

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

June 12, 2012

County Board Room, Room 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:

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

1. Final approval to the plat of Bowers Addition to Rollick Creek located in Section 15, Township 67 North, Range 17 West (Crane Lake Township).
2. Amend Ordinance 27, Comprehensive Land Use Plan, and Zoning Ordinance No. 46, zoning map, Town of Fayal, to accommodate existing use of the Eveleth Veteran's Park as a campground, effective July 3, 2012.
3. Cancellation of contract for purchase of state tax forfeited land and City of Duluth lands by Co-Development, LLC c/o Terry Hauer, of Eagan, Minnesota.
4. Modify terms of a third one-year contract extension for Timber Contract C19060038 with Douglas Hustad Logging, Inc., to hold only payments and deposits already collected, take back the sale and re-offer it at a future timber sale auction.
5. Authorize permanent and temporary easements across state tax forfeited land to Independent School District No. 709 (ISD 709) for construction of a sidewalk connecting the new Lincoln Park Middle School to Devonshire Street located in Duluth, Minnesota, contingent upon ISD 709 transferring approximately 0.62 acres of land to the state tax forfeited trust in exchange for the value of the easements.
6. Reclassify certain state tax forfeited lands as non-conservation and offer the parcels for sale.
7. Authorize a special sale of state tax forfeited land located near the U.S. Forest Service building on Grand Avenue in Duluth, Minnesota, to the Duluth Economic and Development Authority for a total payment of \$2,080.94.
8. Authorize the Environmental Services Department to apply for \$40,000 in Local Fix-up Grant funding from the Minnesota Pollution Control Agency Subsurface Treatment Systems Program.

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9. Appraisal report for the sale of timber as submitted by the Land Commissioner.

Public Works & Transportation Committee – Commissioner Forsman, Chair

10. Authorize an agreement in the estimated amount of \$33,716.34 (up to a maximum of \$45,000) with the Minnesota Department of Transportation for detour compensation for State Project No. 3801-18 (Trunk Highway 1) near and through Babbitt, Minnesota.
11. Designate part of the Stone Lake Bridge Road located in Section 27, Township 55 North, Range 12 West (Ault Township) as an extension of County Road 611 (Hopper Road).
12. Award of bids:
 - a) **Ulland Brothers, Inc.**, of Cloquet, MN, in the amount of **\$3,291,472.58** for SP 69-621-030, CP 9311, MN Proj. No. STPX 6912(158), culvert replacement, mill bituminous surface, bituminous pavement reclamation, bituminous surface, aggregate base and aggregate shoulders on County-State Aid Highway (CSAH) 21 in Waasa Township and the City of Babbitt, MN.
 - b) **AAA Striping Service**, of St. Michael, MN, in the amount of **\$935,204.07** for SP 88-070-016, CP 92761, MN Project No. HSIP 8812(212), edgeline rumble strips and edgeline striping in various locations in St. Louis and Lake Counties.

Finance & Budget Committee – Commissioner Raukar, Chair

13. Authorize a one-year agreement (with two additional one-year extension options) with General Cleaning of Duluth, MN, for cleaning services at the Northland Office Center in Virginia, MN, for an annual amount of \$51,486.96 for year one and \$50,858.83 for years two and three.
14. Public hearing established for June 26, 2012, at 9:40 a.m. at Semer's Park Pavilion, Ely, MN, to receive public comment and to consider tax abatement financing and a loan guarantee for AAR Aircraft Services, Inc., for the expansion of their Duluth facility.
15. Authorize an adjustment to the architectural and engineering (A&E) fees for the professional services contract with Architectural Resources, Inc., of Hibbing, MN, for an additional \$63,070 for the Virginia Courthouse remodel and expansion project.
16. Application for on-sale and Sunday on-sale intoxicating liquor licenses for Pokorny's, LLC, d/b/a Gappa's Landing Resort & Campground, Kabetogama Township, new; contingent upon completion of all compliance requirements.
17. Application for on-sale and Sunday on-sale intoxicating liquor licenses for The Shack, Inc., d/b/a The Shack, Unorganized Township 59-16, new; contingent upon completion of all compliance requirements.

