



2013 District 1 Highway Construction Program

For additional information contact:

Beth Petrowske

MnDOT District 1 Public Affairs

Office: 218-725-2708

Email: beth.petrowske@state.mn.us

Draft last updated March 7, 2013

Map #	Carryover projects General project information	Letting and tentative construction dates	Project engineer / supervisor	Work description / traffic impacts
1	SP 3801-18 Hwy 1 (Lake County) South of Ely between Forest Roads 553 and 424 Contractor: KGM Contractors Original bid — \$7,147,559 Remaining — \$70,000	Let: 9/23/11 Construction: Nov. 2011 to Spring 2013	Derek Fredrickson	Reconstruction, grade and resurface — five miles Remaining work: striping and turf establishment Temporary lane restrictions, detour
2	SP 6939-20E Hwy 2 (St. Louis County) At Boundary Avenue Contractor: Shafer Contracting Co., Inc. Original bid — \$3,144,820 Remaining — \$375,000	Let: 8/2/12 Construction: May 15 to June 15, 2013 (Five to seven actual construction days)	Jim Sorenson	Resurface Hwy 2 at Boundary Ave. in Proctor Daytime lane closures
3	SP 3606–54 Hwy 11 (Koochiching County) Four miles east of Rainier (Jackfish Bay) and 5.5 miles east of Rainier (Tilson Creek) Contractor: Redstone Construction Company Inc. Original bid — \$2,029,243 Remaining — \$300,000	Let: 6/8/12 Construction: July 2012 to June 2013	Rob Ronning	Replace Jackfish Bay and Tilson Creek Bridges Single-lane across the bridge

4	SP 0980–139 I-35 (Carlton County) From Esko to Proctor Contractor: Shafer Contracting Co. Original bid — \$30,107,574 Remaining — \$15 million	Let:3/23/12 Construction: May 2012 to late-fall 2013	Jim Sorenson	Stage 2 of an unbonded concrete overlay project. Stage 1 is finished. Major travel impacts, singlelane traffic in each direction from May to late-fall
5	SP 3807-52 Hwy 61 (Lake County) Contractor: Original bid — \$6,969,000 MnDOT — \$3 million MnDNR — \$3,969,000 Remaining — \$2.5 million	Let: Spring 2012 Construction: July 2012 to mid-summer 2013	Ted Sexton	Baptism River Rest Area, Tettegouche State Park headquarters upgrade (Joint project with Mn/DNR) Minor impacts to Hwy 61 traffic Rest area closed, state park open
6	SP 8821–153 Hwy 61 (Lake County) From 0.22 miles north of the Silver Creek Tunnel to 0.84 miles north of Kennedy Creek Contractor: KGM Contractors Inc. Original bid — \$3,983,900 Remaining — \$50,000	Let: 5/18/12 Construction: Aug. 2012 to June 2013	Derek Fredrickson	Bituminous overlay and centerline rumble strips Lane restrictions resume in spring 2013
7	SP 3115–51 Hwy 169 "Pokegama Ave." (Itasca County) From 3 rd St. N. to 13 th St. S. in Grand Rapids Contractor: Hammerlund Const. Inc. Original bid — \$6,464,000 Remaining — \$100,000	Let: 3/7/12 Construction: Late-April 2012 to June 2013 Completed except for minor striping in 2013	Kevin Rohling	Reconstruct and widen Hwy 169, construct turn lanes, city utilities Traffic was reduced to one lane in each direction
8	SP 6936–17 Hwy 169 (St. Louis County) From 0.1 mile south of County Road 438 to the south end of the Pike River Bridge Contractor: Ulland Bros. Inc. Original bid — \$3,588,000 Remaining — \$1,800,000	Let: 8/3/12 Construction: Sept. 2012 to July 12, 2013	Rob Ronning	Reconstruct Hwy 169, construct turn lanes Single-lane, flaggers and detour
9	SP 6981–9030E I-535, Blatnik Bridge (St. Louis County) Contractor: Rainbow Inc. Original bid — \$12,945,018 Remaining — \$5 million	Let: 3/23/12 Construction: May to Oct. 2012 and May to Oct. 2013	Tom Lund	Bridge rehabilitation project — replace expansion joints, steel and rail repair and replacement, light system replacement, painting During 2013 single lane traffic in each direction. The Bong Bridge will be used as alternative route.

Number of carryover projects: 10

Remaining value: \$25,795,000

These carryover transportation investments will provide:

• Information coming

Map #	New Projects General project information	Letting and tentative construction dates	Project engineer / supervisor	Work description / traffic impacts
11	SP 6904–47 Hwy 1 (St. Louis County) In Tower and Ely Contractor: Estimate — \$2,114,500	Let: 3/22/13 Construction: May 28 to Oct. 4, 2013	Kevin Adolfs	Resurface and rehabilitate (mill and overlay) 2.5 miles of Hwy 1, pedestrian ramps Daytime lane closures
12	SP 6904–49 Hwy 1 (St. Louis County) In Tower and Ely Contractor: Estimate — \$9,327,000	Let: 6/7/13 Construction: July 2013 to Aug. 2014	Kevin Adolfs	Mill, reclaim and rehabilitate 25.5 miles of Hwy 1, shoulder repairs Detour/daytime lane closures
13	SP 3803–33 Hwy 1 (Lake County) In Murphy City Contractor: Estimate — \$450,000	Let: 4/26/13 Construction: June to Sept. 2013	Gary Doup	Raise grade and resurface, replace culvert, flood mitigation Intermittent, single-lane, flagger-controlled

