

**MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
MONDAY, APRIL 18, 2011 - 6:30 P.M.
A G E N D A**

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the April 4, 2011, Regular Meeting (#1-6)
 - B. Receipts
 - C. Bills and Payroll
 - D. Communications (#33-47)
- III. Public Forum
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - B. City Administrator's Report
 - C. Director of Public Work's Report
 - D. Sheriff's Department Report
 - E. City Attorney's Report
 - F. City Engineer's Report
 - 1. Pay Request Number 1–Waste Water Treatment Plant (#7-9)
 - G. Fire Department
 - 1. Appoint First Responder (#10-11)
 - 2. Automatic Mutual Aid Agreement (#11-12)
 - H. Street Committee
 - 1. 2011 Crack Sealing Program (#13)
 - I. Building and Grounds Committee
 - 1. Building Use Policy (#14-24)
 - J. Liaison Reports
- V. Unfinished Business
- VI. New Business
 - A. Resolution Number 06-11 Ordering Feasibility Study (#25-26)
 - B. Resolution Number 07-11 Grant Application (#27-32)
- VII. Communications (#33-47)
- VIII. Announcements
 - A. Board of Review Meeting – April 26, 2011 – 6:30-7:30 p.m.
- IX. Adjourn

Page Number in Packet

MINUTES
MOUNTAIN IRON CITY COUNCIL
APRIL 4, 2011

Mayor Skalko called the City Council meeting to order at 6:32 p.m. with the following members present: Joe Prebeg, Jr., Tony Zupancich, Susan Tuomela, Ed Roskoski, and Mayor Gary Skalko. Also present were: Craig J. Wainio, City Administrator; Jill M. Anderson, Municipal Services Secretary; Don Kleinschmidt, Director of Public Works; John Backman, Sergeant; and Rod Flannigan, City Engineer.

It was moved by Skalko and seconded by Tuomela that the consent agenda be approved as follows:

1. Approve the minutes of the March 21, 2011, regular meeting with the following correction: Page 1, paragraph 1, remove "Joe Prebeg, Jr." from the present list.
2. That the communications be accepted, placed on file, and those requiring further action by the City Council be acted upon during their proper sequence on the agenda.
3. To acknowledge the receipts for the period March 16-31, 2011, totaling \$249,291.27, (a list is attached and made a part of these minutes).
4. To authorize the payments of the bills and payroll for the period March 16-31, 2011, totaling \$173,432.74, (a list is attached and made a part of these minutes).

The motion carried on the following roll call vote: Prebeg, yes; Zupancich, yes; Tuomela, yes; Roskoski, no; and Skalko, yes.

The Mayor commented on the following items:

- Maintenance Personnel. He said that the City has now hired two new employees to fill the maintenance positions.
- Property Taxes. He said that residents should have received their 2011 payable tax statements. He compared his own tax statements from previous years. He advised residents to contact St. Louis County Auditor's Office at 1-800-450-977, extension 2383, for information on their taxes.
- Summer Workers. Councilor Roskoski requested to add Summer Workers under new business on the agenda. The Mayor advised Councilor Roskoski that items should be added at the beginning of the meeting with the consent agenda, but he would allow it this time.

It was moved by Skalko and seconded by Zupancich to adopt Resolution Number 05-11, Douglas J. Johnson Economic Protection Trust Fund, (a copy is attached and made a part of these minutes), and forward a copy to the House of Representatives and the Senate. The motion carried.

It was moved by Prebeg and seconded by Tuomela to award the quotes for the Phase II Environmental Assessments to Braun Intertec for their quoted price of \$8,500 for the Mountain Iron Site and \$9,400 for the Parkville Site and award the quote for the laboratory work to Pace Analytical for their quoted price of \$588 per monitoring well and \$1,033 per boring. The motion carried.

The Administrator commented on the following:

- Housing Lots. He reminded residents that the City still have lots available for sale in Unity Second Addition and South Forest Grove Addition. Information on the lots is available on the City's web site, www.mtniron.com or by calling the City Hall.

It was moved by Zupancich and seconded by Tuomela to accept the recommendation of the Utility Advisory Board and authorize the Large Trash Pickup scheduled for May 31, 2011 through June 10, 2011, at a cost of \$10.00 per residential property. The motion carried.

It was moved by Prebeg and seconded by Zupancich to authorize a Volunteer Recognition Dinner to be set for Tuesday May 10, 2011, to be held at the Mountain Iron Community Center. It was moved by Roskoski to amend the motion to contact the City Attorney and seek a written legal opinion regarding the legality of holding a volunteer dinner and if he states that it is legal to conduct, that the volunteer dinner be planned. The amendment to the motion failed for lack of a second. The motion carried with Roskoski abstaining.

The Council reviewed the Sheriff's Department report. Councilor Roskoski questioned the Sergeant about the \$75 in parking fines. The Sheriff said that he would review the information and report back to the Council at the next meeting.

During the Liaison Reports, the following reports/questions were presented:

- Library Board. Councilor Tuomela reviewed the Library statistics for the month of March, 2011.
- Personnel Committee. Councilor Roskoski questioned when the Council was going to meet to discuss negotiations with AFSCME. Councilor Prebeg said there is nothing scheduled at this time, but a letter was sent to the Union to open negotiations.

It was moved by Roskoski and seconded by Skalko to advertise for summer employees through Hometown Focus, public television, and on the City's web site. The motion carried.

The Council reviewed the list of communications.

The Mayor announced that the Board of Review meeting would be held on Tuesday, April 26, 2011, from 6:30 p.m. to 7:30 p.m. He also thanked Councilor Tuomela for attending the class to get certified by Saint Louis County to allow the City to keep the meeting locally.

At 7:08 p.m., it was moved by Skalko and seconded by Zupancich that the meeting be adjourned. The motion carried.

Submitted by:



Jill M. Anderson, CMC
Municipal Services Secretary

www.mtniron.com

COMMUNICATIONS

1. Mediacom, a letter of information about adding more High Definition channels.
2. Mediacom, a letter of information about changes in their pricing and a change for Fox Reality to become National Geographic WILD.
3. Mountain Iron Planning and Zoning Commission, a notice of a public hearing to consider a request for a Conditional Use Permit from Len Roskoski.

Summary By Category And Distribution

Category	Distribution	Amount
UTILITY	UTILITY	208,793.04
FINES	PARKING VIOLATIONS	75.00
CAMPGROUND RECEIPTS	FEEES	1,370.00
MISCELLANEOUS	REIMBURSEMENTS	1,977.39
FINES	CRIMINAL	-
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	600.00
CHARGE FOR SERVICES	REFUSE REMOVAL-CHG FOR SERVICE	34.50
CD INTEREST	CD INTEREST 101	673.95
CD INTEREST	CD INTEREST 378	813.66
CD INTEREST	CD INTEREST 603	271.21
METER DEPOSITS	ELECTRIC	1,550.00
BUILDING RENTALS	COMMUNITY CENTER	900.00
LICENSES	ANIMAL	30.00
PERMITS	BUILDING	89.12
CHARGE FOR SERVICES	WATER-CHARGE FOR SERVICES	144.63
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	31,358.51
PERMITS	CONDITIONAL USE	150.00
CHARGE FOR SERVICES	SEWER-CHARGE FOR SERVICES	430.76
COPIES	COPIES	19.50
MISCELLANEOUS	ASSESSMENT SEARCHES	10.00
Summary Totals:		<u>249,291.27</u>

Check Issue Date(s): 04/01/2011 - 04/08/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
04/11	04/05/2011	140787	10064	A B E ENVIRONMENTAL SYSTEMS	101-20200	4,983.42
04/11	04/05/2011	140788	10030	AMERICAN PUBLIC POWER ASSN	604-20200	578.76
04/11	04/05/2011	140789	10006	ANDERSON AUTO CENTER	101-20200	245.87
04/11	04/05/2011	140790	5007	ASSURANT EMPLOYEE BENEFITS	101-20200	695.21
04/11	04/05/2011	140791	10031	AYERS DISTRIBUTING	101-20200	408.00
04/11	04/05/2011	140792	20010	BISS LOCK INC	101-20200	206.27
04/11	04/05/2011	140793	30017	CARQUEST (MOUNTAIN IRON)	101-20200	994.87
04/11	04/05/2011	140794	30032	COURT ADMIN.-CONCILIATION	604-20200	120.00
04/11	04/05/2011	140795	30072	CW TECHNOLOGY	301-20200	1,377.00
04/11	04/05/2011	140796	110005	DON KLEINSCHMIDT	602-20200	325.58
04/11	04/05/2011	140797	4001	EVELETH YOUTH HOCKEY ASSOC.	101-20200	200.00
04/11	04/05/2011	140798	60029	FERGUSON ENTERPRISES INC	602-20200	187.26
04/11	04/05/2011	140799	70035	G & K SERVICES	101-20200	53.79
04/11	04/05/2011	140800	70016	GOPHER STATE ONE CALL INC	604-20200	4.35
04/11	04/05/2011	140801	70028	GREATER MINNESOTA AGENCY INC	101-20200	192.00
04/11	04/05/2011	140802	80001	HILLYARD/HUTCHINSON	101-20200	822.10
04/11	04/05/2011	140803	80037	HOMETOWN FOCUS	101-20200	21.00
04/11	04/05/2011	140804	4002	JEFF BUFFETTA	101-20200	200.00
04/11	04/05/2011	140805	120014	LUNDGREN MOTORS	101-20200	752.83
04/11	04/05/2011	140806	130030	MACQUEEN EQUIPMENT	603-20200	154.11
04/11	04/05/2011	140807	130008	MINNESOTA MUNICIPAL UTILITIES	603-20200	2,581.25
04/11	04/05/2011	140808	130009	MINNESOTA POWER (ALLETE INC)	101-20200	653.40
04/11	04/05/2011	140809	140052	NORTHEAST SERVICE COOPERATIVE	101-20200	44,749.55
04/11	04/05/2011	140810	160043	POMP'S TIRE SERVICE INC	101-20200	14.00
04/11	04/05/2011	140811	160037	PRAXAIR	101-20200	26.46
04/11	04/05/2011	140812	180067	R & B SUPPLY CO INC	101-20200	195.95
04/11	04/05/2011	140813	4041	SARAH MARTURANO	101-20200	200.00
04/11	04/05/2011	140814	190045	SERVICE SOLUTIONS	101-20200	22.34
04/11	04/05/2011	140815	190024	ST LOUIS CO SHERIFF LITMAN	101-20200	39,728.06
04/11	04/05/2011	140816	5064	SUSAN TUOMELA	101-20200	30.60
04/11	04/05/2011	140817	200020	THE TRENTI LAW FIRM	101-20200	5,213.00
04/11	04/05/2011	140818	200028	TRI CITIES BIOSOLIDS DISPOSAL	602-20200	6,000.00
04/11	04/05/2011	140819	200010	TUCK N ROLL UPHOLSTERY	101-20200	450.00
04/11	04/05/2011	140820	210001	UNITED ELECTRIC COMPANY	604-20200	80.71
04/11	04/05/2011	140821	220025	VERIZON WIRELESS	601-20200	17.33
04/11	04/05/2011	140822	220014	VIKING INDUSTRIAL NORTH	604-20200	1,397.12
04/11	04/05/2011	140823	240001	XEROX CORPORATION	101-20200	671.27
04/11	04/05/2011	140824	260005	ZEP MANUFACTURING COMPANY	101-20200	397.52

Totals:

114,950.98

Payroll-PP Ending 4/1/2011	58,468.18
Electronic Trans. 4/7/11 State Surch	13.58
TOTAL EXPENDITURES	<u>\$173,432.74</u>



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE: 218-748-7570 • FAX: 218-748-7573 • www.mtniron.com
8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

RESOLUTION NUMBER 05-11

DOUGLAS J. JOHNSON ECONOMIC PROTECTION TRUST FUND

WHEREAS, the Douglas J. Johnson Economic Protection Trust Fund was created to maximize and strengthen Minnesota's economy, and

WHEREAS, the economic future of Northeastern Minnesota and all of Minnesota depends on the Douglas J. Johnson Economic Protection Trust Fund for economic development in Northeast Minnesota.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, that the City of Mountain Iron implores that the State of Minnesota not use the Douglas J. Johnson Economic Protection Trust Fund to solve the State of Minnesota's budget problems.

