

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

November 8, 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:

Minutes of the October 25, 2011, meeting.

Environment & Natural Resources Committee – Commissioner Jewell, Chair

1. Grant free conveyance of state tax forfeited land described as Outlot 4, Riverside Duluth, to the City of Duluth for park, trail, and utility purposes, upon total payment of \$572.65.
2. Cancellation of contract for purchase of state tax forfeited land by Timothy Ronchetti, Hibbing, MN, approved.
3. Authorize a surface lease agreement with Mining Resources, LLC for a scam mining project located on state tax forfeited land in Sections 26, 34, and 35, Balkan Township, at an annual lease fee not to exceed \$12,000 plus timber damage, for a ten year term or until termination of operations.

Finance & Budget Committee – Commissioner Nelson, Chair

4. Lawful gambling application (Pull-tabs) for Cook Timberwolves Snowmobile Club to operate out of The Oasis, Unorganized Township 60-18, 7539 Peel Road, Britt, MN, new.
5. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals.
6. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals with violations.

Central Management & Intergovernmental Committee – Commissioner Raukar, Chair

7. Approve the “effects bargaining” agreement with the St. Louis County Association representing the Civil Service Supervisory Bargaining Unit.
8. Appoint two (2) individuals to the Community Development Block Grant Citizen Advisory Committee with a term ending April 30, 2014.
9. Reappoint two (2) individuals to the St. Louis County Planning Commission with a term ending December 31, 2014.

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Public Safety & Corrections Committee – Commissioner Sweeney, Chair

10. Authorize the application and acceptance of the 2012 Boundary Waters Drug Task Force Grant in the amount of \$92,500.

**Official Proceedings of the County Board
of Commissioners**

BY COMMISSIONER _____

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 25, 2011, are hereby approved.

Request for Free Conveyance of State Tax Forfeited Land to the City of Duluth

BY COMMISSIONER _____

WHEREAS, pursuant to Minn. Stat. § 282.01a, Subd. 1, upon recommendation of the County Board, the Commissioner of Revenue may convey state tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the City of Duluth has requested a free conveyance of state tax forfeited land for park, trail, and utility purposes, legally described as:

Outlot 4
Riverside Duluth
Parcel Code: 010-3970-02090
0.5 Acres
LDKEY: 71475

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey the above described state tax forfeited land to the City of Duluth for the authorized public use, upon payment of \$250 administrative fee, \$250 Department of Revenue fee, \$25 deed fee, \$1.65 deed tax, and \$46 recording fee; for a total of \$572.65, to be deposited into Fund 240 (Forfeited Tax Fund).

Cancellation of Contract for Purchase of State Tax Forfeited Land - Ronchetti

BY COMMISSIONER _____

WHEREAS, the contract with Timothy Ronchetti of Hibbing, MN, for the purchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF HIBBING
LOTS 1 AND 2, BLOCK 1
PLAT OF BROOKLYN
Parcel Code: 140-0050-00010
C22100080

WHEREAS, Minn. Stat. §§ 282.04, Subd, 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

**State Tax Forfeited Surface Lease Agreement with Mining Resources, LLC
(Balkan Township)**

BY COMMISSIONER _____

WHEREAS, Minnesota Statutes, Section 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease state tax forfeited land to individuals, corporations or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, Mining Resources, LLC wishes to develop a scam mining project in Sections 26, 34, and 35, Township 58 North, Range 20 West; and

WHEREAS, Mining Resources, LLC is requesting to lease state tax forfeited land for the purpose of constructing and operating an iron ore scam mine that will include a processing plant, access roads, electrical transmission lines, and related facilities on property described as:

1. UND 1/16 OF NW1/4 OF SW1/4 EX RY R/W 7. 60 AC AND EX HWY R/W, SEC 26 (PARCEL 235-0010-03873)
2. NW1/4 OF NW1/4 EX 12.61 AC E OF RY RT OF WAY & EX RY RT OF W 0.50 AC, SURFACE ONLY, SEC 35 (PARCEL 141-0030-00460)
3. PART OF NW 1/4 OF NW 1/4 BEG 75 FT S OF NE CORNER THENCE S ALONG E LINE TO A POINT 50 FT N OF SE CORNER THENCE W TO E LINE OF RY RT OF WAY THENCE N ALONG SAID E LINE OF RY RT OF WAY TO A POINT 75 FT S OF NW COR THENCE E TO POINT OF BEG SURFACE ONLY, SEC 35 (PARCEL 141-0030-00465)
4. NE 1/4 OF NE 1/4 NEVILLE MINE, SEC 34 (PARCEL 141-0030-00210)
5. THAT PART OF SW 1/4 OF NW 1/4 EAST OF RY SURFACE ONLY, SEC 35 (PARCEL 141-0030-00475)
6. THAT PART OF NW 1/4 OF SW 1/4 LYING SW OF THE D M AND N RY AND ALSO NORTHWEST OF THE G N RY, SEC 35 (141-0030-00530)
7. NW 1/4 OF SW 1/4 LYING NWLY OF D M AND N RY RT OF WAY EX PART LYING BETWEEN THE N LINE OF FORTY THE G N RY RT OF WAY THE D M AND I R RY RT OF WAY AND THE WILPEN ROAD AND EX RY RT OF WAY AND PART FOR ROAD, SEC 35 (PARCEL 141-0030-00500)
8. NE 1/4 OF SW 1/4, SEC 35 (PARCEL 141-0030-00490)
9. SE 1/4 OF NW 1/4, SEC 35 (PARCEL 141-0030-00480)
10. NE 1/4 OF NW 1/4 EX 7 60/100 AC ON NORTH SIDE AND EX 5 71/100 AC ON WEST SIDE SURFACE ONLY, SEC 35 (PARCEL 141-0030-00450)
11. PART OF NE 1/4 OF NW 1/4 BEG 75 FT S OF NW CORNER THENCE SELY 1045 FT THENCE SWLY TO A POINT ON THE WEST LINE OF SAID FORTY 50 FT N OF SW CORNER THENCE N ALONG W LINE TO POINT OF BEGINNIN SURFACE ONLY, SEC 35 (PARCEL 141-0030-00453)

