

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

October 4, 2011

County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL:

Health & Human Services Committee – Commissioner Dahlberg, Chair

1. Authorize Public Health and Human Services to renew agreements for Day Training and Habilitation and Semi-Independent Living Services with various providers effective July 1, 2011, through June 30, 2012.

Environment & Natural Resources Committee – Commissioner Jewell, Chair

2. Reinstatement of contract for repurchase of state tax forfeited land by Patrick and Lisa Oliver, Duluth, MN, subject to payment of \$9,460.19, to be deposited into Fund 240 (Forfeited Tax Fund.)
3. Approve the 2012 Solid Waste Services Fees.
4. Special sale of state tax forfeited land described as Lot 19, Block 4, Lincoln Park View Duluth, City of Duluth (2711 West 8th Street, Duluth) to the Duluth Housing and Redevelopment Authority.

Public Works & Transportation Committee – Commissioner Forsman, Chair

5. Approval of quote from Hancock Concrete Products, of Hancock, Minnesota, in the amount of \$79,535.39 for concrete culverts for MP 837-86142, County Project 86142, bridge project over Sixteen Creek on County Road 837 (Halden Township).

Finance & Budget Committee – Commissioner Nelson, Chair

6. Approve 2011 second quarter budget changes.
7. Application for On-Sale & Sunday On-Sale Intoxicating Liquor license by Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, new.

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

8. Authorize a second amendment to the 2010 Boundary Waters Drug Task Force Grant, increasing the grant by \$46,035.
9. Authorize renewal of a law enforcement services agreement with the City of Mt. Iron.

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Central Management & Intergovernmental Committee – Commissioner Raukar, Chair

10. Resolution in support of the efforts of the Lake Fourteen Lake Association to obtain funding assistance from state and/or federal sources to address weed infestation and secure the resources to successfully clean up the lake.
11. Approve the proposed acquisition of two (2) parcels located in Section 27, Township 55, Range 18, by the Minnesota Department of Natural Resources for the purpose of completing the Fermoy Tract of the Sax-Zim Wildlife Management Area.
12. Workers' Compensation report dated September 23, 2011.

**Recontract with Day Training and Habilitation
and Semi-Independent Living Service Providers**

BY COMMISSIONER _____

WHEREAS, St. Louis County purchases day training and habilitation and semi-independent living services for residents with developmental disabilities; and

WHEREAS, the Department of Public Health and Human Services has agreements with the following day training and habilitation providers and semi-independent living service providers; and

WHEREAS, the Department wishes to renew these agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department to enter into agreements effective July 1, 2011, through June 30, 2012, for the following services:

- 1) Day training and habilitation service providers (as listed below) to be paid from:
 - Fund: 230
 - Agency: 232006
 - Object: 604800

- 2) Semi-independent living service providers (as listed below) to be paid from:
 - Fund: 230
 - Agency: 232006
 - Object: 605200

There will be no change in rates for the first two (2) months, July 1, 2011, through August 31, 2011.

RESOLVED FURTHER, that the rates from September 1, 2011, through June 30, 2012, be approved as shown below:

DAY TRAINING & HABILITATION (1.0% reduction)

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program & Transport.</u>
Access to Employment Too, Inc.	\$ 85.19	\$ 63.89	\$ 7.44	\$ 92.63
CHOICE, Unlimited-CHOICE	\$ 72.66	\$ 54.49	\$ 8.02	\$ 80.68
CHOICE, Unlimited-OPTIONS	\$101.28	\$ 75.96	\$10.69	\$111.97
East Range DAC	\$ 64.32	\$ 48.24	\$11.47	\$ 75.79
Floodwood Services & Training, Inc.	\$ 64.88	\$ 48.66	\$ 5.71	\$ 70.59
MSOCS Duluth-Airpark Products & Services	\$117.52	\$ 88.14	\$ 9.73	\$127.25

MSOCS Duluth–Lincoln Park Life Skills	\$ 90.55	\$ 67.91	\$13.55	\$104.10
MSOCS Range Area Vocational Supports	\$116.35	\$ 87.26	\$16.48	\$132.83
Range Center, Inc.	\$ 83.67	\$ 62.75	\$ 6.02	\$ 89.69
UDAC, Inc.	\$ 63.27	\$ 47.45	\$ 9.80	\$ 73.07

	<u>Level</u>	<u>Hourly Rate</u>
Pinewood, Inc. – Duluth	A	\$28.16
	B	\$13.80
	C	\$10.84
	D	\$ 9.68