DULY ADOPTED BY THE CITY COUNCIL THIS 4TH DAY OF APRIL, 2011.

ATTEST:



City Administrator



Mayor Gary Skalko



CIVIL AND ENVIRONMENTAL ENGINEERING • PLANNING
MINING • LAND SURVEYING • LAND DATA BASE MAPPING

8878 Main Street • P.O. Box 261
Mt. Iron, MN 55768-0261
tel: 218-735-8914 • fax: 218-735-8923
email: info@bm-eng.com

April 13, 2011

Mr. Craig Wainio, City Administrator
City of Mountain Iron
8586 Enterprise Drive South
Mountain Iron, MN 55768

Re: City of Mountain Iron, MN
WWTF Aeration System Improvements
Project No. MI10-06

Dear Mr. Wainio:

Enclosed please find Pay Request No. 1 for the City of Mountain Iron Wastewater Treatment Facility Aeration System Improvements project in the amount of **\$136,213.81** for approval at your next scheduled City Council meeting. This payment is for materials and equipment delivered to the site and also for the Contractors cost of insurance and bonding. Please refer to the enclosed pay request breakdown for a summary of items completed.

Also enclosed is a summary of invoices for some of the materials delivered. Please keep these for your records. Please sign the applications for payment and return them to our office.

If you have any questions or need additional information please do not hesitate to contact me.

Sincerely,
Benchmark Engineering, Inc.


Alan J. Johnson, P.E.

Enclosures

pc: Mr. Mark Magney, Magney Construction

Application for Payment No. 1

To: The City of Mountain Iron

From: Magney Construction, Inc., 1401 Park Road, Chanhassen, MN 55317

Contract: _____

Project: Wastewater Treatment Facility - Aeration System Improvements

Owners Contract No. _____ Engineer's Project No. 002540-10001-0
Date of this Invoice: 3/31/2011
Invoice Work Period: 3/1/11 - 3/31/11

1) Original Contract Price:	<u>\$290,400.00</u>
2) Net Change by Change Order/Written Amendments (-/+)	<u>\$0.00</u>
3) Current Contract Price (1+2):	<u>\$290,400.00</u>
4) Total Completed and stored to date:	<u>\$143,382.96</u>
5) Retainage (per Agreement):	
<u>5.00%</u> of completed work	<u>\$939.50</u>
<u>5.00%</u> of stored material:	<u>\$6,229.65</u>
Total retainage:	<u>\$7,169.15</u>
6) Total Completed and stored to date less retainage (4-5)	<u>\$136,213.81</u>
7) Less Previous Application for Payments:	<u>\$0.00</u>
8) DUE THIS APPLICATION	<u>\$136,213.81</u>

Accompanying Documentation: _____

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all work, materials and equipment incorporated in said Work otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance (except such as are recovered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance by the Contract Documents and not defective.

Dated: 3/31/2011

By: Magney Construction, Inc. (Contractor)

State of MN County of Hennepin
Subscribed and sworn to before me this 7th day of April 2011

Notary Public Rina M. Dillard
My Commission Expires: Jan. 31, 2014



Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Owner: _____ Engineer: Alan J. Johnson
By: _____ By: Alan J. Johnson
Date: _____ Date: 4/13/11

Magney Construction, Inc.
 Schedule of Values: Wastewater Treatment Facility - Aeration System Improvements
 Application No. 1

Date of Application: 3/31/2011
 Work Complete Through: 3/31/2011

Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
01 10 00	Mobilization	\$12,133	\$0	\$7,886	\$0	\$7,886	65%	\$4,247
01 10 10	General Conditions	\$27,242	\$0	\$9,176	\$0	\$9,176	34%	\$18,066
02 41 19	Demolition	\$17,497	\$0	\$0	\$0	\$0	0%	\$17,497
03 30 10	Concrete	\$2,716	\$0	\$0	\$0	\$0	0%	\$2,716
05 50 00	Metals	\$5,633	\$0	\$0	\$4,600	\$4,600	82%	\$1,033
07 21 00	Insulation	\$7,020	\$0	\$0	\$0	\$0	0%	\$7,020
26 24 19	Electrical - Motor Controls	\$40,630	\$0	\$1,728	\$0	\$1,728	4%	\$38,902
40 05 10	Process Pipe and Valves	\$54,275	\$0	\$0	\$25,834	\$25,834	48%	\$28,442
40 95 13	Supervisory Control System	in Electrical	\$0	\$0	\$55,173	\$55,173	96%	\$2,131
44 10 11	Positive Displacement Blowers	\$57,304	\$0	\$0	\$32,883	\$32,883	86%	\$5,167
44 45 17	Fine & Coarse Bubble Diffusers	\$38,049	\$0	\$0	\$6,104	\$6,104	51%	\$5,896
40 95 13	Dissolved Oxygen Probe - Alternate No. 2	\$12,000	\$0	\$0	\$0	\$0		
	Unit Prices							
	Grit, Sand, & Debris Removal from Tanks	\$8,250	\$0	\$0	\$0	\$0	0%	\$8,250
	Additional Fittings for Flanged DIP	\$3,000	\$0	\$0	\$0	\$0	0%	\$3,000
	Restoration of Horizontal Concrete Surfaces	\$1,125	\$0	\$0	\$0	\$0	0%	\$1,125
	Restoration of Vertical Concrete Surfaces	\$1,125	\$0	\$0	\$0	\$0	0%	\$1,125
	Restoration of Overhead Horizontal Concrete Surfaces	\$900	\$0	\$0	\$0	\$0	0%	\$900
	Concrete Crack Repair	\$1,500	\$0	\$0	\$0	\$0	0%	\$1,500
	Totals	\$290,400	\$0	\$18,790	\$124,593	\$143,383	49%	\$147,017

COUNCIL LETTER 041811-IVG1

FIRE DEPARTMENT

APPOINT FIRST RESPONDER

DATE: April 14, 2011

FROM: Joe Buria
Fire Chief

Craig J. Wainio
City Administrator

After interviews the Fire Department recommends adding Mr. Danny Zupancich to the Mountain Iron EMS.



Mountain Iron Fire Department
P.O Box 533
Mountain Iron, MN 55768
218/748-2118

04/13/2011

Subject: Automatic Mutual Aide with Virginia Fire Department

Dear Councilors

As discussed at previous Mountain Iron Public Safety and Health meetings, the fire department recommends moving forward with automatic mutual aide with Virginia Fire Department. The members of Mountain Iron Fire/EMS and Virginia Fire/EMS believe that this agreement will be of great benefit to not only both departments, but to both communities as well. This agreement will enhance our response for both entities and ensure adequate numbers of personnel for fire related emergencies. With council approval we will move forward with signing this agreement for automatic mutual aide with trial period of one (1) year with ability to terminate at any time by the fire departments. Thank you for your consideration and continued support of our fire department.

Joe Buria – Chief – Mountain Iron Fire/EMS



City of Virginia and City of Mountain Iron Fire Department Automatic Aid Agreement

Automatic aid is assistance dispatched automatically by contractual agreement between the City of Mountain Iron and the City of Virginia and their respective fire departments. The Saint Louis County 911 Dispatch Center (Midway Dispatch) under the direction of the Sheriff shall automatically dispatch emergency response resources according to the following agreement:

Municipal Agreement

WHEREAS it is the intention of the Virginia Fire Department to assist the Mountain Iron Fire Department with fire related activities in the following events:

- Structure fires, fire alarms and motor vehicle crashes located within the geographical area of the City of Mountain Iron, Saint Louis County, and within the State of Minnesota.

WHEREAS it is the intention of the Mountain Iron Fire Department to assist the Virginia Fire Department with fire related activities in the following events:

- Structure fires, fire alarms and motor vehicle crashes located within the geographical area of the City of Virginia, Saint Louis County, and within the State of Minnesota.

NOW, THEREFORE, be it resolved that the Fire Chief's of the participating Municipalities agree to offer the above-described assistance when appropriate and possible.

Saint Louis County 911 Dispatch Center Agreement

NOW, THEREFORE be it resolved that the Saint Louis County 911 Dispatch Center (Midway) agrees to dispatch the above-described Automatic Aid as agreed upon in the above-described Municipal Agreement.

Mountain Iron Fire Chief, Joe Buria

Date

Virginia Fire Chief, Daniel L'Allier

Date

Saint Louis County Representative

Date

COUNCIL LETTER 0041811-IVH1
STREETS & ALLEYS COMMITTEE
CRACK SEALING

DATE: April 14, 2011
FROM: Streets & Alleys Committee
Don Kleinschmidt
Director of Public Works

The Streets & Alleys Committee is recommending City Council approval to call for quotes for crack sealing in the amount of \$25,000.00 more or less.

COUNCIL LETTER 0041811-IVI1
BUILDINGS & GROUNDS COMMITTEE
BUILDING USE POLICY

DATE: April 14, 2011
FROM: Buildings & Grounds Committee
Don Kleinschmidt
Director of Public Works

The Buildings & Grounds Committee is recommending approval of the Building Use Policy.

The major change to the policy is elimination of the building use waivers.