12. PART OF NE 1/4 OF NW 1/4 BEG 1100 30/100 FT W OF NE CORNER
THENCE 1025 30/100 FT ELY THENCE SLY 250 FT THENCE WLY 785 03/100
FT THENCE NWLY 109 91/100 FT THENCE NWLY 167 74/100 FT THENCE
NLY TO POINT OF BEGINNING SURFACE ONLY, SEC 35 (PARCEL
141-0030-00451)
13. PART OF NE 1/4 OF NW 1/4 BEG 75 FT W AND 250 FT S OF NE CORNER
THENCE S 150 FT THENCE ELY 700 FT THENCE NWLY 163 52/100 FT
THENCE ELY 785 03/100 FT TO POINT OF BEGINNING SURFACE ONLY,
SEC 35 (PARCEL 141-0030-00452)
14. SE 1/4 OF SW 1/4, SEC 26 (PARCEL 235-0010-03885)
15. SW 1/4 OF NE 1/4, SEC 35 (PARCEL 141-0030-00430)
16. NW 1/4 OF SE 1/4, SEC 35 (PARCEL 141-0030-00630)
17. NE 1/4 OF SE 1/4, SEC 35 (PARCEL 141-0030-00620)
18. SE 1/4 OF NE 1/4, SEC 35 (PARCEL 141-0030-00440)
19. NE 1/4 OF NE 1/4 SURFACE ONLY, SEC 35 (PARCEL 141-0030-00410)

WHEREAS, the St. Louis County Land Department has reviewed the request and recommends an annual lease fee not to exceed \$12,000 plus timber damages for the scam mining project area for a ten year term or until termination of operations; and

WHEREAS, Mining Resources, LLC shall agree to the terms and conditions set forth in a lease agreement which will include complete removal of all mining facilities and equipment at lessee's expense upon termination or expiration of the lease.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to lease state tax forfeited land described above to Mining Resources, LLC for a scam mining project under the terms and conditions described within and more specifically set forth in the lease agreement at an annual fee not to exceed \$12,000 to be deposited into Fund 240 (Forfeited Tax Fund).

**Lawful Gambling Application
(Unorganized Township 60-18)**

BY COMMISSIONER _____

RESOLVED, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 59219, for the following organization:

Cook Timberwolves Snowmobile Club to operate out of The Oasis, Unorganized Township 60-18, 7539 Peel Road, Britt, MN 55710, new.

Applications to Sell Tobacco Products at Retail – Renewals

BY COMMISSIONER _____

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59239, are hereby approved and the County Auditor is authorized to issue the licenses as follows:

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township, Tobacco Products License No. T12253;

Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, Tobacco Products License No. T1276;

CMK Management, Inc., d/b/a Powerhouse Bar, City of Proctor, Tobacco Products License No. T12141;

Wayside Corner Store, Inc., d/b/a Wayside Corner Store, New Independence Township, Tobacco Products License No. T12214;

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Unorganized Township 60-19, Tobacco Products License No. T12185.

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

**Applications for License to Sell Tobacco Products at Retail –
Renewals with Violations**

BY COMMISSIONER _____

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59239, are hereby approved and the County Auditor is authorized to issue the licenses as follows.

The following license holders were issued a tobacco violation citation on the dates as stated:

Best Oil Co., Inc., d/b/a Proctor Little Store, City of Proctor, Tobacco Products License No. T12110, September 30, 1998;

DeWall Service Center, Inc., d/b/a Troy's Amoco, City of Proctor, Tobacco Products License No. T12235, December 11, 2008.

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

Consolidation of Communications Center “Effects Bargaining” Agreement

BY COMMISSIONER _____

RESOLVED, that the “effects bargaining” agreement with the St. Louis County Association, representing the Civil Service Supervisory Bargaining Unit, is approved and the appropriate county officials are authorized to execute the agreement, a copy of which is on file in County Board File No. _____.

**Appointments to the Community Development Block Grant
Citizen Advisory Committee**

BY COMMISSIONER _____

RESOLVED, the St. Louis County Board appoints the following two individuals to the Community Development Block Grant Citizen Advisory Committee with a term ending April 30, 2014:

Laurence A. Cuffe City of Virginia

Rudy F. Semeja At-Large Representative

Citizen Appointments to the St. Louis County Planning Commission

BY COMMISSIONER _____

WHEREAS, the St. Louis County Board appoints citizens to serve on the St. Louis County Planning Commission; and

WHEREAS, the St. Louis County Planning Commission currently has two individuals whose terms expire December 31, 2011, and are eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following citizens to the St. Louis County Planning Commission with a term expiring December 31, 2014:

Sonya Pineo
William Thomas Coombe

**Application and Acceptance of the
2012 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 2012 Boundary Waters Drug Task Force grant in the amount of \$92,500.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2012 Boundary Waters Drug Task Force Grant in the amount of \$92,500, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2012.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.