

**Carlton County
Board of Commissioners
ADJOURNED SESSION - Rough Draft
Monday, January 26, 2015
4:00 p.m.**

The Carlton County Board of Commissioners met this 26th day of January, 2015, in Adjourned Session at the Carlton County Transportation Building.

Chairperson Bodie called the meeting to order at 4:00 p.m. Members present: Bodie, Brenner, Peterson, Proulx, and Zmyslony. Absent: None.

The meeting opened with The Pledge of Allegiance to the Flag.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the Agenda as amended.

Motion by Proulx, seconded by Olean, and carried by all yea votes to approve the Minutes of the January 6, 2015, Annual Board Meeting.

Motion by Peterson, seconded by Proulx, and carried by all yea votes to adopt the following resolution: (15-008)

WHEREAS, Carlton County (referred to in the alternative as the "County" or the "Issuer") has received a request from Augustana Mercy Care Center, L.L.C. ("Augustana Mercy Care") and Augustana Oakview Care, LLC ("Augustana Oakview Care," and together with Augustana Mercy Care, the "Borrower"), each a Minnesota nonprofit limited liability company for the County to issue, in one or more series, its revenue bonds (the "Bonds"), pursuant to the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152 through 469.165, as amended (the "Act"), in an aggregate principal amount not to exceed \$6,000,000. Augustana Mercy Care operates Mercy Care Center and Kenwood Place, located at 710 South Kenwood Avenue (the "Mercy Care Facilities") in the City of Moose Lake, Minnesota (the "City") and Augustana Oakview Care has proposed acquiring and constructing improvements to the assisted living facilities located at 300 Talbot Drive, 500 Talbot Drive and 1200 Talbot Drive in the City (the "Oakview Care Facilities," and together with the Mercy Care Facilities, the "Facilities"). The proceeds of the Bonds will be used to finance (a) the renovation, improvement and equipping by Augustana Mercy Care of the Mercy Care Facilities (the "Mercy Care Project"); (b) the acquisition by Augustana Oakview Care of, and the construction of improvements to, the Oakview Care Facilities (the "Oakview Care Project"); and (c) funding required reserves and paying costs of issuance of the Bonds; and

WHEREAS, the Mercy Care Project and the Oakview Care Project are sometimes referred to together as the "Projects;" and

WHEREAS, pursuant to the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, it is necessary for the County to conduct a public hearing before the County issues the Bonds; and

WHEREAS, the Borrower has agreed to reimburse the County for the cost of publication of notice of the hearing in the official newspaper of County;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Carlton County, Minnesota, that:

1. The Board of Commissioners shall hold a public hearing on the issuance of the Bonds on Tuesday, February 10, 2015, at 9:00 o'clock A.M., at the Carlton County Transportation Building Meeting Room, 1630 Highway 61, in Carlton, Minnesota. Publication of a legal notice in connection therewith in the *Moose Lake Star-Gazette*, the County's official newspaper and a newspaper of general circulation in the county, substantially in the form attached hereto as Exhibit A, is hereby ratified and confirmed.
2. The Borrower, Dorsey & Whitney LLP, as Bond Counsel to the Underwriter and officers of the County are authorized to initiate the preparation of a loan agreement, trust indenture, official statement and related documents as may be necessary or appropriate so that, when and if this Board gives its final approval thereto, the issuance of the Bonds may be carried out expeditiously.
3. In no event shall the Bonds ever be payable from or charged upon any funds of the County other than amounts payable under the revenue agreements which are to be pledged to the payment thereof; no holder of the Bonds shall ever have the right to compel the exercise of the taxing power of the County to pay the bonds or the interest thereon, nor enforce the payment thereof against any property of the County other than the County's interest in the Project; the Bonds shall not constitute a general or moral obligation of the County or a charge, lien or encumbrance, legal or equitable, upon any property of the County; and the Bonds do not constitute an indebtedness of the County within the meaning of any constitutional, statutory, or charter limitation.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes to accept and approve the November, 2014, Carlton County Public Health and Human Services Financial Report.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the filling of a .6 FTE Transfer Station Cashier position.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve and extension (until February 23, 2015) of a Medical Leave of Absence for a Zoning Office employee.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to authorize and approve the County Auditor and County Land Commissioner to proceed

with plans whereby Carlton County will accept the donation of a parcel of property in Wrenshall Township.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to adopt the following resolution: (15-009)

