventh District Commissioner, submitting a photograph of his favorite place in St. Louis County, his own couch.--58920

St. Louis County Merit System Supervisory Employees Unit contract for 2008/2009.--09-128

Supply Contract No. 4793-2 between County of St. Louis and Northland Systems, Inc., to Purchase Extreme Networks equipment, software, hardware, and maintenance.--09-129

Heidi Ringhofer, WLSSD, submitting an amended contract between WLSSD and St. Louis County for the Operation of Household Hazardous Waste Management Program.--09-130

Upon motion of Commissioner O'Neil, supported by Commissioner Sweeney, Resolutions No. 72 through 86, as submitted to this Board on the Consent Agenda were unanimously adopted as follows:

**BY COMMISSIONER O'NEIL:**

RESOLVED, that the St. Louis County Board approves the applications of persons petitioning for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual to the date of this resolution, identified in County Board File No. 58906.  
Adopted February 24, 2009. No. 72

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 13, 2009, on file in the office of the County Auditor, identified as County Board File No. 58886, is hereby received and ratified as payable from Fund 730, Agency 730001.  
Adopted February 24, 2009. No. 73

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permits authorizing the consumption and display of intoxicating liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58915:

James Saugestad, d/b/a Melrude Pub, Ellsburg Township, Permit No. S1013;

Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S1015.  
Adopted February 24, 2009. No. 74

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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1978, as amended, the following application for intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 58916;  
FURTHER RESOLVED, that said license is approved contingent upon licenseholder paying real estate or personal property taxes when due;  
FURTHER RESOLVED, that if named licenseholder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the licenseholder;  
FURTHER RESOLVED, that said license shall be effective through June 30, 2009:

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Combination On/Off-Sale Intoxicating Liquor License No. CMB09126 and Sunday On-Sale Intoxicating Liquor License No. SUN09126, change of officers.

Adopted February 24, 2009. No. 75

WHEREAS, the Land Department has reviewed a request from Michael G. Edmunds, Elizabeth A. Edmunds, Ronald W. Edmunds, and Nancy L. Edmunds, for a non-exclusive access and utility easement across State tax forfeited land; and  
WHEREAS, there are no reasonable alternatives to obtain access to the property owned by the Edmunds; and  
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and  
WHEREAS, Minn. Stat. § 282.04, Subds. 4 and 4(a), allow for the granting of easements across State tax forfeited land for such purposes.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a non-exclusive access and utility easement to the Edmunds described as follows:

The westerly 100 feet of the northerly 365.82 feet of the NW 1/4 of the SE 1/4 of the SE 1/4, Section 35, Township 51 North, Range 14;

Conditioned upon payment of a \$14,500 land use fee, \$750 administration fee and \$46 recording fee, for a total of \$15,296 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, the granting of this easement is conditioned upon St. Louis County receiving an easement from the Edmunds described as follows:

The westerly 100 feet of the southerly 100 feet of the SW 1/4 of the NE 1/4 of the SE 1/4, Section 35, Township 51 North, Range 14.

Adopted February 24, 2009. No. 76

WHEREAS, James R. Pappas has agreed that a contract for the purchase of State tax forfeited lands described in County Board File No. 58889, should be cancelled; and  
WHEREAS, the purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board hereby approves the cancellation of the contract for purchase of the State tax forfeited lands with James R. Pappas listed by the County Auditor in County Board File No. 58889, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.  
Adopted February 24, 2009. No. 77

WHEREAS, the City of Hibbing has offered to purchase the following described State tax forfeited land for the appraised value of \$5,000 plus fees for the purpose of conveying to North St. Louis County Habitat for Humanity for infill housing:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Lots 3 & 4, Block 12  
Hibbing Heights  
City of Hibbing  
Parcel Code: 140-105-3470

WHEREAS, Minn. Stat. § 82.01, Subd. 1(a), authorizes the sale of State tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, said land has not been withdrawn from sale pursuant to Minn. Stat. §§ 84.012, 92.461, 282.01, Subd 8; and 282.018, and other statutes that require the withholding of State tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the State tax forfeited land as described to the City of Hibbing for the appraised value of \$5,000 plus the following fees: 3% assurance fee of \$150, deed fee of \$25, deed tax of \$16.50, recording fee of \$46, and administration fee of \$150 for a total of \$5,387.50 to be deposited into Fund 240 (Forfeited Tax Fund). RESOLVED FURTHER, that the St. Louis County Auditor shall offer the land for sale at public auction if the City of Hibbing does not purchase said land by May 1, 2009.