POLICY ESTABLISHING GUIDELINES, FEE SCHEDULES, SECURITY DEPOSIT & BUILDING USAGE PARAMETERS FOR CITY OF MOUNTAIN IRON BUILDING RENTALS

PURPOSE

The Mountain Iron Community Center, Senior Center, Library Club Room and Nichols Town Hall (hereafter referred to as City of Mountain Iron Rental Buildings) were all designed, constructed and financed principally with public funds to serve as multi-purpose activity centers for the general public. Since public funds made these facilities possible, the public is encouraged to use the City of Mountain Iron Rental Buildings. The following guidelines are official City Policy designed to promote orderly and harmonious use of these public facilities.

USAGE

The City of Mountain Iron Rental Buildings are available for public meeting purposes such as, but not limited to, municipally orientated groups such as City Councils, Boards/Commissions, Council sponsored committee/focus groups, or other municipal related activities. The City of Mountain Iron City Council, Boards and Commissions and City Events shall have first priority in using the City of Mountain Iron Rental Buildings. The City of Mountain Iron Rental Buildings will also be available for other public and private meetings across the broad spectrum of activities including but not inclusive of, religious, service, social, fraternal, or other non-profit organizations whose membership provide service and support to the community at large. Additionally, the City of Mountain Iron Rental Buildings will be available for private parties, weddings, reunions, chamber business meetings, and certain other non-profit enterprises like benefits, banquets, fund raisers, sports shows, home shows, festivals, dances, etc. providing these functions do not interfere with City business. NO rummage sales, flea markets, "used goods" or "second hand" sales are allowed at the Community Center, Senior Center or Library Club Room. NO sub-contracting of any rented area of the building or renting space FOR PROFIT is allowed. NO Wholesale or Retail Enterprises or "Home-Based" Businesses are allowed to use the buildings for profit. The Nichols Town Hall is the only City building allowing sales for personal profit. Applicants are allowed to use the Nichols Town Hall only once during the year for profit. Use of the lobby area in the Community Center must be approved by City Staff and should be limited so as not to disturb City operations during business hours. Inquire at the City Desk for specific details.

AVAILABILITY

The City of Mountain Iron Rental Buildings has been constructed to be multi use. Portions of, or the entire facility are generally available Sunday through Saturday from 7:30 a.m. until 12:00 a.m. Cleanup is allowed until 1:00 a.m. Reservations may be made up to 18 months in advance of the event.

RULES AND REGULATIONS

Any group or organization using the City of Mountain Iron Rental Buildings for the purpose of convening a public meeting must conform to the Open Meeting Law requirements pursuant to State of Minnesota Statutes. No group or individual(s) shall be discriminated against with respect to use of City of Mountain Iron Rental Buildings because of race, color, religion, sex, national origin, physical condition, or age; providing however, that in some cases residents of the City of Mountain Iron shall be given preference. The City of Mountain Iron reserves the right to refuse rental to any person or group. The facilities are available to any individual age 21 or older at the time of the application.

The City of Mountain Iron does not waive building use fees or deposits.

The City of Mountain Iron assumes no liability for loss, theft, damage, injury or illness incurred by the users of the City of Mountain Iron Rental Buildings. Pursuant to the Minnesota Clean Indoor Air Act smoking is prohibited in any City of Mountain Iron building.

While use of decorations is allowed, use of tacks, nails, or staples for hanging any decoration **IS NOT** allowed on any wall, painted or stained surface. **Masking tape is the only acceptable means of securing decorations.** Use of "scotch tape" is prohibited, along with other sticky substances that would mar or mark the painted or stained surfaces. Decorations of any kind are prohibited from hanging from the ceiling or lights of the facility.

RULES AND REGULATIONS continued

The **applicant is responsible** for providing access and scheduling to decorators, caterers, musicians, or delivery people into the building. During business hours the applicant must inform these people of the building use policy. The City of Mountain Iron accepts no liability for allowing access to the building during or after business hours.

Candles must be contained in a drip-proof holder so the wax will not be able to fall onto the tables, chairs or floor.

The use of ladders, lifts or aerial devices of any kind is prohibited inside or outside of City buildings.

The City of Mountain Iron will not be responsible for any losses/problems due to electrical or mechanical equipment failure or power outages that may occur when the building is rented.

Any individual, group or organization shall utilize City dispensed cleaning supplies and be responsible for cleanup and closure activities for the portions of the building rented.

Applicants of the Community Center are to provide a diagram and discuss set-up requirements with city building maintenance personnel at least one week prior to the event. The other City rental buildings have standard set-ups that can be changed by the applicant, but must be returned to the standard position after use. All applicants using the Community Center kitchen must meet with the City building maintenance person prior to kitchen use.

The City requires that City Staff perform the set-up and take down of tables and chairs at the Community Center. The City will return them to the storage area.

Outside entrance doors **MUST BE KEPT CLOSED** to ensure proper operation of the heating /cooling systems. Failure to do so will result in forfeiture of your deposit.

Interior doors to the rental rooms are required to remain closed by Fire Code.

Loading and unloading is to be done at the Main Entrance only. Caterer's may use the kitchen entrance but cannot leave the door open. The Sheriff's entrance is for law enforcement business only.

The kitchen area must be cleaned thoroughly. Hot water, soap and cloths are provided to do a proper job. Clean sinks, stoves, refrigerators and counter tops. Remove all personal items, including leftovers, before leaving. The City accepts no liability for anything remaining in the building beyond the rental period. Any leftover food items will be immediately disposed.

Sweeping of floor areas is required. Mopping is not required and will be done by the City Staff.

Wash, with the provided cleaning solution, all tables and clean all chairs. Soiled or damaged chairs will be cleaned or replaced at applicant's expense.

Wash and store all dishes, cups, silverware and cooking equipment in their appropriate place.

Remove all decorations and empty all trash receptacles in the black dumpsters located outside, near the building. All decorations, including contractor items such as band or music items, must be removed when you leave the building.

Driving on the patio, lawn or non-paved areas around the Community Center is strictly prohibited.

Use of building equipment (chairs, tables, etc.) off of City property is strictly prohibited. NO tables or chairs are allowed outside of the building such as on the patio.

Windows should remain closed at all times.

RULES AND REGULATIONS continued

Turn off all lights, ovens, stoves, etc. **MAKE SURE TO LOCK ALL THE BUILDING DOORS.**

The entrance key must be returned, within 24 hours following the event, to the City Desk located at the Mountain Iron City Hall during normal business hours, Monday – Friday from 7:30 a.m. to 4:00 p.m., or keys may be placed in the City's utility bill payment boxes that are located outside the building entrance.

Report, repair, replace and document any damage of facilities or loss of equipment within 24 hours of activity.

A complete inspection of the City of Mountain Iron Rental Buildings will be done the next day or as soon as possible after the event. Any missing property, damage or repairs required to the building will be deducted from the security deposit. Any damage over the security deposit will be billed to the applicant at the actual repair costs. Security deposits will be returned after the city council has approved the reimbursement usually within two or three weeks.

LIQUOR AND INSURANCE

Pursuant to Minnesota Liquor Law Statutes, use of alcoholic beverages is permitted under certain circumstances, providing all licenses, insurance and indemnification clauses are provided for by the Applicant. Those seeking the use of intoxicating beverages are required to contact the City Administrator's Office at least 30 calendar days prior to the event.

The City of Mountain Iron reserves the right to require the use of security, at the expense of the applicant, at any event where alcohol is served or at any event where it may be necessary or appropriate.

The holder of a retail on-sale intoxicating liquor license may dispense intoxicating liquor at a social affair held in the City buildings **ONLY** with the City Council's permission. The applicant and license holder must request permission at least 30 calendar days prior to the social affair scheduled and the license holder must provide the City office with a copy of their liquor license and appropriate insurance.

Proof of liability insurance covering the City Rental Building for the event will be required for any event serving alcoholic beverages. A current copy of the applicant's Homeowners Policy or Rental Policy must be provided to the City at least 14 calendar days prior to the event. A minimum amount of \$300,000.00 in general liability insurance is required.

The City of Mountain Iron reserves the right to require a City approved overseer; to oversee any event within a facility covered by this policy at the applicant's expense.

The Director of Public Works is authorized by the City Council to schedule and control the use of the City of Mountain Iron Rental Buildings in accordance with this policy, including rental charges to help defray operational expenses use at any time.

Governmental units or subdivisions, with approval, will not be charged rental fees during the normal work week and City business hours on Monday through Thursday. Evening and Weekend rental (Friday - Sunday) will be charged at the fee scheduled rate.

Any overtime required/incurred for a non-city related problem will be billed to the applicant at the actual cost.

The City of Mountain Iron shall deny the use of any of the facilities to any individual, group or organization that is not current with any payments due the City of Mountain Iron such as utility payments, taxes etc.

Failure to comply with guidelines or rules established by the City Council regulating the use of public facilities would be cause for the forfeiture of future use privileges.

APPLICATION PROCEDURE

1. Use of the City of Mountain Iron Rental Buildings will be handled on a first come, first serve basis with preference given to City of Mountain Iron government entities.
2. Reservations must be made 30 calendar days **prior** to the scheduled use with the exception of unforeseen circumstances (i.e. funerals etc.).
3. Informal reservations will be accepted by telephone or email. **In order to guarantee the reservation a completed building use application along with the paid fees and security deposit must be received within ONE WEEK of making the informal reservation.** If a written application and associated fees are not received the reservation will be cancelled.
4. Application forms may be obtained from the City Desk during normal office hours, Monday – Friday, 7:30 am to 4:00 pm, on the City’s website www.mtniron.com or by mail to the applicant upon request.
5. The Applicant signing the application and hold harmless agreement is responsible for the building fees, damage deposit and insurance requirements. Residents may apply for a non-resident relative but will be responsible for the building according to the policy. The Applicant must be a part of the event being held.
6. The purpose of the sponsoring organizations, group's or individual's program shall be accurately described when a reservation is requested. Any advertising or publicity shall clearly state the purpose of the program. Non-profit organizations must provide/show proof of their tax ID number on the application.
7. **The applicant must pick up the facilities entrance key by 2:00 p.m. on the day prior to their scheduled event or by 2:00 p.m. on Friday if it is a scheduled weekend event.**
9. The City of Mountain Iron Rental Building policy for the Community Center requires a three day rental for wedding receptions to allow for set-up the day before and clean-up the day after the event.
10. The Director of Public Works will advise the requesting applicant of the status of their application request as soon as possible by sending them an approved or denied copy of the application.

SECURITY DEPOSIT

A security deposit and rental fees are required at the time of application by the applicant. The security deposit shall be paid by the applicant and will be returned to the applicant. All fees must be paid during regular business hours at the City Desk at the City Hall in Mountain Iron, Minnesota. Building rental cancellation must be made 14 days in advance of the event or your security deposit and rental fees will be forfeited.

