

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

April 10, 2012

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 March 27, 2012, meeting.

Minutes of the April 3, 2012, meeting.

Health & Human Services Committee – Commissioner O’Neil, Chair

1. Agreement with Lutheran Social Service Bethany Crisis Nursery in the amount of \$37,182 for child protection services during the period January 1, 2012, through December 31, 2012.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

2. Reinstatement of contract for repurchase of state tax forfeited land by Patricia Ann Rudy of Eveleth, Minnesota, upon total payment of \$3,933.01.
3. Appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner.

Public Works & Transportation Committee – Commissioner Forsman, Chair

4. Agreement with LHB Corporation of Duluth, Minnesota, in the amount of \$99,237 for design services for the reconstruction of County State Aid Highway (CSAH) 91 (Haines Road), located in the cities of Duluth and Hermantown (State Project 69-691-020, County Project 8269).
5. Acquisition of necessary highway right of way by condemnation for the reconstruction of CSAH 91 (Haines Road) located in the cities of Duluth and Hermantown (SP 69-691-020, CP 8269).
6. Purchase of three (3) Trimble GPS units and related equipment for the Public Works Department from Frontier Precision, Inc., Maple Grove, Minnesota, for the low qualifying State of Minnesota Contract quote of \$92,411.61.

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7. Acceptance of quotes for bridge project materials:
 - a. Hancock Concrete Products, Hancock, Minnesota, in the amount of \$90,177.71 for concrete culverts for SAP 69-599-031, BR 45, CP 142407 - bridge located on Unorganized Township Road 9111 (South Townline Road) in Hibbing, MN;
 - b. Cretex Concrete Products, Maple Grove, Minnesota, in the amount of \$87,230.31 for concrete culverts for SAP 69-599-033, BR 357, CP 34030 – bridge located on Unorganized Township Road 8157 (East Godell Road) in Angora Township.

8. Update of Master Prioritized Bridge Replacement List.

Finance & Budget Committee – Commissioner Raukar, Chair

9. Five-year office space lease agreement with the State of Minnesota Department of Administration Real Estate Division for the space known as Room L-100 located at the Hibbing Annex, in the amount of \$74,812.80 for the period May 1, 2012, through April 30, 2017.

10. Public hearing established for May 8, 2012, at 9:40 a.m. in the Duluth Courthouse to receive citizen comments on the FY 2011 and FY 2012 Action Plan Amendments for the Emergency Solutions Grant Program.

11. Create a Special Committee of commissioners to consider the findings and recommendations of the Assessment Practices Review Panel.

12. Applications to sell/serve outside the designated serving area of the county liquor license for Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, for May 18 & 19, 2012; August 10 & 11, 2012; September 21 & 22, 2012; October 5 & 6, 2012; and December 30 & 31, 2012.

**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 March 27, 2012, 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 April 3, 2012, are hereby approved.

CY 2012 LSS Bethany Crisis Nursery Funding

BY COMMISSIONER _____

WHEREAS, St. Louis County has need for a Crisis Nursery Service; and

WHEREAS, the Department of Public Health and Human Services has contracted with Lutheran Social Service since March 1994 to provide child protection services on behalf of the county; and

WHEREAS, the department wishes to renew this agreement for an early intervention service committed to the prevention of child abuse and maltreatment by providing short-term emergency care for children and support services for families during times of crisis.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Lutheran Social Service Bethany Crisis Nursery for the period January 1, 2012, through December 31, 2012, and authorizes payment of \$37,182 payable from Fund 230 (Social Services); Agency 232008 (Children's Services); Expense Object 601200 (Out-of-Home Placement).

**Reinstatement of Contract for Repurchase
of State Tax Forfeited Land - Rudy**

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, Patricia Anne Rudy of Eveleth, MN, has requested to reinstate Contract C22080330, having been cancelled on 12/20/2011, under new Contract C22120011 for property described as:

CITY OF EVELETH
LOT: 0027 BLOCK: 078
DORR ADDITION TO EVELETH
Parcel Code: 040-0080-00880

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22120011 by Patricia Anne Rudy of Eveleth, MN, in the amount \$3,933.01, to be deposited into Fund 240 (Forfeited Tax Fund).