14	SP 8821–243 Hwy 18 From east of Hwy 47 to County Road 61 Contractor: Estimate — \$500,000	Let: 4/26/13 Construction: June to Nov., 2013	Aaron Gunderson	Culvert repair and replacement Intermittent lane closures with flagging
15	SP 6910–82 Hwy 23 (St. Louis County) In West Duluth Contractor: Estimate — \$1 million	Let: 1/25/13 Construction: July to mid-Aug. 2013	Jim Sorenson	Replace storm sewer, curb and gutters, sidewalks and pavement at Keene Creek. Northbound detour, single-lane southbound
16	SP 6911–38 Hwy 33 (Carlton and St. Louis Counties) Contractor: Estimate — \$6,324,000	Let: 3/22/13 Construction: June to Sept. 2013	Derek Fredrickson	Resurface and rehabilitate Hwy 33, repair culverts Intermittent, single-lane closures
17	SP 0980–148 I-35 (Carlton County) In Scanlon Contractor: Estimate — \$3,900,000	Let: 6/7/13 Construction: Aug. to Nov.2013	Tom Lund	Bridge rehabilitation, includes painting, deck overlay, approach and guardrail work on four bridges I-35 intermittent, single-lane closure, CR 13 and CR 138 detours
18	SP 8821–239 I-35 at 10 locations between Hwy 70 and Carlton County Road 4 Contractor: Estimate — \$3,675,000	Let: 6/7/13 Construction: Aug to Nov. 2013	Gary Doup	Install cable median barrier Intermittent, single-lane closures
19	SP 6920–48 Hwy 53 (St. Louis County) From 4.5 miles south of Hwy 1 to the south limits of Cook Contractor: KGM Contractors Inc. Original bid — \$32,800,000	Let: 10/26/12 Construction: Jan. 2013 to Sept. 2014	Andy Johnson	Hwy 53 4-lane expansion to Cook Traffic crossovers, single-lane traffic, flaggers

20	SP 6925–136 Hwy 61 (St. Louis County) From 26 th Ave. E to the Lester River in Duluth Contractor: Estimate — \$190,000 Original bid —	Let: 4/26/13 Construction: June to Aug. 2013	Gary Doup	Drainage repairs resulting from 2012 flood. Catch basin and pipe repair/replacement Parking-lane closures, brief single-lane closures
21	SP 6925-137 Hwy 61/London Road (St. Louis County) In Duluth Contractor: Estimate — \$1,200,000 Original bid — \$	Let: 6/7/13 Construction: Sept. 2013 to June 2014	Gary Doup	Repair historic bluestone arch structures under Hwy 61/London Road (2012 flood damage repairs) Parking-lane closures
22	SP 3808-35 Hwy 61 (Lake County) In Little Marais Contractor: Estimate — \$7,600,000 Original bid — \$	Let: 6/07/13 Construction: Mid-July to late- Nov. 2013. Work will resume again in 2014	Derek Fredrickson	Reclaim and overlay 5.27 miles of Hwy 61, shoulder reconstruction, culvert replacement Intermittent detour, intermittent single-lane flagger-controlled traffic, single-lane bypass in Sept Oct. 2013
23	SP 0109-19 Hwy 65 (Aitken and Kanabec Counties) Near Pliny Contractor: Estimate — \$5,413,682 Original bid — \$	Let: 4/26/13 Construction: June to Sept. 2013	Aaron Gunderson	Resurface and rehabilitate 15 miles of Hwy 65, new culverts Lane closures with flaggers and pilot car
24	SP 3609-34 Hwy 65 (Koochiching County) From 11 miles south of the Koochiching County line to 5 miles south of Hwy 71 Contractor: Estimate — \$3,787,000 Original bid —	Let:4/26/13 Construction: June 2013 to June 2014	Kevin Adolfs	Four box culvert replacements near the Littlefork River Lengthy traffic detour Traffic control by flaggers
25	SP 6927-19 Hwy 73 (St. Louis County) From 9.4 miles south of Hwy 2 to Hwy 2 Contractor: Estimate — \$4,830,000 Original bid — \$	Let: 3/22/13 Construction: May to Sept. 2013	Kevin Adolfs	Bituminous mill and overlay Traffic control by flaggers

26	SP 5802-23 Hwy 123 (Pine County) Near Sandstone Contractor: Estimate — \$1,982,000 Original bid — \$	Let: 3/22/13 Construction: June to Aug. 2013	Tom Lund	Bridge and approach rehabilitation, new sidewalks Single-lane closures with temporary signal system
27	SP 6934-115 Hwy 169 (Itasca and St. Louis Counties) From 3.6 miles east of Hwy 65 to the junction of Hwy 73 in Nashwauk Contractor: Estimate — \$6,138,000 Original bid — \$	Let: 5/17/13 Construction: June to Sept. 2013	Kevin Adolfs	Bituminous overlay, culvert replacement Single-lane in each direction
28	SP 6933-91 Hwy 194 (St. Louis County) In Duluth Contractor: Estimate — \$262,500 Original bid — \$	Let:5/17/13 Construction: July to Aug. 2013	Jim Sorenson	ADA improvements between Arlington Ave. and Blackmon Ave. Brief sidewalk closures
29	SP 0916-23 Hwy 210 (Carlton County) In Jay Cooke State Park Contractor: Estimate — \$4 million Original bid — \$	Let: 4/26/13 Construction: June to Nov. 2013	Tom Lund	New bridge and approaches due to 2012 flood Hwy 210 is closed in this area.
30	SP 8821–218 Hwy 2, Hwy 18 Hwy 210 Contractor: Estimate — \$600,000 Original bid — \$	Let: 5/17/13 Construction: Aug. to Nov. 2013	Gary Doup	Sign replacement Minimal traffic impacts, occasional shoulder closures
31	SP 8821–238 Hwy 2, 53, 61, 200, 210 Contractor: Estimate — \$845,000 Original bid — \$	Let: 6/7/13 Construction: Aug. to Nov. 2013	Brian Larson	District-wide centerline rumble strips Intermittent single-lane closures

32	SP 8821–241 Hwy 1, 2, 65, 73, 169 Contractor: Estimate — \$1,800,000	Let: 6/28/13 Construction: Aug. to Nov. 2013	Kevin Adolfs	District-wide culvert repair/replacement Daytime lane closures
33	SP 8821–242 Hwy 61, 169, 53, I-35 Contractor: Estimate — \$1,800,000	Let: 6/7/13 Construction: July to Sept. 2013	Kevin Adolfs	District-wide chip seal Daytime lane closures

Number of new projects: 23

Value of new 2013 highway projects: \$100,538,682

Total value of highway projects in Northeastern Minnesota: \$126,333,682

These new transportation investments will provide:

Information coming

A full partnership in the planning, identification, prioritization, expenditure and effectiveness measurement on the use of federal transportation funds in Northeast Minnesota.