SEMI-INDEPENDENT LIVING SERVICES (SILS) (1.5% reduction)

	<u>Per Hour</u>
Duluth Regional Care Center	\$26.05
HOMES, Inc. - Hibbing	\$26.05
HOMES, Inc. - Virginia	\$26.05
Innovative Living, Inc.	\$26.05
Trillium Services, Inc.	\$26.05

Reinstatement of Contract for Repurchase of State Tax Forfeited Land - Oliver

BY COMMISSIONER _____

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and

WHEREAS, less than 50 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

WHEREAS, Patrick and Lisa Oliver of Duluth, MN, have requested to reinstate Contract C22090099, having been cancelled on 08/02/2011, under new Contract C22110091 for property described as:

CITY OF DULUTH
W 140 FT OF E 518 FT OF OUTLOT B
NEW DULUTH 1ST DIVISION
Parcel Code: 10-3430-19270

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110091 by Patrick and Lisa Oliver of Duluth, MN, in the amount \$9,460.19, to be deposited into Fund 240 (Forfeited Tax Fund).

2012 Solid Waste Service Fees

BY COMMISSIONER _____

WHEREAS, in 1991, St. Louis County implemented a Solid Waste Service Fee to fund portions of the county's solid waste management programs; and

WHEREAS, in 2001 and 2002, the county established the South Solid Waste Service Area and implemented hauler-collected and tax statement line item service fees for that area; and

WHEREAS, current revenue generated by solid waste service fees is adequate to fund recycling, household hazardous waste, administration, and waste reduction programs.

NOW, THEREFORE, BE IT RESOLVED, that the 2012 North Solid Waste Service Area Solid Waste Service Fees continue at the 2011 rates as follows:

Residential Parcels	\$ 58.00
Seasonal/Recreational Parcels	\$ 19.72
Commercial Parcels:	
* EMV less than \$50,000	\$ 58.00
EMV \$50,001 to \$100,000	\$ 87.00
EMV \$100,001 to \$150,000	\$116.00
EMV \$150,001 to \$200,000	\$145.00
EMV more than \$200,000	\$174.00

RESOLVED FURTHER, that the 2012 South Solid Waste Service Area Solid Waste Service Fees continue at the 2011 rates as follows:

Residential Parcels	\$ 18.00
Seasonal/Recreational Parcels	\$ 9.00
Commercial Parcels:	
* EMV less than \$50,000	\$ 18.00
EMV \$50,001 to \$100,000	\$ 27.00
EMV \$100,001 to \$150,000	\$ 36.00
EMV \$150,001 to \$200,000	\$ 45.00
EMV more than \$200,000	\$ 54.00

RESOLVED FURTHER, that these rates shall be certified to the St. Louis County Auditor to be included upon the 2012 tax statements.

* EMV – Estimated Market Value – land value plus improvements

**Special Sale to Duluth Housing and Redevelopment Authority (HRA) -
2711 West 8th Street, Duluth**

BY COMMISSIONER _____

WHEREAS, the Duluth Housing and Redevelopment Authority has requested to purchase the following described state tax forfeited land for the reduced value of \$10,000, plus fees and expenses, for conveyance to Habitat for Humanity:

Legal: Lot 19, Block 4
LINCOLN PARK VIEW DULUTH
City of Duluth
Parcel Code: 010-2930-00780
LDKEY: 70355
Acres: 0.09
ADDRESS: 2711 W 8th St

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, non-conservation tax-forfeited lands may be sold for less than their market value if the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market, or the reduced price will lead to the development of affordable housing; and

WHEREAS, this parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority for \$10,000, plus fees and expenses, to be deposited into Fund 240 (Forfeited Tax Fund).

**Acceptance of Quotes for Materials – Bridge Project on
County Road 837 (Halden Township)**

BY COMMISSIONER _____

WHEREAS, quotes have been received by the St. Louis County Public Works Department for the following project:

MP 837-86142, County Project 86142, for project materials (concrete culverts) for a bridge on County Road 837 (Halden Township), length 0.1 mi.

WHEREAS, quotes were received and the low quote was provided by Hancock Concrete Products, Hancock, MN.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the quote for concrete culverts.

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hancock Concrete Products Concrete Culverts	17 Atlantic Ave. Hancock, MN 56244	\$79,535.39

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the contractor's quote for the above listed project payable from Fund 200, Agency 203246, Object 651000 for concrete culverts.

