

Meeting of the Iron Range Resources Board

Thursday, April 15, 2010

5:30 p.m.

State Capitol – Room 318

St. Paul, Minnesota

MEETING OF THE IRON RANGE RESOURCES BOARD
Iron Range Resources, Eveleth, Minnesota
Thursday, April 15, 2010
5:30 p.m.

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MEETING OF THE IRON RANGE RESOURCES BOARD
State Capitol – Room 318
St. Paul, Minnesota
Thursday, April 15, 2010 – 5:30 p.m.

Agenda

- 1) Roll Call
- 2) Approval of the February 18, 2010, Minutes
- 3) Commissioner's Comments
- 4) Douglas J. Johnson Economic Protection Trust Fund
Action required: Project approval requires 8 votes
 - a) Disability Specialist
 - b) City of Cook
 - c) City of Mt. Iron
- 5) Taconite Area Environmental Protection Fund
Action required: Project approval requires 7 votes
 - a) FY11 Ironworld Development Corporation Funding
 - b) City of Eveleth
- 6) Iron Range Higher Education Fund
Action required: Appointment approval requires 7 votes
 - a) Iron Range Higher Education Committee Expenditure
- 7) Adjournment

Approval of the February 18, 2010, Minutes

Meeting of the Iron Range Resources Board

Thursday, February 18, 2010
5:00 p.m.
State Capitol – Room 318
St. Paul, Minnesota

I. Roll Call

Senator David Tomassoni, Chair, called the meeting to order at approximately 5:15 p.m.
Present: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Yvonne Prettner Solon, Senator Rod Skoe, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan. Minute Taker: Laureen Hall, Executive Assistant. Also present: Sandy Layman, Commissioner; Brian Hiti, Deputy Commissioner; Doug Gregor, Assistant Attorney General; Matt Sjoberg, Development Strategies Director; Jean Dolensek, Chief Financial Officer; Roy Smith, Workforce Development Coordinator; Richard Walsh, Community Development Specialist; Larry Lehtinen, Chairman of the Board, Magnetation, Inc.; Mike Ives, Board of Directors, Itasca Economic Development Corporation (IEDC); Diane Weber, Interim President, IEDC.

II. Approval of the December 14, 2009, Minutes

Citizen Jack Ryan moved approval of the December 14, 2009, minutes. Seconded by Citizen Shelley Robinson. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Saxhaug, Senator Rod Skoe, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: Senator Tom Bakk, Senator Yvonne Prettner Solon

III. Commissioner Comments

Commissioner Layman acknowledged that Governor Pawlenty had proposed his supplemental budget, which in part, taps the Douglas J. Johnson Economic Protection Fund for \$30 million to help balance the state budget. She said that throughout the years as other budgets have been proposed and through other budget crises, the agency has been held harmless, because it operates

with taconite production taxes rather than general fund monies. Commissioner Layman stated that this is an extraordinary year due to the historic budget crisis. She said the Governor recognizes that this proposal is unprecedented but he feels it is reasonable in light of the fact that other dedicated sources of funding are also being looked at. The Governor's budget proposal now goes to the legislature for discussion and action.

Motion by Representative Tony Sertich that the Iron Range Resources Board does not support using Douglas J. Johnson Economic Protection Trust Fund monies (that come from taconite production taxes, which are paid in lieu of property taxes) to balance the state budget. Roll call requested. 13 Yes. 0 No. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Rod Skoe, Senator Yvonne Prettner Solon, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: None

IV. Douglas J. Johnson Economic Protection Trust Fund

a) Essar Steel – Resolution No. 10-027

Motion by Representative Loren Solberg to approve the Essar Steel Industries, LLC, direct loan amendment request as presented in Resolution No. 10-027. Seconded by Senator Tom Saxhaug. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Rod Skoe, Senator Yvonne Prettner Solon, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: None

**IRON RANGE RESOURCES AND REHABILITATION BOARD
OF THE STATE OF MINNESOTA
ESSAR STEEL INDUSTRIES LLC
FORBEARANCE OF LOAN PAYMENTS**

Resolution No.: 10-027

WHEREAS, the Board by motion on December 16, 2004, approved the expenditure of up to \$5.0 million of Douglas J. Johnson Economic Protection Trust Fund monies, subject to a \$1.0 million loan fee, for a total \$6.0 million obligation, for loans to Minnesota Steel Industries, LLC (“Borrower”), for the purpose of helping Borrower develop and pay for the costs of a steel plant (“Project”) to be located near Nashwauk within the Taconite Assistance Area; and

WHEREAS, consistent with such actions, the agency entered into a loan agreement with the Borrower for the \$5.0 million loan on February 2, 2005, which by its terms also required Borrower to pay the agency a \$1.0 million loan fee, creating a total loan indebtedness of \$6.0 million (“Loan”); and

WHEREAS, in October 2007, Essar Steel Limited, a corporation based in India, purchased the interests of Minnesota Steel Industries, LLC in the Project, assumed the obligations of the Loan, and subsequently changed the entity name of Borrower to Essar Steel Minnesota LLC; and

WHEREAS, the due date for repayment of the Loan is December 31, 2008 (“Due Date”); and

WHEREAS, the terms of the loan permit the agency to forbear repayment of the Loan for up to four years after the Due Date if Borrower is making substantial progress on the Project; and

WHEREAS, on December 18, 2008, the Board approved Resolution 09-18 which resolved that it was in the best interest of the agency to forbear repayment of Borrower’s Loan for a period of one year from the Due Date, which the agency subsequently proceeded to do; and