District One Facts:

Miles of roadway: 1,561

Number of signals: 81

Transit systems: 4

Number of signs: 35,722

Airports: 20

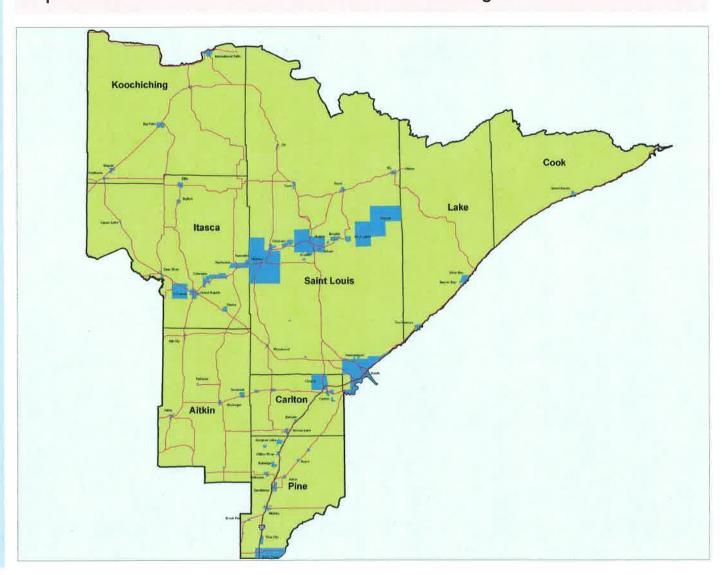
Number of class one rest areas: 9

Navigable river miles: 17

Population: 355,375

Area: 19,466 sq miles (24% of MN)

Border crossings: 2



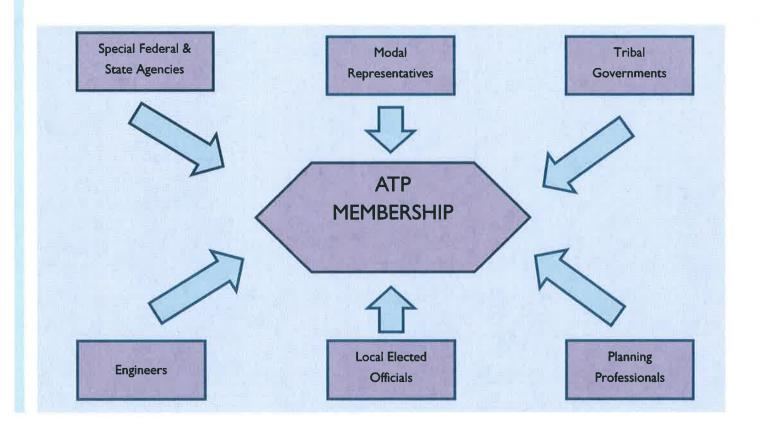
Role of the ATP

Recommend 4 year investment list of projects for Northeast Minnesota

Review and comment on the draft Statewide Transportation Improvement Program and the investment guidelines prepared by MnDOT

Provide management guidance for program administration throughout the year

Develop and/or recommend area program policy as necessary



ATP Membership

MnDOT (2)

Aitkin County (3)

Carlton County (3)

Cook County (3)

Itasca County (3)

Koochiching County (3)

Lake County (3)

Pine County (3)

St. Louis County (3)

Chisholm

Cloquet

Duluth

Grand Rapids

Hermantown

Hibbing

Duluth-Superior MIC (3)

Rural Transit

Small Urban Transit

Large Urban Transit

Bike/Trail Representative

Airport Representative

Ports Representative

Tribal Governments (4)

US Forest Service

Regional Rail Authority Representative

MnDNR

ARDC

Environmental Representative

ECRDC

ATP Steering Committee

County Representatives (8)

Cities over 5,000 Representatives (3)

Duluth Superior MIC Representative

City of Duluth Representative

MnDOT Representative

Transit Representative

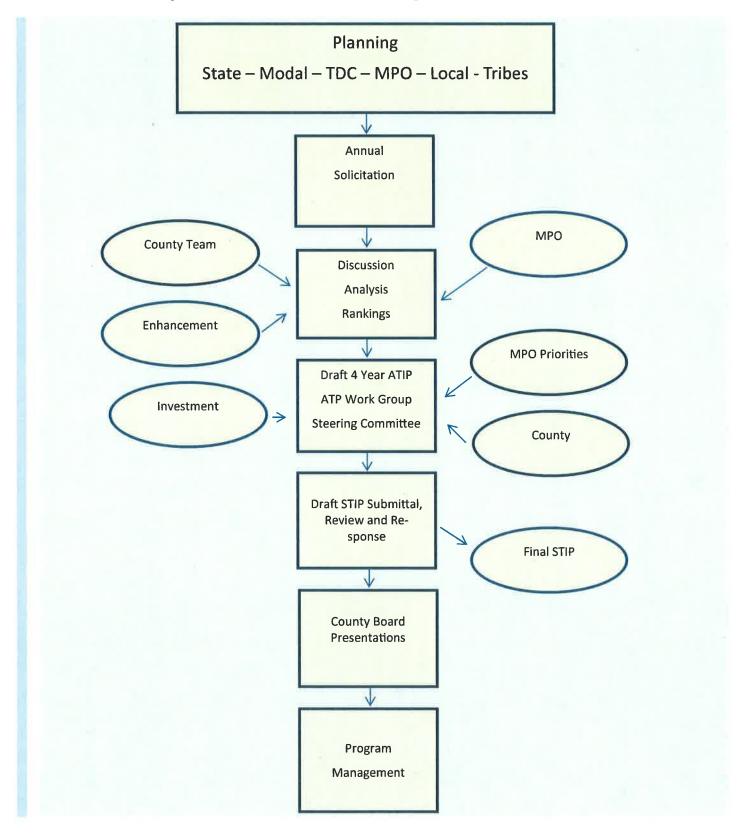
Modal Representative

Special Interests Representative

ATP Work Group

ARDC/MIC Staff (2)

MnDOT (3)



