

**MINUTES OF THE REGULAR MEETING OF THE COOK COUNTY BOARD OF COMMISSIONERS**

Grand Marais, Minnesota  
August 23, 2016

The Board met in regular session this 23rd day of August, 2016, at the Courthouse in Grand Marais, Minnesota.

County Board Chair Doo-Kirk led the Commissioners in reciting the Pledge of Allegiance at 10:30 am. Present: Commissioner Sivertson, Doo-Kirk, Gamble, Moe, and Storlie. Absent: Office Support Specialist Bev Wolke. Also present were Attorney Molly Hicken, Administrator Jeff Cadwell, and Auditor-Treasurer Powers.

Motion was made by Commissioner Gamble and seconded by Commissioner Storlie to approve the agenda as amended.

No citizens were present for the public comment portion of the meeting.

The Board considered the consent agenda consisting of numerous items that the Board may approve as a whole. County Board Chair Doo-Kirk asked if any Commissioner wanted to remove any items from the consent agenda. Commissioner Sivertson asked to pull item C.

Consent Agenda items: Action as a whole.

- A. Claims
- B. MNCCC Bylaws and Joint Powers Agreement.
- C. Special Event Permit, Rushaway Pictures LLC
- D. MCIS Data Access & Confidentiality Agreements

Motion was made by Moe, seconded by Gamble and approved to accept the remaining consent agenda items as presented, including the adoption of the following resolution:

**RESOLUTION # 2016-63**

BE IT RESOLVED, that the following claims totaling \$477,256.02 having been audited and found to be true and correct claims against Cook County, are approved and the Auditor-Treasurer is hereby authorized to draw warrants in payment of said claims:

	<b><u>Revenue Fund</u></b>
A-1 Disposal	217.79
AmeriPride Services	42.44
Arrowhead Pharmacy	39.50
Blue Water Cafe LLC	1,099.74
Bucks Hardware Hank	73.58
C D W Government	446.35
Centurylink	51.75
Chateau Leveaux Owners Assoc	19,095.29
City Auto Glass	419.85
Cook County Home Center	544.06
Cook County News Herald Inc	2,130.64
D J Smith Trucking	2,425.00
D S C Communications	230.00
Dalco	461.42
Ekstrom/Leah C	343.20
Eliassen/Donn Erik	220.00
Gamble/Garry	678.19
Grand Marais Auto Parts	9.69
Graybar Inc	104.36
Holiday Inn St Cloud	589.70
Jamar Company/The	1,949.00

Lake County Sheriff	5,100.00
LeSueur County Sheriff	1,000.00
M A C O - Kirk Peysar, Treasurer	300.00
Mille Lacs County Jail	1,499.57
MN Counties Intergov't Trust	300.00
MN Sheriff's Assn	275.00
Nelson Machine Products LLC	1,008.00
Newegg Inc	139.98
North Shore Superior Pest Management	175.00
P S T C	399.00
Peterson/Howard	5,500.00
Sawtooth Mountain Clinic	207.00
Sivertson/Judy	155.85
Superamerica	5.49
Tire And Auto Lodge	20.00
Viking Plumbing & Heating	428.67
Watkins/Rowan	16.74
Weitz/Timothy	75.00
Wireless Broadband Services	3,487.50
<b><u>Road &amp; Bridge</u></b>	
Centurylink	39.26
<b><u>Airport</u></b>	
Bucks Hardware Hank	26.70
G & G Septic LLC	290.00
R S & H, Inc	55,000.00
<b><u>YMCA</u></b>	
Duluth Area Family YMCA	6,993.10
<b><u>Golf Course Fund 39</u></b>	
Superior National at Lutsen	4,836.36
<b><u>Soil &amp; Water</u></b>	
Cook County Home Center	44.30
<b><u>Road &amp; Bridge Bills</u></b>	
11774 Al's Metal Work, Inc.	354.25
14118 Braun Intertec Corporation	8,638.50
80230 Bucks Hardware Hank	76.82
13806 C C P Industries Inc	391.62
11552 Charlie Sawyer	12.00
13865 Cook County Home Center	225.85
80014 Cook County News Herald Inc	177.00
13823 Diamond Mowers Inc	6,331.26
11734 Envirotech Services, Inc.	140,045.26
11555 Erickson Engineering Co LLC	4,444.50
11733 Fastenal Company	518.33
127179 Firstlab	95.90
14835 G & K Services	124.11
13314 Grainger Inc	168.92
81458 Grand Marais Auto Parts	30.22
11740 Higgins, Westley	12.00
13037 Isak Hansen True Value	49.89
14030 Jamar Company/The	6,865.88
14817 K G M Contractors Inc	164,825.00
L H B Engineers & Architects Inc	2,316.75
Lawson Products Inc	196.57
M R Sign Co Inc	3,557.85

