



COMMITTEE OF THE WHOLE AGENDA
Board of Commissioners, St. Louis County, Minnesota

August 7, 2012

Immediately following the Board Meeting, which begins at 9:30 A.M.
Commissioners' Conference Room, St. Louis County Courthouse, Duluth, MN

CONSENT AGENDA:

All matters listed under the consent agenda are considered routine and/or non-controversial 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.

Minutes of July 24, 2012

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

1. Day Training & Habilitation and Semi-Independent Living Services Contract Amendments for Fiscal Year Ending June 30, 2013 [12-312]
2. Amended Carlton-Cook-Lake-St. Louis Community Health Board (CHB) Joint Powers Agreement [12-313]

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

3. Award of Bid: Budcapping Application [12-314]
4. Adjoining Owner Sales [12-315]

Public Works & Transportation Committee – Commissioner Forsman, Chair

5. Request for 2012 State Aid Advance [12-316]

Finance & Budget Committee – Commissioner Raukar, Chair

6. Abatement List for Board Approval [12-317]
7. Sale of Non-Conforming Fee Land to Adjoining Property Owner – Gnesen Township [12-318]
8. Exchange of Non-Conforming Fee Land for Highway Right of Way – McDavitt Township [12-319]

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

9. Contract for Medical Services at the St. Louis County Jail [12-320]

REGULAR AGENDA:

For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

Public Works & Transportation Committee – Commissioner Forsman, Chair

1. **Agreement with the Fond du Lac Band of Lake Superior Chippewa for Emergency Relief for Federally Owned Roads within the Fond du Lac Reservation (Brookston) [12-321]**
Resolution authorizing an agreement with the Fond du Lac Band of Lake Superior Chippewa for emergency federal funding for road repairs within the reservation damaged in the June 19-20, 2012 flood event.

Finance & Budget Committee – Commissioner Raukar, Chair

- 1. 2012 Budget Changes – Public Works Department for June 2012 Storm Event [12-322]**
Resolution authorizing the acceptance of federal government funds for storm event damage repair and authorizing resulting budget changes.
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COMMISSIONER DISCUSSION ITEMS AND REPORTS:

At this time, Commissioners may introduce items for discussion or report on past and future activities.

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

August 14, 2012 Mesabi Station, 111 Station 44 Road, Eveleth, MN
September 4, 2012 Commissioners' Conference Room, Courthouse, Duluth, MN
September 11, 2012 Commissioners' Conference Room, Courthouse, Duluth, MN

BARRIER FREE: *All St. Louis County Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual needs for special services. Please contact St. Louis County Property Management (218-725-5085) early so necessary arrangements can be made.*

**COMMITTEE OF THE WHOLE
ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

Tuesday, July 24, 2012

Location: Floodwood City Hall
Present: Commissioners Jewell, O'Neil, Dahlberg, Forsman, Sweeney, Nelson and Raukar
Absent: None
Convened: Chair Nelson called the meeting to order at 10:14 a.m.

CONSENT AGENDA

Raukar/Sweeney moved to approve the consent agenda. Commissioner Nelson requested item 7, professional services agreement with the City of Duluth for a shared grant coordinator position be removed for separate consideration. The remainder of the consent agenda passed. (7-0)

-Minutes of July 10, 2012

1. Temporary June 2012 Flood Relief Program Extension
2. Award of Bid: Low Resolution Inventory for 2012-2015
3. State Tax Forfeited Land Use Lease – Proctor Independent School District No. 704
4. Cancellation of Contracts for Repurchase of State Tax Forfeited Lands - Johnson, Nilsson
5. Cancellation of Contract for Purchase of State Tax Forfeited Land – Koch
6. Private Sale of State Tax Forfeited Land – Ollila

REGULAR AGENDA

Nelson/Forsman moved to award a contract for a reclaim and overlay project in Mt. Iron, MN, to KGM Contractor, Inc., Angora Township, on their low bid of \$1,867,853.61 (28.13% above the engineers estimate). (7-0)

Raukar/Sweeney moved to award a contract for Gravel Road Investment Program for various townships in South St. Louis County to KGM Contractors, Inc. Angora, MN, on their low bid of \$663,041.99 (10.59% above the engineers estimate). (7-0)

Sweeney/Jewell moved to award a contract for culvert replacement and bituminous patches in Ault and Gnesen Townships to Ulland Brothers, Inc., on their low bid of \$514,000.00 (3.63% above the engineers estimate). (7-0)

Forsman/Raukar, moved to award a contract for an excavation project in Kugler Township to Hoover Construction Co., Virginia, MN, on their low bid of \$91,890.00 (29.32% below the engineers estimate). (7-0)

Jewell/O'Neil moved to award a contract for a paving project on CSAH 90 (Arlington Avenue, Duluth), to KTM Paving, Inc., Hermantown, MN, on their low bid \$62,937.17 (20.21% below the engineers estimate). (7-0)

Forsman/Raukar moved to award a contract for a paving project on CSAH 116, Unorganized Township 64-12 and Morse Township, to KGM Contractors, Inc., Angora, MN, on their low bid of \$1,707,506.97 (10.52% above the engineers estimate). (7-0)

Sweeney/Nelson moved to award a contract for a reclaim and overlay project due to storm related damage on County Road 293, Lakewood Township, MN, to Northland Constructors of Duluth, LLC, Duluth, MN, on their low bid of \$1,084,848.25 (8.84% above the engineers estimate). (7-0)

Forsman/Nelson moved to approve a professional services agreement for a comprehensive study of county maintenance facilities in the Public Works Fourth District. In response to a question from Commissioner Dahlberg, Commissioner Forsman said there are maintenance facilities throughout the 4th District including Ely, Tower, Babbitt, Embarrass, Virginia, Linden Grove, Cook, etc. Commissioner Sweeney said the county did a similar study in south St. Louis County and closed some facilities, while still maintaining good service to the area. After further discussion, the motion passed. (7-0)

The board took a short recess from 11:15 to 11:23 a.m.

At 11:23 a.m. a time-specific presentation was given by Jeff Spartz, Executive Director of the Association of Minnesota Counties (AMC). Executive Director Spartz reviewed a handout, which included information on AMC's standing committees, legislative and agency initiatives, and county initiated efforts. Executive Director Spartz reviewed the redesign, a concept developed by AMC last year, which included the MAGIC (Minnesota Accountable Government Innovation and Cooperation) Act. Executive Director Spartz also reviewed services provided for AMC members by NACo, including the U.S. Communities Government Purchasing Program and a new prescription drug card. Executive Spartz said the card is offered to the county and their county residents at no cost, includes prisoner medications, and provides an average saving of 24% or more on prescription drugs. Commissioner O'Neil said the card intrigued him, noting the low participation with the current prescription card. In response to a question from Commissioner O'Neil, Executive Director Spartz said the company distributing the card, Coast-2-Coast, has been in the market for about a year and has a better business model than the competitors, which is focused on getting the cards in the hands of citizens. Commissioner Sweeney said it would be worth considering. The presentation ended at 11:40 a.m.

Sweeney/Jewell moved without recommendation to the August 7, 2012 board meeting, a professional services agreement with the City of Duluth for a shared grant coordinator position. Commissioner Nelson noted the date of the agreement is January 1, 2012, and requested additional information. After further discussion, the motion passed. (7-0)

Raukar/Sweeney moved to approve an agreement with Thelen Heating and Roofing, Inc., Brainerd, MN, in the amount of \$434,000, for roof replacement of the St. Louis County Jail in Duluth, MN. Property Director Tony Mancuso said the replacement roof will be white, which only increases five degrees, while a black roof can get up to 145 degrees on a hot day, then contracts at night when the temperature lowers, which is hard on the roof. Commissioner Nelson questioned the roof replacement as the existing roof is only 17 years old. Director Mancuso said there were some shortfalls at the Duluth Jail and the existing roof only had a 10-year warranty, adding the new roof will have a 20-year warranty. After further discussion, the motion passed. (7-0)

Raukar/Sweeny moved to authorize a contract with Pictometry International Corporation, Rochester, New York, for 2013 oblique and orthogonal high-resolution aerial photography and related technologies, in the amount of \$392,006.00, plus \$256,950.41 in sales tax for the first capture, and the option of a second capture in three years. Planning and Community Development Director Barb Hayden said aerial photography is used in several departments and this would be an enterprise function serving GIS, planning, 911 and public safety. Dave Yapel with the St. Louis County Planning Department said this technology is high resolution, gives us 45-degree angle views and can identify structures, bridges, etc., for inventory, and has a significant safety component. Commissioner Nelson brought forth concerns on using this for property assessments in lieu of assessors out in the field looking at property. Commissioner Nelson offered an amendment that if by July 1, 2014, the county does not take over assessments for the City of Duluth, the assessor positions shall move to the northern part of the county, no further south than Grand Lake Township. Commissioner Nelson said he feels that county assessors should be out in the field actually looking at the properties they are assessing, and not sitting at a desk primarily relying on technology. Nelson/Forsman moved the amendment. Commissioner Jewell said this amendment would be bad business and will cost money. Commissioner Sweeney said the amendment does not pertain to the resolution. Commissioner O'Neil suggested it be moved without recommendation, and the makers agreed. After further discussion, County Attorney Mark Rubin said an amendment must be germane to the proposed resolution, advising the county board that the proposed amendment is not germane to the resolution; however, the proposed amendment could come forth as a separate resolution. In response to a question from Commissioner Raukar, County Attorney Rubin said as chair of the committee he could declare that the amendment is not germane to the resolution, which Commissioner Raukar then declared. After further discussion, Director Hayden informed the board that there is an urgency to passing this resolution as the price will increase by \$100,000 if the purchase is not approved by July 31, 2012. Director Hayden said the current cost to the county for aerial photography is \$300,000 and the proposed purchased is \$100,000 more, but the technology is far superior to the existing technology. After further discussion, Commissioner Raukar said this would not be moved without recommendation due to timing concerns. After further discussion, Commissioner Nelson withdrew the amendment, noting he will be bringing this matter forth at a future meeting.