WWW.NEMNATP.ORG

Northeast Minnesota Area Transportation Partnership

Investment Guidelines

Federal and State Program	2017 Target
STP – Urban	\$0.0M
STP – Small Urban	\$2.1M
STP – Rural	\$2.9M
TAP – Statewide	\$0.4M
TAP – Urban	\$0.0M
TAP – Small Urban	\$0.2M
TAP – Rural	\$0.3M
CMAQ	\$0.0M
HSIP – ATP	\$1.3M
Sub-Total	\$7.2M
STP – Off-System Bridges	
TAP – Recreational Trails	
STP/SF – District C & Dest-Innov	
SP&R/164 SanctionsHSIP – Highway Rail Grade Xings	
NHPP – NHS (Chapter 152) Bridges	\$6.3M
NHPP/SF – Interstate Pavement	\$2.6M
NHPP/SF – NHS Pavements	\$14.3M
NHPP – NHS Performance	\$0.0M
SF – Other Statewide (CIMS,TED)	
Sub-Total	\$23.2M
HSIP – MnDOT (Goal)	\$1.2M
STP – Statewide	\$16.2M
State Funds (SF)	\$36.2M
Sub-Total	\$53.6M
Base Distribution Method	17.4%
ATP & District total	\$84.0M

3A Handout



Northeastern Minnesota Toward Zero Deaths

Mission:

To create a culture for which traffic fatalities and serious injuries are no longer acceptable through the integrated application of education, engineering, enforcement and emergency medical and trauma services. These efforts will be driven by data, best practices and research.

Values:

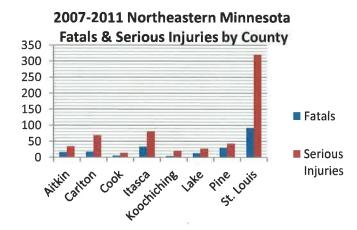
- Continuous improvements,
- Engage partners and
- Evidence-based approaches.



The Northeastern Minnesota Toward Zero Deaths (TZD) program began in 2010. The counties involved include: Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, Pine, St. Louis

The leading cause of deaths and severe injuries in Northeastern Minnesota include:

- * Alcohol,
- Distraction,
- ❖ Speed and
- Lack of Seatbelt use.



The leading type of crash resulting in deaths and severe injuries include:

- ❖ Run-off-Road
- **❖** Intersection-related

The Northeastern Minnesota TZD program is led by a steering committee comprised of the "4 Es:"

- Enforcement
- Engineering
- Education
- Emergency Medical and Trauma Services

Northeastern Minnesota TZD Leadership Contacts

Engineering

Duane Hill, PE MnDOT District Engineer 218-725-2704 duane.hill@state.mn.us

Enforcement

Captain Steve Stromback Minnesota State Patrol 218-723-4889 steve.stromback@state.mn.us

Enforcement

Captain Murray Herrboldt Minnesota State Patrol 218-748-2470 murray.herrboldt@state.mn.us

Education / EMS

Holly Kostrzewski, MPH Northern MN TZD Coordinator 218-725-2828 holly.kostrzewski@state.mn.us

www.minnesotatzd.org

Save the Date!

Northeast Minnesota Toward Zero Deaths Workshop

May 29, 2013 Inn on Lake Superior Duluth, MN

For more information contact:

Holly Kostrzewski Northern Region TZD coordinator Minnesota Department of Transportation 218-725-2828 Holly.Kostrzewski@state.mn.us

- Changing Driver Behavior
- Improving Roadway Safety
- Saving Lives



Sponsored By

- Northeast Minnesota Toward Zero Deaths program, including the DPS Office of Traffic Safety and MnDOT District 1
- MnDOT Office of Traffic, Safety and Technology

Hosted By

Center for Transportation Studies, University of Minnesota

Who Should Attend

Community law enforcement, engineers, educators, emergency medical services, local policymakers, and other traffic safety advocates.

Workshop Goals

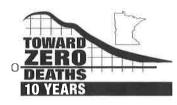
- Encourage traffic safety as a priority for policymakers
- Provide information on traffic safety issues in northeast Minnesota
- Provide a method to bring traffic safety programs into your community
- Spread successes of the Northeast Minnesota TZD program
- Network with other traffic safety advocates

Credit

 Professional Development Hours (PDHs) and Continuing Education Units (CEUs) will be available; POST credits are pending.

Admission and parking are free. Lunch is provided.

Registration materials will also be available at www.minnesotatzd.org/initiatives/regions/northeast/workshop/.



Registration information will be available this spring.





Minnesota Department of Human Services

March 4, 2013

Mr. J. Mark Wedel, Chair Aitkin County Board of Commissioners 515 6th Avenue SE Aitkin, MN 56431

Dear Commissioner Wedel:

It is my pleasure to commend you and your staff for perfect performance in meeting DHS Human Service financial reporting requirements for calendar year 2012. All key quarterly fiscal reports for programs your county participates in were submitted to our Financial Operations Division on or before the report deadlines and in perfect order. This effort required submission of 32 major reports covering the four calendar quarters of 2012. These reports are:

LCTS Cost Report (local collaborative)*
Income Maintenance Expense
MFIP Consolidated Fund
Social Service Fund
Client Statistics
Title IV-E
SEAGR
BRASS—Based Grant Fiscal Report

* If your county participates in a "local collaborative", submission of this report may require the collection of multiple local partner reports for consolidated submission to DHS.

I know this accomplishment requires planning, an efficient operation, and teamwork within your county Human Services Department. The result is timely revenue for your county and compliance with federal reporting for us at the State. Please congratulate your management and staff on this superb effort.

Sincerely,

Lucinda Jesson Commissioner

cc: Tom Burke, Aitkin County Director

Upcoming Library Legacy Programs February thru April 2013

Civil War Interactive Experience

- February 16—Sandstone Public Library—10:00 am
- February 16—Hinckley Public Library—2:00 pm
- February 26—Chisago Lakes Area Library—7:00 pm
- February 28—Rush City Public Library—6:30 pm

Mascot Mania Tour

- February 16—Little Critter—Hinckley Public Library—11:00 am
- February 23—Olivia—Mora Public Library—11:00 am
- March 9—Llama Llama—Princeton Area Library—11:00 am
- March 23—Max the Bunny—Aitkin Public Library—10:30 am
- April 3—Curious George—North Branch Area Library—10:30 am
- April 6—Clifford—McGregor Public Library—11:00 am
- April 10—Mouse—Sandstone Public Library—10:30 am
- April 17—Froggy—Rush City Pubic Library—4:00 pm
- April 18—Llama Llama—Milaca Community Library—10:00 am
- April 30—Clifford—Wyoming Area Library—6:30 pm