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18. Workers' compensation report dated June 1, 2012.

19. Claims and accounts for May 2012.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

20. Authorize a new contract agreement with the Arrowhead Library System due to the merger with the North Country Library Cooperative.

21. Resolution in opposition of House of Representatives Bill 1505, the National Security and Federal Lands Protection Act.

22. Adopt the "Model Performance Measures for Counties" and program requirements, as identified in the Minnesota State Auditor's Performance Measure Program, and approve submission of the 2011 St. Louis County Performance Measures Report.

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

23. Authorize the purchase of Allied Radio Matrix for Emergency Response (ARMER) end user radios and other related equipment from Motorola, Inc., through State of Minnesota contract pricing; and further, authorize the transfer of funds in the amount of \$3,111,000 from fund balance assigned for Public Safety, Fund 100, Agency 999999, Object 311047, to Fund 100, Agency 136001, Object 665900 (Operating).

24. Authorize the expenditure of \$98,000 from the 2011 Homeland Security Grant to purchase portable end user radios for the ARMER system from Motorola, Inc., on behalf of the Northeast Regional Radio Board.

25. Authorize the expenditure of \$387,950 from the 2011 State Homeland Security Grant to purchase portable end user radios for the ARMER system from Motorola, Inc., on behalf of the Northeast Regional Radio Board.

26. Authorize the expenditure of \$74,812.50 from the Sheriff's Office levy to purchase 20 portable end user radios for law enforcement (ARMER system) from Motorola, Inc.

Final Plat Approval – Bowers Addition to Rollick Creek (Crane Lake)

BY COMMISSIONER _____

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Bowers Addition to Rollick Creek on July 14, 2011, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Bowers Addition to Rollick Creek, located in Section 15, Township 67N, Range 17W (Crane Lake Township).

**Amend Ordinance 27, Comprehensive Land Use Plan,
and Zoning Ordinance No. 46**

BY COMMISSIONER _____

WHEREAS, the City of Eveleth initiated a zoning map amendment for the Eveleth Veterans Park and Campground; and

WHEREAS, on May 10, 2012, the St. Louis County Planning Commission held a public hearing to consider amending Ordinance 27, the Comprehensive Land Use Plan, and the zoning map, Town of Fayal, and recommends approval of the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board amends Ordinance 27, Article II, Section 17, as follows:

Concept Area 3. Rezone this area from Shoreland Mixed Use-11 to Residential-11, and eliminate doubling the lot size requirements for non-riparian lots (i.e. second-tier development). Two areas will remain Shoreland Mixed Use, where commercial uses are allowable by conditional use permit.

RESOLVED FURTHER, that the St. Louis County Board amend Ordinance 46, zoning map, T57N, R17W, Town of Fayal, as follows:

Rezone the Eveleth Veteran's Park and Campground from RES-11, Residential, to SMU-11, Shoreland Mixed Use.

RESOLVED FURTHER, that the effective date will be July 3, 2012.

Cancellation of Contract for Purchase of State Tax Forfeited Lands and City of Duluth Lands - Co-Development, LLC c/o Terry Hauer

BY COMMISSIONER _____

WHEREAS, the contract with Co-Development, LLC c/o Terry Hauer, of Eagan, MN, for the purchase of state tax forfeited lands, which were sold in conjunction with City of Duluth lands, is in default for nonpayment of required installment; 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 DULUTH
LOT 21 EX S 17 FT FOR BLVD, also
LOT 23 EX S 17 FT FOR BLVD
BLOCK 154
DULUTH PROPER THIRD DIVISION
Parcel Codes: 010-1350-12710, 010-1350-12720
C22060203

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(s) 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 lands and City of Duluth Lands 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.