Midwest Division-PetroChoice	5,376.94
Mike Rose Excavating	180.00
Northern Engine & Supply Inc	127.79
Nuss Truck & Equipment	473.41
Pernat/Joe	12.00
RT Vision Inc	3,500.00
Snap On Tools	324.40
Sonju Two Harbors LLC	120.90
Steve's Sports & Auto	129.99
Swearingen/Shawn	24.00
Titan Machinery and Rentals	7,710.00
Tools Unlimited	619.60
Towmaster	254.44
Wallner/Jim	450.00

Commissioner Sivertson explained that she would like to have a policy for the consideration of business interests when streets are closed for special events such as the filming of scenes by Rushaway Pictures. Administrator Cadwell said he would bring a sample policy to a future meeting for consideration. Motion was made by Commissioner Moe, Seconded by Commissioner Storlie and carried to approve the special event permit for Rushaway Pictures, as presented.

Tim Kennedy, President, Superior Cycling Association, appeared before the board with a request that the County agree by Resolution to act as sponsor for a Greater Minnesota Parks and Trails Program grant request. Kennedy explained that the grant would allow construction of a multi-purpose mountain biking trail connecting Lutsen Mountains and Britton Peak trailhead. He further explained that the Cook County Mountain Bike Trail System was designated as a Regional Park Trail and Recreation Resource Park, by the Minnesota Trails Commission. Motion was made by Commissioner Moe, seconded by Commissioner Gamble to approve the following resolution, with County Attorney review, that Cook County act as sponsor for a comprehensive funding request through GMPTP:

**RESOLUTION # 2016-64**

**Requesting Funding for the Cook County Mountain Bike Trail System Phase 1**

BE IT RESOLVED that Cook County Board of Commissioners has the legal public authority to sponsor a grant funding request associated with Cook County Mountain Bike Trail System (PROJECT), which has been previously designated by the Greater Minnesota Regional Park and Trail Commission (COMMISSION) as a regional park or trail.

BE IT FURTHER RESOLVED that as we are fully aware of the information provided in the funding request, including any non-state match and other long-term commitments (as defined in the funding request), related master plan and any supporting information as submitted.

BE IT RESOLVED that, if selected for funding by the COMMISSION, the Cook County Board of Commissioners shall act as legal sponsor for the PROJECT contained in the Department of Natural Resources (DNR) Parks & Trails Legacy Grant Application (STATE'S GRANT APPLICATION) and that Jeff Cadwell, County Administrator, is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the applicant.

BE IT FURTHER RESOLVED that the APPLICANT has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the funding request and therefore, also in the STATE'S GRANT APPLICATION.

BE IT FURTHER RESOLVED that the APPLICANT has or will acquire fee title or permanent easement over the land described in the funding request and therefore, also in the STATE'S GRANT APPLICATION for regional parks and has or will acquire fee title, perpetual easement or a minimum of a 20 year lease over the land described in the funding request and therefore, also in the STATE'S GRANT APPLICATION for regional trails.

BE IT FURTHER RESOLVED that, upon approval of its application by the state, the applicant may enter into an agreement with the State of Minnesota for the above-referenced project, and that the applicant certifies that it will comply with all applicable laws and regulations as stated in the grant contract including committing to maintain the trail for a period of no less than 20 years and providing a perpetual easement for recreational trail purposes on all lands acquired for trail use.

NOW, THEREFORE BE IT RESOLVED that The Cook County Administrator is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

Planning and Zoning Administrator Bill Lane appeared before the board with a request to add garages to the Tofte Housing Planned Unit Development. Lane explained that build out of the project would depend on further state legislative action regarding funding. He further explained that the Planning Commissioner voted unanimously to approve the request and recommended approval by the Board of Commissioners. Motion was made by Sivertson, seconded by Storlie, and carried to approve the following Resolution:

**RESOLUTION # 2016-65**

**Town of Tofte: Request to Amend a Conditional Use Permit**

BE IT RESOLVED, that upon recommendation of the Cook County Planning Commission, and after public hearing duly held on August 10, 2016, the following amendment of a Conditional Use Permit (Resolution 2015-15) is granted, subject to the noted conditions:

Town of Tofte: Request to amend a Conditional Use Permit to include garage construction within the Tofte Housing Planned Unit Development. Parcel ID: 25-029-1425. Property description: Part of the SE ¼ of the NE ¼, Section 29, Township 59 North, Range 4 West.