Recipe to Remember Scrapbooking Workshop

- February 21—Princeton Area Library 4:00 pm
- February 23—Pine City Public Library—10:00 am

Minnesota Comic Workshop

- March 23—Milaca Community Library—2:00 pm
- March 26—Cambridge Intermediate School—12:30 pm

Mandolin & Fiddle Player Peter Ostroushko

April 5—Sandstone Old School Center for the Arts—7:00 pm

Comedian C. Willi Myles

- April 12—McGregor Public Library—4:00 pm
- April 12—McGregor School Auditorium—7:00 pm

Irish Lumber Camp Songs

• April 13—Aitkin Public Library—1:00 pm

Tyler Fish, Author & Adventurer

March 19—Rush City Public Library—6:30 pm

Chad Lewis, Author presents "Mysterious Creatures"

March 14—Hinckley Public Library—7:00 pm











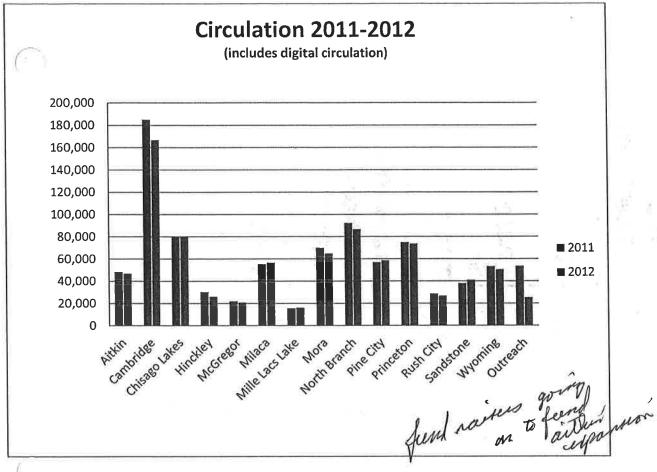


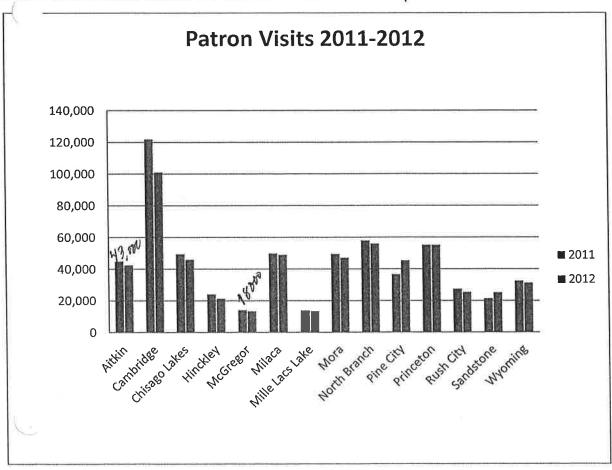


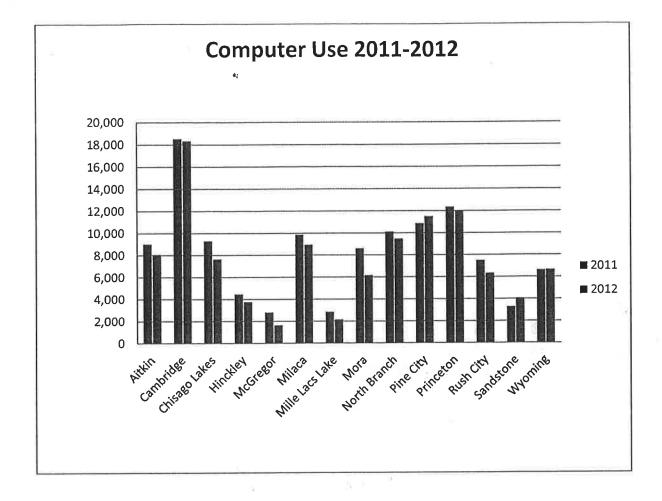












AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

March 6, 2013

Senator Carrie Ruud 100 Rev. Dr. Martin Luther King Jr. Blvd. State Office Building, Room 25 St. Paul, MN 55155-1206

Dear Senator Ruud:

At the February 26th County Board meeting the County Board approved the two attached resolutions. The first resolution, 022613-030 is in support of the Minnesota Accountable Government, Innovation and Collaboration (MAGIC) Act. Currently the proposed legislation is in the Office of the Revisor. The Association of Minnesota Counties (AMC) is working with Senator Schmit, Representative Anzelc, and the Governor's office to finalize details of the bill. The Aitkin County Board stands behind this legislation along with all 87 Counties and we ask for your support as the bill progresses this year.

The second resolution 022613-029 is in support of S.F. 387 and H.F. 413 which address PILT funding for northern Minnesota Forested Counties. PILT funding is vital to Aitkin County, the cities in Aitkin County and each of the school districts in Aitkin County.

Both resolutions summarize the proposed bills. The County Board respectfully requests your support of these bills. Copies of these letters/resolutions will be forwarded to Representative Dill and Senator Saxhaug to lend support to their proposed legislation. We look forward to working with you to achieve our priorities, and we remind you that these two items are part of the County's top five legislative priorities for 2013.

The County Board asks that when you vote, you consider their position on each of the pieces of legislation listed above. We know your time is limited so the Board summary comments will be short. If after reviewing the comments from Aitkin County Commissioners you have any questions please contact any of them or me. A complete contact list is attached.

The Board asks that you vote to approve each of the pieces of legislation listed above.