**Modify Terms of Third One-Year Extension on St. Louis County Timber Contract -
Douglas Hustad Logging, Inc.**

BY COMMISSIONER _____

WHEREAS, Douglas Hustad Logging, Inc., has been granted a third one-year contract extension on St. Louis County Timber Contract C19060038 (Adios Muchacho Sale) by County Board Resolution No. 146 dated April 5, 2011; and

WHEREAS, Douglas Hustad Logging, Inc., did not complete Timber Contract C19060038 by the end of the third extension period requiring full contract payment; and

WHEREAS, requiring the full contract payment of Timber Contract C19060038 will create a financial hardship for Douglas Hustad Logging, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Land and Minerals Department to hold only payments and deposits already collected for Timber Contract C19060038 (Adios Muchacho Sale), and re-offer the sale at a future timber sale auction.

**Request for Easements across State Tax Forfeited Land –
Lincoln Park Middle School**

BY COMMISSIONER _____

WHEREAS, Independent School District No. 709 (ISD 709) has requested permanent and temporary easements across state tax forfeited land for the purpose of constructing and maintaining a sidewalk for access to the new Lincoln Park Middle School; and

WHEREAS, exercising the easements will not conflict with public use of the land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, allows for the granting of easements across state tax forfeited land for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, is authorized to grant easements across state tax forfeited lands to ISD 709 described as follows:

A 16.00 foot wide permanent easement over, under and across part of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW 1/4 of NE 1/4 of NW 1/4) of Section Five (5), Township Forty-Nine (49) North, Range Fourteen (14) West of the Fourth (4th) Principal Meridian, City of Duluth, St. Louis County, Minnesota, centered on the line described as follows:

Commencing at the southeast corner of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW 1/4 of NE 1/4 of NW 1/4) of Section 5; thence North 00 degrees 40 minutes 10 seconds West along the east line of said SW 1/4 of NE 1/4 of NW 1/4 a distance of 155.85 feet to the point of beginning of the line to be described; thence South 89 degrees 15 minutes 13 seconds West a distance of 64.84 feet; thence 113.05 feet along a tangential curve concave northeasterly, having a radius of 250.00 feet and a central angle of 25 degrees 54 minutes 32 seconds; thence North 64 degrees 50 minutes 15 seconds West a distance of 60.13 feet; thence 142.92 feet along a tangential curve concave northeasterly, having a radius of 250.00 feet and a central angle of 32 degrees 45 minutes 14 seconds; thence North 32 degrees 05 minutes 01 second West, a distance of 86.15 feet to a point on a line 46.50 northerly of and parallel with the southerly line of the N 1/2 of said SW 1/4 of NE 1/4 of NW 1/4 and said line there terminating; and

A temporary easement over, under and across part of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW 1/4 of NE 1/4 of NW 1/4) of Section Five (5), Township Forty-Nine (49) North, Range Fourteen (14) West of the Fourth (4th) Principal Meridian, City of Duluth, St. Louis County, Minnesota;

Except the easterly 25 feet of the southerly 141 feet thereof and lying between two lines 8.00 feet and 33.00 feet northeasterly of and southwesterly of the following described centerline:

Commencing at the southeast corner of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW 1/4 of NE 1/4 of NW 1/4) of Section 5; thence North 00 degrees 40 minutes 10 seconds West along the east line of said SW 1/4 of NE 1/4 of NW 1/4 a distance of 155.85 feet to the point of beginning of the line to be described; thence South 89 degrees 15 minutes 13 seconds West a distance of 64.84 feet; thence 113.05 feet along a tangential curve concave northeasterly, having a radius of 250.00 feet and a central angle of 25 degrees 54 minutes 32 seconds; thence North 64 degrees 50 minutes 15 seconds West a distance of 60.13 feet; thence 142.92 feet along a tangential curve concave northeasterly, having a radius of 250.00 feet and a central angle of 32 degrees 45 minutes 14 seconds; thence North 32 degrees 05 minutes 01 second West a distance of 86.15 feet to a point on a line 46.50 northerly of and parallel with the southerly line of the N 1/2 of said SW 1/4 of NE 1/4 of NW 1/4 and said line there terminating.