WHEREAS, on December 14, 2009, the Board approved Resolution 10-20, which resolved that it was in the best interest of the agency to grant the Borrower a forbearance of all payments due on Borrower’s Loan until April 1, 2010, and thereafter for an additional period up to December 31, 2010, if the Borrower agreed before April 1, 2010, to either: 1) pay all interest accrued on the Loan through December 31, 2009, and continue to provide the agency with a letter of credit in an amount that is sufficient to fully secure the repayment of the principal on the Loan during the forbearance period; or 2) to provide a letter of credit, in a form acceptable to the agency, in an amount that is sufficient to fully secure the repayment of the principal of the Loan as well as the payment of all interest that has accrued and will accrue prior to the end of that forbearance period; and

WHEREAS, the agency granted Borrower forbearance through March 31, 2010; and

WHEREAS, the agency has determined that Borrower has met the criteria for making substantial progress on the Project; and

WHEREAS, the Board met in open session at 5:00 p.m. on February 18, 2010, at the State Capitol to consider, among other matters, Borrower’s forbearance period and has determined that it would be in the best interest of the agency if the forbearance period were to be extended through December 31, 2012; provided, however that Borrower must continue to make substantial progress on the Project and must agree before April 1, 2010, to either: 1) maintain a letter of

credit through December 31, 2012, that is sufficient in amount at all times to fully secure the repayment of all principal due on the Loan and repay, on an annual basis, all interest accrued on the Loan each calendar year, with interest payments thereby due on or before March 31, 2010, for interest accrued in 2009, December 31, 2010 for interest accrued in 2010, and December 31, 2011, for interest accrued in 2011; or, 2) provide a letter of credit, in a form acceptable to the agency, in an amount that is sufficient to fully secure the repayment of the principal of the Loan as well as the payment of all interest that has accrued and will accrue prior to the end of that forbearance period.

NOW, THEREFORE, IT IS RESOLVED, that the Board approves the agency granting the Borrower a forbearance of all payments due on Borrower’s Loan through December 31, 2012, provided that such forbearance is conditioned on the Borrower making substantial progress on the Project and agreeing before April 1, 2010, to either: 1) maintain a letter of credit through December 31, 2012, that is sufficient in amount at all times to fully secure the repayment of all principal due on the Loan and repay, on an annual basis, all interest accrued on the Loan each calendar year, with interest payments thereby due on or before March 31, 2010, for interest accrued in 2009, on or before December 31, 2010 for interest accrued in 2010, and on or before December 31, 2011, for interest accrued in 2011; or, 2) provide a letter of credit, in a form acceptable to the agency, in an amount that is sufficient to fully secure the repayment of the principal of the Loan as well as the payment of all interest that has accrued and will accrue prior to the end of the forbearance period.

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS 18th DAY OF FEBRUARY 2010.

Member	Aye	Nay	Abstain	Excused
Senator Tom Bakk	X			
Senator Tom Saxhaug	X			
Senator Rod Skoe	X			
Senator Yvonne Prettner Solon	X			
Senator Dave Tomassoni	X			
Representative Tom Anzelc	X			
Representative Dave Dill	X			
Representative Tom Rukavina	X			
Representative Tony Sertich	X			
Representative Loren Solberg	X			
Citizen Joe Begich	X			
Citizen Shelley Robinson	X			
Citizen Jack Ryan	X			
TOTAL	13	0	0	0

Signed: _____
 Senator David Tomassoni, Chair

b) Magnetation, Inc. – Resolution No. 10-028

Motion by Representative Tom Anzelc to amend the Magnetation, Inc. direct loan amendment request, as presented in Resolution No. 10-028, by adding the following clause:

BE IT FURTHER RESOLVED, that the agency staff provide to the Board an accounting of the purposes and uses for which the Borrower has received advances of the loan proceeds.

Seconded by Representative Tony Sertich. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Rod Skoe, Senator Yvonne Prettner Solon, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: None

Motion by Representative Tom Anzelc to approve the Magnetation, Inc. direct loan amendment request, as presented in Resolution No. 10-028, as amended. Seconded by Senator Tom Saxhaug. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tom Rukavina, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Rod Skoe, Senator Yvonne Prettner Solon, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: None

**IRON RANGE RESOURCES AND REHABILITATION BOARD
OF THE STATE OF MINNESOTA
DOUGLAS J. JOHNSON ECONOMIC PROTECTION TRUST FUND
AMENDMENT TO MAGNETATION LOAN B**

Resolution No.: 10-028

WHEREAS, the Commissioner is authorized to expend, upon approval of eight members of the Board, the Douglas J. Johnson Economic Protection Trust Fund monies made available under Minnesota Statutes Sections 298.291-298.294 and Minnesota Statute Section 298.28, subdivision 11 (“**DJJ Funds**”), to participate with private sources in providing financing for various private projects located within the Taconite Assistance Area defined in Minnesota Statutes Section

273.1341 (“TAA”) which will serve the purposes detailed in Minnesota Statutes Section 298.292, subdivision 1; and

WHEREAS, Magnetation Inc., a Minnesota business corporation (**hereinafter "Borrower"**) made Application to the State’s Office of the Commissioner of Iron Range Resources and Rehabilitation (“**Iron Range Resources**” or “**Agency**”) for two loans (“Loan A” and “Loan B”) totaling up to \$2,000,000 (the “Iron Range Resources Loans”), the proceeds of which would be used to reimburse Borrower for a portion of the costs it incurred in acquiring and installing the required machinery and equipment to establish Magnetation, Inc.'s first processing line near Keewatin, Minnesota within the TAA; and