Thank you,

J. Mark Wedel, Chairman Aitkin County Board District 1: J. Mark Wedel - Chair

515 6th Ave SE Aitkin, MN 56431 Home: 218-927-6500

mark.wedel@co.aitkin.mn.us

Term: 2011-2014

District 2: Laurie Westerlund

30517 270th Lane Aitkin, MN 56431 Home: 320-684-2652

laurie.westerlund@co.aitkin.mn.us

Term: 2013-2016

District 3: Donald Niemi 32340 State Hwy 47

Aitkin, MN 56431 Home: 218-927-9947

don.niemi@co.aitkin.mn.us

Term: 2011-2014

District 4: Brian Napstad 51227 Long Point Place McGregor, MN 55760 Home: 218-426-3008

brian.napstad@co.aitkin.mn.us

Term: 2013-2016

District 5: Anne M. Marcotte-Vice Chair

P.O. Box 192 Hill City, MN 55748

Home: 218-256-0277

anne.marcotte@co.aitkin.mn.us

Term: 2011-2014

Patrick Wussow, County Administrator

217 2nd Street NW,

Room 130

Aitkin, MN 56431

patrick.wussow@co.aitkin.mn.us

218-927-7276

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

March 6, 2013

Representative Joe Radinovich 529 State Office Building 100 Rev. Dr. Martin Luther King Jr. Blvd. Saint Paul, Minnesota 55155

Dear Representative Radinovich:

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515 6th Ave SE Aitkin, MN 56431

Home: 218-927-6500

mark.wedel@co.aitkin.mn.us

Term: 2011-2014

District 2: Laurie Westerlund

30517 270th Lane Aitkin, MN 56431 Home: 320-684-2652

laurie.westerlund@co.aitkin.mn.us

Term: 2013-2016

District 3: Donald Niemi

32340 State Hwy 47

Aitkin, MN 56431 Home: 218-927-9947

don.niemi@co.aitkin.mn.us

Term: 2011-2014

District 4: Brian Napstad 51227 Long Point Place McGregor, MN 55760

Home: 218-426-3008

brian.napstad@co.aitkin.mn.us

Term: 2013-2016

District 5: Anne M. Marcotte-Vice Chair

P.O. Box 192

Hill City, MN 55748 Home: 218-256-0277

anne.marcotte@co.aitkin.mn.us

Term: 2011-2014

Patrick Wussow, County Administrator

217 2nd Street NW

Room 130

Aitkin, MN 56431

patrick.wussow@co.aitkin.mn.us

218-927-7276

Patrick Wussow

From: Sent: To:

Patrick Wussow Scott Turner

Cc: Subject:

Fw: Invitation - Pipeline Safety Program

Pat;

Do you know if all commissioners received this? Anyone attending?

---- Forwarded Message -----

From: Paradigm Liaison Services <pls rsvp@pdigm.com>

To: brian.napstad@co.aitkin.mn.us

Sent: Thursday, February 28, 2013 1:49 PM Subject: Invitation - Pipeline Safety Program





KZX6-M9GN

Click the WebCode button to register!

Or Call 1-877-477-1162

AITKIN COUNTY,

Do you know where the gas and liquid pipelines are located in your jurisdiction? Are you prepared to respond to a pipeline release?

In recent pipeline incidents, local emergency personnel did not know the location of the pipeline, the products that were being transported through the line or how to properly respond to the release. Although pipeline releases are rare, you need to be prepared - your community is depending on you.

<u>Local pipeline and gas distribution companies</u> are hosting a pipeline safety program that includes a meal and presentation. Critical emergency response planning information will be presented. The following objectives will be covered during the program:

- Pipeline Purpose & Reliability
- Safety Initiatives
 - o Pipeline Location
 - o R.O.W. Encroachment Prevention
 - Hazard Awareness & Prevention Methods
 - Pipeline Maintenance Activities

- Products, Hazards & Characteristics
- Leak Recognition & Response
- Defining High Consequence Areas
- Damage Prevention
- Animated Scenarios

Your attendance is important. You will be reminded of how to keep the community safe in regards to pipeline safety. Company representatives will be in attendance as a resource to discuss:

- Operator contact information
- Type(s) of pipeline systems (products) in your area
- Pipe location, size and operating pressure(s)
- Average emergency response time / response type

Programs are conducted in accordance with the Code of Federal Regulations (CFR) 192 parts 615 and 616, as well as 195 parts 402, 403 and 440

Date & Time	Location	Venue	
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- Pipeline Purpose & Reliability
- Safety Initiatives
 - o Pipeline Location
 - o R.O.W. Encroachment Prevention
 - Hazard Awareness & Prevention Methods
 - o Pipeline Maintenance Activities

- Products, Hazards & Characteristics
- Leak Recognition & Response
- Defining High Consequence Areas
- Damage Prevention
- Animated Scenarios

Mar 26 2013 6:00PM	Aitkin, MN	Moose Lodge
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Unable to attend this meeting? Please search for other <u>meetings</u> in your area. If you are unable to attend a meeting this year please <u>click here</u>.

*As a courtesy to our venue and caterer, please RSVP at least one week prior to the program.

*For more information please visit our website at: www.pdigm.com/liaison.html

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If you do not want to receive e-mail messages promoting Safety Awareness Training programs from Paradigm Liaison Services, LLC., please Click Here to Unsubscribe from future e-mail communications.

^{*}There is no cost to attend this meeting. The program and meal are provided by your local pipeline operators.

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse

217 Second Street N.W. Room 130

Aitkin, MN 56431 218-927-7276

Fax: 218-927-7374

TO:

Aitkin County Board of Commissioners

FROM:

Patrick Wussow, Aitkin County Administrator

RE:

MN Statutes 276A.01-09Taconite Tax Relief Area Fiscal Disparities

Act - Comments to Proposed Resolution

DATE:

March 11, 2013

At 4:00 on Thursday March 7th a meeting was held with County Commissioner Mark Wedel, County Auditor Kirk Peysar, Tim Catlin, and I to discuss the request to have the County Board adopt the proposed resolution Tim Catlin asked Kathy Brophy to create for the County's March 12 agenda.

Staff identified some perceived weaknesses in the proposed resolution and those already adopted by the City of Aitkin and Itasca County:

- 1. Specifically, the Statute, MN Statute 276A.01-.09 is not identified in the resolution. It has been pointed out that the request to eliminate only the Fiscal Disparities Act, but by not identifying the Statutes a mistake could be made resulting in unintended consequences.
- 2. Another concern was raised about the first whereas stating that the 1996 FDA did not have public hearings prior to approval. It would be typical that public hearings would have been held at the capital with the legislature, or maybe the line could be revised to state that local public hearings had not been held.
- 3. On the third whereas a correction needs to be noted that some or not all cities and townships will send approximately \$300,000.00 to the pool to be redistributed.
- 4. On the fourth whereas, again not all cities and town will be part of "sending tax dollars to the pool."

FINGLAW® FOR LEGAL PROFESSIONALS

Court of Appeals of Minnesota.