1. No land use permits shall be approved until all requirements of the PUD application are met.
2. Commercial uses of the property shall be prohibited.
3. No wetlands impacts may occur without approval from the Cook County wetland authority.
4. Landscape Preservation Standards (Section 5.06; Cook County Zoning Ordinance) shall be applied to the property.
5. If site or construction plans are modified, documents shall be amended by the applicants.
6. All zone district requirements including setbacks, shall be met during build-out.

Lane then presented a request from the Holiday Store in Tofte for a Conditional Use Permit to allow installation of signage using LED internal illumination. Lane explained that the Planning Commission voted unanimously to approve the request and forward a recommendation for approval to the Board of Commissioners. Motion was made by Commissioner Storlie, seconded by Commissioner Gamble, and carried to approve the following Resolution:

**RESOLUTION # 2016-66**

**Holiday Store in Tofte Conditional Use Permit**

BE IT RESOLVED, that upon recommendation of the Cook County Planning Commission, and after public hearing duly held on August 10, 2016, the following Conditional Use Permit is granted, subject to the noted conditions:

Mike Quaife, dba Holiday Store, Tofte: Request for a Conditional Use Permit to install internally illuminated light emitting diode (LED) displays at its Tofte store.

Legal Description: *See Attached Exhibit A.*

1. A Cook County sign permit shall be applied for and approved as part of store/sign enhancements.
2. No moving light LED displays may be integrated into Holiday signage.
3. All components of the display, including color and safety parameters must comply with the Cook County Sign Ordinance.
4. The TDRB is encouraged to review displays and provide feedback to Holiday Companies regarding illumination during non-business hours.
5. The OPZ shall review the new lighting configuration one month after its implementation.
6. This permit shall be reviewed by the Planning Commission one-year after its approval.

County Administrator Jeff Cadwell appeared before the board to announce the resignation of David Demmer. There was a motion by Commissioner Gamble, seconded by Commissioner Doo-Kirk and carried to accept the resignation of David Demmer with regret.

Emergency Manager Jim Wiinanen and County Attorney Molly Hicken appeared before the board with a proposed agreement for Lake and Cook County to provide emergency assistance to each other when requested. Motion was made by Gamble, seconded by Moe and carried to authorize the board Chair and the County Auditor to execute the Mutual Aid Agreement for Emergency Management between Lake County and Cook County.

County Administrator Jeff Cadwell and County Auditor Braidy Powers appeared before the board to review the 2017 preliminary budget requests. Powers reviewed the 2017 26% proposed levy increase, the lists of major reasons for the increase, the County fund balance and the historical

comparisons over the past 28 years showing an average levy increase of 4.3%. Cadwell explained that the increases were the result of policies and decisions made by the board and requested that the board name a small group to identify a strategy regarding budget policy and service levels. Motion was made by Commissioner Doo-Kirk, seconded by Commissioner Moe and carried to create a budget committee, including Commissioner Gamble, Commissioner Sivertson, Administrator Cadwell and Auditor Powers, to work on identifying a budget policy and service level strategy as regards to the 2017 budget.

County Administrator Jeff Cadwell and Highway Engineer David Betts appeared before the board to discuss the options for a transportation sales tax. Cadwell described the public concerns at the Public Hearing as centering on prioritization of the projects and the overall scale of the project list. There was much discussion of priority projects, buildings and the effect on the levy. Cadwell suggested a route for creation of a resolution, including discussion with Dave Betts, Lisa Sorlie and Braidy Powers for the designing of a legal resolution, then reviewing the resolution with the highway advisory committee and then bringing it forward to the County Board for consideration on September 13, 2016. There was a motion by Commissioner Moe, seconded by Commissioner Doo-Kirk, that a resolution for a ½% transportation sales tax be approved by the Highway Committee with recommendations being brought to the County Board for approval. The motion failed with Sivertson, Storlie and Gamble voting nay. Consensus was that Administrator Cadwell will work to follow the route he discussed for creation of a resolution and have it available for discussion on the 13<sup>th</sup>.

Commissioner Moe reported that the Security Committee is working on proposals for security of the commissioner's room.

Commissioner Gamble reported that the proposed ARC budget increase of \$40,000 is being reduced a few thousand dollars.

There being no further business, motion was made and carried that the meeting be adjourned at 12:06 pm.

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HEIDI DOO-KIRK, Chair  
Cook County Board of Commissioners

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ATTEST: BRAIDY POWERS  
Auditor-Treasurer