WHEREAS, the Commissioner, the Board at its June 19, 2008, meeting, and the Governor by his approval each determined that in accordance with Minnesota Statutes Section 298.296 that the proposed Iron Range Resources Loans for the Project were authorized under the statute and approved the expenditure of up to \$2 million of the DJJ Funds for such Iron Range Resources Loans; and

WHEREAS, a loan agreement detailing the terms and conditions of Iron Range Resources Loan A and Loan B was executed on October 8, 2008, and the loan proceeds were advanced to Borrower; and

WHEREAS, the annual interest rate for Iron Range Resources Loan B is 20.0%, with interest payments due quarterly and the principal balance due to the Agency on December 31, 2013; and

WHEREAS, the purpose of Loan B was to provide Borrower with financing to acquire and install equipment at its processing facility; and

WHEREAS, Borrower has attempted to refinance Loan B but has been unable to do so due to national economic conditions that have caused private financing to become unobtainable; and

WHEREAS, despite difficult national economic conditions, Borrower has exceeded targeted employment goals and currently employs 31 Full-Time Equivalent (FTE) workers and 20 FTE contractors; and

WHEREAS, Borrower has requested that the Agency renegotiate the terms of Loan B to help Borrower improve its short-term capital position; and

WHEREAS, the Agency believes that it would be prudent to enable Borrower to improve its financial position and thereby help ensure Borrower’s long-term success and continued ability to employ workers in the TAA by amending the terms of Loan B as proposed in the Board Packet; and

WHEREAS, the Board met in open session at 5:00 p.m. on February 18, 2010, in the State Capitol Building in St. Paul, Minnesota, to consider, among other matters, Borrower’s request to renegotiate Loan B as proposed in the Board Packet and has determined that amending Loan B

as so proposed would be in the public interest, and would promote economic development within the TAA.

NOW, THEREFORE, IT IS RESOLVED, that the Board approves the Agency executing an amendment with Borrower to amend the terms of Loan B consistent with the provisions that were proposed in the Board Packet.

BE IT FURTHER RESOLVED, that the agency staff provide to the Board an accounting of the purposes and uses for which the Borrower has received advances of the loan proceeds.

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS 18th DAY OF FEBRUARY 2010.

Member	Aye	Nay	Abstain	Excused
Senator Tom Bakk	X			
Senator Tom Saxhaug	X			
Senator Rod Skoe	X			
Senator Yvonne Prettner Solon	X			
Senator Dave Tomassoni	X			
Representative Tom Anzelc	X			
Representative Dave Dill	X			
Representative Tom Rukavina	X			
Representative Tony Sertich	X			
Representative Loren Solberg	X			
Citizen Joe Begich	X			
Citizen Shelley Robinson	X			
Citizen Jack Ryan	X			
TOTAL	13	0	0	0

Signed: _____
 Senator David Tomassoni, Chair

c) Itasca Eco Industrial Park – Resolution No. 10-029
Action required: Approval requires 8 votes

Motion by Senator Tom Saxhaug to approve the Itasca Eco Industrial Park project as presented in Resolution No. 10-029, in an amount not to exceed \$250,000. Seconded by Representative Loren Solberg. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator Rod Skoe, Senator Yvonne Prettner Solon, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion: None

Abstain: None

Excused: Representative Tom Rukavina

**IRON RANGE RESOURCES AND REHABILITATION BOARD
OF THE STATE OF MINNESOTA
DOUGLAS J. JOHNSON ECONOMIC PROTECTION TRUST FUND
GRANT TO ITASCA ECONOMIC DEVELOPMENT CORPORATION
AINSWORTH GRAND RAPIDS SITE REDEVELOPMENT PROJECT**

Resolution No.: 10-029

WHEREAS, the Commissioner is authorized to expend, upon approval of eight members of the Board, the Douglas J. Johnson Economic Protection Trust Fund monies made available under Minnesota Statutes Sections 298.291-298.294 and Minnesota Statute Section 298.28, subdivision 11 (“**DJJ Funds**”), to participate with private sources in providing financing for various private projects located within the Taconite Assistance Area defined in Minnesota Statutes Section 273.1341 (“**TAA**”) which will serve the purposes detailed in Minnesota Statutes Section 298.292, subdivision 1; and

WHEREAS, the agency’s approved FY10 Investment Plan, as amended, includes provision for the use of DJJ Funds for economic development projects under a budget line item category of DJJ Business Development Projects, in which budget fund category there existed a balance of \$1,305,001 prior to the start of the Board meeting on February 18, 2010; and

WHEREAS, the Itasca Economic Development Corporation (“**IEDC**”) submitted a request for a grant of \$500,000 to help fund a portion of the costs related to the redevelopment of the former Ainsworth site in Grand Rapids, which is a city located within the TAA (the “**Proposed Project**”); and,

WHEREAS, the Commissioner has proposed awarding IEDC a development grant of DJJ Funds in an amount of up to \$250,000 to be used toward general site and building improvements for the Proposed Project, which DJJ Funds will supplement the other agency and non-agency funding sources that are being used to finance other aspects of the Proposed Project, as more specifically detailed in the Board packet materials; and,

WHEREAS, the technical advisory committee appointed pursuant to Minnesota Statutes Section 298.297 met on February 9, 2010, and recommended that the Board approve the expenditure of up to \$250,000 of DJJ Funds for the Proposed Project in accordance with the Commissioner’s request; and,

WHEREAS, the Board met in open session at 5:00 p.m. on February 18, 2010, in the State Capitol Building in St. Paul, Minnesota, to consider, among other matters, approval of the Proposed Project and determined that the expenditure of up to \$250,000 of FY 2010 DJJ Funds to make a grant to the Itasca Economic Development Corporation for the Proposed Project, for

the purposes specified herein would be a project designed to create employment, would be in the public interest, and would promote economic development within the TAA.