At 12:53 p.m., Chair Nelson called a recess for lunch to reconvene at 2:15 a.m.

At 2:15 p.m., the board reconvened.

In response to a question from Commissioner Nelson, Director Hayden said the high-resolution aerial photography would include the city of Duluth and all of St. Louis County. After further discussion, the motion passed. (4-3, Nelson, Forsman and Dahlberg).

Jewell/Sweeney moved to approve a resolution designating Greenwood and Ancillary Cemeteries as Inactive and Historical. Administrator Gray said this is on the grounds of the Public Safety Campus, formerly known as the paupers cemetery. Administrator Gray said the resolution has three parts: 1. designates the cemetery as inactive and historical (prohibits grave markers); 2. St. Louis County Property Management Department will permanently house the accurate list of known names and boundary maps of the site and make the information available to the public, including placing it on the website; and 3. Property Management will ensure a permanent general receptacle for flowers and other memorials at the Greenwood cemetery site. Commissioner Jewell said there was a clean up of the site 25 years ago, noting there are approximately 5,000 people buried on this site. (7-0)

Jewell/O'Neil moved to approve optional long-term care insurance through National Insurance Services. Administrator Gray said this is optional insurance and will be made available to employees through payroll deduction, at no cost to the county. Human Resource Director Jim Gottschald gave some background on long-term disability insurance, adding there is a 90 day waiting period and the carrier has agree to insure at a 15% guarantee, noting they will insure one person. Director Gottschald said there would be two open enrollment sessions, one in September and one in November. (7-0)

Sweeney/Jewell moved a resolution to forgive a loan made to Lake County and transfer the obligation to repay the loan to the Cloquet Valley Internet Initiative. Administrator Gray said rather than have Lake County repay the \$20,000 loan, it will be used as a match for the Cloquet initiative. After further discussion, Commissioner Sweeney thanked the board for their support. (7-0)

Jewell/Raukar moved to approve the 2010/2011 Assistant County Attorney Unit Bargaining Agreement. Administrator Gray said the Cost of Living (COLA) is zero percent for both years. After further discussion, the motion passed. (7-0)

COMMISSIONER DISCUSSION ITEMS

Commissioner Jewell attended the Heart of the Continent Steering Committee conference last week, which included a tour of Voyageurs National Park. Commissioner Jewell said the Heart of the Continent Partnership seeks to sustain and celebrate the health, beauty, diversity and productivity of the natural and cultural resources of the border lakes region through collaboration to meet the needs of present and future generations.

Commissioner O'Neil said he is working on the concerns surrounding the closing of the Seaway Hotel and will keep the board updated on the matter.

Commissioner Dahlberg said there have been news reports that it will be a long time before the Haines Road project is complete, and that he is working to push the project forward in a timely manner.

Commissioner Sweeney said the Arrowhead Regional Development Commissioner (ARDC) has offered assistance concerning the Seaway Hotel closing and to contact them if help is needed.

Commissioner Raukar said the St. Louis County Fair starts July 25 and goes through Sunday, July 29, 2012, in Chisholm at the former Iron World site. Commissioner Raukar said these are the "five best days of summer" and encouraged all to attend.

At 2:49 p.m., Jewell/Forsman moved to adjourn. (7-0)

Keith Nelson, Chair of the County Board

Patricia Stolee, Clerk of the County Board

BOARD LETTER NO. 12 - 312

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: August 7, 2012

RE: Day Training & Habilitation and
Semi-Independent Living
Services Contract
Amendments for Fiscal Year
Ending June 30, 2013

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

Adults will live in the least restrictive living arrangements that meet their health and safety needs. Adults will be self-sufficient, providing for their own welfare and that of their children.

ACTION REQUESTED:

The St. Louis County Board is requested to amend agreements with Day Training & Habilitation (DT&H) and Semi-Independent Living Service (SILS) providers to extend the agreements for another year.

BACKGROUND:

The St. Louis County Board has agreements in effect with DT&H and SILS providers through June 30, 2012. Costs incurred for DT&H services provided to St. Louis County residents are primarily funded through the Medical Assistance (MA) program, although a small number of clients receive services using county funds. MA funding covers the DT&H service costs of those individuals residing in an Intermediate Care Facility for Persons with Developmental Disabilities (ICF-DD) and those eligible for and receiving Medical Assistance Home and Community-Based DD Waiver Services.

Semi-independent living services are paid for by a combination of state and local funding. The county is required to provide a 30% match. The total cost of SILS in St. Louis County is projected to be \$619,172 in 2013, of which \$185,751 is county funding. Innovative Living has requested that its contract terminate June 30, 2012.

The Minnesota Department of Human Services has mandated counties to maintain (not increase or decrease) present reimbursement rates for day training and habilitation and semi-independent living services providers for the period July 1, 2012 through June 30, 2013.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorizes the appropriate county officials to execute amendments to extend the term of purchase of service agreements for an additional year with no change in rates for Day Training & Habilitation Services and Semi-Independent Living Services with current providers.

**Day Training & Habilitation and Semi-Independent Living Services
Contract Amendments for Fiscal Year ending June 30, 2013**

BY COMMISSIONER _____

WHEREAS, St. Louis County purchases Day Training & Habilitation and Semi-Independent Living Services for residents with developmental disabilities (mental retardation and/or related conditions); and

WHEREAS, the Public Health and Human Services Department has agreements with the Day Training & Habilitation providers and Semi-Independent Living Service providers listed below, and wishes to renew the agreements for fiscal year ending June 30, 2013.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute amendments to extend the term of purchase of service agreements for an additional year with no change in rates for Day Training & Habilitation Services and Semi-independent Living Services with current providers as listed below:

- 1) Day Training & Habilitation Service providers (as listed below) to be paid from:
Fund: 230, Agency: 232006, Object: 604800
- 2) Semi-Independent Living Service providers (as listed below) to be paid from:
Fund: 230, Agency: 232006, Object: 605200

at the following rates (reflecting no increase or decrease) for the period July 1, 2012 through June 30, 2013:

DAY TRAINING & HABILITATION

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program & Transport.</u>
Access to Employment Too, Inc.	\$ 85.19	\$ 63.89	\$ 7.44	\$ 92.63
CHOICE, Unlimited – CHOICE	\$ 72.66	\$ 54.49	\$ 8.02	\$ 80.68
CHOICE, Unlimited – OPTIONS	\$101.28	\$ 75.96	\$10.69	\$111.97
East Range DAC	\$ 64.32	\$ 48.24	\$11.47	\$ 75.79
Floodwood Services & Training, Inc.	\$ 64.88	\$ 48.66	\$ 5.71	\$ 70.59
MSOCS Duluth – Airpark Products & Services	\$117.52	\$ 88.14	\$ 9.73	\$127.25
MSOCS Duluth – Lincoln Park Life Skills	\$ 90.55	\$ 67.91	\$13.55	\$104.10
MSOCS Range Area Vocational Supports	\$116.35	\$ 87.26	\$16.48	\$132.83
Range Center, Inc.	\$ 83.67	\$ 62.75	\$ 6.02	\$ 89.69
UDAC, Inc.	\$ 63.27	\$ 47.45	\$ 9.80	\$ 73.07

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

* Pinewood, Inc.-Duluth was formerly a Rule 75 pilot program and is allowed to have hourly rates.

SEMI-INDEPENDENT LIVING SERVICES (SILS)

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

BOARD LETTER NO. 12 - 313

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: August 7, 2012

RE: Amended Carlton-Cook-Lake-St. Louis Community Health Board (CHB) Joint Powers Agreement

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

Our community will make healthy life choices and have safe food, water and air. Our community will be prepared for emergencies and hazards and will be at low risk of epidemics and the spread of disease.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize representatives of St. Louis County to sign the amended Joint Powers Agreement with Carlton, Cook, and Lake counties for a Community Health Board.

BACKGROUND:

The Carlton-Cook-Lake-St. Louis Community Health Board (CHB) was established through a Joint Powers Agreement in 1977 and amended in December 1990. The Board is made up of nine members - three members from St. Louis County and two members each from Carlton, Cook and Lake Counties. St. Louis County representatives are Commissioners Steve O'Neil, Mike Forsman, Chris Dahlberg and Frank Jewell (alternate). The Board meets 4 -5 times each year. The Community Health Board adds value to the region and to local public health departments by working collaboratively to prevent illness and injury, and to protect and promote the public's health at the individual, community and system levels. Goals are to assure an adequate local public health infrastructure, promote healthy communities and healthy behaviors, prevent the spread of infectious disease, protect against environmental health hazards, prepare for and respond to disasters to assist communities in recovery, and assure the quality and accessibility of health services.

The CHB recently updated language to the Joint Powers Agreement with input from a subcommittee of internal and external representatives. The amended version of the agreement was adopted by the CHB Board on June 18, 2012. The amendments simplify the agreement and closely follow MN Statute 145A language. The CHB Bylaws will also be updated after the revised agreement is finalized.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize representatives of St. Louis County to sign the amended Joint Powers Agreement with Carlton, Cook, and Lake counties for a Community Health Board.

**Amended Carlton-Cook-Lake-St. Louis Community
Health Board (CHB) Joint Powers Agreement**

BY COMMISSIONER _____

WHEREAS, The Carlton-Cook-Lake-St. Louis Community Health Board (CHB) was established through a Joint Powers Agreement in 1977 and amended in December 1990; and

WHEREAS, the Community Health Board adds value to the region and to local public health departments by working collaboratively to prevent illness and injury, and to protect and promote the public's health at the individual, community and system levels; and

WHEREAS, with input from a subcommittee of internal and external representatives, the CHB Board recently adopted amendments to the language of the Joint Powers Agreement.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to sign the amended Joint Powers Agreement with Carlton, Cook, and Lake counties for a Community Health Board.