The security deposit will be held by the City and returned upon satisfactory inspection of the premises and inventory checklist. The security deposit covers any physical, structural, or other related damages to the facility itself; it does not cover theft of equipment (i.e. tables, chairs, kitchen inventory, memorabilia, etc.). The City of Mountain Iron does retain the right to file a claim beyond the security deposit in order to recover or replace these items. The security deposit will also be forfeited for failure to adhere to the building use parameters.

FEE SCHEDULES

SENIOR CENTER	Resident No- Kitchen	Resident Kitchen	Non- Resident No- Kitchen	Non- Resident Kitchen	Security Deposit
Individuals/Groups	\$25.00	\$50.00	\$50.00	\$100.00	\$100.00
Non-Profit Organizations or Fundraiser	\$25.00	\$50.00	\$50.00	\$100.00	\$100.00
For-Profit Businesses	\$50.00	\$100.00	\$100.00	\$200.00	\$100.00
NICHOLS TOWN HALL	N/A	Resident Kitchen	N/A	Non- Resident Kitchen	Security Deposit
Individuals/Groups Non-revenue Generating	N/A	\$25.00	N/A	\$ 70.00	\$100.00
Individual/Group Revenue Generating	N/A	\$70.00	N/A	\$120.00	\$100.00
Non-Profit Organizations or Fundraiser	N/A	\$40.00	N/A	\$ 70.00	\$100.00
For-Profit Businesses	N/A	\$70.00	N/A	\$120.00	\$100.00
COMMUNITY CENTER WACOOTAH <u>or</u> IROQUOIS ROOM	Resident No- Kitchen	Resident Kitchen	Non- Resident No- Kitchen	Non- Resident Kitchen	Security Deposit
Individuals/Groups	\$25.00	\$50.00	\$50.00	\$100.00	\$200.00
Non-Profit Organizations or Fundraiser	\$25.00	\$50.00	\$50.00	\$100.00	\$200.00
For-Profit Businesses	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
COMMUNITY CENTER WACOOTAH & IROQUOIS (BOTH ROOMS)	Resident No- Kitchen	Resident Kitchen	Non- Resident No- Kitchen	Non- Resident Kitchen	Security Deposit
Individuals/Groups	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
Non-Profit Organizations or Fundraiser	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
For-Profit Businesses	\$150.00	\$250.00	\$250.00	\$300.00	\$200.00
COMMUNITY CENTER MOUNTAIN IRON ROOM (Council Chambers)	Resident	N/A	Non- Resident	N/A	Security Deposit
Individuals/Groups	\$25.00	N/A	\$50.00	N/A	\$200.00
Non-Profit Organizations or Fundraiser	\$25.00	N/A	\$50.00	N/A	\$200.00
For-Profit Businesses	\$50.00	N/A	\$100.00	N/A	\$200.00
LIBRARY CLUB ROOM	Resident	N/A	Non- Resident	N/A	Security Deposit
Individuals/Groups	\$10.00	N/A	\$25.00	N/A	\$100.00
Non-Profit Organizations or Fundraiser	\$10.00	N/A	\$25.00	N/A	\$100.00
For-Profit Businesses	\$25.00	N/A	\$50.00	N/A	\$100.00

APPLICATION

*Applicant or Organizations desiring to use the City of Mountain Rental Building facilities must complete an application and submit it to the City Desk along with the security deposit and fees. **This application shall be submitted at least 30 days prior to the date for which reservation is requested with the exception of unforeseen circumstances.** Those seeking the use of intoxicating beverages are required to contact the City Office, without exception, 30 calendar days prior to the event. The Director of Public Works will advise the requesting applicant of the status of their application request as soon as possible.*

Name of Applicant: (Applicant is responsible for building use)							
Contact Person: (if different than applicant:)							
Mailing Address: City/St/Zip:							
Phone Number(s); Home, Work, and/or Cell							
Resident of Mountain Iron (Circle One :)	Yes No						
Facility Requested: (Circle One)	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Community Center</td> <td style="width: 50%;">Library Club Room</td> </tr> <tr> <td>Nichols Town Hall</td> <td>Senior Center</td> </tr> </table>	Community Center	Library Club Room	Nichols Town Hall	Senior Center		
Community Center	Library Club Room						
Nichols Town Hall	Senior Center						
Community Center Room Requested: (Circle One)	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Wacootah Room</td> <td style="width: 50%;">Iroquois Room</td> </tr> <tr> <td colspan="2" style="text-align: center;">Both Wacootah & Iroquois Rooms</td> </tr> <tr> <td colspan="2" style="text-align: center;">Mountain Iron Room (Council Chambers)</td> </tr> </table>	Wacootah Room	Iroquois Room	Both Wacootah & Iroquois Rooms		Mountain Iron Room (Council Chambers)	
Wacootah Room	Iroquois Room						
Both Wacootah & Iroquois Rooms							
Mountain Iron Room (Council Chambers)							
Kitchen Use: (Circle One)	Yes No						
Type of Event: (Be Specific)							
Day(s) & Date(s) of Use:							
Hours of Use: Be specific. Each day. (allow for set-up & cleanup)							
Deposit Amount & Fees:	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Deposit:</td> <td style="width: 33%;">Fee(s):</td> <td style="width: 33%;">Date Paid:</td> </tr> </table>	Deposit:	Fee(s):	Date Paid:			
Deposit:	Fee(s):	Date Paid:					

APPLICATION – PAGE 2

Estimate Number In Attendance: (Max. Cap. is 350 people)							
Number of tables/chairs needed: (Community Center Only)	<table border="0"> <tr> <td>Rectangle Tables</td> <td>Round Tables</td> <td># of Chairs</td> </tr> </table>	Rectangle Tables	Round Tables	# of Chairs			
Rectangle Tables	Round Tables	# of Chairs					
For Community Center Use Only:	Complete attached diagram and return ASAP						
Name of Caterer:							
Provide License:							
Name of Professional Decorator:							
For Wedding Rentals Only	Names of Bride and Groom after marriage:						
Name of Music Provider							
Will Intoxicating Beverages Be Used?	<table border="0"> <tr> <td>YES</td> <td>NO</td> <td>SERVING or SELLING</td> </tr> <tr> <td>(Circle One)</td> <td></td> <td>(Circle One)</td> </tr> </table>	YES	NO	SERVING or SELLING	(Circle One)		(Circle One)
YES	NO	SERVING or SELLING					
(Circle One)		(Circle One)					
Proof of Applicants Liability Insurance: (If serving alcohol)	Attach Copy of Homeowner's Policy						
Name of Business Providing Alcohol:							
Proof of Liquor License of Alcohol Provider:	Attach Copy						
City Council Approval of Selling Liquor by Alcohol Provider:	Date:						

HOLD HARMLESS AGREEMENT FOR CITY BUILDING USAGE

I, (the "Applicant") _____, understand and acknowledge the risks and hazards associated with using the City of Mountain Iron Rental Buildings (the "Facilities"). The Applicant hereby assumes any and all risks and hazards associated therewith.

The Applicant shall defend, indemnify and hold harmless the City and its officials, employees, and agents from any liabilities, judgments, losses, costs or charges (including attorneys' fees) incurred by the City or any of its officials, employees or agents as a result of any claim, demand, action or suit relating to any bodily injury (including death), loss or property damage caused by, arising out of, related to or associated with the use of the Facilities by the Applicant or by the Applicant's guest or invitees, except to the extent caused in whole or in part by the sole negligence, gross negligence or willful, wanton or intentional misconduct of the City or its officers, employees or agents.

The Applicant agrees to pay the City for any physical damage to the Facilities or its contents during the event. The Applicant also agrees to replace or pay the cost of replacement for any missing items.

Applicant Signature	
Signed Date	
Approved by the Director of Public Works	
Approval Date	
Confirmation Sent By & Date Mailed	
Deposit Refund Check No. & Date Mailed	

Please return this form to:
City of Mountain Iron
8586 Enterprise Drive South
Mountain Iron MN 55768

City Hall (218-748-7570 FAX (218)748-7573
Email: dkleinschmidt@ci.mountain-iron.mn.us
Visit our web site at
www.mtniron.com

The City of Mountain Iron Community Center Kitchen Use Policy

**ST. LOUIS COUNTY DEPARTMENT OF HEALTH
REGULATIONS FOR MOUNTAIN IRON COMMUNITY CENTER
KITCHEN USE**

1. Food served out of the community center kitchen must be **completely prepared** in the kitchen.
2. Only a **licensed caterer(s)** is allowed to serve food out of the kitchen that has been prepared off site.
3. The general public **may not** bring in prepared food and serve it out of the kitchen.
4. The general public **may** bring in prepared food and serve it in the Wacootah or Iroquois rooms; however, this food cannot be stored or served in the kitchen service area.
5. Off-site prepared food (i.e. casseroles, Jell-O salads, vegetable salads, etc.) cannot be brought into the kitchen area, stored in the refrigerator, or heated using the ovens. Cutting/serving bars, cake or desserts not prepared in the kitchen **is not allowed** in the kitchen. Mixing of beverages (i.e. punch) is not allowed; however, pop may be stored in the refrigerator.
6. When using the services of a licensed caterer, the City of Mountain Iron shall be provided with a copy of the St. Louis County Department of Health or State of Minnesota food handling permit.
7. The City of Mountain Iron will not be liable for any health related problems due to food served in this facility.

I hereby acknowledge the above restrictions.