RESOLVED FURTHER, that the granting of these easements is conditioned upon ISD 709 transferring approximately 0.62 acres of land to the state in trust for the taxing districts.

Reclassification of State Tax Forfeited Lands to Non-Conservation

BY COMMISSIONER _____

WHEREAS, all parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, the parcels described in the attached County Board File forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, the Land and Minerals Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, these parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located.

NOW, THEREFORE, BE IT RESOLVED, that the state tax forfeited parcels described in County Board File No. _____ shall be reclassified as non-conservation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

Special Sale to Duluth Economic and Development Authority (DEDA)

BY COMMISSIONER _____

WHEREAS, the Duluth Economic and Development Authority (DEDA) has requested to purchase the following described state tax forfeited land for the reduced value of \$1,800, plus fees, for economic development purposes:

Legal: CITY OF DULUTH

THAT PART OF BLK 48 LYING E OF A LINE COMM AT INTERSECTION OF ELY LINE OF DWP RIGHT OF WAY & THE NLY RIGHT OF WAY OF GOGEBIC ST; THENCE N 30 DEG 54 MINUTES 20 SECONDS E ALONG E LINE OF DWP RIGHT OF WAY 910.04 FT TO PT OF BEG; THENCE S 78 DEG 5 MINUTES 20 SECONDS E 110.93 FT; THENCE N 75 DEG 3 MIINUTES 13 SECONDS E 210.84 FT; THENCE S 86 DEG 5 MINUTES 41 SECONDS E 237.82 FT; THENCE S 60 DEG 37 MINUTES 11 SECONDS E 279.27 FT TO S LINE OF BLK 48 EX HWY R/W, BLOCK 48, IRONTON 2ND DIVISION DULUTH

Parcel Code: 010-2530-09790

LDKEY: 55160

ACRES: 0.26

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, these parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, the reclassification and sale of these parcels will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that these parcels be reclassified as non-conservation and offered for sale having considered, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of state tax forfeited land, as described, to the

Duluth Economic and Development Authority for the value of \$1,800 plus the following fees: 3% assurance fee of \$54, deed fee of \$25, deed tax of \$5.94, recording fee of \$46, and administration fee of \$150; for a total of \$2,080.94, to be deposited into Fund 240 (Forfeited Tax Fund).

Authorization to Apply for Local SSTS Fix-up Grant Funding

BY COMMISSIONER _____

WHEREAS, the St. Louis County Board believes it is in the public interest to protect the environment; and

WHEREAS, on May 30, 2012, the Minnesota Pollution Control Agency notified the Environmental Services Department that funding is available to assist in the upgrade of subsurface sewage treatment systems (SSTS) that are imminent threats to public health or fail to protect groundwater; and

WHEREAS, St. Louis County, through its Environmental Services and Planning and Community Development departments and in cooperation with the Arrowhead Economic Opportunity Agency, has established a program to assist in the upgrade of SSTS, and this funding can be used to augment and expand that program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Environmental Services Department to apply for \$40,000 in Local Fix-up Grant Funding from the Minnesota Pollution Control Agency Subsurface Treatment Systems Program.

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>June 12, 2012</u>	
LAND COMMISSIONER'S REPRESENTATIVE					Date	
<u>TRACT</u>	<u>DESCRIPTION</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>TIMBER VALUE</u>	<u>APPLICANT</u>
<u>NUMBER</u>						
1	W1/2-NE1/4	21	54	12	\$2,660.78	
	SE1/4-NW1/4	21	54	12		
TOTAL VALUE OF PRECEDING TRACTS					\$2,660.78	

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: June 12, 2012

**Agreement with MnDOT for Compensation for Detour –
State Project No. 3801-18 near Babbitt, MN**

BY COMMISSIONER _____

WHEREAS, the State of Minnesota, Department of Transportation, will provide payment under the terms of Agreement No. 00286 for the use of County State Aid Highways Nos. 120, 21, 70 and County Road 623 as a detour route during the construction of State Project No. 3801-18 (T.H. 1 = 166), and;

WHEREAS, the state is willing to pay for road life consumed by the detour and maintenance on the above listed roadways based on the income determined by the "Gas Tax Method".