2011 Second Quarter Budget Changes

BY COMMISSIONER: _____

WHEREAS, all increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, proposed budget adjustments are levy neutral.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the following budget changes:

1. Increase Public Health & Human Services Assertive Community Treatment revenue and expense budget due to a rate increase by the State of Minnesota (-\$82,070).
2. Increase Property Management revenue and expense budget to reflect an increase in 2011 rates for the Ely Government Services Center (\$17,237).
3. Reallocation of multiple positions in Public Health & Human Services, including:
 - a. Social Services Specialist II position to a Social Worker position (\$7,200),
 - b. Collection Services Supervisor II to a Child Support Officer I (-\$5,160),
 - c. Social Services Specialist position to a Social Worker position (\$7,200),
 - d. Three Information Specialist positions to the Information Specialist II classification (\$15,912), and
 - e. Information Specialist I to a Business Systems Analyst (\$17,196).
4. Increase revenue and expense budget in Fund 280 Septic Loans to allow for the principle received in 2011 to be available for new septic loans (\$6,359).
5. Use of missing heirs fund balance to cover transfer. After 21 years, the money becomes property of the county and is transferred to the general fund (\$6,101).
6. Increase revenue and expense budget to pay off Minnesota Clean Water Partnership Project Implementation Loan. (\$10,282).
7. Increase revenue and expense budget in Public Health & Human Services for higher than anticipated relative custody assistance pass-through funds from the state (\$200,000).
8. Increase revenue and expense budgets to match actual revenues received for meth-related overtime reimbursed through Northeast Law Enforcement Administrator's Council (\$1,905).
9. Increase revenue and expense budget for Arrowhead Economic Opportunity Agency (AEOA) Single Family Rehab to reflect unexpected program income generated by AEOA's Housing Development Activity for the sale of two houses (\$50,000).
10. Increase budget for 2010 Boat & Water Safety grant to contract amount (\$37).

11. Use of depreciation reserve funds for Heating Ventilation Air Conditioning unit at Hibbing Courthouse (\$56,957).
12. Use of fund balance to cover first quarter unemployment in Assisted Living Program (\$649).
13. Add sales tax to Purchase Order No. 9519 for a new boiler and water heaters for the jail from Ryan Company. The original board resolution, Resolution No. 11-356 dated June 28, 2011, did not include the \$10,209.37 sales tax.

							Expense Budget	Transfer	Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
2nd Quarter													
1	230	232003	609600			23010000	\$ 80,397.00						
	230	232003	609600				\$ 1,673.00						
	230	232003	527500								\$ (82,070.00)		
2	100	128021	553001								\$ (15,745.00)		
	100	553001	583103								\$ (1,492.00)		
	100	583103	634200				\$ 17,237.00						
3	230	232006	610100				\$ 7,200.00			based on full year			
	230	231009	610100				\$ (5,160.00)			based on full year			
	230	232005	610100				\$ 7,200.00			based on full year			
	230	various?	610100				\$ 15,912.00			based on full year for three positions			
	230	232007	610100				\$ 17,196.00			based on full year			
4	280	280001	584101								\$ (6,358.97)		
	280	280001	635200				\$ 6,358.97						
5	161	161001	653000				\$ 6,100.77						
	161	999999	311017										\$ (6,100.77)
6	282	282001	635200				\$ 10,282.24						
	282	282001	584101								\$ (10,282.24)		
7	230	232008	608500				\$ 200,000.00						
	230	232008	530628								\$ (200,000.00)		
8	100	129999	540515	12943	99999999	2011					\$ (1,904.82)		
	100	129999	629900	12943	99999999	2011	\$ 1,904.82						
9	261	261003	583100								\$ (50,000.00)		
	261	261003	629900				\$ 50,000.00						
10	100	130999	530801	13001	99999999	2010					\$ (36.57)		
	100	130999	665900	13001	99999999	2010	\$ 36.57						
11	402	402001	665900				\$ 56,957.00						
	402	999999	311126										\$ (56,957.00)
12	100	104011	617200				\$ 649.00						
	100	999999	311200										\$ (649.00)
13	400	400032	630900				\$ (5,020.97)						
	400	400032	663100				\$ 5,020.97						
	400	400003	630900				\$ (5,188.40)						
	400	400032	663100				\$ 5,188.40						

**On-Sale and Sunday On-Sale Intoxicating Liquor License –
Blue Max (Fredenberg Township)**

BY COMMISSIONER _____

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59184.