Signature of Applicant & Date Signed

**SYNOPSIS OF RULES TO REMEMBER
WHEN RENTING THE COMMUNITY CENTER BUILDING:**

1. THE APPLICANT IS ULTIMATELY RESPONSIBILITY FOR ANY DAMAGES INCURRED WHILE USING THIS FACILITY.
2. MAKE SURE ALL EXTERIOR DOORS IN THE BUILDING ARE LOCKED WHEN LEAVING.
3. WIPE OFF THE TABLES USING THE DISINFECTANT SPRAY PROVIDED.
4. MAKE SURE ALL LIGHTS IN ALL OF THE ROOMS ARE TURNED OFF.
5. MAKE SURE THE STOVES & OVENS IN THE KITCHEN ARE SHUT OFF.
6. THROW OUT ALL YOUR GARBAGE INTO THE LARGE BLACK CANISTERS OUTSIDE.
7. SWEEP THE FLOOR. MOPPING NOT REQUIRED.
8. NO TABLES OR CHAIRS ARE ALLOWED OUTSIDE THE BUILDING.
9. DO NOT "PROP" OPEN ANY **DOORS**. THIS IMPACTS THE EFFICIENCY OF THE HEATING AND VENTILATION SYSTEMS.
10. ONLY MASKING TAPE IS ALLOWED ON WALLS AND FLOORS. NO SCOTCH OR DUCT TAPE IS ALLOWED. NO "HANGERS" OF ANY KIND ARE ALLOWED.
11. NO DECORATIONS MAY BE HUNG OR ATTACHED TO THE CEILING.
12. NO LADDERS, LIFTS OR AERIAL DEVICES OF ANY KIND ARE ALLOWED.
13. DO NOT DRAG TABLES OR CHAIRS ACROSS THE FLOOR. LIFT THEM UP IF YOU NEED TO MOVE THEM.
14. DAMAGES WILL RESULT IN A REDUCTION OR **FORFEITURE OF YOUR DEPOSIT**.
15. NO FOOD MAY BE SERVED OUT OF THE KITCHEN SERVICE AREA UNLESS IT WAS PREPARED IN THE KITCHEN. NO FOOD MAY BE STORED IN THE KITCHEN/REFRIGERATOR UNLESS IT WAS PREPARED IN THE KITCHEN.
16. IF DISHES ARE BROKEN, PLEASE LEAVE ON THE COUNTER SO WE MAY REORDER THE NECESSARY REPLACEMENTS.
17. PLEASE READ THE ORIGINAL POLICY FOR ADDITIONAL DETAILS.
18. LOADING AND UNLOADING OF SUPPLIES AND/OR EQUIPMENT MUST BE DONE AT THE FRONT ENTRANCE ONLY. DO NOT BLOCK THE ENTRANCE. PLEASE DO NOT USE THE SHERIFF'S ENTRANCE; THIS ENTRANCE IS FOR LAW ENFORCEMENT PURPOSES ONLY. DURING BUSINESS HOURS, PLEASE USE THE WACOOTAH ROOM ENTRANCE IF USING BOTH ROOMS.
19. KEEP NOISE TO A MINIMUM WHEN THE CITY OFFICES ARE OPEN. KEEP THE COMMONS AREA CLEAR.

**COUNCIL LETTER 0041811-VIA
STREETS & ALLEYS COMMITTEE
RESOLUTION NUMBER 06-11**

DATE: April 14, 2011
FROM: Streets & Alleys Committee
Don Kleinschmidt
Director of Public Works

Resolution Number 06-11 Authorizing Report, directs Benchmark Engineering to prepare a feasibility report for the overlay of Bluebell Avenue and Daffodil Avenue between Unity Drive and Marigold Street. The 2011 Capital Improvement Budget contains \$100,000 for street maintenance. Upon completion of the report a public hearing will be conducted. It is recommended by the Street and Alley Committee that Resolution Number 06-11 be adopted as presented.



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE: 218-748-7570 ▪ FAX: 218-748-7573 ▪ www.mtniron.com
8586 ENTERPRISE DRIVE SOUTH ▪ MOUNTAIN IRON, MN ▪ 55768-8260

RESOLUTION NUMBER 06-11

ORDERING PREPARATION OF REPORT ON IMPROVEMENT

WHEREAS, it is proposed to improve Bluebell Avenue and Daffodil Avenue between the centerline of Unity Drive and the centerline of Marigold Street by reconstruction or overlayment and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA:

That the proposed improvement be referred to Benchmark Engineering for study and that that person is instructed to report to the City Council with all convenient speed advising the City Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

DULY ADOPTED BY THE CITY COUNCIL THIS 18th DAY OF APRIL, 2011.

ATTEST:

Mayor Gary Skalko

City Administrator

COUNCIL LETTER 041811-VIB

ADMINISTRATION

RESOLUTION NUMBER 07-11

DATE: April 14, 2011

FROM: Craig J. Wainio
City Administrator

Resolution Number 07-11 authorizes the submission of a grant application to the Minnesota Department of Employment and Economic Development in the amount of \$500,000. Of this amount \$250,000 will be used for curb, gutter and paving of the street in the Energy Park. The remaining balance will be used to purchase equipment for Silicon Energy, which then will be leased by Silicon Energy. This grant application does not allocate and additional City or EDA funds, only leverages the investments already being made in the park. EDA's are not eligible to apply for the grant only Cities.

It is recommended that the City Council adopt Resolution Number 07-11 as presented.



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE: 218-748-7570 • FAX: 218-748-7573 • www.mtniron.com
8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

RESOLUTION NUMBER 07-11

BUSINESS DEVELOPMENT INFRASTRUCTURE APPLICATION

BE IT RESOLVED that City of Mountain Iron act as the legal sponsor for project(s) contained in the Business Development Infrastructure Application to be submitted on April 18, 2011 and that Mayor and City Administrator are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Mountain Iron.

BE IT FURTHER RESOLVED that the City of Mountain Iron has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds, adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Mountain Iron has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Mountain Iron, may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Mountain Iron, will meet the 50% match as required by the agreement.

BE IT FURTHER RESOLVED that the City of Mountain Iron will the repay the grant if milestones are not realized by the completion date identified in the Application.

BE IT FURTHER RESOLVED that the City of Mountain Iron certifies that it will comply with all applicable laws, regulations, and rules of the Business Development Infrastructure Application.

NOW, THEREFORE BE IT RESOLVED that Mayor and City Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

DULY ADOPTED BY THE CITY COUNCIL THIS 18TH DAY OF APRIL, 2011.

ATTEST:

Mayor Gary Skalko

City Administrator

Business Development Public Infrastructure Application Cover Sheet

The Cover Sheet must be completed by all applicants requesting financial assistance.

Project Name: Renewable and Sustainable Energy Park/Silicon Energy

House District: 5A
Congressional District: 8

Applicant: City of Mountain Iron
Project Contact Person: Craig J. Wainio
Address: 8586 Enterprise Drive South
City: Mountain Iron
Phone: 218-748-7570
E-Mail Address: cwainio@ci.mountain-iron.mn.us

MN Zip: 55768
Fax: 218-748-7573

Minnesota Tax Identification Number: 8024112
Federal Tax Identification Number: 41-6005398

Name of responsible entity who is responsible for submission of payment request forms to DEED (Complete only if different from above)

Mailing Address: _____

Contact Person: _____
Person Completing Application
or Project Director: _____
Telephone Number: _____
Email: _____

Check all of the activities listed below that relate to your Project

- X New Industrial Park Development
Business Expansion
- X Innovative BDPI Project-as defined in Program Concept

BUSINESS DEVELOPMENT PUBLIC INFRASTRUCTURE (BDPI) APPLICATION

PROJECT SUMMARY

The project being presented here is two-fold. The City of Mountain Iron is requesting assistance to provide public infrastructure – curb, gutter and paving within its new Renewable and Sustainable Energy Park. The paving of the street is vital for the development of the park and essential to keep dust down for its soon to be first tenant, Silicon Energy.

Secondly, this project includes the purchase of equipment for Silicon Energy as defined in the attached list of equipment. The equipment will be owned by the City of Mountain Iron and be leased to Silicon Energy. Silicon Energy is a company that is going to produce a new type of solar panel. Silicon Energy will be adding approximately 20 sustainable jobs to the area with hopes of future expansion. Fifteen front line workers will be paid between \$13 to \$15 per hour plus benefits. Five management and engineering positions will be within the \$20 to \$25 per hour range plus benefits. Enclosed, please find supporting information concerning Silicon Energy. Silicon Energy will be using proprietary technology to manufacture a solar panel that is superior to any other solar panels on the market.

Overall, the total investment of all involved to date including State Bonding, Iron Range Resources, Silicon Energy and the City of Mountain Iron has exceeded \$5.1 million. The EDA is requesting to use this investment as a match to the funding being requested here.

No permits are required for the projects outlined here.

The Engineering documents for the paving of the road are approximately 50% completed. Construction would commence within two months of the notice of award and be completed within six months.

Currently, the site is owned by the City of Mountain Iron.

Attached, please find a letter from the Saint Louis County Assessor identifying the increase in tax base for the Silicon Energy facility.

INDUSTRIAL PARK

Currently, there is vacant land within the existing industrial park, but that land can not be developed due to the fact the land was a former city dump. Mountain Iron is performing a phase II investigation of this site at this time.

Mountain Iron's new Renewable and Sustainable Energy Park already has a tenant, Silicon Energy, committed. The Mountain Iron EDA is currently constructing a building to be leased to Silicon Energy in which they are scheduled to occupy in mid-2011.

Enclosed, please find a Zoning map showing that the area developed is zoned accordingly.

PROJECT FINANCIAL INFORMATION

Project Activities	DEED	State of MN	IRR	City	Total
Sanitary Sewer		\$250,000		\$100,000	\$350,000
Water		\$250,000		\$100,000	\$350,000
Streets	\$250,000				\$250,000
Site Preparation			\$300,000	\$50,000	\$350,000
Total Costs	\$250,000	\$500,000	\$300,000	\$250,000	\$1,300,000

Previously, approximately \$1,000,000 on the development of the renewable and sustainable energy park, including \$500,000 in State Bonding appropriation, \$300,000 from Iron Range Resources and \$250,000 from local sources. For the paving project, the City of Mountain is requesting \$250,000 in DEED BDPI funding. The leveraged funds have been committed, evidence is enclosed.

Project Activities	DEED	IRR/EDA	Silicon Energy	Total
Building Construction		\$3,350,000		\$3,350,000
Equipment	\$250,000	\$250,000	\$1,500,000	\$2,000,000
Project Total	\$250,000	\$3,600,000	\$1,500,000	\$5,350,000

Currently, the EDA is constructing the 25,000 square foot building through a loan from Iron Range resources in the amount of \$3.6 million. The building will then be leased to Silicon Energy for their manufacturing operations. In addition Silicon Energy is also investing in the project in that amount of \$1.5 million. The City of Mountain Iron is requesting funding from the DEED BDPI in the amount of \$250,000 to cover the costs of some of the equipment that will be located in the building. On the attached list of equipment we are propose that DEED fund the following items: Air Compressor and Ancillary Equipment, Lift Tables, Glass Washer and Encapsulant Cutting Table

TIMETABLE

Street Construction

Activity	Start	Finish
Initial Engineering	Completed	Completed
Easements Acquired	Completed	Completed
Resolution Approved	Completed	Completed
Declaration for Public Property	Completed	Completed
Permits Acquired	Completed	Completed
Project Specifications	5/11	5/11
Out for Bid	6/11	6/11
Bid Close	6/11	6/11
Award Contract	7/11	7/11
Project Construction	7/11	10/11

Building Construction

Activity	Start	Finish
Initial Engineering	Completed	Completed
Easements Acquired	Completed	Completed
Resolution Approved	Completed	Completed
Permits Acquired	Completed	Completed
Project Specifications	Completed	Completed
Out for Bid	Completed	Completed
Bid Close	Completed	Completed
Award Contract	Completed	Completed
Project Construction	9/10	5/11
Equipment Purchase	5/11	6/11

COMMUNICATIONS

APRIL 18, 2011

1. U. S. Army Corps of Engineers, a public notice for U. S. Steel Corporation to discharge fill material into approximately 75.8 acres of wetlands in Mountain Iron.