Appraisal Report for the Sale of Timber

BY COMMISSIONER _____

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59391, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

LAND COMMISSIONER'S TRANSMITTAL OF
APPRAISAL REPORTS TO BOARD OF COUNTY COMMISSIONERS

TO: BOARD OF COUNTY COMMISSIONERS, ST. LOUIS COUNTY, MINNESOTA

Listed below is one tract of timber to be offered for sale from State Tax Forfeited lands.
Appraisal reports are on file in the Land Commissioner's Office upon request.

<hr/>					<u>April 3, 2012</u>	
LAND COMMISSIONER'S REPRESENTATIVE					Date	
<u>TRACT NUMBER</u>	<u>DESCRIPTION</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>TIMBER VALUE</u>	<u>APPLICANT</u>
1	NW1/4-NE1/4 NE1/4-NW1/4 S1/2-NW1/4	32	53	15	\$1,545.89	
TOTAL VALUE OF PRECEDING TRACTS					\$1,545.89	

The Land Commissioner's appraisal and recommendation as listed above was approved except as noted by the Board of County Commissioners, and the County Auditor is hereby authorized and directed to carry out the recommendation of said report as approved by the Board of County Commissioners.

County Board File No. 59391

By: _____
CLERK OF COUNTY BOARD

Date: April 10, 2012

**Agreement with LHB Corp. for Design Services – Haines Road
Reconstruction (Duluth and Hermantown)**

BY COMMISSIONER _____

WHEREAS, it has determined that LHB Corp. of Duluth, MN, has the training, experience, and knowledge to provide services relating to retaining wall, trail underpass, culvert, and storm water design on County State Aid Highway 91 (Haines Road) in the cities of Duluth and Hermantown, MN, under project number SP 69-691-020 (County Project 8269).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with LHB Corp., Duluth, MN, and any amendments authorized by the County Attorney, for design services on the above project in the amount of \$99,237, payable from Fund 200, Agency 200008, Object 626600.

**Acquisition of Right of Way by Condemnation – Haines Road
Reconstruction (Duluth and Hermantown)**

BY COMMISSIONER _____

WHEREAS, the St. Louis County Public Works Department plans to reconstruct 2.3 miles of County State Aid Highway (CSAH) Number 91 (Haines Road) (County Project 8269, SP 069-691-020) within the City of Duluth and the City of Hermantown, beginning at the Canadian National Railroad tracks (40th Avenue West above 8th Street) and ending at CSAH 56 (Morris Thomas Road); and

WHEREAS, the acquisition of the additional highway right of way needed to complete said road reconstruction was authorized by County Board Resolution No. 09-165 on April 28, 2009; and

WHEREAS, St. Louis County Highway Plat No. 32, as authorized by County Board Resolution No. 11-179 on April 12, 2011, has been prepared and recorded in the office of the St. Louis County Recorder; and

WHEREAS, the following three described parcels of needed right of way have not been acquired by negotiation and direct purchase:

Parcel 22-2

Owners and Interests:

Fred L. Paine and Nancy K. Paine, husband and wife
Frederick A. Paine and Dawn E. Paine, husband and wife
as Joint Tenants
3500 North 12th Street
Superior, Wi 54880
Superior Savings Bank, Mortgagee
1130 Tower Avenue
Superior, WI 54880

Property Legal Description:

The North Half of the Northwest Quarter of the Southeast Quarter (N 1/2 of NW 1/4 of SE 1/4), Section Six (6), Township Forty-nine (49) North, Range Fourteen (14) West, EXCEPT a triangular tract of land in the Northeast corner, being all that part of said N 1/2 of NW 1/4 of SE 1/4 lying Northeasterly of the right-of-way, 60 feet in width, of County State Aid 91 (Haines Road) as the same was located and in use on December 21, 1959; and EXCEPT that part of the N 1/2 of NW 1/4 of SE 1/4 which lies Southerly of the Northwesterly boundary line of the right-of-way of the Duluth, Missabe, and Iron Range Railway Company.

Parcel Identification Number 010-2700-00330
(abstract property)

Rights to be acquired:

PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property shown as Parcel 2 on the plat designated as St. Louis County Highway Right of Way Plat No. 32, on file as Document Number 1172792 in the Office of the St. Louis County Recorder.