AMENDED
JOINT POWERS AGREEMENT BETWEEN
CARLTON-COOK-LAKE-ST. LOUIS COUNTIES

TO ESTABLISH A JOINT COMMUNITY HEALTH BOARD

THIS AGREEMENT is made effective this _____ day of _____, 2012, by and between the counties of Carlton, Cook, Lake and St. Louis, hereinafter referred to as joint participants, for an indefinite duration, subject to termination in accordance with Section 4, below; this Agreement shall be for the purpose of securing for the joint participants more efficient public health services for the mutual benefits of each of the joint participants.

WHEREAS, the joint participants have formed a joint Community Health Board pursuant to Minnesota Statutes Chapter 145A and Minnesota Statute 471.59, for the purpose of establishing and maintaining a cooperative system of community health services under local administration.

WHEREAS, the joint participants desire to amend the joint powers agreement originally dated the 1st day of January 1977 (as amended the 31st day of December 1990).

THEREFORE, the parties hereto agree and hold themselves bound as follows:

ARTICLE I

Definitions

- A. Community Health Board – The term Community Health Board, as used in this Agreement, refers to a board of health as defined in Minnesota Statutes Chapter 145A as now enacted or as amended, and shall consist of membership of county commissioners of all four joint participants as established in the Bylaws which will be reviewed annually and are attached to this Agreement as Exhibit A. The Community Health Board will conduct business according to its approved Bylaws.

- B. Local Human Services Board – The term local human services board as used in this Agreement refers to a human services board as defined by each joint participant county.

- C. Public Input:—The member counties shall seek public input on public health matters relating to the development, maintenance, funding and evaluation of community health.
- D. Miscellaneous Terms – Every other term used in this Agreement, other than those defined above, shall have as its definition that which is provided in Minnesota Statutes, 145A as now enacted or as amended.

ARTICLE II

Purpose

It is the intention of the joint participants that the formulation of a Community Health Board and the delegation of certain duties to local human services boards as prescribed herein will allow the citizens of each county to enjoy more efficient local public health services. The Community Health Board's purpose is to engage in activities designed to protect and promote the health of the general population within a community health service area by emphasizing the prevention of disease, injury, disability, and preventable death through the promotion of effective coordination and use of community resources, and by extending health services into the community.

ARTICLE III

Authority and Duties of the Combined Board of Health:

- A. Powers and Duties – The Community Health Board shall possess all of the powers and duties now assigned by the law pursuant to Minnesota Statutes Section 145A as now enacted or as amended. Specifically, (1) develop and implement policies and procedures for establishing local priorities based on an assessment of community health needs and assets for the four county area; (2) develop and implement policies and procedures to determine mechanisms to address four county priorities and to achieve statewide outcomes within the limits of available funding; and (3) expend funds in accordance with the annual approved budget and local priorities.

Local human services boards shall possess all other powers and duties assigned by law to such local human services boards pursuant to Minnesota Statutes Section 145A as now enacted or as amended and as more specifically delegated to it in the Bylaws.

- B. Employees – The Community Health Board may employ or contract with administrators, officers, employees and agents as necessary to carry out the provisions of this Agreement and the requirements of Minnesota Statutes 145A as now enacted or as amended.
- C. Acquisition of Property; Acceptance of Funds, Collection of Fees – The Community Health Board, by any lawful means, including gifts, purchase, lease or

transfer of custodial control, may acquire and hold in the name of the Community Health Board, the lands, buildings and equipment necessary and incident to the accomplishment of the purposes of Minnesota Statutes Sections 145A as now enacted or as amended and accept gifts, grants and subsidies from any lawful source; the Community Health Board may also apply for and accept state and federal funds; request and accept local tax funds and may establish and collect reasonable fees for community health services.

- D. Disbursement of Funds – The Community Health Board may provide for disbursements from public funds to carry out the purposes of this agreement. The method of disbursement shall agree as far as practicable with the method provided by law for the disbursement of funds by the joint participants. Contracts let and purchases made under this agreement shall conform to the requirements applicable to contracts and purchases of any one joint participants. The Community Health Board shall be strictly accountable for maintaining records of all funds and reports of all receipts and disbursements.
- E. Contracts for Services – The Community Health Board may contract for services from private firms, non profit corporations, primary and secondary schools, state and local government agencies or other community agencies to avoid unnecessary duplication of services and to realize cost advantages. Contracts shall be awarded on the basis of benefit/cost comparisons and the ability to provide the services.
- F. Coordination of Services – The Community Health Board shall coordinate public health services with the delivery of personal health services, institutional health services and related human services in the community; it shall ensure responsible medical consultation and direction by employing or contracting with a licensed physician; and it shall coordinate public health services with health related environmental control services in the community. The Community Health Board shall coordinate local, state and federal services and funding for public health services.
- G. Establishing Local Priorities and Evaluation of Health Services –As a condition of qualifying for the Local Public Health Grant Funding the Community Health Board shall establish local priorities based on an assessment of community health needs and assets and determine mechanisms to address the priorities and achieve statewide outcomes within the limits of available funding, as required in Minnesota Statutes. The Community Health Board shall evaluate the effectiveness and efficiency of community health services systems and programs.
- H. Equal Access to Services – The Community Health Board shall identify community health needs and set priorities among the needs for the broad range of community health services, including the health needs of minorities, non-residents, tourists and migrants, and it shall ensure that services are accessible to all persons on the basis of need, so that no one is denied services because of race, color, sex, age, language, religion, nationality, economic status, political persuasion or place of residence, as provided in Minnesota Statutes.

- I. Reports – The Community Health Board shall publish such reports on its expenditures and activities as necessary for monitoring public health services and as provided in Minnesota Statutes.

ARTICLE IV

Terms of Agreement

It is agreed by and between the joint participants that this Agreement shall be continued until rescinded by any of the joint participants. Any joint participant may withdraw from this Agreement by serving a copy of resolution of withdrawal by its governing body upon the chairman of the county board or the auditor of the other counties participating in this Agreement, as well as serving a copy of such resolution upon the Commissioner of Health. Said notice is to be served at least one year before the beginning of the calendar year in which the withdrawal is intended to take place, in accordance with Minnesota Statutes 145A as now enacted or as amended. Service may be made by mail and the date of service shall be the date of receipt of the mailing.

It is agreed by and between the joint participants that this Agreement may be amended by approval of all the joint participants.

ARTICLE V

Distribution of Property

It is agreed by and between the joint participants that upon the termination of this Agreement, any property and/or funds under the control of the Community Health Board as defined herein shall be returned to each joint participant in proportion to its relative financial contributions to the Community Health Board.

ARTICLE VI

Legal Counsel

The Community Health Board may purchase independent legal counsel services as it deems necessary.

ARTICLE VII

Execution; Entire Agreement

This Agreement shall be executed pursuant to resolution adopted by the participating County Boards.

This Agreement shall constitute the entire Agreement of the parties and shall supersede and amend any previous written agreement and any previous contemporaneous oral agreement of the parties.

Adopted by the St. Louis County Board of Commissioners on this _____ day of
_____ 2012.

Chairperson, St. Louis County Board of Commissioners, Keith Nelson

Auditor, St. Louis County Board of Commissioners, Donald Dicklich

Director, St. Louis County County Public Health and Human Services, Ann Busche

Approved as to form and content

St. Louis County Attorney, Mark Rubin

IN WITNESS WHEREOF,

**Adopted by the Carlton, Cook, Lake, St. Louis Community Health Board on this
____ day of _____, 2012.**

Chairperson, Carlton, Cook, Lake, St. Louis Community Health Board, Marv Bodie

BOARD LETTER NO. 12 - 314

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 3

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** Award of Bid: Budcapping
Application

FROM: Kevin Z. Gray
County Administrator

Robert Krepps, Land Commissioner
Land and Minerals

RELATED DEPARTMENTAL GOAL:

To maintain and improve forest health and productivity.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an award of bid, and subsequent contract, for Budcapping Application.

BACKGROUND:

The Land and Minerals Department continues its efforts to curb the devastation of deer and rabbit browse on its one to five year old plantations. The application of a "budcap" over the terminal bud to protect the seedlings during the winter and spring months has proven to be effective. The 2012 Land and Minerals Department budget includes funding for budcapping 2,317 acres of state tax forfeited land. Fifteen potential vendors were notified by postcard and via DemandStar.

The bid was comprised of nineteen tracts of various acreage. Four vendors submitted a bid in 2012:

Star Forestry (Bemidji, MN)	bid on 19 tracts	Bid Amount: \$74,839.10
Anthony Bull (Wendell, ID)	bid on 19 tracts	Bid Amount: \$113,533.00
Northwoods Forestry (Eleva, WI)	bid on 19 tracts	Bid Amount \$88,046.00
Birkland Forest Mgt (Two Harbors, MN)	bid on 1 tracts	Bid Amount \$ 4,659.50

Purchasing and Land and Minerals Department staff have reviewed the bids and have identified the low bidder as follows:

Star Forestry (Bemidji, MN) 19 tracts Contract Amount: \$74,839.10

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the contract for Budcapping Application with Star Forestry (Bemidji, MN) at its low bid of \$74,839.10 on nineteen tracts, payable from Fund 290, Agency 29001, and authorize the appropriate county officials to enter into a contract with Star Forestry, subject to approval of the County Attorney.

Award of Bid: Budcapping Application

BY COMMISSIONER _____

WHEREAS, the Land and Minerals Department has initiated an effort to curb the devastation of deer and rabbit browse on its one to five year old plantations through a Budcapping Application to tree seedlings; and

WHEREAS, the Land and Minerals Department has identified 2,317 acres for treatment in 2012; and

WHEREAS, the Purchasing Division solicited bids for Budcapping Application on state tax forfeited lands for the year of 2012; and

WHEREAS, Star Forestry of Bemidji, MN, submitted the low bid of \$74,839.10 on nineteen tracts.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Star Forestry of Bemidji, MN, for \$74,839.10 for Budcapping Application on state tax forfeited lands during the fall of 2012, in accordance with the specifications of Bid No. 5040, payable from Fund 290, Agency 29001, subject to approval by the County Attorney.