US Army Corps
of Engineers
St Paul District

Public Notice

ISSUED: 5 April 2011
EXPIRES: 5 May 2011

APPLICANT: United States Steel-
Minntac

REFER TO: MVP-2010-04976-JCC SECTION:404 - Clean Water Act
(Formerly: 2010-00456)

1. APPLICATION FOR PERMIT TO discharge fill material into approximately 75.8 acres of wetlands and 5,000 linear feet of four unnamed streams for the progression of United States Steel Corporation's Minntac mine's west pit taconite mining operation in the City of Mountain Iron, MN.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Mr. Thomas Kelly
U.S. Steel Corporation
Minnesota Ore Operations
P.O. Box 417
Mt. Iron, Minnesota 55768

PROJECT LOCATION: The project is located in Sections 1, 2, 7, 8, and 9 of Township 58 North, Range 18 West; and Sections 11 and 12 of Township 58 North and Range 19 West, St. Louis County, Minnesota. The project area is shown on the attached MVP-2010-04976-JCC page 1 of 6.

DESCRIPTION OF PROJECT: The purpose of the project is the continuation of an economically viable taconite mining and iron ore pellet processing at an existing mine and processing facility. As proposed, the project would expand United States Steel Corporation's (USS) Minntac Mine east and west pits by approximately 497 acres, from the edge of the existing east and west pits southward to the boundary of the Minnesota Department of Natural Resources Permit to Mine (MnDNR), which has previously been issued for the proposed permit area. The mine pits are located in the city of Mountain Iron, and is within one mile of the cities of Parkville, Virginia, and Kinney, Minnesota.

Currently, the Minntac facility includes an open pit taconite mine, crushing plant, concentrating plant, agglomerating plant, tailings basin and administrative facilities. The five pellet producing lines at Minntac annually produce 15.8 million long tons of taconite ore. The proposed project is a continuation of an on-going mining operation and the annual production of taconite, overburden, and waste rock is not expected to notably change. Operation of the mine would continue to operate 24-hours a day, 365 days a year.

Drilling and blasting of overburden, waste rock, and iron ore would continue to occur within the pit progressions. Overburden and waste rock would be used to construct dikes or haul roads or will be

Operations - Regulatory (MVP-2010-04976-JCC)

SUBJECT: Notice of Application for Permit

stockpiled on existing stockpiles, disturbed areas, or in-pit (the preferred method). In-pit stockpiling would be a viable option in locations where no further mining activities would occur or where economic taconite reserves do not exist.

Once the overburden material is removed, four surface areas in the west pit would be drilled and blasted for iron ore. Once mined, the iron ore would be loaded onto haulage trucks using electric power shovels or front-end loaders. The iron ore would then be transferred on haul roads to the existing Minntac plant for crushing, processing, pelletizing, and shipment. The proposed west pit mine progression is shown on the attached drawings and maps, MVP-2010-04976-JCC, page 2 of 6 through 5 of 6.

Pit progression in the east pit is also proposed. Wetland impacts for this area of the progression have already been permitted (2.59 acres) through a permit modification of a 2007 permit. A delineation completed in 2009 found that the 2006 delineation submitted with the original permit did not correctly define the extent of a wetland within the original project's boundary (wetland three). For that reason, USS requested 2.59 acres of additional wetland impact to allow for the continuation of mining activities associated with the permitted fill of the 2007 permit. To compensate for the wetland loss, Minntac has purchased new wetland credits from U.S. Steel's Aitkin County Wetland Bank. As this bank is both outside the watershed and out-of-kind, a 1.25:1 ratio was set, for a total withdrawal of 3.2 wetland credits. Therefore, although there will be a progression of mining activities within the east pit, they will not require the discharge of dredged or fill material into waters of the U.S. The east pit mine expansion is shown on the attached drawings and maps, MVP-2010-04976-JCC, page 6 of 6 through 6 of 6.

If permitted, the applicant has proposed that mining up-to the existing MnDNR's permit to mine would occur over three years. Minntac's existing tailings basin has adequate capacity to accommodate the tailings which would result from the proposed pit progression. Operation of the tailings basin will continue in accordance with the MnDNR's Permit to Mine.

QUANTITY, TYPE, AND AREA OF FILL: A total of 75.79 acres of wetlands would be permanently filled as a result of this project. Proposed wetland impacts by dominant vegetative community are listed in the table below.

Wetland Community (Eggers and Reed)	Circular 39 Wetland Type	Direct Impacts (Acres)
Wet meadow	Type 2	4.17
Shrub Carr	Type 6	31.16
Hardwood Swamp	Type 7	40.46
	TOTAL	75.79

Impacts to four unnamed headwater streams would also occur. As proposed, 5,000 linear feet of four headwater streams would be completely removed by this project. This number was calculated from the National Hydrography Dataset (a map dataset) and may not accurately describe the actual location and reach of streams within the project area. A site visit will occur in spring 2011 to identify the reach of streams which would be impacted as well as their unique stream classification and function.

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

The proposed project also includes a request for authorization to retain dredged and fill material discharged into 4.82 acres of wetlands in the west pit expansion area. The discharges occurred in 2010 and are considered an unauthorized activity since no Department of the Army authorization had been issued for this activity. The applicant has proposed that this impact be included in the review of their current application. The Corps is currently evaluating the circumstances associated with the unauthorized discharges to determine an appropriate resolution pathway. The impacts are included in this public notice to provide the public an opportunity to comment on the complete application submitted by USS and should not be construed as a determination by the Corps that an after-the-fact permit review is the appropriate resolution for the unauthorized discharges.

Unauthorized activities proposed to be included as an after-the-face impact:

Wetland Community (Eggers and Reed)	Circular 39 Wetland Type	Direct Impacts (Acres)
Wet meadow	Type 2	1.06
Shrub Carr	Type 6	2.42
Hardwood Swamp	Type 7	1.34
	TOTAL	4.82

The 68 wetland basins and four unnamed headwater stream within the project area are shown on the attached table and maps labeled MVP-2010-04976-JCC, page 2 of 6 through 5 of 6.

PROPOSED MITIGATION: The applicant has proposed compensatory mitigation for the permanent loss of 80.61 acres of wetlands [75.79 acres of proposed wetland impacts and 4.82 acres of unauthorized wetland impacts] through the purchase of new wetland credits from Minntac's existing project-specific wetland replacement site developed by U. S. Steel in Aitkin County (Aitkin County Bank). The Aitkin County Bank does not have a sufficient number of credits to cover compensatory mitigation requirements for their proposed project; therefore, USS has also proposed to replace remaining unavoidable wetland impacts by using a new project-specific wetland replacement site located near Palisade, Minnesota in Aitkin County. Planning for the proposed US Steels's Palisade Bank is currently underway with construction efforts scheduled for construction in 2011-2012. The Palisade Bank proposes to construct and restore wetland fresh wet, shallow marsh, deep marsh, and shrub carr wetlands in a former corn and soybean operation. The exact amounts of credits and associated wetland community types which would be debited at each site have not yet been determined.

Both the existing and new site-specific wetland banks are located in adjacent bank service areas (the Minntac Western Progression is in Bank Service Area 2, whereas the Aitkin County bank sites are located in Bank Service Area 5) and on landscapes with greater than 80% of pre-settlement wetlands remaining. Some of mitigation wetlands would be replaced in-kind; however, the exact numbers of in-kind wetland community replacement has not yet been determined. The applicant has proposed a wetland replacement ratio of 1.5:1 (+0.25 for out-of-kind and +0.25 for out-of-watershed mitigation) for a total credit withdrawal of 120.92 new wetland credits.

The appropriate mitigation method for the proposed stream impacts has not yet been determined and will be addressed with the applicant once better information once the streams within the review area are classified.

ALTERNATIVES: Two alternatives were considered. The first was a no-build alternative.

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

This alternative consists of no further southern advancement of the west pit mining operations beyond previously disturbed areas. This would allow Minntac to continue mining for approximately three to five years without additional permitting. Minntac asserts that this alternative was rejected as would not allow the company to maintain a viable taconite mining and iron ore processing facility. The Minntac facility supports 1,200 employees and any disruption of mining and production would adversely affect the workforce and economic support to the surrounding community.

The second alternative is the proposed and preferred plan. This alternative would allow the continued southern advancement of taconite mining from current Corps' permit limits to the existing MnDNR's permit to mine. This plan would utilize open-pit mining. Surface stripping activities would occur in advance of plant waste rock and crude ore development. As upper benches are developed, wider the lower benches can be maintained. The development of wider benches allow the mining of ore of specific mineral attributes required to maintain ore blend quality produced at the Minntac facility. The company would minimize costs by utilizing large scale mining equipment already onsite. All stockpiling would occur in existing stockpiles or in-pit. In addition, the existing tailings basin will be able to accommodate the added tailings material produced from the proposed progression. No new buildings, roads, or ancillary facilities are proposed for this project.

USS asserts that any minimization of mining activities would accelerate the depletion of existing waste and crude materials available for mining, which would, accordingly reduce crude or blending options, plant efficiency, and taconite pellet quality, and increase energy consumption and plant emissions. They therefore contend that the proposed and preferred plan is the most reasonable and practicable alternative that meets the project purpose.

VEGETATION IN AFFECTED AREA: The project area is located within the Laurentian Mixed Forest Province (MnDNR's Ecological Classification System). The site is located within the Northern Superior Uplands Section Nashwauk Uplands subsection, and the Northern Minnesota Drift and Lake Plains Section, and the St. Louis Moraine and Tamarack Lowlands subsections. Glacial sediments deposited by the Rainy Lobe during the Wisconsin Glaciation created a landscape characterized by rolling topography interspersed by uplands and wetlands.

Wooded habitat covers approximately 133.5 acres of the approximate 415.9 acres of upland areas. The wetland areas are also dominated by wooded habitat, with 41.8 acres being dominated by hardwood swamp wetlands. In total, the upland and wetland woods cover approximately 35% of the land area, most of which is second growth forest composed of aspen and birch. Wetland communities found within the corridor include shallow marsh, shrub-carr, and hardwood swamp/ coniferous swamp. Shallow marsh (Type 3) wetlands typically support cattails, bulrushes, water plantains, arrowheads and lake sedges. Shrub-Carr (Type 6) wetlands typically support shrub communities consisting of alders and willows. Hardwood/coniferous swamp (Type 7) wetlands typically support tamarack, northern white cedar, black spruce, balsam fir, balsam poplar, and black ash.

Grassland areas also exist within the proposed progression area and consist of neglected landscaped yards or areas that have recently been logged. The grassland habitat typically contains old field and pioneer species and not native grassland species. The National Hydrography Dataset indicates that four headwater streams may exist on the landscape (these areas will be identified and classified in spring 2011). The remainder of the habitat is fragmented by existing haul roads and older

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

mine features. Wildlife typically associated with habitat in the project area includes white-tailed deer, black bear, ruffed grouse, small mammals, and migratory songbirds.