Adopted February 24, 2009. No. 78

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Lawful Gambling License Application (Pull-tabs, Pull-tabs with dispensing device, Tipboards, Bar bingo) on file in the office of the County Auditor, identified as County Board File No. 58917, for the following organization:

Irving Community Assn., The Fall Inn, 4219 Kingston Rd, Duluth, MN 55803, Rice Lake Township, new.

Adopted February 24, 2009. No. 79

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Lawful Gambling License Application (Pull-tabs with dispensing device, Tipboards, Paddlewheel and Bingo) on file in the office of the County Auditor, identified as County Board File No. 58917, for the following organization:

Cloquet Amateur Hockey Women's Auxiliary to operate out of Munger Tavern Bar & Grill, Solway Township, 4003 Munger Shaw Road, Cloquet, MN 55720, new.

Adopted February 24, 2009. No. 80

WHEREAS, the Range Mental Health Center helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, the Department of Public Health and Human Services has contracted with Range Mental Health Center to provide needed community mental health services in northern St. Louis County for many years; and

WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance and for other mental health services for residents of northern St. Louis County; and

WHEREAS, the Department wishes to renew these contracts for a three-year period, with authority to amend the contracts as needed should Federal or State funding be reduced or terminated.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the following Agreements with Range Mental Health Center for the period January 1, 2009 to December 31, 2011, payable from Fund 230, Agency 232008, Object 601600 for children and Fund 230, Agency 232006, Object 604400 for adults:

**Children MH-TCM contract**

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- 1) Targeted case management for children  
\$688.00 per month per client

**Adults MH-TCM contract**

- 2) Targeted case management for adults  
\$354.00 per month per client

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate County officials to amend the rates in the three-year agreements.  
Adopted February 24, 2009. No. 81

WHEREAS, the Human Development Center helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and  
WHEREAS, the Department of Public Health and Human Services has contracted with the Human Development Center to provide needed community mental health services in southern St. Louis County for many years; and  
WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of southern St. Louis County; and  
WHEREAS, the Department wishes to renew these contracts for a three-year period, with authority to amend the contracts as needed should Federal or State funding be reduced or terminated.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the following Agreements with the Human Development Center for the period January 1, 2009, to December 31, 2011, payable from Fund 230, Agency 232008, Object 601600 for children and Fund 230, Agency 232006, Object 604400 for adults:

**Children MH-TCM contract**

- 1) Mental Health Targeted Case Management for children  
\$510.00 per month per client

**Adult MH-TCM contract**

- 2) Mental Health Targeted Case Management for adults  
\$364.00 per month per client

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate County officials to amend the rates of the three-year agreements.  
Adopted February 24, 2009. No. 82

WHEREAS, St. Louis County and its public safety partners have undertaken the development, implementation, and growth of a public safety project entitled the Northeast Minnesota Enforcement and Safety Information System (NEMESIS); and  
WHEREAS, contracting with Michael R. Dean to oversee the NEMESIS project has proven to be in the best interest of St. Louis County and its regional partners as this project continued to evolve; and  
WHEREAS, the professional services contract with Mr. Dean expired February 2, 2009, and there are projects in process that continue to need Mr. Dean's involvement.  
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a professional services contract with Michael R. Dean for six months beginning on February 2, 2009, to oversee the ongoing NEMESIS project at the rate of \$100.00 per hour, not to exceed 500 hours, payable from the NEMESIS Fund 150, Agency 150001.  
Adopted February 24, 2009. No. 83

WHEREAS, St. Louis County has received a request from representatives of the tourism and lodging businesses located in Unorganized Township 67, Range 18 asking to be included in the "Joint Powers

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS  
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Agreement (JPA) for the Collection and Administration of a Local Lodging Tax in the Lake Vermilion Area"; and

WHEREAS, as the governing body for Unorganized Township 67-18, the St. Louis County Board is required to hold a public hearing to consider the question of establishing a Local Lodging Tax in that area.

NOW, THEREFORE BE IT RESOLVED, the St. Louis County Board establishes a public hearing to consider the question of instituting a Local Lodging Tax of up to three percent (3%) in Unorganized Township 67-18 for Tuesday, March 24, 2009 at 9:40 AM in the Hoyt Lakes Community Center, Hoyt Lakes, MN.