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into Agreement No. 00286 with the State of Minnesota, Department of Transportation, and approve any amendments approved by the County Attorney's Office.

RESOLVED FURTHER, that the compensation shall be estimated in the amount of \$33,716.34, and not to exceed \$45,000 unless the maximum obligation is increased by execution of an amendment to the agreement, with funds to be receipted into Fund 200, Agency 205003, Object 583100.

Extension of County Road 611/ Stone Lake Bridge Road (Ault Township)

BY COMMISSIONER _____

WHEREAS, the St. Louis County Public Works Department has agreed to designate the Stone Lake Bridge Road located in the plats of Allen's Stone Lake Lots and Johnson's Division of Lots B & C of Allen's Stone Lake Lots in Government Lot 1, Section 27, Township 55 North, Range 12 West, as a county road.

NOW, THEREFORE, BE IT RESOLVED, that under authority granted by Minnesota Statutes 163.11, Subdivision 1, the St. Louis County Board establishes, locates, and designates as County Road 611, that portion of the Stone Lake Bridge Road described as follows:

Commencing at the North Quarter Corner of Section 27, Township 55 North, Range 12 West, thence south and easterly along the centerline of the existing County Road 611 (a.k.a Hopper Road) to the west shore of Stone Lake as known and described in Resolution Number 205 of the County Board adopted March 6, 1941, and the point of beginning of the county road to be described, thence easterly over and along that road as shown on the Plat of Allen's Stone Lake Lots and dedicated to public use in 1952 for a distance of 0.32 mile more or less to a point on the east boundary line of Government Lot 1, Section 27, Township 55 North, Range 12 West, and there terminating.

**Award of Bids – CP 9311 – CSAH 21
(Waasa Township and Babbitt, MN)**

BY COMMISSIONER _____

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-621-030, CP 9311, MN Proj. No. STPX 6912(158) located on CSAH 21 from TR 6411 (Niemi Rd.) in Waasa Township to CSAH 70 in Babbitt, MN.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 31, 2012, and Ulland Brothers, Inc., Cloquet, MN, provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$3,291,472.58

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220278, Object 652700.

**Award of Bids – CP 92761 Rumble Strips/Edgeline
Striping at Various Locations**

BY COMMISSIONER _____

WHEREAS, bids have been received by the County Auditor for the following project:

SP 88-070-016, CP 92761, MN Proj. No. HSIP 8812(212) located on various County State Aid Highways within St. Louis County and Lake County.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN on May 31, 2012, and AAA Striping Service, St. Michael, MN provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
AAA Striping Service	12220 – 43 rd Street NE St. Michael, MN 55376	\$935,204.07

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220275, Object 652700.

With additional revenue budgeted for expense:
Fund 220, Agency 220275, Rev. Object 551508 \$247,500.80

Cleaning Services – Northland Office Center, Virginia, MN

BY COMMISSIONER_____

WHEREAS, the cleaning contract for the Northland Office Center in Virginia has expired; and

WHEREAS, General Cleaning of Duluth, Minnesota, has submitted a proposal for a contract in an amount of \$50,858.53 per year for cleaning the building; and

WHEREAS, the contract includes an initial “deep cleaning” for a cost of \$628.43, resulting in a first year total cost of \$51,486.96.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a one year (with two additional, one-year extension options) agreement with General Cleaning of Duluth, Minnesota, for an annual amount of \$51,486.96 for year one and \$50,858.53 for years two and three. Funds are available from Fund 100, Agency 128006.