NOW, THEREFORE, IT IS RESOLVED, that the Board approves the expenditure of up to \$250,000 of FY 2010 DJJ Business Development Funds to provide a grant to the Itasca Economic Development Corporation for the Proposed Project to be used toward general site and building improvements.

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS 18th DAY OF FEBRUARY 2010.

Member	Aye	Nay	Abstain	Excused
Senator Tom Bakk	X			
Senator Tom Saxhaug	X			
Senator Rod Skoe	X			
Senator Yvonne Prettner Solon	X			
Senator Dave Tomassoni	X			
Representative Tom Anzelc	X			
Representative Dave Dill	X			
Representative Tom Rukavina				X
Representative Tony Sertich	X			
Representative Loren Solberg	X			
Citizen Joe Begich	X			
Citizen Shelley Robinson	X			
Citizen Jack Ryan	X			
TOTAL	12	0	0	1

Signed: _____
 Senator David Tomassoni, Chair

V. Taconite Area Environmental Protection Fund

Action required: Approval requires 7 votes

a) Public Works Projects – Resolution No. 10-030

Motion by Citizen Joe Begich to approve the Public Works projects as presented in Resolution No. 10-030, in an amount not to exceed \$220,000. Seconded by Representative Tony Sertich. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Tom Saxhaug, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion:

Abstain: None

Excused: Senator Rod Skoe, Senator Yvonne Prettner Solon, Representative Tom Rukavina

**IRON RANGE RESOURCES AND REHABILITATION BOARD
OF THE STATE OF MINNESOTA
BUSINESS DEVELOPMENT AND PUBLIC WORKS PROJECT APPROVALS**

Resolution No.: 10-030

WHEREAS, the Commissioner is authorized to expend, upon approval of seven members of the Board, the Taconite Area Environmental Protection Fund monies made available under Minnesota Statutes Section 298.223 (“**TEPF Funds**”) to promote the economic development of the Taconite Assistance Area designated in Minnesota Statutes Section 273.1341 (“**TAA**”), by investing in local economic development projects within the TAA; and

WHEREAS, the agency’s approved FY 2010 Budget includes the allocation of \$3,500,000 of TEPF Funds for Business Development Projects (“**TEPF Business Development Funds**”); and

WHEREAS, the Commissioner has received proposals and is recommending the expenditure of up to \$220,000 of such TEPF Business Development Funds for community and economic development projects in the City of Leonidas and the City of Taconite that are more specifically described in Exhibit A, which is attached hereto and incorporated by reference (“**Proposed Projects**”); and

WHEREAS, the Board met in open session at 5:00 p.m. on February 18, 2010, at the State Capitol to consider, among other matters, the Proposed Projects and has determined that the expenditure of the following amounts of TEPF Funds for the purposes and in the amounts specified below would be in the public interest and promote economic development within the Taconite Assistance Area.

NOW, THEREFORE, IT IS RESOLVED, that the Board hereby approves the expenditure of up to \$220,000 of TEPF Business Development Funds to provide grants for the Proposed Projects in the amounts and for the purposes set forth in Exhibit A.

BE IT FURTHER RESOLVED that the Board’s approval for the expenditure of TEPF Funds for those Proposed Projects is contingent upon the agency, in its grant contracts, requiring each such grantee entity to commit to the payment of prevailing wages for the funded project as indicated in, and to the extent required in, the Board’s Resolution 96-005.

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS 18th DAY OF FEBRUARY 2010.

Member	Aye	Nay	Abstain	Excused
Senator Tom Bakk	X			
Senator Tom Saxhaug	X			

Senator Rod Skoe				X
Senator Yvonne Prettner Solon				X
Senator Dave Tomassoni	X			
Representative Tom Anzelc	X			
Representative Dave Dill	X			
Representative Tom Rukavina				X
Representative Tony Sertich	X			
Representative Loren Solberg	X			
Citizen Joe Begich	X			
Citizen Shelley Robinson	X			
Citizen Jack Ryan	X			
TOTAL	10	0	0	3

Signed: _____

Senator David Tomassoni, Chair

EXHIBIT A

PUBLIC WORKS GRANTS

City of Leonidas

Grant Amount: \$75,000

The project is comprised of construction of a new water line loop to tie into existing lines in West Eveleth, which will insure an increased flow in water and safer drinking water for the residents, as well as the installation of a new storm sewer system to handle increased runoff.

<u>USES</u>		<u>SOURCES</u>	
Water line	\$140,955	Iron Range Resources	\$75,000
A & E	18,070	Applicant	9,025
		St. Louis County - CDBG	75,000
TOTAL	\$159,025	TOTAL	\$159,025

City of Taconite

Grant Amount: \$145,000

The project is comprised of replacement of 60-year-old storm sewer pipe along Nelson Street North that has collapsed, which serves 16 homes and about 50 residents, as well as the fire department and the baseball park.

<u>USES</u>		<u>SOURCES</u>	
Storm sewer line	\$251,680	Iron Range Resources	\$145,000
A & E	41,184	Applicant	147,864
TOTAL	\$292,864	TOTAL	\$292,864

FUNDING AUTHORIZATION:

Taconite Area Environmental Protection Fund: These proposed projects are authorized under the provisions of the Taconite Area Environmental Protection Fund Act (“TEPF”) (Minnesota Statutes Section 298.233) pertaining to expenditures of monies made available under the TEPF for local economic development projects and public works, including construction of sewer and water systems located within the taconite assistance area (“TAA”) as defined in Minnesota Statute Section 273.1341.