WALKER v. ITASCA COUNTY AUDITOR

Jeffrey T. WALKER, Individually and as Mayor of Cohasset, City of Cohasset and J.R. Properties, a Minnesota Partnership, Respondents, v. ITASCA COUNTY AUDITOR Robert Zuehlke; St. Louis County Auditor Gordy McFaul; Aitkin County Auditor Alice Dotzler; Cook County Auditor Carol Gresczyk; Lake County Auditor Steven McMahon; Crow Wing County Auditor Roy Luukkonen; and State of Minnesota, Appellants.

No. C9-00-1863.

-- April 10, 2001

Considered and decided by HARTEN, Presiding Judge, CRIPPEN, Judge, and HANSON, Judge.

Phillip R. Krass, Krass Monroe, P.A., Bloomington, MN, for respondents. Michael A. Hatch, Minnesota Attorney General, Bradford S. Delapena, Assistant Attorney General, James W. Neher, Assistant Attorney General, St. Paul, MN, for appellants.

OPINION

Taxpayers challenge the constitutionality of the Taconite Tax Relief Area Fiscal Disparities Act, Minn.Stat. §§ 276A.01-09 (2000), contending that it violates the uniformity clause of the Minnesota Constitution. Minn. Const. art. X, § 1. The district court found the act unconstitutional and the state and the affected counties appeal. We reverse.

FACTS

In 1941, the Minnesota Legislature established the taconite production tax, which was imposed in lieu of local property taxes. Minn.Stat. § 298.22 (1941). Under the initial

law, three-fourths of the revenue generated by the taconite production tax was redistributed among local taxing districts to replace preempted property tax revenues.

In 1969, the legislature created the Taconite Tax Relief Area ("TTRA"), consisting of all areas within a school district containing a municipality that had a particular valuation of unmined iron ore or a qualifying taconite facility. Minn.Stat. § 273.134 (2000). The resulting area covers all or part of Aitkin, Cook, Crow Wing, Itasca, Lake, and St. Louis counties. Under related statutory provisions, taconite production tax revenues are pooled and distributed among TTRA municipalities in a variety of forms, including property-tax subsidies, funding of public schools and community-development grants from the Iron Range Resources and Rehabilitation Board. See Minn.Stat. §§ 273.136, 298.22, .28, 471.58 (2000). This revenue sharing was designed to promote economic diversity in Minnesota's iron range. The funds collected and distributed under the taconite production tax are a major source of revenue to the governmental units in the TTRA, with annual proceeds approaching \$95 million in 1999.

In 1996, the Minnesota Legislature passed the Taconite Tax Relief Area Fiscal Disparities Act (the "Range Act"), as an extension of the regional revenue sharing scheme. See Minn.Stat. §§ 276A.01-.09 (2000) (codifying 1996 Minn. Laws ch. 471, art. 11). Under the Range Act, a municipality that is within the TTRA (and is thus a recipient of the shared taconite production tax) must contribute 40% of the revenues derived from the annual growth in its commercial-industrial property tax base to a regional pool. Every TTRA municipality then receives a distribution from the regional pool based largely upon its population. Municipalities experiencing no growth in property tax base make no contribution to the fund, but still receive a distribution; municipalities experiencing growth in property tax base may well contribute more to the pool than they receive in distributions. The effect is a redistribution of tax revenues throughout the region based upon the legislature's recognition that commercial-industrial growth throughout the TTRA has benefited from, and perhaps was produced by, the sharing of the taconite production tax revenues.

Respondents challenge the constitutionality of the Range Act, alleging that it violates the uniformity clause of the Minnesota Constitution (Minn. Const. art. X, § 1) because the burdens imposed on the taxpayers in some municipalities far outweigh the benefits received. The district court agreed, ordered that the implementation of the Range Act cease and stayed its order pending final resolution of this issue on appeal.

ISSUE

Did the district court err in holding that the Taconite Tax Relief Area Fiscal Disparities Act violates the uniformity clause of the Minnesota Constitution?

ANALYSIS

The review of a challenge to the constitutionality of a statute is a question of law and this court need not adhere to the district court's judgment. In re Blilie, 494 N.W.2d 877,

881 (Minn.1993). State statutes receive the benefit of a presumption of constitutionality, and the judicial power "to declare a statute unconstitutional should be exercised with extreme caution and only when absolutely necessary." In re Haggerty, 448 N.W.2d 363, 364 (Minn.1989) (citation omitted). In fact, the party seeking a ruling of unconstitutionality must prove "beyond a reasonable doubt a violation of some provision of the Minnesota Constitution." Id. Particular caution is necessary when ruling upon the constitutionality of an exercise of the legislature's power of taxation:

Since the members of a legislature necessarily enjoy a familiarity with local conditions which this Court cannot have, the presumption of constitutionality can be overcome only by the most explicit demonstration that a classification is a hostile and oppressive discrimination against particular persons and classes.

Village of Burnsville v. Onischuk, 301 Minn. 137, 151, 222 N.W.2d 523, 531 (1974) (quotation omitted) (quoting San Antonio Indep. Sch. Dist. v. Rodriguez, 411 U.S. 1, 41, 93 S.Ct. 1278, 1301, 36 L.Ed.2d 16 (1973)), appeal dismissed, 420 U.S. 916, 95 S.Ct. 1109, 43 L.Ed.2d 388 (1975) (emphasis added).

The uniformity clause of the Minnesota Constitution requires that taxes enacted by the legislature "shall be uniform upon the same class of subjects." Minn. Const. art. X, § 1. The court has required uniformity with respect to both the levy and distribution of taxes. City of Jackson v. Jackson County, 214 Minn. 244, 247, 7 N.W.2d 753, 755 (1943). Like the equal protection clause of the Fourteenth Amendment of the United States Constitution, the uniformity clause serves to "prohibit substantial inequality in the apportionment of taxes." Wagner v. Commissioner of Taxation, 258 Minn. 330, 334, 104 N.W.2d 26, 29 (1960). A tax statute is constitutional if it is based upon "a reasonable relationship to the apportionment of the taxes and the benefit to be derived by that segment of our population required to bear the financial burden." Visina v. Freeman, 252 Minn. 177, 195, 89 N.W.2d 635, 650 (Minn.1958).