BOARD LETTER NO. 12 - 315

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 4

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** Adjoining Owner Sales

FROM: Kevin Z. Gray
County Administrator

Robert Krepps, Land Commissioner
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the sale of state tax forfeited land through a private adjoining owner sale.

BACKGROUND:

Minn. Stat. § 282.01, Subd. 7(a) provides that sale of state tax forfeited lands located in a home rule charter or statutory city, or in a town, which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access, may be restricted to owners of land adjoining the land to be sold. The land shall be sold to the highest bidder, and may be sold for less than its appraised value. The County Auditor must determine that a non-public sale to adjoining owners will encourage return of the lands to the tax rolls. Written notice of the date, time, and location of the private sale to all adjacent landowners must occur at least 30 days before the date of the sale.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the adjoining owner land sale with proceeds from the sale to be deposited into Fund 240 (Forfeited Tax Fund).

Adjoining Owner Sales

BY COMMISSIONER _____

WHEREAS, St. Louis County desires to offer for sale a certain parcels of tax forfeited land; and

WHEREAS, the parcels are not 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, the parcels of land cannot be improved because they are less than the minimum size, shape, frontage and/or access required by the applicable zoning ordinance; and

WHEREAS, the County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the parcels described in County Board file _____, and the County Auditor is authorized to offer the parcels at private sale to the adjacent property owners to encourage return of the parcel to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the Land Commissioner shall give at least 30 days notice of its sales to all adjoining owners.

County Board File No. _____

1. The parcel is described as:

E 25 FT EX N 55 FT also N 55 FT OF E 25 FT
DULUTH PROPER 1ST DIVISION WEST 5TH STREET

City of Duluth

Total area is: 0.08 Acre

Parcel Code: 010-1020-00260, 00265

LDKey 71952

Minimum bid of \$4,000

Zoning is R-2, which requires 4,000 sq. ft. for one family and 30 ft. of lot frontage; this parcel does not meet those requirements.

2. The parcel is described as:

LOT 37 BLOCK 4 EX SW1/2

GRANT PARK DIVISION OF DULUTH

City of Duluth

Total area is: 0.46 Acre

Parcel Code: 010-1960-00670

LDKey 29050

Minimum bid of \$12,600

Zoning is R-1, which requires road frontage; this parcel does not meet that requirement.

3. The parcel is described as:

LOT 3 BLOCK 2 INC PART OF VAC LOMBARD ST ADJ also LOT 4 BLOCK 2
INC PART OF VAC LOMBARD ST ADJ

LONDON ADDITION TO DULUTH

City of Duluth

Total area is: 0.39 Acre

Parcel Code: 010-2960-00930, 00940

LDKey 71476

Minimum bid of \$12,300

Zoning is R-1, which is decided by finding the larger of 4,000 sq. ft. or the average of developed 1 family lots on the block face; this parcel does not meet that requirement.

4. The parcel is described as:

LOT: 0004 BLOCK: 004

GREENWOOD BEACH TOWN OF DULUTH

Town of Duluth

Total area is: 0.39 Acre

Parcel Code: 315-0050-00820

LDKey 70222

Minimum bid of \$2,520

Zoning is SMU-8, which requires 1 acre and 200 feet of lot width; this parcel does not meet those requirements.

5. The parcel is described as:
LOTS 34 AND 35
VERMILION DELLS T OF GREENWOOD
Town of Greenwood
Total area is: 0.47 Acre
Parcel Code: 387-0420-00340
LDKey 41928
Minimum bid of \$48,900
Zoning is RES-8, which requires 1 acre and 200 feet of width; this parcel does not meet those requirements.

6. The parcel is described as:
SLY 132 FT OF W 1/2 OF SW 1/4 OF SW 1/4 OF NW 1/4
SEC 27 TWP 51.0 RGE 14
Town of Rice Lake
Total area is: 1.0 Acre
Parcel Code: 520-0016-03425
LDKey 55494
Minimum bid of \$2,200
Zoning is MUNS 5, requiring 2.5 acres and 200 feet of lot width; this parcel does not meet those requirements.

7. The parcel is described as:
LOTS 511 THRU 515
HOMECROFT PARK TOWN OF RICE LAKE
Town of Rice Lake
Total area is: 5.0 Acres
Parcel Code: 520-0130-01200
LDKey 56996
Minimum bid of \$6,850
Zoning is Res-7, requiring 150 feet in width, plus 1 acre of total lot area, this parcel does not meet the frontage requirement.

8. The parcel is described as:
BEG AT NW CORNER OF NW 1/4 OF NW 1/4 THENCE S 1315 FT THENCE E 160 FT THENCE NLY ALONG STATE HWY NO 73 1215 FT THENCE NWLY TO A POINT 115 FT E OF NW CORNER OF SAID TRACT THENCE WLY 115 FT TO POINT OF BEG
SEC 11 TWP 61.0 RGE 20
Town of Sturgeon
Total area is: 5.7 Acres
Parcel Code: 545-0010-01705
LDKey 46156
Minimum bid of \$3,400
Zoning is FAM-3, which requires 9 acres, 300 feet of lot width and 50 foot side principle; this parcel does not meet those requirements.



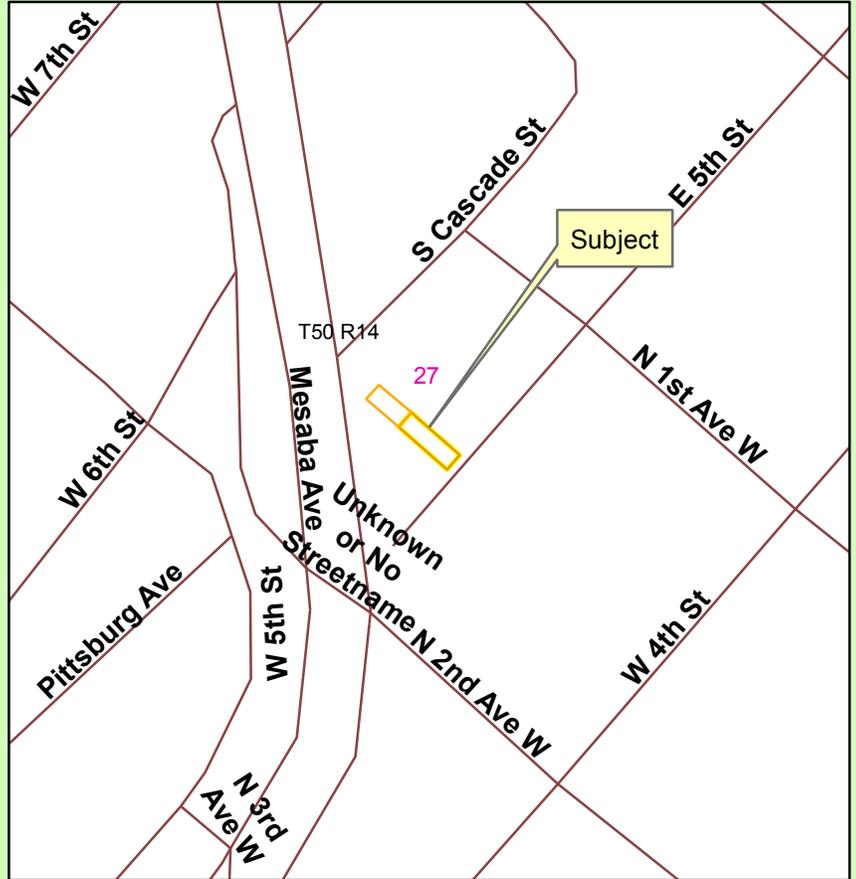
St. Louis County Land Department Tax Forfeited Land Sales

Adjoining Owner Sale

Legal : CITY OF DULUTH
E 25 FT OF LOT 25 EX N 55 FT
DULUTH PROPER 1ST DIVISION
WEST 5TH STREET also N 55 FT OF
E 25 FT OF LOT 25, DULUTH PROPER
1ST DIVISION WEST 5TH STREET

Parcel Code : 010-1020-00260, 265

LDKEY : 71952

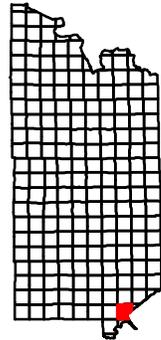


City of Duluth

Sec: 27 Twp: 50 Rng: 14

Commissioner District # 1

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract

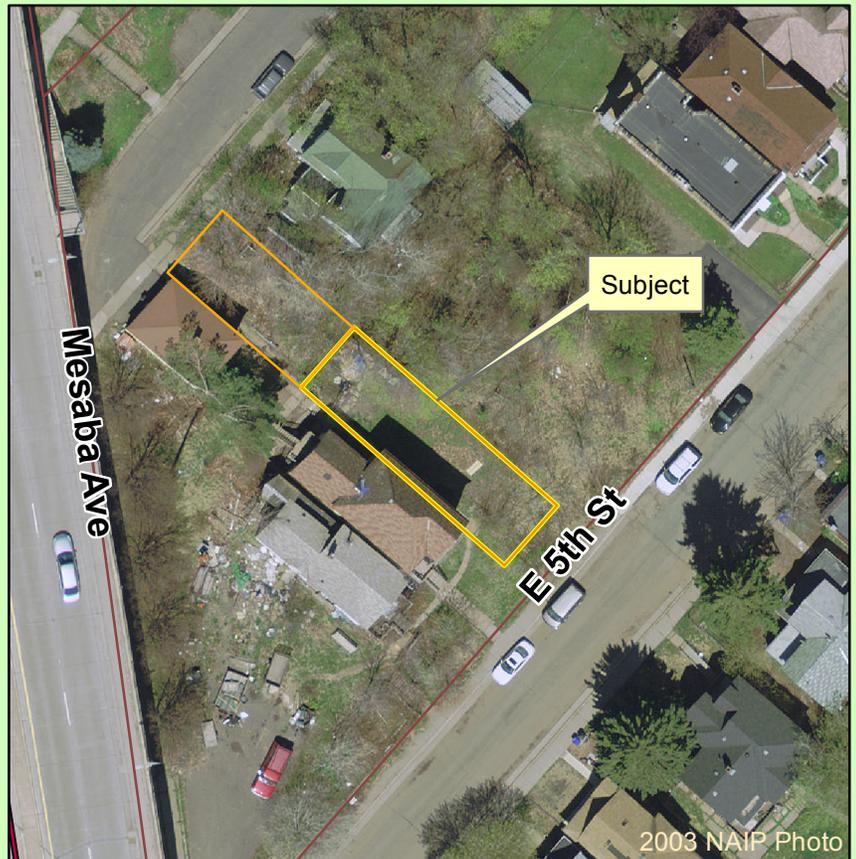


St. Louis County, Minnesota

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**St. Louis County
Land Department**