Adopted February 24, 2009. No. 84

WHEREAS, the St Louis County Board (Board) and the Duluth Seaway Port Authority (Port) have a common goal of economic development in St. Louis County; and

WHEREAS, the Port is in negotiations with United States Steel Corporation (USS) to acquire property at USS's former 550 acre Duluth Works Steel Plant for the purpose of redevelopment; and

WHEREAS, the property is currently listed as a Superfund site and the Port and USS wish to partner in the clean-up and redevelopment of the property; and

WHEREAS, the Port has determined that the use of Tax Increment Financing (TIF) is the best economic development tool available to assist in the redevelopment of the Site; and

WHEREAS, TIF law contains a "Five Year Rule" which limits the redevelopment commitments of contracting for improvements and the spending of Tax Increment; and

WHEREAS, the Port has indicated that this project is a long-term redevelopment plan extending to 25 years, and that spending all redevelopment funds to improve the site within the first five years of the redevelopment district is not practical.

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board supports the Duluth Seaway Port Authority's requested legislation to exempt the proposed Duluth Steel Plant TIF redevelopment district from the "Five Year Rule".

Adopted February 24, 2009. No. 85

RESOLVED, that the 2008/2009 St. Louis County Merit System Supervisory Employees Unit contract is approved and the appropriate County officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in Contract File No. 09-128.

Adopted February 24, 2009. No. 86

**BY COMMISSIONER RAUKAR:**

WHEREAS, Minn. Stat., § 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease State tax forfeited land to individuals, corporations or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, Minnesota Session Law, 2008, Chapter 368, Article 1, Section 24, authorizes St. Louis County to enter into a 30 year lease for a wind energy project on State tax forfeited lands; and

WHEREAS, the Mountain Iron Economic Development Authority is requesting a 30 year lease to develop a community based wind energy project on State tax forfeited land described as:

1. NE 1/4 OF NW 1/4 EX 4 61/100 AC FOR STATE HIGHWAY, SECTION 15, T59N, R15W (35.39 acres)
2. NW 1/4 OF NW 1/4 EX 3 72/100 AC FOR STATE HIGHWAY, SECTION 15, T59N, R15W (36.28 acres)
3. SW 1/4 OF NW 1/4, SECTION 15, T59N, R15W (40 acres)
4. SE 1/4 OF NW 1/4 EX 2 97/100 AC FOR STATE HIGHWAY, SECTION 15, T59N, R15W (37.03 acres)
5. N 1/2 OF SW 1/4, SECTION 15, T59N, R15W (80 acres)
6. NE 1/4 OF SE 1/4 EX 3 78/100 AC FOR STATE HIGHWAY, SECTION 15, T59N, R15W

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(36.22 acres)

7. NW 1/4 OF SE 1/4 EX 48/100 AC FOR STATE HIGHWAY, SECTION 15, T59N, R15W (39.52 acres)
8. SW 1/4 OF SE 1/4, SECTION 15, T59N, R15W (40 acres)
9. SE 1/4, SECTION 17, T59N, R15W (160 acres); and

WHEREAS, the St. Louis County Land Department and Attorney's Office have reviewed the request and recommend an annual lease fee of five dollars (\$5.00) per acre per year (\$2,500 annually) for all land identified herein as rent for the period of time between the date of this lease and the commencement of operations; and ten dollars (\$10.00) per acre per year (\$5,000 annually) if after three years from the date of execution of this lease, the Lessee has not commenced operations; and

WHEREAS, the lease shall require an annual rental payment of \$2,000 per megawatt of capacity of the turbines beginning at the time of commencement of operations; and

WHEREAS, the annual rental payment per megawatt of capacity shall be renegotiated every ten (10) years.

NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the County Auditor to lease State tax forfeited land described herein to the Mountain Iron Economic Development Authority (EDA) for a wind energy project, contingent upon the EDA establishing authority to enter into the lease and under the terms and conditions specifically set forth in the Land Lease Agreement, with funds to be deposited into Fund 240 - Forfeited Tax Fund.

Unanimously adopted. February 24, 2009. No. 87

At 10:34 A.M. on Tuesday, February 24, 2009, upon motion of Commissioner Raukar, supported by Commissioner O'Neil, the Board of County Commissioners adjourned.

Dennis Fink, 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)