VI. Other

a) Cuyuna Country State Recreation Area Advisory Council Appointment – Resolution No. 10-031

Motion by Representative Tony Sertich to support the Cuyuna Country State Recreation Area Advisory Council Appointment, as presented in Resolution No. 10-031. Seconded by Senator Tom Saxhaug. Motion carried.

Voting in Favor of the Motion: Representative Tom Anzelc, Representative David Dill, Representative Tony Sertich, Representative Loren Solberg, Senator Tom Bakk, Senator Yvonne Prettner Solon, Senator Tom Saxhaug, Senator David Tomassoni, Citizen Joe Begich, Citizen Shelley Robinson, Citizen Jack Ryan

Voting Against the Motion:

Abstain: None

Excused: Senator Rod Skoe, Representative Tom Rukavina

**IRON RANGE RESOURCES AND REHABILITATION BOARD
OF THE STATE OF MINNESOTA
CUYUNA COUNTRY STATE RECREATION AREA
CITIZENS ADVISORY COUNCIL
BOARD APPOINTMENT AUTHORIZATION**

Resolution No.: 10-031

WHEREAS, Minnesota Statutes Section 85.0146 (enacted in 2007, the “Act”) established a citizens committee designated as the “Cuyuna Country State Recreation Area Citizens Advisory Council” (the “Council”) to advise the Minnesota Department of Natural Resources’ area manager in regard to major decisions that affect the management, administration or development of the Cuyuna Country State Recreation Area; and

WHEREAS, the Act provides that the membership of the Council shall include “a designee of the Iron Range Resources and Rehabilitation Board”; and,

WHEREAS, the Commissioner has indicated that she is willing to assign a staff member of the agency to serve on the Council if authorized by the Board to make such designation on behalf of the Board; and,

WHEREAS, the Board held a meeting on Thursday, February 18, 2010, starting at 5:00 p.m. in the State Capitol building in St. Paul to consider, among an agenda of other matters, the Commissioner’s proposal regarding the Council member appointment.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board delegates to the Commissioner the power to designate a staff member of the agency to serve as the Board’s designee on the Cuyuna Country State Recreation Area Citizens Advisory Council, reserving the right at any time hereafter to revoke such authorization and directly designate an alternative person to serve as the Board’s designee on the Council.

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS 18th DAY OF FEBRUARY 2010.

Member	Aye	Nay	Abstain	Excused
Senator Tom Bakk	X			
Senator Tom Saxhaug	X			
Senator Rod Skoe				X
Senator Yvonne Prettner Solon	X			
Senator Dave Tomassoni	X			
Representative Tom Anzelc	X			
Representative Dave Dill	X			
Representative Tom Rukavina				X
Representative Tony Sertich	X			
Representative Loren Solberg	X			
Citizen Joe Begich	X			
Citizen Shelley Robinson	X			
Citizen Jack Ryan	X			
TOTAL	11	0	0	2

Signed: _____
 Senator David Tomassoni, Chair

VII. Adjournment

The meeting adjourned at 6:58 p.m.

Douglas J. Johnson Economic Protection Trust Fund

Action required: Project approval requires 8 votes

- a) Disability Specialist
- b) City of Cook
- c) City of Mt. Iron

Disability Specialist, Inc.
Bank Participation Loan Program

APPLICANT:

Disability Specialist, Inc.

PRINCIPAL(S):

Tom Ehrbright, President, and Matthew Hoeschen-Ehrbright, CEO

BRIEF PROJECT DESCRIPTION:

Construct a new facility to allow the company to continue to expand in Cook, MN

PROJECT COST:

\$2,700,000

PROJECT BREAKDOWN:

Small Business Administration 504 loan	\$1,080,000
Bank loan	675,000
Iron Range Resources Bank Participation Loan	675,000
Owner's equity	<u>270,000</u>
Total	\$2,700,000

COLLATERAL:

Collateral consists of a first mortgage on the new facility and personal guaranties of Thomas and Lee Ann Ehrbright. The appraisal has not yet been completed on the new facility. Any collateral shortfall will be secured with mortgages on the existing commercial real estate and the guarantor's personal residence or with additional owner's cash injection into the project. All collateral will be shared pro-rata with the bank. The SBA will hold a subordinate position on the collateral.

JOBS:

This project will allow the retention of 30 full-time employees and the creation of an additional 20 full-time jobs at wages of \$11.50 to \$16.00 per hour. Full-time employees are provided a comprehensive benefit package including health and dental insurance.

CONTINGENCIES:

All construction permits must be acquired and all other sources of financing must be committed. Appraisals on pledged real estate must total at least \$2,700,000 or additional owner's equity will be required.

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS:

Recommended approval of the Project at the Committee's April 8, 2010, meeting.

FUNDING AUTHORIZATION:

Douglas J. Johnson Economic Protection Trust Fund: This project is authorized under the provisions of the Douglas J. Johnson Economic Protection Trust Fund Act (Minnesota Statutes sections 298.291-298.298) pertaining to expenditures of Douglas J. Johnson Economic Protection Trust Fund monies for economic development projects in that these statutes authorize small business development loans to private enterprises for the purposes of job creation and economic development within the Taconite Assistance Area defined in Minnesota Statutes Section 273.1341.