Summer 2012



2003 NAIP Photo



St. Louis County Land Department Tax Forfeited Land Sales

Adjoining Owner Sale

Legal : CITY OF DULUTH
LOT 37 BLOCK 4 EX SW1/2
GRANT PARK DIVISION OF DULUTH

Parcel Code : 010-1960-00670

LDKEY : 29050

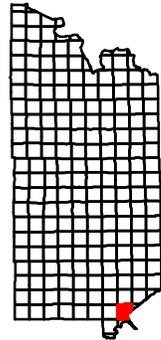


City of Duluth

Sec: 30 Twp: 50 Rng: 14

Commissioner District # 3

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract

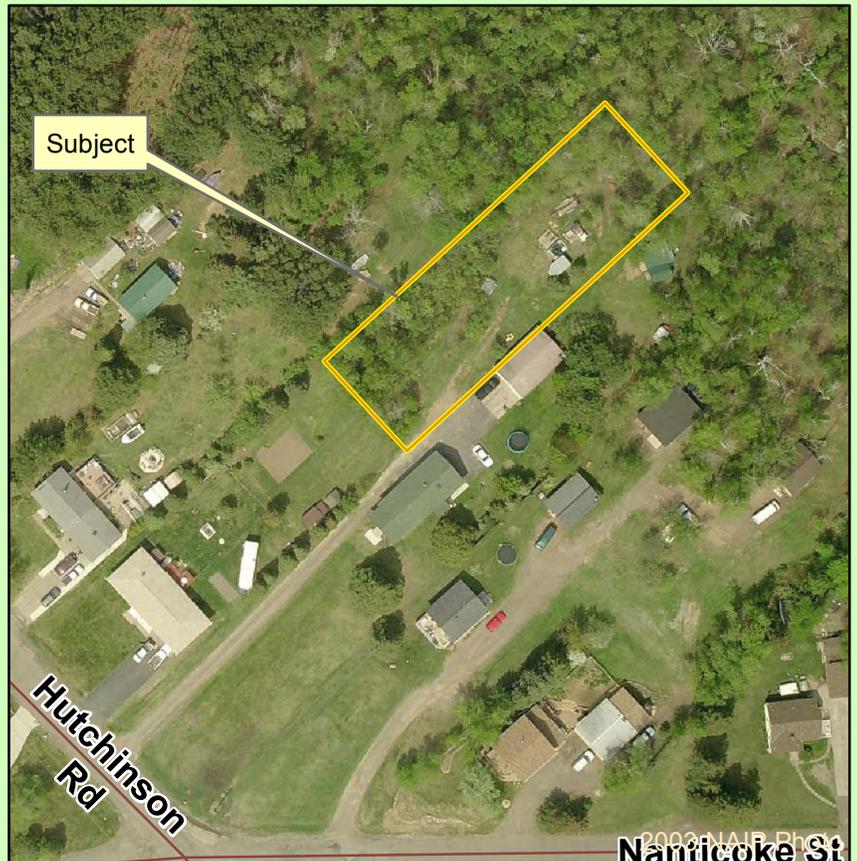


St. Louis County, Minnesota

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St. Louis County
Land Department

Summer 2012



2002 NAIR, PLS



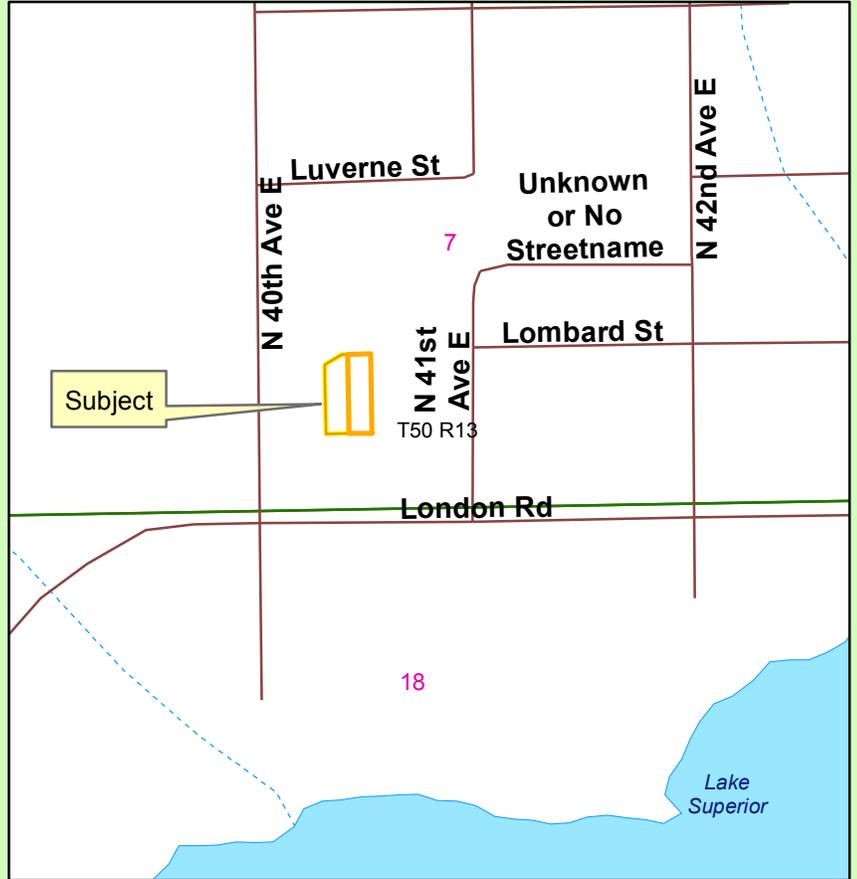
**St. Louis County Land Department
Tax Forfeited Land Sales**

Adjoining Owners Sale

Legal : CITY OF DULUTH
LOT 3 BLOCK 2 INC PART OF VAC
LOMBARD ST ADJ also LOT 4 BLOCK 2
INC PART OF VAC LOMBARD ST ADJ
LONDON ADDITION TO DULUTH

Parcel Code : 010-2960-00930, 940

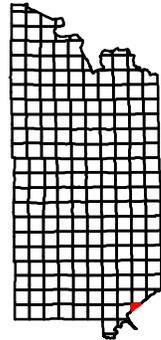
LDKEY : 71476



City of Duluth Sec: 18 Twp: 50 Rng: 13

Commissioner District # 2

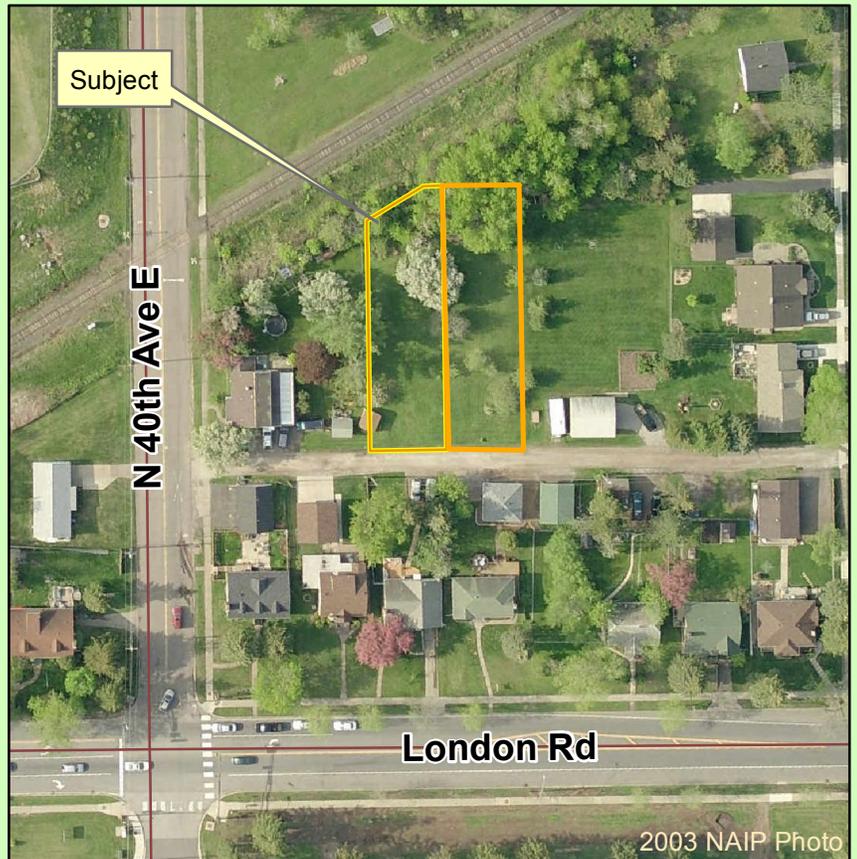
-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract



St. Louis County, Minnesota

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**St. Louis County
Land Department**
Summer 2012



2003 NAIP Photo



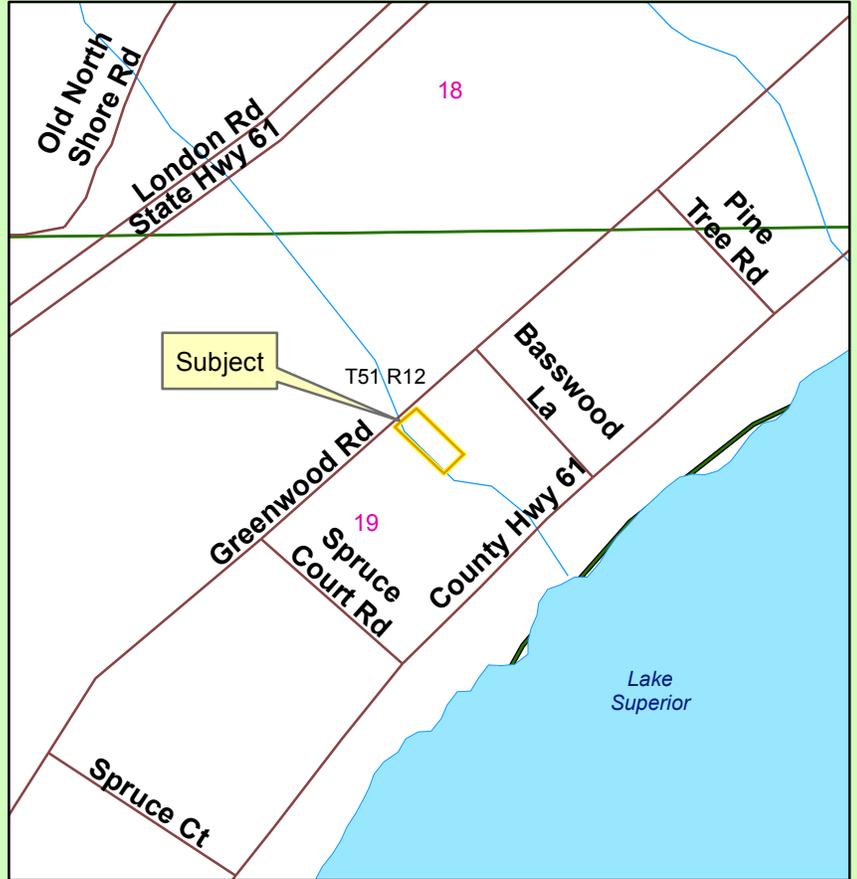
**St. Louis County Land Department
Tax Forfeited Land Sales**

Adjoining Owner Sale

Legal : TOWN OF DULUTH
LOT: 0004 BLOCK:004
GREENWOOD BEACH TOWN OF DULUTH

Parcel Code : 315-0050-00820

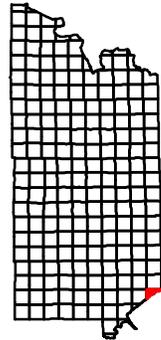
LDKEY : 70222



Town of Duluth Sec: 19 Twp: 51 Rng: 12

Commissioner District # 5

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

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**St. Louis County
Land Department**
Summer 2012



61 2003 NAPP Photo



St. Louis County Land Department Tax Forfeited Land Sales

Adjoining Owner Sale

Legal : TOWN OF GREENWOOD
LOTS 34 AND 35
VERMILION DELLS T OF GREENWOOD

Parcel Code : 387-0420-00340

Acres: .47

LDKEY : 41928

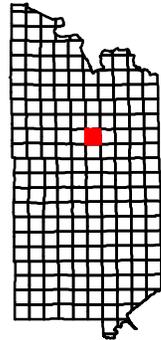


Town of Greenwood

Sec: 2 Twp: 62 Rng: 16

Commissioner District # 4

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract



St. Louis County, Minnesota

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**St. Louis County
Land Department**

Summer 2012



2003 NAIP Photo



St. Louis County Land Department Tax Forfeited Land Sales

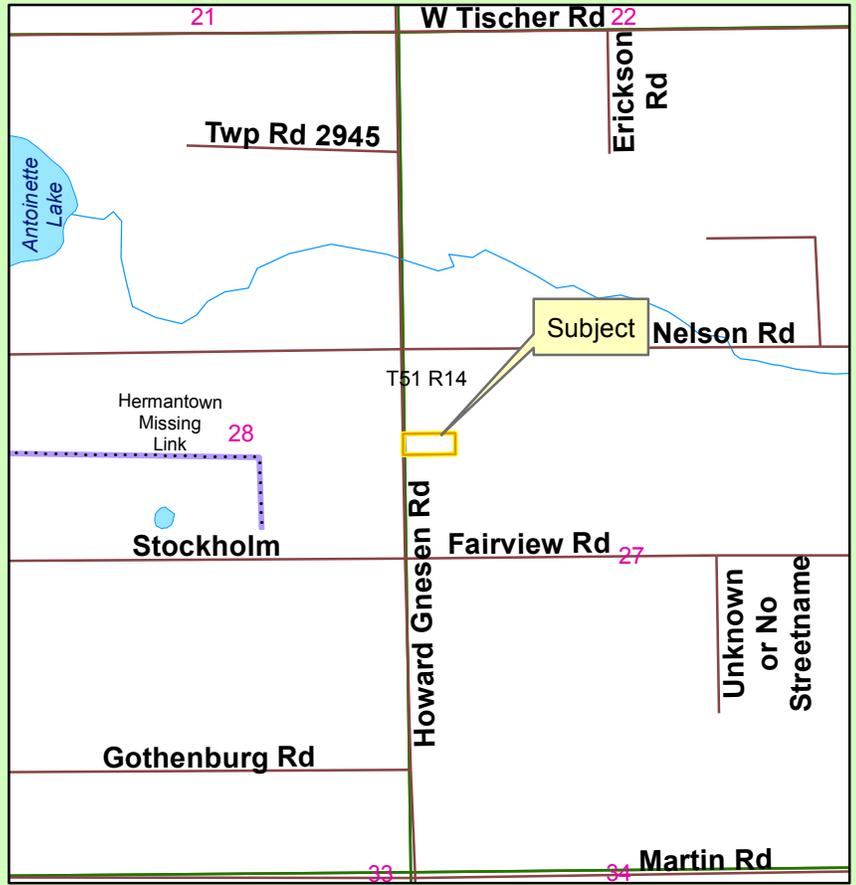
Adjoining Owner Sale

Legal : TOWN OF RICE LAKE
 SLY 132 FT OF W 1/2 OF SW 1/4 OF
 SW 1/4 OF NW 1/4
 Sec 27 Twp 51 Rge 14

Parcel Code : 520-0016-03425

Acres: 1.00

LDKEY : 55494



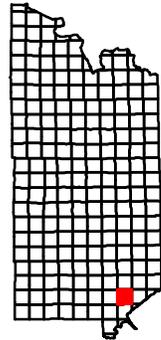
Town of Rice Lake

Sec: 27 Twp: 51 Rng: 14



Commissioner District # 5

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract

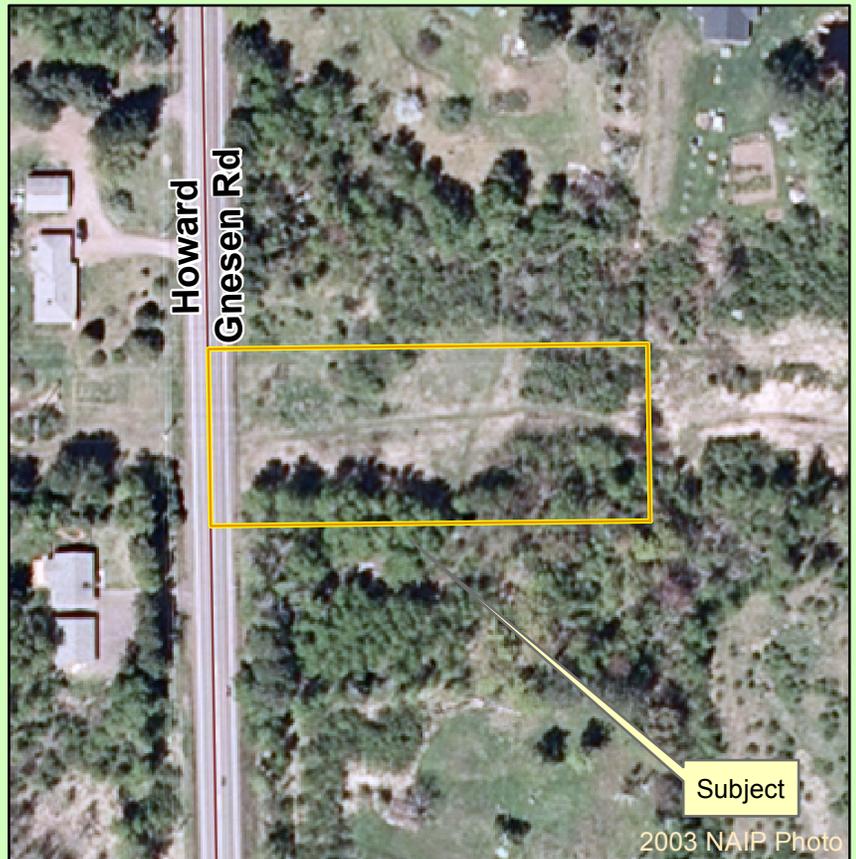


St. Louis County, Minnesota

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St. Louis County
Land Department