RESOLVED FURTHER, that said license is approved contingent upon license holder paying real estate or personal property taxes when due.

RESOLVED FURTHER, that said license is approved contingent upon license holder complying in all respects with the controlling liquor, health, environmental and sanitary laws, rules and regulations for the liquor license, Fredenberg Township approval, certificate of liquor liability insurance, proof of workers' compensation insurance, and Minnesota Department of Health Food/Beverage Service License application.

RESOLVED FURTHER, that if named license holder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder.

RESOLVED FURTHER, that said license shall be effective November 1, 2011, through June 30, 2012:

Steven G. Swanstrom d/b/a Blue Max, Fredenberg Township, On-Sale Intoxicating Liquor License No. CMB12144 and Sunday On-Sale Intoxicating Liquor License No. SUN12144.

**Second Amendment to the 2010 Boundary Waters
Drug Task Force Grant**

BY COMMISSIONER _____

WHEREAS, the St. Louis County Sheriff's Office is a member of the Boundary Waters Drug Task Force, and the county serves as its fiscal agent; and

WHEREAS, the Minnesota Department of Public Safety, Office of Justice Programs, is offering a second amendment to the 2010 Boundary Waters Drug Task Force grant which increases the grant an additional \$46,035.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a second amendment to the 2010 Boundary Waters Drug Task Force Grant increasing the amount by \$46,035, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2010.

**Renewal of Law Enforcement Services Agreement
with the City of Mt. Iron**

BY COMMISSIONER _____

WHEREAS, the City of Mt. Iron has contracted with St. Louis County to provide law enforcement services since 1988, and is desirous of continuing this arrangement; and

WHEREAS, St. Louis County wishes to continue the law enforcement services according to the terms and conditions set forth in a renewed agreement with the City of Mt. Iron; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minn. Stat. § 471.59.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the agreement for law enforcement services with the City of Mt. Iron, with funds to be accounted for in Fund 100, Agency 134002.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign the agreement on behalf of St. Louis County.

Support of the Clean Up Efforts of the Lake Fourteen Lake Association

BY COMMISSIONER _____

WHEREAS, Lake Fourteen, located north of Great Scott Township (T60N-R19W) in St. Louis County, Minnesota, is experiencing extremely pervasive “Coon Tail” and “Canadian Water Weed” infestation; and

WHEREAS, the Lake Fourteen Lake Association has been working with the Minnesota Department of Natural Resources (DNR) to address the problem, which will involve the administration of a chemical treatment to help curb the growth of the weeds, costing around \$5,000 annually; and

WHEREAS, the St. Louis County Board of Commissioners believes it is appropriate for state and federal funding agencies to be engaged in the efforts to clean up Lake Fourteen, including the possibility of dredging the lake and hauling the weeds to a suitable location.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board fully supports the efforts of the Lake Fourteen Lake Association in its pursuit to restore Lake Fourteen to a healthy environmental balance, and urges the various state and federal funding agencies to assist the association in every way possible to reach its goal of successfully addressing the Lake Fourteen weed infestation.

DNR Acquisition Request – Fermoy Wildlife Management Area

BY COMMISSIONER _____

WHEREAS, the Minnesota Department of Natural Resources (DNR) is considering the acquisition of two parcels within the Fermoy Tract of the Sax-Zim Wildlife Management Area, located approximately eight miles west of Cotton, MN; and

WHEREAS, the two parcels are owned by Donald and Donna Palusky, of Duluth, Minnesota, and James Thomas, of Macomb, Michigan, willing sellers who have contacted the DNR with the request that the parcels be added to the open landscape area that is already being managed by the agency; and

WHEREAS, in accordance with Minn. Stat. 97A.145, Subd. 2, the DNR provided the St. Louis County Board with a description of lands to be acquired by the State of Minnesota for water, forestry, wildlife, and natural plant community conservation purposes.

Lands to be acquired are described as follows:
T55, R18, E1/2 E1/2 E1/2 SW1/4 (20 acres) Sec 27 and
T55, R18, E1/2 E1/2 E1/2 E1/2 of NE (12.8 acres) Sec 27

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the proposed acquisition of the above described property by the Minnesota Department of Natural Resources for the purpose of completing the Fermoy Tract of the Sax-Zim Wildlife Management Area.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 23, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.