Said permanent easement contains approximately 2.21 acres of existing highway right of way and 3.18 acres of additional right of way.

Parcel 36

Owners and Interests:

Kevin D. Skomars, a single person
2215 West 12th Street
Duluth, MN 55806
Saint Louis County Auditor
as Vendor in Certificate of Sale of Forfeited Lands
Torrens Document # 772280

Property Legal Description:

Lot 33, Block 1, Collingwood Park.

Parcel Identification Number 395-0050-00330
As currently embodied in Certificate of Title # 200921

Rights to be acquired:

PERMANENT EASEMENT for highway purposes over, under, and across the above described property, said Permanent Easement is described as follows: the easterly 22.00 feet of Lot 33, Block 1, Collingwood Park.

Said permanent easement contains approximately 0.00 acres of existing highway right of way and 0.05 acres of additional right of way.

Parcel 41-22

Owners and Interests:

Sherry G. Buetow (f.k.a. Sherry Gail Dietzmann) and
Michael W. Buetow, wife and husband
4465 Red Hill Road
Moose Lake, MN 55767
Alternate address:
3585 Haines Road
Hermantown, MN 55811

Property Legal Description:

The N 1/2 of S 1/2 of N 1/2 of NE 1/4 of SE 1/4 of Section 36, Township 50 North of Range 15 West of the Fourth Principal Meridian.
Parcel Identification Number 395-0014-01010
Torrens Property – Certificate # 259094

Rights to be acquired:

A PERMANENT EASEMENT for highway purposes over, under, and across that part of the above described property as shown as Parcel 22 on the plat designated as St. Louis County Highway Right of Way Plat No. 32, on file and on recorded as Document Number 907104 in the Office of the Registrar of Titles in and for the County of St. Louis, Minnesota. Said permanent easement contains approximately 0.12 acres of existing highway right of way and 0.04 acres of additional right of way.

Together with a TEMPORARY EASEMENT for highway purposes over, under, and across that part of the above described property shown as TEMPORARY EASEMENT on Parcel 22 on the plat designated as St. Louis County Highway Right of Way Plat No. 32, on file and on recorded as Document Number 907104 in the Office of the Registrar of Titles in and for the County of St. Louis, Minnesota.

Said temporary easement contains approximately 0.00 acres of existing highway right of way and 0.06 acres of additional right of way and shall expire on December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et. al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et.al., to acquire the necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

Purchase of GPS Units and Related Equipment

BY COMMISSIONER _____

WHEREAS, the Public Works Department has budgeted for the purchase of three (3) Trimble GPS Units and related equipment; and

WHEREAS, Frontier Precision, Inc., of Maple Grove, MN, offered the low qualifying quote through the State of Minnesota Contract.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of three (3) Trimble GPS Units and related equipment from Frontier Precision, Inc., of Maple Grove, MN, in the amount of \$92,411.61, payable from Fund 200, Agency 200008, Object 664800.

**Acceptance of Quotes for Bridge Project Materials Purchase
(City of Hibbing)**

BY COMMISSIONER _____

WHEREAS, quotes were solicited by the St. Louis County Public Works Department for the following project:

SAP 69-599-031, BR 45, County Project 142407, for project materials (concrete culverts) for a bridge on Unorganized Township Road 9111 in Hibbing, MN, length 0.1 mi.; and

WHEREAS, the lowest 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	17 Atlantic Ave. Hancock, MN 56244	\$90,177.71

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the contractor's quote for the above listed project payable from Fund 220, Agency 220277, Object 651000 for concrete culverts.

**Acceptance of Quotes for Bridge Project Materials Purchase
(Angora Township)**

BY COMMISSIONER _____

WHEREAS, quotes were solicited by the St. Louis County Public Works Department for the following project:

SAP 69-599-033, BR 357, County Project 34030, for project materials (concrete culverts) for a bridge on Unorganized Township Road 8157 in Angora Township, length 0.1 mi.; and

WHEREAS, the lowest quote was provided by Cretex Concrete Products, Maple Grove, 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>
Cretex Concrete Products	6550 Wedgwood Rd. Maple Grove, MN 55311	\$87,230.31

RESOLVED FURTHER, that the appropriate county officials are authorized to approve the contractor's quote for the above listed project payable from Fund 220, Agency 220273, Object 651000 for concrete culverts.