Summer 2012



2003 NAIP Photo



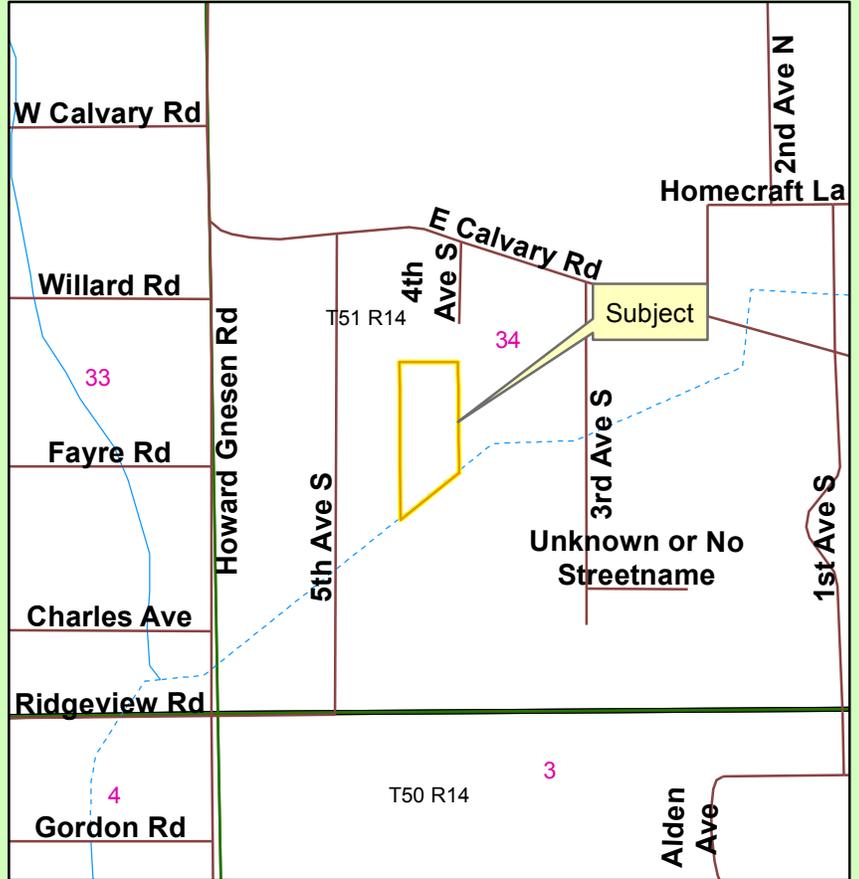
St. Louis County Land Department Tax Forfeited Land Sales

Adjoining Owner sale

Legal : TOWN OF RICE LAKE
LOTS 511 THRU 515, HOMECROFT
PARK TOWN OF RICE LAKE

Parcel Code : 520-0130-01200

LDKEY : 56996

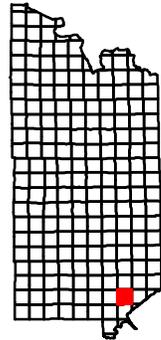


Town of Rice Lake

Sec: 34 Twp: 51 Rng: 14

Commissioner District # 5

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

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St. Louis County
Land Department

Summer 2012



2003 NAIP Photo



St. Louis County Land Department Tax Forfeited Land Sales

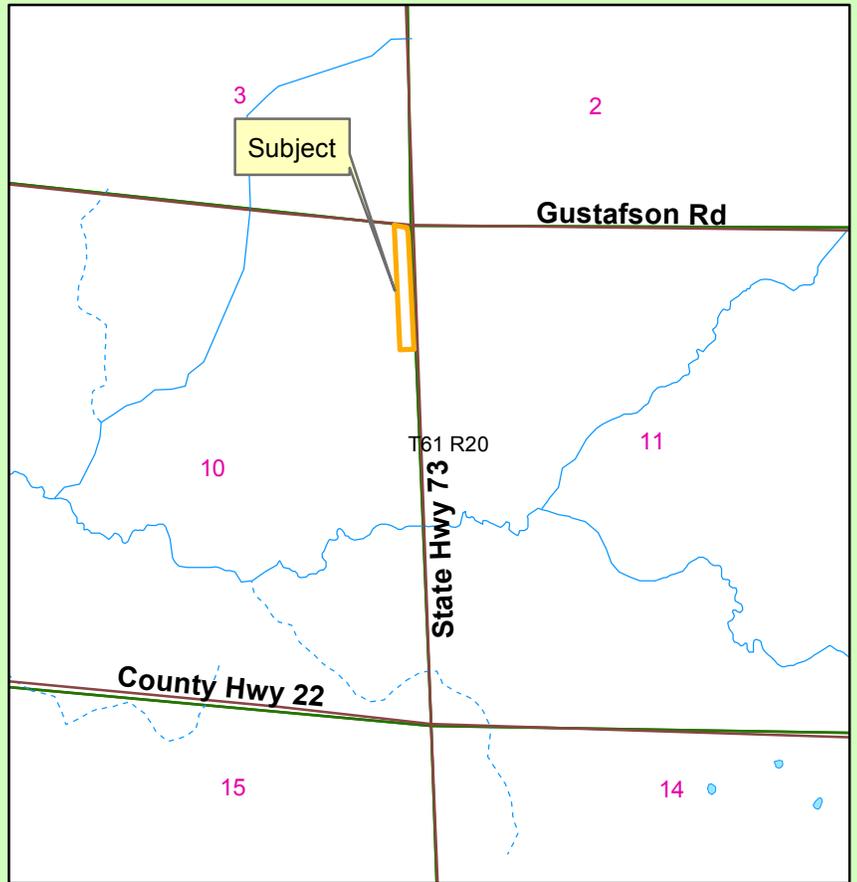
Adjoining Owner Sale

Legal :TOWN OF STURGEON
 BEG AT NW CORNER OF NW
 1/4 OF NW 1/4 THENCE S 1315 FT
 THENCE E 160 FT THENCE NLY
 ALONG STATE HWY NO 73 1215 FT
 THENCE NWLY TO A POINT 115 FT
 E OF NW CORNER OF SAID TRACT
 THENCE WLY 115 FT TO POINT
 OF BEG, Sec 11 Twp 61 Rge 20

Parcel Code : 545-0010-01705

Acres: 5.70

LDKEY : 46156

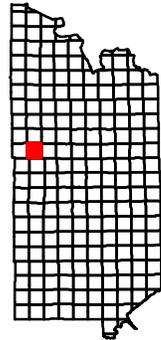


Town of Sturgeon

Sec: 11 Twp: 61 Rng: 20

Commissioner District # 4

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract

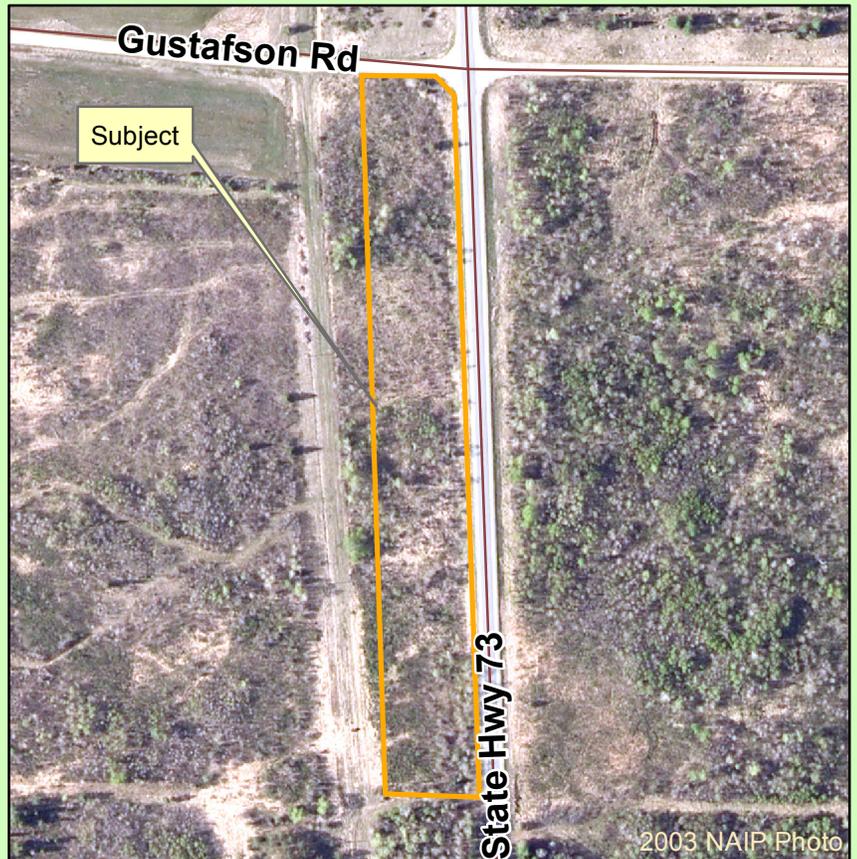


St. Louis County, Minnesota

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St. Louis County
Land Department

Summer 2012



2003 NAIP Photo

BOARD LETTER NO. 12 – 316

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 5

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** Request for 2012 State Aid
Advance
FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

Deliver the construction program on time and on budget.

ACTION REQUESTED:

The St. Louis County Board is requested to apply for a state aid funding advance from the Minnesota Department of Transportation (MnDOT) for construction projects.

BACKGROUND:

In order to fund the County State Aid Highway (CSAH) construction program for 2012 as programmed, it is necessary to request an advance from the County State Aid Construction Fund in the amount of \$4,000,000. This is necessitated by the need for additional state aid advance funds for the construction of SP 69-607-045, CSAH 7 (Hwy. #7) Reclaim & Overlay; SAP 69-616-048, CSAH 16 (W. Townline Rd.) Reclaim & Overlay; SP 69-621-030, CSAH 21 (Hwy. #21) Reclaim & Overlay; SAP 69-607-047, CSAH 7 (Hwy. #7) Bridge Reconstruction and SAP 69-666-006, CSAH 66 (McNiven Rd.) Bridge Reconstruction.

