

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

**November 22, 2011**

**Hibbing City Council Chambers, 401 East 21<sup>st</sup> Street, Hibbing, 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 November 1, 2011, meeting.**

**Minutes of the November 8, 2011, meeting.**

**Environment & Natural Resources Committee – Commissioner Jewell, Chair**

1. Approve proposed land exchange of state tax forfeited (Class “B”) lands and State of Minnesota (Class “A”) lands to provide mine development of tax forfeited minerals leases and additional stockpiling space for mining materials; and further, authorize the State Department of Natural Resources to proceed with an appraisal of all lands involved.
2. Approve the special sale of state tax forfeited land located in Section 28, Township 61 North, Range 16 West (Vermilion Lake Township) to the State of Minnesota for improvement of Trunk Highway 169, for a total amount of \$2,237.60 to be deposited into Fund 240 (Forfeited Tax Fund).
3. Cancellation of contract for repurchase of state tax forfeited land with Tracy Olson of Gilbert, MN, approved.

**Public Works & Transportation Committee – Commissioner Forsman, Chair**

4. Authorize acquisition of right of way for County Project 128460, replace County Bridge No. 518 and reconstruct part of adjacent County Road 615 (Salo Road) in Waasa Township; and further, proceed with a land exchange to accomplish the acquisition.
5. Authorize purchase of two (2) radial stacking conveyors for the Public Works Department from Theco, Inc., St. Michaels, MN, at the State of Minnesota contract price of \$182,832 plus State sales tax, for a total cost of \$195,401.70.

**Finance & Budget Committee – Commissioner Nelson, Chair**

6. Authorize Property Management to issue a Trail Authorization Letter to the Cook Timberwolves Snowmobile Club to operate and maintain a trail on county fee land described as the SW ¼ of SE ¼, Section 34, Township 63 North, Range 18 West (Beatty Township).

## **ST. LOUIS COUNTY BOARD**

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7. Authorize a Data Communications Network Services Agreement with the Northeast Service Cooperative in support of the Middle Mile Fiber Project, for ten years at a cost not to exceed \$170,400 per year for the first five years and a cost not to exceed \$170,400 plus an incremental increase (maximum of 3% annually) for the subsequent five years.
8. Public hearing established for December 13, 2011, at 9:40 a.m. in the St. Louis County Courthouse, Duluth, MN, to consider the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due.
9. Claims and accounts for October, 2011.
10. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals.
11. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals with tobacco violation citations.
12. Application for license to sell tobacco products at retail by Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Township of Morse, change of officers, renewal.
13. Application for license to sell tobacco products at retail by the City of Winton d/b/a Winton Municipal Liquor Store, City of Winton, change of council members, renewal.

### **Central Management & Intergovernmental Committee – Commissioner Raukar, Chair**

14. Authorize an agreement with Lockridge, Grindal & Nauen for federal legislative lobbying services during 2012 in an amount not to exceed \$55,125.
15. Authorize an agreement with DeLaForest Consulting, LLC for state legislative lobbying services during 2012 in an amount not to exceed \$20,000.
16. Workers' compensation report dated November 4, 2011.

**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 November 1, 2011, are hereby approved.

**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 November 8, 2011, are hereby approved.

**St. Louis County - State of Minnesota Land Exchange Proposal**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, pursuant to Minn. Stat. §§ 94.341 to 94.3495, inclusive, a land exchange proposal has been submitted to the St. Louis County Board for certain lands owned by the State of Minnesota; and

WHEREAS, this proposed exchange has been reviewed by the St. Louis County Land Department to determine the suitability of lands for exchange; and

WHEREAS, the joint proposal is to exchange the following described lands being and lying in St. Louis County, Minnesota, to wit:

OFFERED LAND (State of Minnesota Class "A")

NW ¼ of the NE ¼, Section 8, Township 57 North, Range 21 West  
NE ¼ of the NE ¼, Section 36, Township 58 North, Range 18 West

STATE TAX FORFEITED LAND (CLASS "B")

SE ¼ of the NW ¼, Section 1, Township 58 North, Range 19 West  
SW ¼ of the NE ¼, Section 1, Township 58 North, Range 19 West

WHEREAS, the state tax forfeited parcels proposed for exchange have been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01; and

WHEREAS, the land acquired by St. Louis County will enable mine development of tax forfeited minerals leases at Hibbing Taconite and United Taconite for the benefit of local communities, school districts and St. Louis County; and

WHEREAS, the land acquired by the State of Minnesota will enable additional stockpiling of mining material removed from School Trust lands at United States Steel operations at Minntac.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the proposed exchange of state tax forfeited (Class "B") land described as SE ¼ of the NW ¼ and SW ¼ of the NE ¼, Section 1, Township 58 North, Range 19 West; and State of Minnesota (Class "A") land described as NW ¼ of the NE ¼, Section 8, Township 57 North, Range 21 West, and NE ¼ of the NE ¼, Section 36, Township 58 North, Range 18 West.