SOURCE OF FILL MATERIAL: Fill material will be clean material either excavated on site or purchased from commercial sources.

SURROUNDING LAND USE: The project area is adjacent to an active mine. Typical mining activities conducted include operation of excavators, mining trucks, and weekly blasting of material. The City of Mountain Iron has zoned the project area as a mineral mining district. Mining, processing, storage and transportation of taconite and other metallic ores are permitted uses. Land use in the project area is dominated by the existing Minntac mine operations. Trunk Highway 169 extends east and west one to two miles south along the length of the existing East and West mine pits. The municipalities of Kinney, Mountain Iron, Parkville, and Virginia along with the associated residential and commercial development are located south and at the west end, midpoint, and east end of the pits, respectively. Cumulatively, these cities have an approximate population of 16,250 (2000 Census Data). Other, more rural development exists along County Road 708 between Kinney and Mountain Iron. The remainder of the area remains undeveloped, with expanses of wooded habitat with open agricultural areas, wetlands and both natural and man-made water bodies (abandoned natural ore mine pits). Land use within the proposed project area consists of similar undeveloped land with land cover dominated by wooded habitat, old field/grasslands, wetlands, and other openings such as roads used for mine operations. No residential or other development exists within the Western Progression. The project area is located within the St. Louis River watershed.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: No use of toxic materials has been identified by the applicant.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Best Management Practices to protect water quality in the form of temporary and permanent erosion and sediment control measures would be used as required throughout the project area.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to:

Replies may be addressed to: Regulatory Branch, St. Paul District, Corps of Engineers, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Daryl W. Wierzbinski at the Two Harbors office of the Corps, telephone number (218) 834-6630

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

To receive Public Notices by e-mail, go to the St. Paul District web page at <http://www.mvp.usace.army.mil/regulatory/> and sign up by clicking on

[Email Notification of Public Notices](#)

on the left side of the web site under Notices.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

The applicant identified three threatened (T) species known exist or have historic range in St. Louis County:

<u>Species</u>	<u>Habitat</u>
Gray Wolf (T) <i>Canis lupus</i>	Northern Forested Areas (critical habitat)
Canada Lynx (T) <i>Lynx canadensis</i>	Northern Forested Areas
Piping plover (T) <i>Charadrius melodus</i>	Great Lakes Shorelines

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work

5. **JURISDICTION.** This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a *preliminary determination* that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above. An *approved jurisdictional determination* will be made prior to reaching a permit decision, and will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

This project comes under the regulatory jurisdiction of the Corps of Engineers because the wetlands and unnamed stream in the review area are adjacent to the Dunka River, a Section 10 water of the United States.

REGULATORY AUTHORITY: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act. Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 Code of Federal Regulations 230).

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: WCA, MnDNR Waters, MnPCA.

6. SECTION 401 WATER QUALITY CERTIFICATION.

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

Any comments relative to MPCA's Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency Regional Environmental Management Division, Attention 401 Certification, 520 Lafayette Road, North St. Paul, Minnesota 55155-41946.

7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Office (SHPO) to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application.

The latest version of the National Register of Historic Places was consulted and it was discovered that one eligible listing exists within the project area, the Mountain Iron Mine Pit Reservoir, as shown on the attached, MVP-2010-04976-JCC, page 1 of 6. According to the National Register's nomination form, mining of this pit began in 1892 and marked the opening of the Mesabi Range, setting in motion events which made Minnesota the largest producer of iron ore in the nation. During the 64 years the mine was in operation, it yielded more than 48 million tons of ore. The pit is now used as a reservoir by USS, but can be viewed by an observation point in the city of Mountain Iron. In addition to the eligible property, a phase I cultural resources survey will be completed within the area of potential effect the spring of 2011. The results of this survey, in addition to our determination of the effects to the Mountain Iron Pit, will be evaluated and coordinated with the SHPO.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

Operations - Regulatory (MVP-2010-04976-JCC)
SUBJECT: Notice of Application for Permit

9. PUBLIC INTEREST REVIEW.

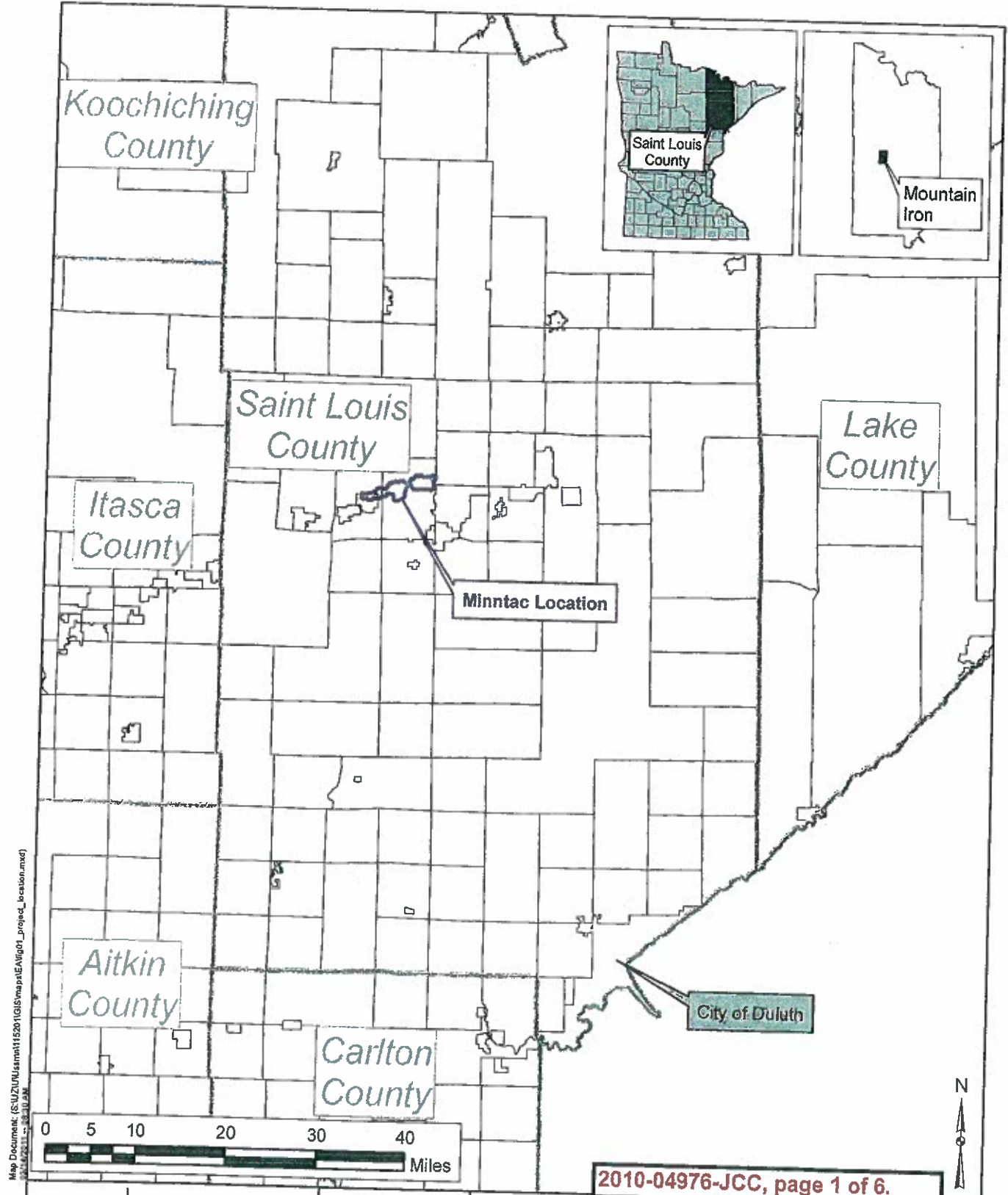
The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


Kelly J. Urbanek
Chief, Northwest Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



Map Document: (S:\UZU\USMNH115201\GIS\maps\EA\fig01_project_location.mxd)
03/18/2011 10:33:10 AM

2010-04976-JCC, page 1 of 6.

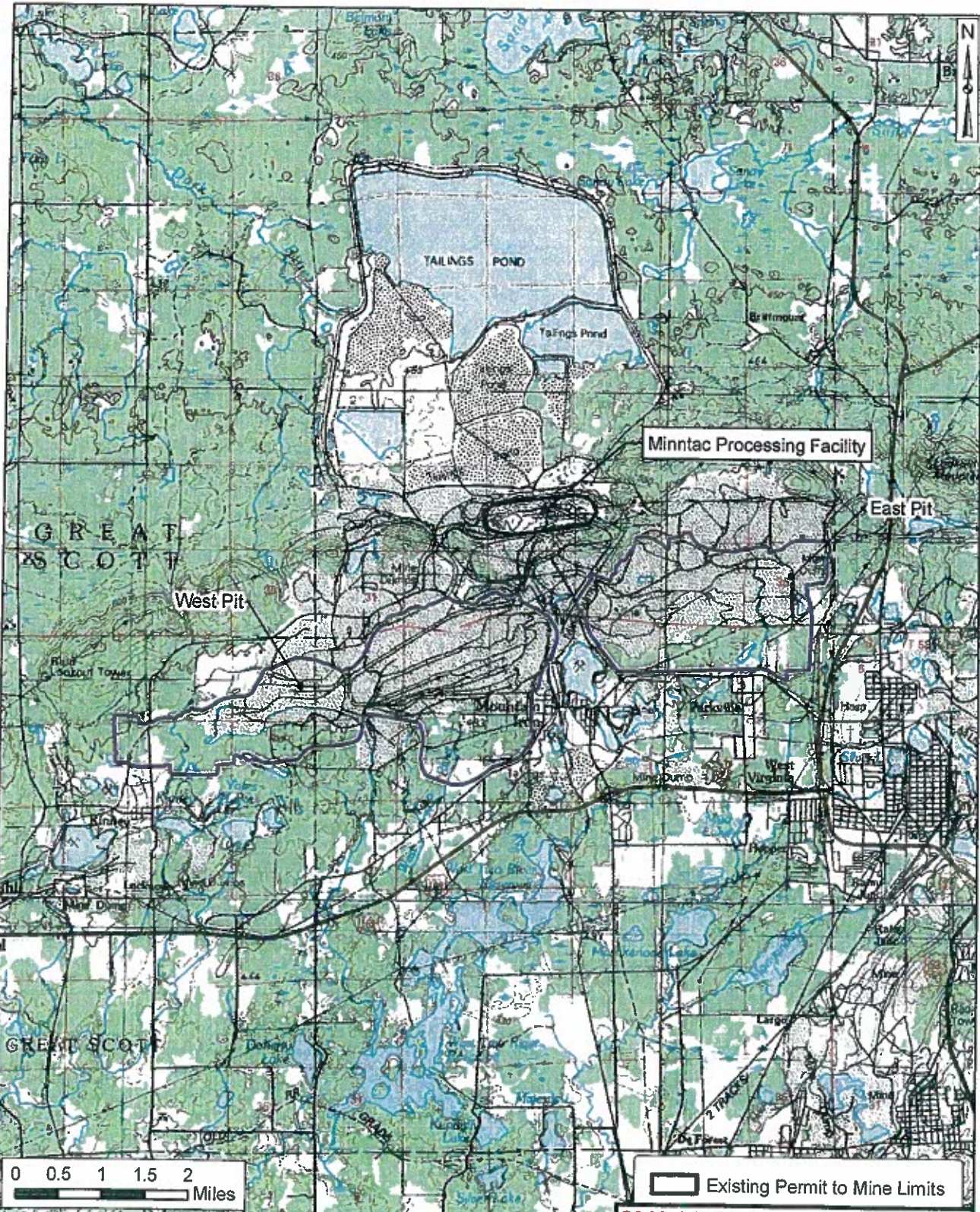
SEH
 416 WEST SUPERIOR ST - SUITE 200
 DULUTH, MN 55802-1512
 PHONE: (218) 279-3000
 FAX: (218) 279-3001
 WATTS: 800-722-0547
 www.sehinc.com