The Minnesota Supreme Court has previously considered the constitutionality of a similar fiscal disparities taxation law in Onischuk. There, the supreme court reversed a judgment that the Metropolitan Fiscal Disparities Act of 1974 ("MFDA") was unconstitutional under the uniformity clause. 301 Minn. at 154, 222 N.W.2d at 533. The MFDA requires municipalities in the seven-county Twin Cities metropolitan area to contribute 40% of the increased revenue derived from growth in commercial-industrial property tax base to a regional pool from which all municipalities receive distributions based largely upon their population. Minn.Stat. § 473F.07 (2000). In finding the MFDA constitutional, the supreme court expanded the traditional concept of tax benefit:

The fiscal disparities statute is a bold and imaginative departure from conventional devices for balancing the benefits and burdens of taxation. * * * [W]e are quick to concede that a strict application of our prior decisions would require us to lean strongly for affirmance. * * Nevertheless, we are today dealing with a viable, fluid, transient society where traditional concepts of what confers a tax benefit may be too parochial.

Onischuk, 301 Minn. at 152, 222 N.W.2d at 532. The court recognized that

the benefits conferred on residents of a particular municipality because of the location of commercial-industrial development within its boundaries may far exceed the burdens imposed on that municipality by virtue of the additional cost of servicing and policing the particular development which has located there.

Id. at 153, 222 N.W.2d at 532. The court combined this recognition with its acceptance of the theory it found embedded in the MFDA:

[T]he residents of highly developed commercial-industrial areas * * * enjoy direct benefits from the existence of adjacent municipalities which provide open spaces, lakes, parks, golf courses, zoos, fairgrounds, low-density housing areas, churches, schools, and hospitals.

Id. In addition, the court placed significant emphasis on its need to defer to the legislature on matters of taxation, because the legislature "enjoys a familiarity with the problems of fiscal disparities which is denied the courts." Id. at 153, 222 N.W.2d at 533. The court concluded:

The presumption of constitutionality which the statute enjoys has not been overcome by an explicit demonstration that its application results in a "hostile and oppressive discrimination" against the residents of particular units of government.

Id. at 153-54, 222 N.W.2d at 533.

In finding the Range Act unconstitutional, the district court focused too narrowly upon the factual environment in Onischuk. The district court found that the Taconite Tax Relief Area does not possess the social and economic integration and interdependence that inspired the Onischuk court to extend the traditional concept of tax benefits for the metropolitan area. We find this factual distinction unavailing. While the municipalities within the TTRA do not derive similar benefits from social or economic integration, they do derive substantial benefits from the sharing of the taconite production tax, sufficient to justify the burdens imposed by the Range Act.

The district court ignored the benefits from the sharing of taconite production taxes, concluding they were derived from "unrelated legislation." This was erroneous.

First, the TTRA and the Range Act are not "unrelated." To the contrary, the legislative history makes it clear that the Range Act was a natural outgrowth of the TTRA-the sharing of the taconite production tax revenue finances the economic development efforts that help produce the growth in the commercial-industrial property tax base.

Second, the Minnesota Supreme Court has already held that the benefits of sharing the taconite production tax may be used to support an extension, in separate legislation, of revenue sharing within the TTRA. In United States Steel Corp. v. State of Minnesota, 324

N.W.2d 638, 645 (Minn.1982), the court held that the additional burdens imposed on the TTRA municipalities, by distributing local ad valorem property taxes to the Iron Range Resources and Rehabilitation Board under a 1974 legislative extension of the regional revenue sharing scheme (Minn.Stat. § 273.02 (2000)), were justified by the benefits received from sharing taconite production taxes. The court noted:

As all parties agree, the traditionally rigid standards governing what constitutes burdens and benefits have been considerably relaxed in this state and elsewhere in recent years.

Id. at 644. The court also quoted Onischuk in concluding that the distribution of property taxes was constitutional under the uniformity clause:

[W]e are of the opinion that it is no longer necessary for units of government providing tax revenue to receive the kind of tangible and specific benefits to which our court has previously referred in order to satisfy the uniformity clause.

Id. at 645 (quotation omitted).

There is no question that taxpayers in the TTRA have benefited greatly from taconite production tax revenues. The essential question before us is whether the benefits derived from an existing tax can be considered to justify the burdens of a new tax. We find ample guidance from the Onischuk and United States Steel Corp. decisions to conclude that they can and that the Range Act, as an outgrowth of taconite production tax revenue sharing, satisfies the uniformity clause of the Minnesota Constitution.

DECISION

The district court erred in holding that the Taconite Tax Relief Area Fiscal Disparities Act, Minn.Stat. §§ 276A.01-09 (2000), was unconstitutional under the uniformity clause of the Minnesota Constitution.

Reversed.

HANSON, Judge.

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STATEMENT OF BUSINESS TRANSACTED IN OFFICE OF COUNTY RECORDER, AITKIN COUNTY

• • • • • • • • • • • • • • • • • • • •	• • • • •		
DURING	February	2013	
DEPOSIT O	F CHECK OR CASH \$	24,244.75	TO AITKIN CO TREASURER

	0.00
	20.00
9.2030	Expired 8/1/10
	78.00
9.2031	9.00 ***
	6133.50
9,2036	4504450 ***
	4290.00
	4719.00
9 2027	595.00 ***
0.202	105.00
	339.00
9.2024	120.00 ***
9.2022	540.00 ***
	323.00
	400.00 ***
	2068.75
	24244.75
	9.2031 9.2036 9.2027

WORK DONE FOR VARIOUS COUNTY AGENCIES FOR WHICH NO PAYMENT WAS RECEIVED

TOTAL	46.00
OTHERS	40.00
AITKIN CO ROAD & BRIDGE	46.00
AITKIN COUNTY	0.00
	0.00
RECORDING HONORABLE DISCHARGES	0.00

AITKIN, MN	Feb. 28	, 2013	Disne In Lufter	ty CountyRecorder
ZIP	428	ervorensu o		U
YEAR TO DATE	933			
PREVIOUS YEA	R	\$22,346.30		weeks.

Aitkin County Board of Commissioners Board Meeting Attendance Record Date: March 12, 2013

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	Aitkin County	Aitkin	Company Representative – please
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Aitkin County Board of Commissioners Board Meeting Attendance Record Date: March 12, 20/3

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