**Establish a Public Hearing to Consider Tax Abatement and Loan Guarantee –
AAR Aircraft Services, Inc.**

BY COMMISSIONER _____

WHEREAS, Minn. Stat. §§ 116J.993 - 116J.995, Business Subsidy Law, requires that a public hearing be conducted prior to granting any business subsidy in an amount greater than \$150,000 in value; and

WHEREAS, AAR Aircraft Services, Inc., has requested St. Louis County to consider up to \$320,000 tax abatement financing payable over seven years and a \$50,000 one year Minnesota Investment Fund loan guarantee for the expansion of their Duluth facility.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will hold a public hearing on Tuesday, June 26, 2012, at 9:40 a.m., at Semer's Park Pavilion, Ely, Minnesota, to solicit public input prior to considering the proposed business subsidy request.

A&E Fee Adjustment – Virginia Courthouse Remodeling & New Addition Project

BY COMMISSIONER _____

WHEREAS, St. Louis County Purchasing Rules & Regulations require that construction project change orders exceeding \$50,000 must be approved by the County Board (Resolution No. 91-867, dated November 5, 1991); and

WHEREAS, the architectural and engineering (A&E) design and implementation fees originally determined for the Virginia Courthouse remodeling and addition project were not an accurate representation of the actual services required; and

WHEREAS, the larger size of the new addition and remodeled areas, and the additional services required by state and local code officials resulted in an additional A&E fee of \$63,070, to be added to the original contract for services with Architectural Resources, Inc., of Hibbing, Minnesota, in the amount of \$285,419.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the change order amendment to the professional services contract with Architectural Resources, Inc., of Hibbing, Minnesota, for an additional \$63,070, for a total professional services fee of \$348,489 for remodeling and expansion of the existing Virginia Courthouse. Funding is available from Fund 400, Agency 400033.

**Application for On-Sale and Sunday On-Sale Intoxicating Liquor License
(Kabetogama 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. 59385:

Porkorny's, LLC, d/b/a Gappa's Landing Resort & Campground,
Kabetogama Township, new.

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

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 is approved contingent upon approval from Minnesota Department of Health (MDH), proof of liquor liability insurance, Federal tax identification number and MDH Food/Beverage Service License application.

RESOLVED FURTHER, that the On-Sale and Sunday On-Sale Intoxicating Liquor Licenses shall be effective upon compliance with all contingencies through June 30 of license term.

**Application for On-Sale and Sunday On-Sale Intoxicating Liquor License
(Unorganized Township 59-16)**

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. 59385:

The Shack, Inc., d/b/a The Shack, Unorganized Township 59-16, new.

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

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 is approved contingent upon approval from Minnesota Department of Health (MDH), proof of liquor liability insurance, State and Federal tax identification numbers, MDH Food/Beverage Service License application and payment of past due and delinquent real estate taxes.

RESOLVED FURTHER, that the On-Sale and Sunday On-Sale Intoxicating Liquor Licenses shall be effective upon compliance with all contingencies through June 30 of license term.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated June 1, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Claims and Accounts for May 2012

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. 59440, are hereby approved and the County Auditor shall issue checks in the following amounts:

MAY 2012

100	General Fund	\$5,340,227.13
149	Personnel Service Fund	731.82
150	Sheriff's Nemesis Fund Group	14,192.54
160	MN Trail Assistance	55,590.33
167	Attorney's Forfeitures	5,000.00
168	Sheriff's State Forfeitures	884.71
173	Emergency Shelter Grant	27,005.49
179	Enhanced 9-1-1	699.78
180	Law Library	19,047.38
183	City/County Communications	429.77
184	Extension Service	39,294.99
200	Public Works	3,212,579.25
210	Road Maint – Unorg Townships	113.86
220	State Road Aid	2,796,694.49
230	Public Health & Human Services	6,091,716.99
240	Forfeited Tax	450,124.19
260	CDBG Grant	167,173.89
270	Home Grant	31,495.42
290	Forest Resources	71,712.86
400	County Facilities	85,631.50
402	Depreciation Reserve Fund	194,250.96
405	Public Works Building Const	84,278.38
439	2010A Capital Improvement Bond	4,791.41
600	Environmental Services	800,207.29
616	On-Site Waste Water Division	37,243.15
715	County Garage	102,688.95
720	Property Casualty Liability	5,987.31
730	Workers Compensation	238,771.95
770	Retired Employees Health Ins	2,303.95
825	Taconite Relief/Other	1,470,935.50
900	State of Minnesota	13,796,063.93
902	Courts	280,252.18
907	Special Taxes	12,297.13
908	Cities and Towns Taxes	146.00