Project: USSMN 115201
 Print Date: 03/18/2011
 Map by: DRD/bpt
 Projection: UTM NAD83
 Source: MNDNR

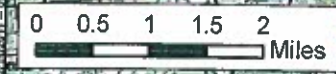
Project Location Map
 Minntac Western Progression
 Mountain Iron, Minnesota

Figure
1

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring accurate measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.




Map Document: (S:\U2\UJ\arment11520\GIS\map\p\EA\fig02_4th_location_UJ06.mxd)
03/21/2011 10:53:33 AM



Existing Permit to Mine Limits

2010-04976-JCC, page 2 of 6.



418 WEST SUPERIOR ST - SUITE 200
DULUTH, MN 55802-1512
PHONE: (218) 279-3000
FAX: (218) 279-3001
WATTS: 800-722-0847
www.sehinc.com

Project: USSMN 115201
Print Date: 03/21/2011
Map by: dtd/pt
Projection: UTM NAD83
Source: MNDNR, LMIC, USS

Site Location Map
Minntac Western Progression
Mountain Iron, Minnesota

Figure 2

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.



Project: USBLM 115201
 Print Date: 03/16/2011
 Map by: Neil
 Drawing: 2010-04976-JC-C
 Drawing: 2010-04976

410 WEST SUPERIOR ST. - SUITE 200
 DULUTH, MN 55802-1515
 PHONE: (218) 723-2000
 FAX: (218) 723-2001
 WEBSITE: 800-722-5847
 www.seh.com

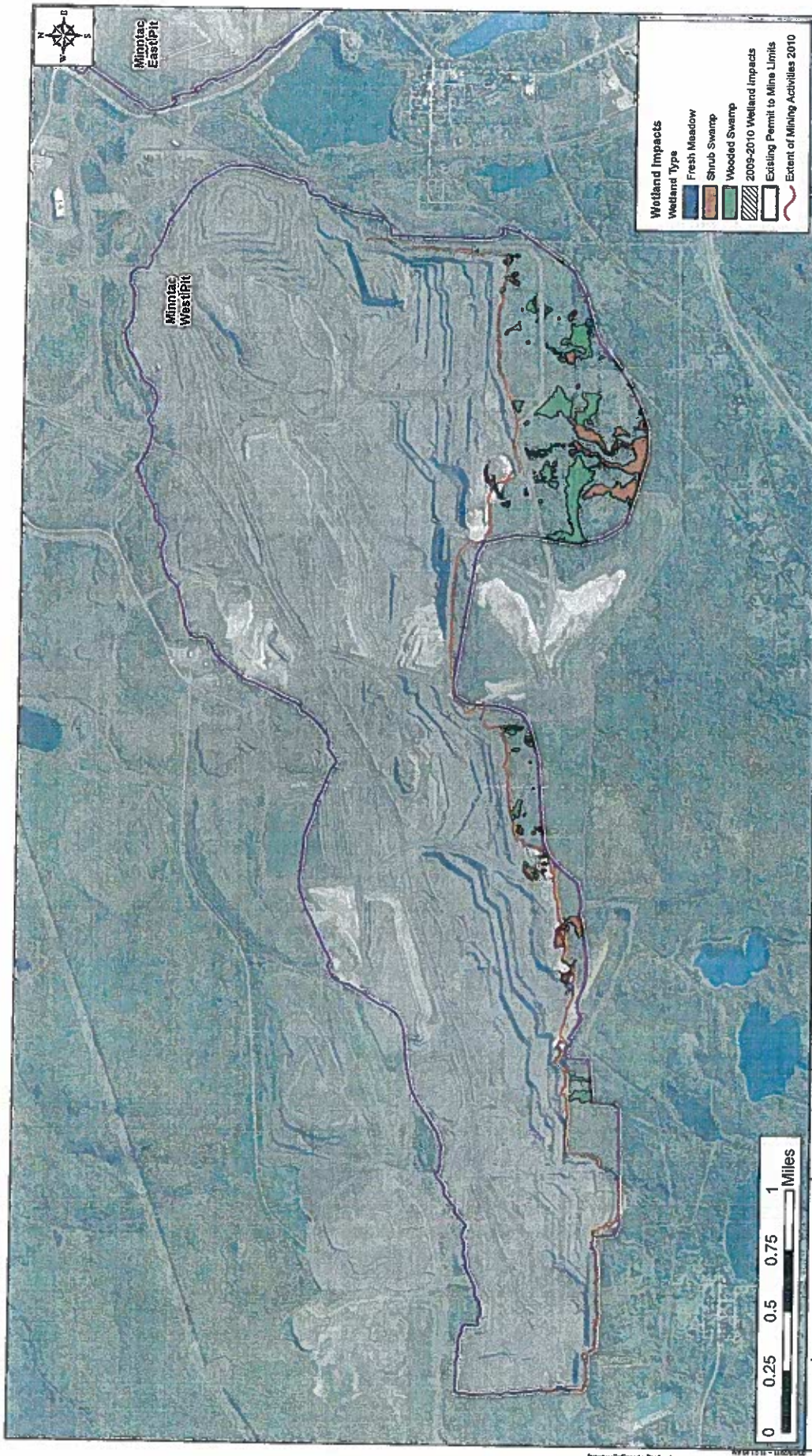


100% of any proceeds from the sale of this map will be donated to the Minnesota Department of Natural Resources. This map is a reproduction of a map, drawing, or other graphical information prepared by the U.S. Bureau of Land Management. The U.S. Bureau of Land Management is not responsible for any errors or omissions in this map. The user assumes all liability for any use of this map.

Proposed Action
 Minntac Western Progression
 Mountain Iron, Minnesota

2010-04976-JC-C, page 3 of 6.

Figure 3



Wetland Impacts
 Minntac Western Progression
 Mountain Iron, Minnesota

2010-04976-JCC, page 4 of 6

<p>Project: LUSSMAN 115201 Print Date: 03/18/2011</p> <p>Prepared by: LUTY HANCOCK Business Manager, LUTY HANCOCK Date: 03/17/11</p>	<p>2009-2010 Wetland Impacts</p> <p>Type 2: 1.06 acres Type 6: 2.42 acres Type 7: 1.34 acres Total: 4.82 acres</p>	<p>Remaining Wetland Impacts</p> <p>Type 2: 4.17 acres Type 6: 31.16 acres Type 7: 40.46 acres Total: 75.79 acres</p>
---	---	--

This map is a summary of the information provided in the accompanying report and does not constitute a warranty, representation, or guarantee of any kind. The user of this map is responsible for verifying the accuracy of the information shown on this map. The user of this map is also responsible for obtaining all necessary permits and approvals from the appropriate regulatory agencies. The user of this map is also responsible for obtaining all necessary permits and approvals from the appropriate regulatory agencies. The user of this map is also responsible for obtaining all necessary permits and approvals from the appropriate regulatory agencies.



- Area Previously Permitted (2010)
- Existing Permit to Mine Limits
- Streams within Permit to Mine Area
- Previously Impacted Stream Segments
- Proposed Stream Impacts for Western Progression



418 WEST SUPERIOR ST. - SUITE 200
 DULUTH, MN 55802-1533
 PHONE: (218) 278-0000
 FAX: (218) 278-0000
 WWW: WWW.SEH.COM



Project: USSMIN 115201
 Print Date: 03/16/2011
 Also by: SEH
 President: UTA MOCHA
 Director: JAMES MOCHA
 Development: 2017 75A

Project: USSMIN 115201
 Print Date: 03/16/2011
 Also by: SEH
 President: UTA MOCHA
 Director: JAMES MOCHA
 Development: 2017 75A

Stream Type	Segment Length (ft)
Previously Impacted Stream Segments	
Ditch (Perennial)	2015
Stream (Perennial)	628
Stream (Perennial)	564
Stream (Intermittent)	2484
Stream (Intermittent)	3675
Stream (Intermittent)	2922
Stream (Intermittent)	77
Stream (Intermittent)	102
Stream (Perennial)	1424
Total Above	13800
Proposed Stream Impact for Western Progression	
Stream (Intermittent)	1318
Stream (Intermittent)	492
Stream (Intermittent)	411
Stream (Perennial)	2779
Total Above	4999

2010-04976-JCC, Page 5 of 6.

Stream Impacts

Minntac Western Progression

Mountain Iron, Minnesota

Figure 5

This map was prepared by SEH for the use of the client. It is not to be used for any other purpose without the written consent of SEH. SEH and its employees are not responsible for any errors or omissions in this map. The client is responsible for the accuracy of the data provided to SEH. SEH is not responsible for any errors or omissions in this map. The client is responsible for the accuracy of the data provided to SEH.



East pit wetlands included in permit modification (2007-01868-DWW) highlighted in blue.

2.50 acres

2008 MTS - Wetlands within Permit to Mine Limits

2008 MTS - Wetlands outside Permit to Mine Limits

16.94 acres

2008 Bare Earth - Part of Permit #2007-1868-TWP

PERMIT TO MINE PIT LIMITS

2010-04976-JCC, page 6 of 6.

Mirretec Mine Engineering Dept.
 DRAWING NO.: Figure 02 - Wetlands (Pit Limits Modification)
 LOCATION: Mirretec East Pit
 DATE: 10-24-10
 DRAWN BY: G.C.A.

↑ NORTH