RESOLVED FURTHER, that the St. Louis County Board authorizes the State Department of Natural Resources to proceed with an appraisal of all lands involved in the proposed land exchange.

**Special Sale to the State of Minnesota**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the State of Minnesota has requested to purchase the following described state tax forfeited parcel for the improvement of Trunk Highway 169:

That part of the Southwest Quarter of the Northwest Quarter of Section 28, Township 61 North, Range 16 West, shown as Parcel 41 on Minnesota Department of Transportation Right of Way Plat Numbered 69-131 as the same on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; containing 1.29 acres, more or less, of which 0.14 acre is encumbered by an existing highway easement.  
Parcel: 560-0011-04581

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, 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; and

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minnesota Statutes Section 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the state tax forfeited parcel described above to the State of Minnesota for the appraised value of \$2,000 plus the following fees: administration fee of \$100, 3% assurance fee of \$60, deed fee of \$25, deed tax of \$6.60, recording fee of \$46; for a total of \$2,237.60, to be deposited into Fund 240 (Forfeited Tax Fund).

**Cancellation of Contract for Repurchase of State Tax Forfeited Land - Olson**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the contract with Tracy Olson of Gilbert, MN, for the repurchase 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 GILBERT  
LOTS 1 AND 2, BLOCK 17  
GILBERT  
Parcel Code: 060-0010-03850  
C22100092

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 the property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the repurchase 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 St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

**Acquisition of Right of Way County Project 128460  
(Waasa Township)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge 518 and to reconstruct part of the adjacent County Road 615 (Salo Road) located approximately 6.5 miles east of County State Aid Highway 21 in Waasa Township (T60N-R14W); and

WHEREAS, these improvements consist of bridge replacement and realignment, widening and reconstruction of the roadway as determined necessary for the safety and convenience of the public; and

WHEREAS, additional land is required for this construction (together with temporary construction easements).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary land and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 637500.

RESOLVED FURTHER, that an exchange of a small parcel of county fee land for the highway right of way needed for this project of same or similar value is hereby authorized in accordance with Minn. Stat. Chapter 373.01(d). Said parcel is described as that part of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 24, Township 60 North, Range 14 West beginning at a point 20 feet East from the southwest corner of said Section 24, thence 208 feet North, thence at right angles 208 feet West, thence at right angles South to the point of beginning.

**Purchase of Radial Stacking Conveyors**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the 2011 Public Works Department equipment budget includes replacement of two radial stacking conveyors for filling salt-sand domes; and

WHEREAS, the Public Works Department presented specifications and requested pricing for the Power Screen Model 7436 stacking conveyor, due to its quality and specific design; and

WHEREAS, Theco, Inc., St. Michael, Minnesota responded with the lowest acceptable quote for this purchase.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of two stacking conveyors from Theco, Inc., St. Michael, Minnesota, at its quoted price of \$182,832, plus 6.875% State of Minnesota sales tax of \$12,569.70, for a total cost of \$195,401.70, payable from Fund 407, Agency 407001, and Object 665000.

**Cook Timberwolves Trail Authorization across County Fee  
Owned Property (Beatty Township)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the Cook Timberwolves Snowmobile Club has requested permission to construct and operate a snowmobile trail across the following St. Louis County fee owned land:

The Southwest Quarter of the Southeast Quarter of Section 34, Township 63 North, Range 18 West (Beatty Township).

WHEREAS, the Public Works Department which operates the Beatty Gravel Pit at this location, has no objections to the proposed trail route.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Property Management Department to issue a Trail Authorization Letter to the Cook Timberwolves Snowmobile Club to operate and maintain a trail on the above described property.

**Data Communications Network Services Agreement  
with Northeast Service Cooperative**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, the St. Louis County Board supports the goal of providing efficient and effective government and of supporting the Northeast Service Cooperative Middle Mile Fiber Project.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a Network Services Agreement with the Northeast Service Cooperative for a period of ten years at a cost not to exceed \$170,400 per year for the first five years and a cost not to exceed \$170,400 plus an incremental increase based on the Urban Consumer Price Index or a maximum of 3% annually whichever is lower for the subsequent five years, payable from Fund 100, Agency 116002, Object 622900.

**Establish Public Hearing for Suspension/Revocation of  
Liquor Licenses for Property Tax Non-Payment**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, that a public hearing will be held at 9:40 a.m. on Tuesday, December 13, 2011, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

**Claims and Accounts for October, 2011**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59197, are hereby approved and the County Auditor shall issue checks in the following amounts:

**OCTOBER 2011**

100	General Fund	\$5,671,575.26
149	Personnel Service Fund	206.11
150	Sheriff's Nemesis Fund Group	19,005.65
168	Sheriff's State Forfeitures	1,429.48
170	Boundary Waters-Forfeiture	8,023.27
171	Controlled Substances	17,122.91
173	Emergency Shelter Grant	27,601.45
179	Enhanced 9-1-1	14,421.77
180	Law Library	17,018.80
183	City/County Communication	384.74
184	Extension Service	118,638.37
200	Public Works	3,950,814.64
210	Road Maint – Unorg Townships	52,197.34
220	State Road Aid	4,015,390.85
230	Public Health & Human Services	5,896,246.77
240	Forfeited Tax	392,448.84
250	St. Louis County HRA	1,010.26
260	CDBG Grant	468,374.09
261	CDBG Program Income	1,795.96
270	Home Grant	66,085.89
280	Federal Septic Loan – EPA Fund	1,832.04
290	Forest Resources	123,830.77
400	County Facility	54,648.60
405	Public Works Building Const	21,918.48
407	Public Works – Equipment	24,806.38
437	2008A Capital Equipment Note	941,428.74
438	2008B Capital Improvement Bond	469,176.98
439	2010A Capital Improvement Bond	751,435.01
600	Environmental Services	564,704.88
616	On-Site Waste Water Division	34,505.76
640	Plat Books	14,100.00
715	County Garage	132,881.72
720	Property Casualty Liability	29,419.99
730	Workers Compensation	215,082.74
770	Retired Employees Health Ins	2,474.48

825	Taconite Relief/Other	1,461,157.50
826	Taconite Production Tax	34,228.00
900	State of Minnesota	942,620.69
902	Courts	250,285.68
909	Tax Refunds	8,115.13
910	School Districts Taxes	7,311,204.00
911	Taxes and Penalties	3,497,503.00
919	Canceled Checks	22,080.22
925	Arrowhead Regional Corrections	1,537,689.57
955	Community Health Board	136,190.77
985	Collective Local Collaborative	21,008.87
989	Regional Railroad Authority	118,937.90
990	Northern Cities Land Use	621.62
992	Permits to Carry-Firearms	2,655.00
994	Sheriff Forfeits/Evidence	185.09
998	MPL-DUL Train Alliance	<u>110,609.12</u>
		<b>\$39,577,131.18</b>

**Applications for License 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:

Boondocks Saloon & Grill, Inc., d/b/a Boondocks Saloon & Grill, Township of Gnesen, Tobacco Products License No. T12225;

JDL's Landing, Inc., d/b/a The Landing, Township of Beatty, Tobacco Products License No. T12254;

Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Township of Camp 5, Tobacco Products License No. T12216;

Thirsty Moose Bar & Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Township of Cherry, Tobacco Products License No. T12218;

Trailside Lounge & Grill, Inc., d/b/a Trailside Lounge & Grill, City of Meadowlands, Tobacco Products License No. T12234;

Bois Forte Reservation Tribal Council, d/b/a Y Store, Township of Vermilion Lake, Tobacco Products License No. T12256.

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 Tobacco Violation Citations**

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.

Belo Enterprises, Inc., d/b/a Crossroads Convenience/Liquor Store, Township of Clinton, Tobacco Products License No. T1236, December 10, 2002; November 15, 2007; December 16, 2010;

5717, Inc., d/b/a Crossroads Store, Township of Brevator, Tobacco Products License No. T1237, October 1, 1998; December 23, 2004;

Furry's, Inc., d/b/a Dino's, City of Aurora, Tobacco Products License No. T12201, December 16, 2010;

Mar Mar, Inc., d/b/a Novy's Haven, City of Hoyt Lakes, Tobacco Products License No. T12172, December 16, 2010.

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.

**Application for License to Sell Tobacco Products at Retail –  
Ely-Winton Rod & Gun Club, Inc.**

BY COMMISSIONER\_\_\_\_\_

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

Ely-Winton Rod & Gun Club, Inc., d/b/a Samz Place, Township of Morse, Tobacco Products License No. T12266, change of officers, renewal.

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.

**Application for License to Sell Tobacco Products at Retail –  
City of Winton**

BY COMMISSIONER \_\_\_\_\_

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

City of Winton, d/b/a Winton Municipal Liquor Store, City of Winton, Tobacco Products License No. T12265, change of council members, renewal.

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.

**2012 Federal Lobbying Services Contract – Lockridge, Grindal & Nauen**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, St. Louis County requires the services of a consultant to assist with federal legislative and administrative matters; and

WHEREAS, Lockridge, Grindal & Nauen has demonstrated professional expertise and knowledge of federal legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing federal legislative consultant services to St. Louis County during 2012.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Lockridge, Grindal & Nauen in 2012, upon approval of the County Attorney, for an amount not to exceed \$55,125, payable from Fund 100, Agency 105001, Object 629900.

**2012 State Lobby Services Contract with DeLaForest Consulting, LLC.**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, St. Louis County requires the services of a consultant to assist with state legislative and administrative matters; and

WHEREAS, DeLaForest Consulting, LLC has professional expertise and knowledge of state legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing state legislative consultant services to St. Louis County during 2012 Minnesota Legislative session.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with DeLaForest Consulting, LLC., upon approval of the County Attorney, for an amount not to exceed \$20,000, for state legislative lobbying services in 2012, payable from Fund 100, Agency 105001, Object 629900.

**Workers' Compensation Report**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated November 4, 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.