WHEREAS, the City of Scanlon wishes to apply for funding through the Transportation Alternative Program (TAP) administered by the Minnesota Department of Transportation for a paved, non-motorized trail project; and

WHEREAS, this project will construct part of a link between Carlton, Scanlon, Cloquet, and Esko; and

WHEREAS, this project will also be of regional and state significance by constructing part of a link from Scanlon, Cloquet, and Esko to the Willard Munger Trail, Alex Laveau Trail, and Jay Cooke State Park; and

WHEREAS, the City of Scanlon has passed a resolution to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations; and

WHEREAS, the City of Scanlon is not a State Aid City and is requesting Carlton County to act as the sponsoring agent;

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners declares the above-described project is supported, the submittal of the TAP funding application is supported, and Carlton County agrees to act as the sponsoring agent for the City of Scanlon;

BE IT FURTHER RESOLVED, that before TAP funds are accepted by the city, an agency agreement between the city and county must be executed;

BE IT FURTHER RESOLVED, that among other things, the agency agreement will require the city to hire a professional engineer for design and construction oversight;

BE IT FURTHER RESOLVED, the agency agreement will require that the city be responsible for all future maintenance of the proposed trail.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to adopt the following resolution: (15-010)

WHEREAS, bids have been received by the County Auditor/Treasurer for bituminous milling and overlay, aggregate shouldering, and pavement markings for S.A.P. 009-065-021, and SAP 009-605-024; and

WHEREAS, said bids or proposals were duly opened in the Carlton County Engineer's Office at 10:00 a.m., Monday, January 26, 2015 and this Board has, with the County Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board, it is for the best interest of Carlton County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carlton County, Minnesota, in regular session duly convened, that they hereby approve the award of the contract on the above project to the lowest bidder:

Ulland Brothers	\$896,400.00
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BE IT FURTHER RESOLVED that the Chairperson of the County Board, the County Auditor/Treasurer, and the County Attorney, on behalf of the County of Carlton, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to adopt the following resolution: (15-011)

WHEREAS, SAP 009-622-005 is in the 2016 STP to provide for federal STP funding for the bituminous surfacing of CSAH 22 from CSAH 6 to T-411 (Schoolhouse Road).

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby support the use of federal STP funds for SAP 009-622-005.

Motion by Zmyslony, seconded by Brenner, and carried by all yea votes to approve the conversion of the Emergency Management Coordinator position from a contracted position to a part time County position.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to adopt the following resolution: (15-012)

BE IT RESOLVED by the Carlton County Board of Commissioners to modify the current Carlton County policy for the Post-Retirement Health Care Savings Plan, effective January 1, 2015, as follows:

A retiring Non Represented Carlton County employee, eligible for sick leave payout in accordance with current Carlton County Personnel Policies, shall have their payout directed to the Minnesota State Retirement System administered Post-Retirement Health Care Savings Plan (HCSP), as follows:

1. Eligible employees shall have 100% of their eligible payout directed to the HCSP.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to not charge a fee for human body cremation authorization services. The County Auditor and County Attorney will work with Lakeland Pathology so as to modify the existing contract providing for said service charges.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve out of state travel for an Extension Office Educator to attend a conference in Wisconsin, January 15 -16, 2015.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to adopt the following resolution: (15-013)

BE IT RESOLVED to acknowledge the receipt of the Minnesota Lawful gambling Premise Permit Application for the Quad Rivers Deer Hunters Association, for use at the Split Rock star Club (Split Rock Township) March 28, 2015, and to further approve the waiver of the 60 day waiting period.

Motion by Proulx, seconded by Brenner, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Paul G. Gassert
County Auditor/Treasurer

Marv Bodie
County Board Chairperson