PROJECT DESCRIPTION:

Disability Specialist, Inc. was formed in 1989 when the state of Minnesota began contracting with specialists to assist clients in accessing Social Security disability benefits. The company began as a two-person operation and quickly grew. By 2005, the company had grown to 12 employees in Cook and needed a larger facility. The new facility was constructed in 2006 and supported business growth to the current total of 30 full-time employees.

The current facility in Cook cannot support additional growth. President Tom Ehrbright estimates that continued growth of the company will require an additional 20 full-time employees over the next 5 years.

The project under consideration is to construct a new, expandable, 11,500 square-foot facility to allow the company to continue to grow in Cook, Minnesota.

MANAGEMENT TEAM:

Thomas Ehrbright, President, founded the company in 1989. Tom holds degrees in political science and history from the University of Michigan. Matthew Hoeschen-Ehrbright, CEO, joined the company in 2005. Matt holds a degree in psychology from the College of St. Scholastica.

MARKET OPPORTUNITY:

Disability Specialist's target market is those people applying for Social Security Disability benefits. The company has a state-wide contract to represent the clients of the Minnesota Department of Human Services. The company has representatives in Cook, Brainerd, Rochester, Minneapolis and Detroit Lakes and serves clients in Minnesota, western Wisconsin, northern Iowa, eastern North and South Dakota and the upper peninsula of Michigan.

COLLATERAL REVIEW:

The new 11,500 square-foot facility has an estimated construction cost of \$2,700,000. The appraisal has been ordered, but is not available at this time. The existing 4-year-old facility had a construction cost of \$435,000 and has a current appraisal value of \$270,000. The guarantor's personal residence has a current tax value of \$360,000.

Total estimated value of real estate is calculated below:

New facility construction cost	\$2,700,000
Existing facility appraised value	270,000
Guarantor's residence	<u>360,000</u>
Total	\$3,330,000

PAST IRON RANGE RESOURCES HISTORY:

In 2005, Iron Range Resources approved a \$185,000 Bank Participation Loan for construction of a new facility in Cook to allow the company to expand. The loan was paid in full in September 2009.

City of Cook



Iron Range Resources
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4261 Highway 53 South
Eveleth, Minnesota 55734-0441
(218) 735-3000 • 800-765-5043
Fax: (218)735-3047

To: Iron Range Resources Board

From: Sandy Layman
Commissioner

Date: April 15, 2010

Re: \$200,000 CITY OF COOK INFRASTRUCTURE GRANT

The City of Cook has requested Iron Range Resources financing, in the form of a Public Works Infrastructure Grant in the amount of \$200,000, to assist with infrastructure in the development of a new building for Disability Specialist, Inc.

BACKGROUND:

Disability Specialist, Inc. was formed in 1989 when the State began contracting with specialists to assist clients in accessing Social Security disability benefits. The company began as a two-person operation and quickly grew. By 2005, the company had grown to 12 employees in Cook and needed a larger facility. A new facility was constructed in 2006 and supported business growth to the current total of 30 full-time employees.

The current facility in Cook cannot support additional growth. President Tom Ehrbright estimates that continued growth of the company will require an additional 20 full-time employees over the next 5 years.

Disability Specialist plans to construct a new, expandable, 11,500 square-foot facility to allow the company to continue to grow in Cook, Minnesota.

PROJECT DETAIL:

The project consists of water, sewer, road and site improvements for the construction of an 11,500 square-foot building. Total project costs are \$270,800 with the developer providing the funding in excess of the \$200,000 provided by the agency.

The option for on-site well and septic was evaluated but, in light of future fire protection needs and land development opportunities, the extension of utilities appears to be the most advantageous option. This extension of infrastructure along River Street North and C.S.A.H. 115 will bring infrastructure to the northern end of 76 additional developable acres.

Release of Iron Range Resources funds is contingent upon the agency receiving a copy of a development agreement between the city and Disability Specialist, Inc.

<u>USES</u>		<u>SOURCES</u>	
Water, sewer and road improvements	\$270,800	Iron Range Resources	\$200,000
		Private/city	\$70,800
TOTAL	\$270,800	TOTAL	\$270,800

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS:

Recommended approval of the Project at the Committee's April 8, 2010, meeting.

FUNDING AUTHORIZATION:

Douglas J. Johnson Economic Protection Trust Fund: This proposed project is authorized under the provisions of the Douglas J. Johnson Economic Protection Trust Fund Act (Minnesota Statutes sections 298.291-298.298) pertaining to expenditures of Douglas J. Johnson Economic Protection Trust Fund monies for economic development projects in that these statutes authorize the expenditure of such DJJEPTF monies to provide loans and other forms of financial participation with private sources of funding to assist private enterprises in projects that promote job creation and economic development within the Taconite Assistance Area defined in Minnesota Statutes Section 273.1341.

City of Mt. Iron



Iron Range Resources
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(218) 735-3000 • 800-765-5043
Fax: (218)735-3047

To: Iron Range Resources Board

From: Sandy Layman
Commissioner

Date: April 15, 2010

Re: \$191,000 CITY OF MOUNTAIN IRON RAIL ACCESS ROAD IMPROVEMENT GRANT

The City of Mountain Iron has requested Iron Range Resources financing, in the form of a Public Works Infrastructure Grant in the amount of \$191,000, to assist with improvements to a rail yard road (Slate Street) utilized by logging trucks. Loggers off-load their trucks at the rail yard and the wood is shipped to Wisconsin mills. It is anticipated that the Canadian National railway will make improvements, at a cost of \$500,000, to its yard that runs adjacent to the railway. Loggers pull up to the rail cars, off-load their wood and exit by crossing the tracks near Highway 169. Total project cost is \$691,000.