909	Tax Refunds	11,150.67
910	School Districts Taxes	11,777,530.00
911	Taxes and Penalties	20,714,195.76
925	Arrowhead Regional Corrections	1,587,258.39
955	Community Health Board	225,455.36
985	Collective Local Collaborative	51,525.21
989	Regional Railroad Authority	44,194.39
990	Northern Cities Land Use	689.46
992	Permits to Carry-Firearms	4,086.00
994	Sheriff Forfeits/Evidence	8,496.04
998	MPL-DUL Train Alliance	62,111.19
		<hr/>
		\$69,927,256.95

**Arrowhead Library System Merger with North Country Library Cooperative –
New Contract Agreement**

BY COMMISSIONER _____

WHEREAS, the counties of Carlton, Cook, Itasca, Koochiching, Lake, Lake of the Woods, and St. Louis are members of the Arrowhead Library System (ALS), a regional public library system organized under Minn. Stat. § 134.20; and

WHEREAS, the board of ALS and the board of the North Country Library Cooperative have approved resolutions for the merger of the two entities, subject to the Minnesota Commissioner of Education's approval of the dissolution of the North Country Library Cooperative and approval of the inclusion of the North Country Library Cooperative's duties and responsibilities under Minn. Stat. § 134.351 into ALS's current duties and responsibilities as a regional public library system, under Minn. Stat. § 134.20; and

WHEREAS, funds received from member counties will continue to be used exclusively for ALS' duties and responsibilities as a regional public library system, under Minn. Stat. § 134.20; and

WHEREAS, the St. Louis County Board has received the form of the ALS contract agreement (the "Contract Agreement").

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the Contract Agreement in substantially the form presented at this meeting and authorizes the appropriate county officials to sign the agreement and any amendments by the County Attorney. The Contract Agreement shall take effect at the earliest time provided by law.

Opposition to House of Representatives Bill 1505

BY COMMISSIONER _____

WHEREAS, House of Representatives Bill 1505 (H.R. 1505), the National Security and Federal Lands Protection Act, appears to have the positive intent of helping secure our nation's borders, however, upon closer examination it has become abundantly clear to us that the bill has numerous unintended consequences and fatal flaws; and

WHEREAS, H.R. 1505 particularly grants the federal Department of Homeland Security (DHS) extraordinary authority especially over states with abundant public land ownership, regardless of whether such lands are owned by the federal, state or local government; and

WHEREAS, H.R. 1505 grants unprecedented authority in one federal agency (DHS) at a level that is clearly unnecessary which will result in an unimpeded usurpation of states' rights; and

WHEREAS, H.R. 1505 provides state and local governments few, if any, opportunities to comment or weigh in on proposed actions; and

WHEREAS, H.R. 1505 would also waive certain laws to all sections of the international and maritime borders within 100 miles of our nation's northern and southern border including – a provision that certainly calls into question the public's persistent concerns about the erroneous ways of utilizing a "one size fits all" misguided approach to governance.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board encourages the entire Minnesota Congressional Delegation to vote "no" should this legislation reach the floor of either respective body. Furthermore, we encourage the author(s) of this legislation to either withdraw this bill from Congressional consideration or at the very least to substantially rework its language so that our Northern border states are exempt from the vast majority of its overly onerous, impractical and Constitutionally violating provisions.