Update the Master Prioritized Bridge Replacement List

BY COMMISSIONER _____

WHEREAS, St. Louis County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEREAS, St. Louis County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years.

RESOLVED, that the following deficient bridges listed in County Board File No. _____ are high priority and St. Louis County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available, and that St. Louis County does hereby request authorization to replace, rehabilitate, or remove such bridges.

RESOLVED FURTHER, that the St. Louis County Board does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

**Office Space Lease in Hibbing Annex – MN Department of
Employment and Economic Development**

BY COMMISSIONER _____

WHEREAS, St. Louis County has been leasing the space known as L-100 in the Hibbing Annex, located adjacent to the Hibbing Courthouse, to the State of Minnesota for the Minnesota Department of Employment and Economic Development operations since January 1, 2007; and

WHEREAS, the State of Minnesota Department of Administration, Real Estate Division, wishes to continue renting the space and new lease terms have been agreed to for the period of May 1, 2012, through April, 30, 2017, with an option to extend the lease for one additional 5 year period upon negotiated mutually agreed terms.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a lease agreement with the State of Minnesota Department of Administration, Real Estate Division, for a five year lease beginning May 1, 2012, through April 30, 2017, in the amount of \$74,812.80, payable in equal monthly installments of \$1,246.88 (\$15.75 per square foot) for space known as Room L-100 located at the Hibbing Annex, 1814 East 14th Avenue, Hibbing, Minnesota, 55746. Revenues from this lease will be assigned to Fund 100, Agency 128013.

**Establish Public Hearing to Consider Amendments to the FY 2011 and
FY 2012 Action Plans for the Emergency Solutions Grant Program**

BY COMMISSIONER _____

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) notified St. Louis County of allocations of \$60,203 for FY 2011 and \$190,582 for FY 2012 from the Emergency Solutions Grant Program; and

WHEREAS, St. Louis County must submit substantial amendments of the Consolidated Plan FY 2011 and FY 2012 Action Plans to receive the allocations and must provide a 30-day public comment period and a public hearing prior to submission of the amendments; and

WHEREAS, the St. Louis County Planning and Community Development Department published legal notice of the 30-day comment period running from April 2, 2012, through May 3, 2012; and

WHEREAS, the St. Louis County Board desires to carry out eligible activities of the Emergency Solutions Grant Program as provided in the Consolidated Plan FY 2011 and FY 2012 Amended Action Plans.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will hold a public hearing on Tuesday, May 8, 2012, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the FY 2011 and FY 2012 Action Plan Amendments for the Emergency Solutions Grant Program.

**Appointment of Special Committee to Consider Findings and
Recommendations of the Assessment Practices Review Panel**

BY COMMISSIONER _____

WHEREAS, the findings and recommendations of the “Blue Ribbon” Assessment Practices Review Panel were presented to the St. Louis County Board of Commissioners on March 20, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board creates a Special Committee of commissioners for the purpose of reporting back to the Board regarding any formal action to be taken in response to the findings and recommendations of the Assessment Practices Review Panel.

RESOLVED FURTHER, that the Special Committee shall be comprised of the Chair of the County Board (Commissioner Nelson), the Chair of the Finance & Budget Committee (Commissioner Raukar), and the Chair of the Central Management & Intergovernmental Relations Committee (Commissioner Jewell).

RESOLVED FURTHER, that the date for the first report to the Committee of the Whole will be no later than June 12, 2012, with periodic reports thereafter.

**Applications to Sell/Serve Outside the Designated Serving Area
Of the County Liquor License (Unorganized Township 68-19)**

BY COMMISSIONER _____

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the County Liquor License, as per applications on file in the office of the County Auditor, identified as County Board File No. 59385.

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, May 18 & 19, 2012;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, August 10 & 11, 2012;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, September 21 & 22, 2012;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, October 5 & 6, 2012;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-ka-Nam, Unorganized Township 68-19, December 30 & 31, 2012.