BACKGROUND:

The logging operation at the Mt. Iron siding is run by FOFES LLC out of Angora, Minnesota. The principal is Richard "Finn" Ostman, who has 30 years of experience as a forester and wood buyer. He worked for the Ainsworth plant in Cook for 20 years, which bought over 325,000 cords of wood annually from 80 logging companies. Gary Bailey from Williams MN, through Custom Building Logs, handles the coordination of the rail shipments. He has 20 years of experience in doing so.

The first shipment of logs for this Mountain Iron operation went out in December 2008, and there has been a dramatic increase in business in the past 15 months. Ostman is working with 15 local loggers on this project. Currently there are 40 logging jobs involved; and with the addition of 12 more shipping weeks, an additional 7 jobs would be added.

Recently two other rail transfer operations in the region have shipped a small number of rail car loads. The Minnesota Wilpen yard in Chisholm primarily ships birch to Wisconsin. The Two Harbors site, which is a drying yard, also ships wood. Both operations are run by North Shore Forest Products.

The loss of roughly 800,000 cords of wood demand in Minnesota as a result of the Ainsworth and Weyerhaeuser mill closures has forced area loggers to look for new markets for their wood. New markets are becoming established that allow northeastern Minnesota loggers to export a significant volume of logs to Wisconsin and Canada. The rail transfer yards provide potential markets for over 100,000 cords annually, at a considerable reduction in transportation expenses.

PROJECT DETAIL:

The improvements to the road include geotextile fabric, sub grade preparation, erosion control and class 5 aggregate base. Road improvement will allow 12 more weeks of utilization of the access road in the spring. At the current shipment of 9 rail cars per week, approximately 3,564 additional cords of wood could be shipped. Also, under current market conditions, the number of rail car shipments could increase from 9 to 15 rail cars per week, thereby increasing traffic on this road overall.

Each rail car handles approximately 33 cords of wood. Each logging truck can haul 10 – 11 cords of wood in the summer and an additional 2 cords in the winter, taking into account the overweight allowance. In the winter, loggers ship mostly tamarack and in the summer, pine.

The release of Iron Range Resources funds is contingent on Canadian National railroad committing, in writing, to improve the railroad siding.

<u>USES</u>		<u>SOURCES</u>	
City access road	\$191,000	Iron Range Resources	\$191,000
Canadian National siding	500,000	Canadian National railway	500,000
TOTAL	\$691,000	TOTAL	\$691,000

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS:

Recommended approval of the Project at the Committee’s April 8, 2010, meeting.

FUNDING AUTHORIZATION:

Douglas J. Johnson Economic Protection Trust Fund: This proposed project is authorized under the provisions of the Douglas J. Johnson Economic Protection Trust Fund Act (Minnesota Statutes sections 298.291-298.298) pertaining to expenditures of Douglas J. Johnson Economic Protection Trust Fund monies for economic development projects in that these statutes authorize the expenditure of such DJJEPTF monies to provide loans and other forms of financial participation with private sources of funding to assist private enterprises in projects that promote job creation and economic development within the Taconite Assistance Area defined in Minnesota Statutes Section 273.1341.

Taconite Area Environmental Protection Fund

Action required: Project approval requires 7 votes

- a) FY11 Ironworld Development Corporation Funding
- b) City of Eveleth

FY11 Ironworld Development Corporation Funding



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4261 Highway 53 South
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(218) 744-7400 • 800-765-5043
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To: Iron Range Resources Board Members

From: Sandy Layman
Commissioner

Date: October 10, 2012

**Re: PRE-APPROVAL OF FY11 BUDGET ALLOCATION FOR IRONWORLD
DEVELOPMENT CORPORATION SUBLEASE/MANAGEMENT AGREEMENT**

AGREEMENT REACHED:

A dedicated team from Iron Range Resources and the Ironworld Development Corporation (IDC) Board has worked hard to reach agreement on a revised Sublease/Management contract. To support that agreement I am requesting your pre-approval of the following FY11 Budget amounts for IDC:

AGENCY FY11 INVESTMENT PLAN

IDC Operating Grant	\$1,000,000
Fundraising Match Grant	\$250,000
Insurance	\$40,400
Capital Repairs	\$41,147
TOTAL	\$1,331,547

AGREEMENT TERMS:

- The agency investment schedule (Exhibit C-2) has been changed to \$1,000,000 a year.
- The “Dollar for Dollar” fundraising match of \$250,000 a year may be applied toward operations or toward the endowment.
- IDC must keep the premises open to the public at least 120 days a year, reduced from a previous minimum of 180. They intend to re-open sometime in May 2010.

- Commercial general liability and commercial auto liability limits were increased from \$1,000,000 to \$2,000,000 per MMB policy changes.
- IDC shall report quarterly to the agency on its financial position, fundraising results and other significant operating matters.

Additionally, IDC has developed the following budget, which projects FY11 revenues in excess of operating expenditures by \$8,472:

	<u>USES</u>		<u>SOURCES</u>	
Salaries	\$791,500		Iron Range Resources Operating Grant	\$1,000,000
Operating Expenses	\$682,928		Earned Income and Fundraising	\$62,900
			Endowment Interest	\$420,000
	Subtotal	\$1,474,428	Subtotal	\$1,482,900
<i>Budget Surplus</i>		\$8,472		
TOTAL USES		\$1,482,900	TOTAL SOURCES	\$1,482,900

FUNDING AUTHORIZATION:

Taconite Area Environmental Protection Fund: These proposed projects are authorized under the provisions of the Taconite Area Environmental Protection Fund Act (“TEPF”) (Minnesota Statutes Section 298.233) pertaining to expenditures of monies made available under the TEPF for local economic development projects and public works, including construction of sewer and water systems located within the taconite assistance area (“TAA”) as defined in Minnesota Statute Section 273.1341.