Minnesota State Auditor Performance Measurement Program, 2012 Report

BY COMMISSIONER _____

WHEREAS, the Minnesota State Auditor has developed a Performance Measurement Program that is voluntary for counties and cities and St. Louis County participated in 2010/2011; and

WHEREAS, St. Louis County has been actively tracking similar performance data for a number of years as part of its performance measurement system; and

WHEREAS, there are direct financial impacts for participation in this program; and

WHEREAS, early participation in this program will position the county to be better prepared for enhanced or expanded performance measurement initiatives from the state; and

WHEREAS, transitioning to an outcomes-based system of program evaluation is in the best interest of every Minnesota citizen and local government that desires to maximize public resources and enhance the quality of life in their communities to the fullest extent possible.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board adopts the Minnesota State Auditor's Performance Measurement Program "Model Performance Measures for Counties" and other program requirements as specified:

- St. Louis County has implemented and will continue to review its performance measurement system to ensure it meets the system requirements developed by the Council on Local Results and Innovation;
- St. Louis County has and will continue to report the results of its performance measures to residents; and
- St. Louis County will continue to survey its residents to obtain relevant data for these measures.

RESOLVED FURTHER, that the St. Louis County Board approves submission of the 2011 St. Louis County Performance Measures Report found in County Board File No. _____.

Fund Balance Transfer and Expenditure for ARMER Related Equipment

BY COMMISSIONER _____

WHEREAS, the Federal Communications Commission has mandated that communications systems must meet new standards for narrowband compliance by 2013; and

WHEREAS, the St. Louis County Board has authorized the Sheriff's Office to transition county radio systems to the state-wide Allied Radio Matrix for Emergency Response (ARMER).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of end user radios, and other ARMER related equipment necessary for the transition, from Motorola, Inc., through the State of Minnesota contract pricing.

RESOLVED FURTHER, that the St. Louis County Board authorizes the transfer of funds in the amount of \$3,111,000 currently in Fund 100, Agency 999999, Object 311047, to Fund 100, Agency 136001, Object 665900.

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

**Authorization to Expend the 2011 Homeland Security Grant
for End Use Radios**

BY COMMISSIONER _____

WHEREAS, the State of Minnesota, Department of Public Safety, through the Division of Emergency Communication Networks has made available \$98,000 in funding from the State Homeland Security grant program for end user radios to be distributed by the Northeast Regional Radio Board; and

WHEREAS, St. Louis County has offered to serve as the grant administrator and fiscal agent for this funding; and

WHEREAS, the St. Louis County Sheriff's Office, on behalf of the Northeast Regional Radio Board, will be able to purchase needed end user radio from Motorola, Inc. as a result of this funding.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the expenditure of \$98,000 for end user radios from Motorola, Inc., to be accounted for in Fund 100, Agency 129999, Grant 12940, Year 2011.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents and to expend these funds in compliance with the terms of the grant contract.

**Authorization to Expend the 2011 State Homeland
Security Grant for End Use Radios**

BY COMMISSIONER _____

WHEREAS, the State of Minnesota, Department of Public Safety, through the Division of Emergency Communication Networks, has made available \$387,950 in funding from the State Homeland Security grant program for end user radios to be distributed by the Northeast Regional Radio Board; and

WHEREAS, St. Louis County has offered to serve as the grant administrator and fiscal agent for this funding; and

WHEREAS, the St. Louis County Sheriff's Office, on behalf of the Northeast Regional Radio Board, will be able to purchase needed end user radio from Motorola, Inc., as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the expenditure of \$387,950 for end user radios from Motorola, Inc., to be accounted for in Fund 100, Agency 136999, Grant 13604, Year 2011.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents and to expend these funds in compliance with the terms of the grant contract.

Authorization to Expend Funds for End User Radios

BY COMMISSIONER _____

WHEREAS, on May 1, 2012, the St. Louis County Board adopted Resolution No. 12-250 authorizing the purchase of its 2012 fleet vehicles; and

WHEREAS, the St. Louis County Sheriff's Office is requesting the purchase of end user radios from Motorola, Inc., to equip its vehicles which were authorized by this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the expenditure of \$74,812.50 for end user radios from Motorola, Inc., to be accounted for in Fund 100, Agency 129003, Object 643200.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents and to expend these funds in compliance with the terms of the grant contract.