City of Eveleth



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(218) 735-3000 • 800-765-5043
Fax: (218)735-3047

To: Iron Range Resources Board

From: Sandy Layman
Commissioner

Date: April 15, 2010

**Re: \$40,920 CITY OF EVELETH GRANT FOR MITIGATION OF SUBSIDENCE
ASSOCIATED WITH THE AAD UNDERGROUND MINE**

The City of Eveleth has requested Iron Range Resources financing, through a Mineland Reclamation grant in the amount of \$40,920, to mitigate the subsidence caused by the Aad underground mine at the corner of Adams Avenue and Cleveland Street in Eveleth. The project will include filling the area of subsidence, preparing the surface for the construction of a reinforced concrete slab extending over the subsidence area, and then installing the concrete cap over the area.

BACKGROUND:

In June 2009, part of the old Aad Underground Mine had significantly subsided for the second time within a residential area in Eveleth at the northwest corner of Cleveland Street and Adams Avenue. The St. Louis County Mine Inspector, DNR and IRR visited the site and, along with the city, determined the best short-term action plan was continued monitoring of the site and placing fill material into the subsidence as required. The diameter of the subsidence has not grown over the past ten months, which was a primary concern, as this would have prevented a permanent solution to this safety issue.

PROJECT DETAIL:

The perimeter of the subsidence area now appears to be stable and not expanding. Therefore, it's feasible to implement a permanent fix of constructing a concrete cap over the area with a removable hatch cover assembly (manhole with cover) placed over the center of the subsidence. This will permit the city to continue monitoring the subsidence and placing fine grained fill material into the void as necessary and prevent any unfortunate accidents from occurring in the future.

The funding for the project will come from the \$125,000 FY10 Budget allocation for Mineland Reclamation projects. At the June 18, 2009, Board meeting, the Board reallocated the \$125,000 that had been proposed for a Wetland Mitigation Cooperative to instead be used for Mineland

Reclamation projects that might arise during FY10. To date, none of these funds have been used. The \$40,920 for the Eveleth project will be used as follows:

Site preparation	\$5,000.00
Common excavation	\$2,025.00
Aggregate base	\$875.00
Concrete pavement	\$22,000.00
Casting assembly	\$1,000.00
Turf establishment	\$500.00
Engineering	\$7,950.00
Contingency (5%)	\$1,570.00
Total	\$40,920.00

FUNDING AUTHORIZATION:

Funding for the project will come from the Taconite Area Environmental Protection Fund (M.S. 298.223), which is created for the purpose of reclaiming, restoring and enhancing those areas of northeast Minnesota located within the taconite assistance area defined in section 273.1341 that are adversely affected by the environmentally damaging operations involved in mining taconite and iron ore and producing iron ore concentrate and for the purpose of promoting the economic development of northeast Minnesota. The taconite environmental protection fund shall be used for the following purposes. . . (2) reclamation, restoration, or reforestation of mine lands not otherwise provided for by state law. . .

Iron Range Higher Education Fund

Action required: Appointment approval requires 7 votes

- a) Iron Range Higher Education Committee Expenditure

Iron Range Higher Education Committee Expenditure



Iron Range Resources
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Fax: (218)744-7403

To: Iron Range Resources Board Members

From: Sandy Layman
Commissioner

Date: October 10, 2012

**RE: IRON RANGE HIGHER EDUCATION COMMITTEE EXPENDITURE FOR
CONSULTING SERVICES**

REQUEST FOR PROPOSAL (RFP):

The Iron Range Higher Education Committee requests the expenditure of funds in an amount not to exceed \$100,000 for consulting services to work with the Iron Range Higher Education Committee to implement and evaluate specific elements of a comprehensive plan to address higher education needs in Northeast Minnesota, specifically the Taconite Assistance Area (TAA) defined in M.S. 273.1341.

The Iron Range Higher Education Committee is a legislatively created committee defined in M.S. 298.2214 that is charged to advise the Commissioner of Iron Range Resources on providing higher education programs in the Taconite Assistance Area. The committee is comprised of four Iron Range Resources and Rehabilitation Board Members appointed by the Chair, the Commissioner of Iron Range Resources and Rehabilitation, the President of the Northeast Higher Education District, one member appointed by the President of the University of Minnesota and one member appointed by the Governor.

The scope of services for the consulting contract will include but not be limited to the following:

1. Track, expedite and pursue full implementation of the two engineering programs and the five other programs recommended in the Arrowhead Institute of Technology (AIT) comprehensive plan.
2. Institute a systematic evaluation component with criteria and performance benchmarks to monitor progress on implementation of comprehensive plan recommendations.

3. Facilitate regional meetings among K-12, higher education and regional business/industry to define P-20 career pathways and instructional methodology leveraging industry expertise across the Iron Range.
4. Work on an “as needed” basis to assist the Iron Range Higher Education Committee to respond to emerging needs and opportunities.

It is anticipated that consultant evaluation and selection will be completed by June 1, 2010, and that the contract will run for a period not to exceed 12 months.

FUNDING AUTHORIZATION:

Funding for the contract will come from the Iron Range Higher Education Account, the five cents per taxable ton annually allocated pursuant to M.S. 298.28, subdivision 9d, for higher education programs conducted at educational institutions in the TAA.