RECOMMENDATION

It is recommended that the St. Louis County Board approve a request for an advance from the County State Aid Construction Fund in the amount of \$4,000,000.

Request for 2012 State Aid Advance

BY COMMISSIONER _____

WHEREAS, St. Louis County is implementing County State Aid Construction Projects in 2012 which require State Aid funds in excess of those available in its State Aid Regular Construction Account, and

WHEREAS, the county is prepared to proceed with the construction of these projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in its State Aid Regular/Municipal Construction Account, and

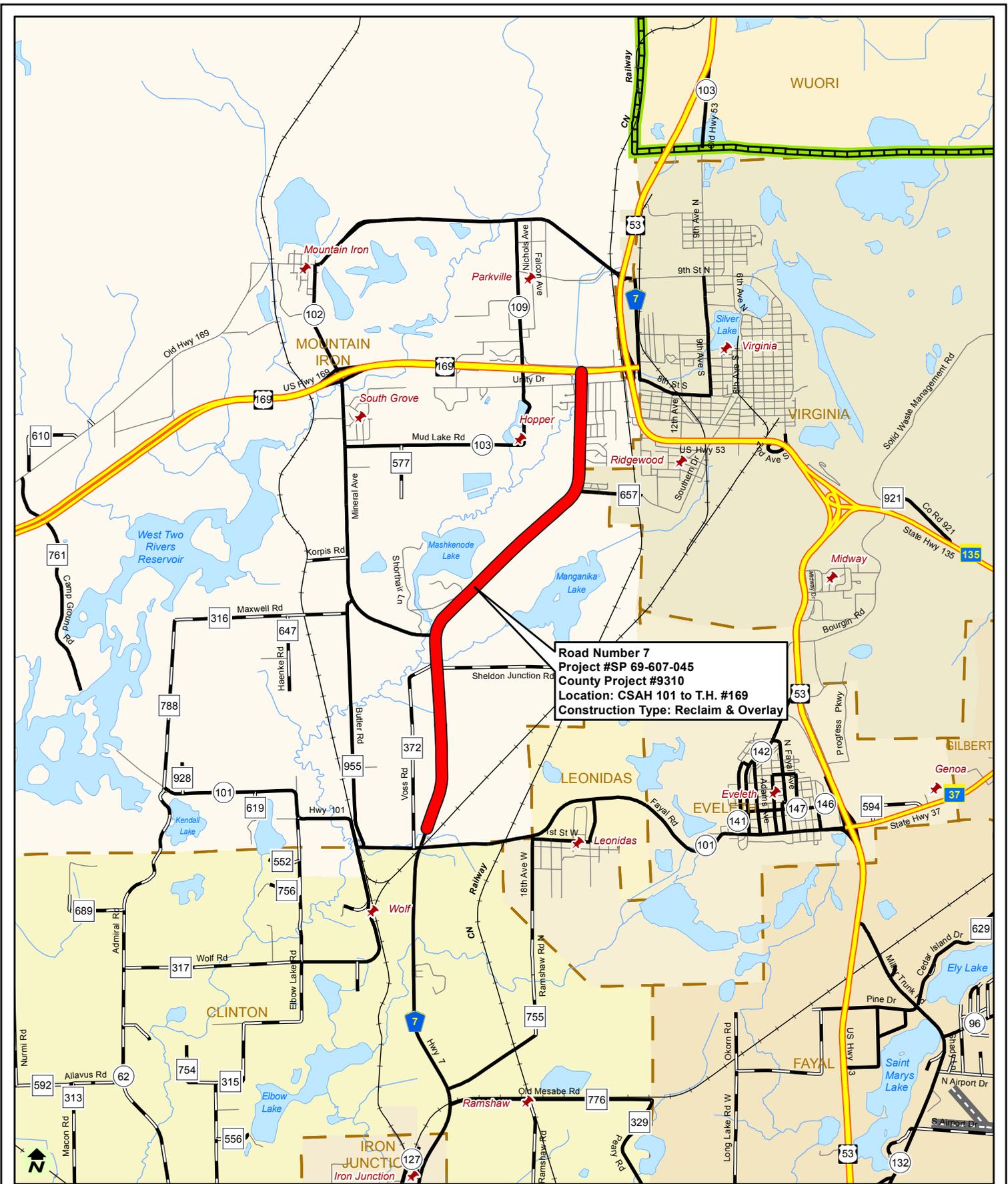
WHEREAS, the advance is based on the following determination of estimated expenditures:

Project No. SP 69-607-045	\$ 370,000.00
Project No. SAP 69-607-047	\$1,000,000.00
Project No. SAP 69-616-048	\$1,410,000.00
Project No. SP 69-621-030	\$ 650,000.00
<u>Project No. SAP 69-666-006</u>	<u>\$ 570,000.00</u>
Total 2012 Advance Amount:	\$4,000,000.00

WHEREAS, repayment of the funds advanced will be made in accordance with the provisions of Minn. Stat. § 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

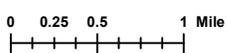
WHEREAS, the county acknowledges advance funds are released on a first-come-first-serve basis, and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation is hereby requested to approve this advance for financing approved County State Aid Highway Projects of the County of St. Louis in an amount up to \$4,000,000 in accordance with Minnesota Rules 8820.1500, Subp. 9. St. Louis County authorizes repayments from subsequent accruals to the Regular State Aid Construction Account of St. Louis County with repayment from the 2013 year allocation until fully repaid.



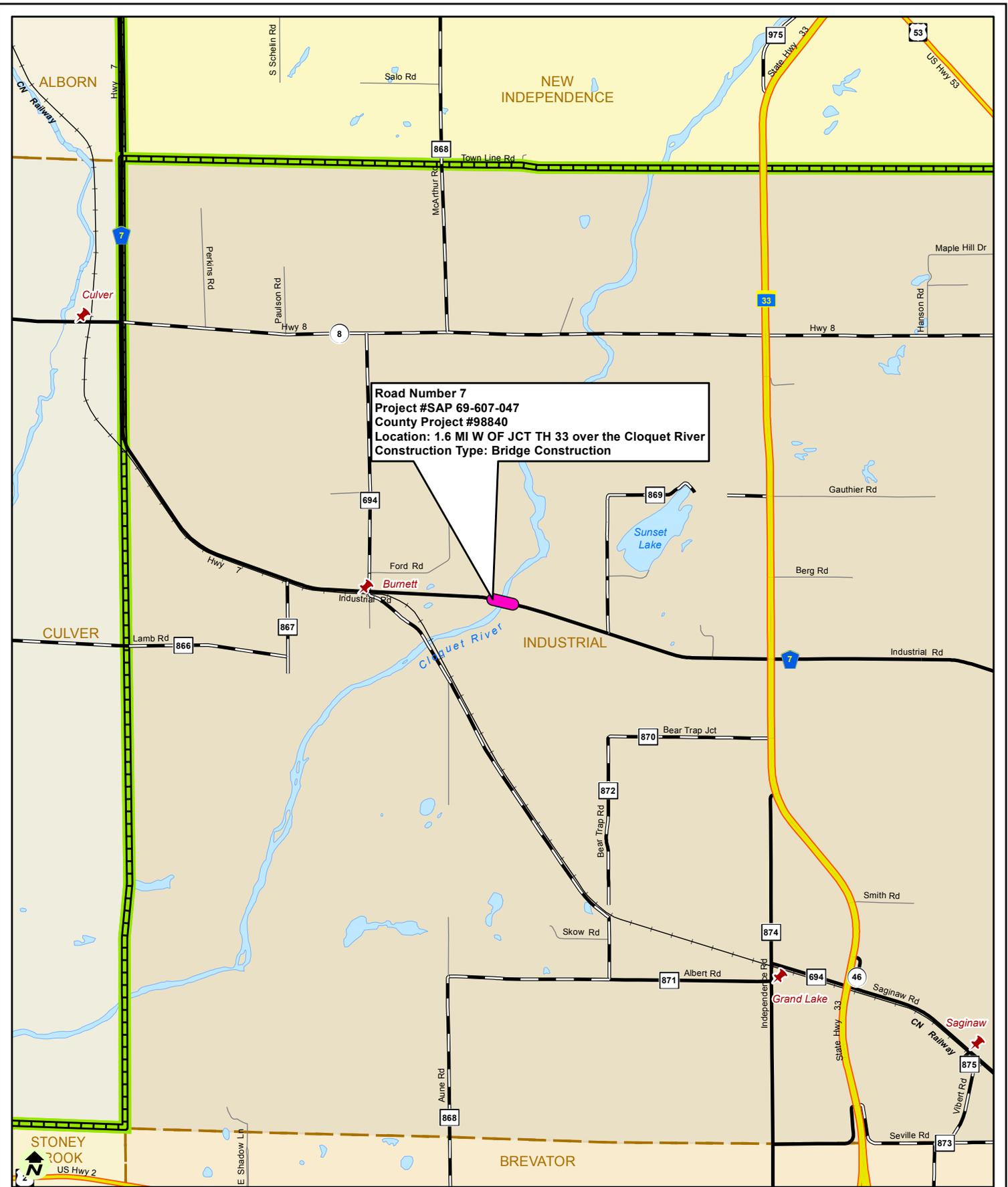
Road Number 7
Project #SP 69-607-045
County Project #9310
Location: CSAH 101 to T.H. #169
Construction Type: Reclaim & Overlay

St. Louis County 2012 Road & Bridge Construction



Map Components

- | | |
|-----------------------|-------------------|
| County Road - Paved | Township Boundary |
| Reclaim & Overlay | City/Town |
| Interstate Highway | Lake |
| U.S./State Highway | River/Stream |
| Railroad | |
| Commissioner District | |

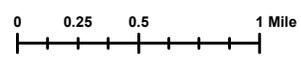


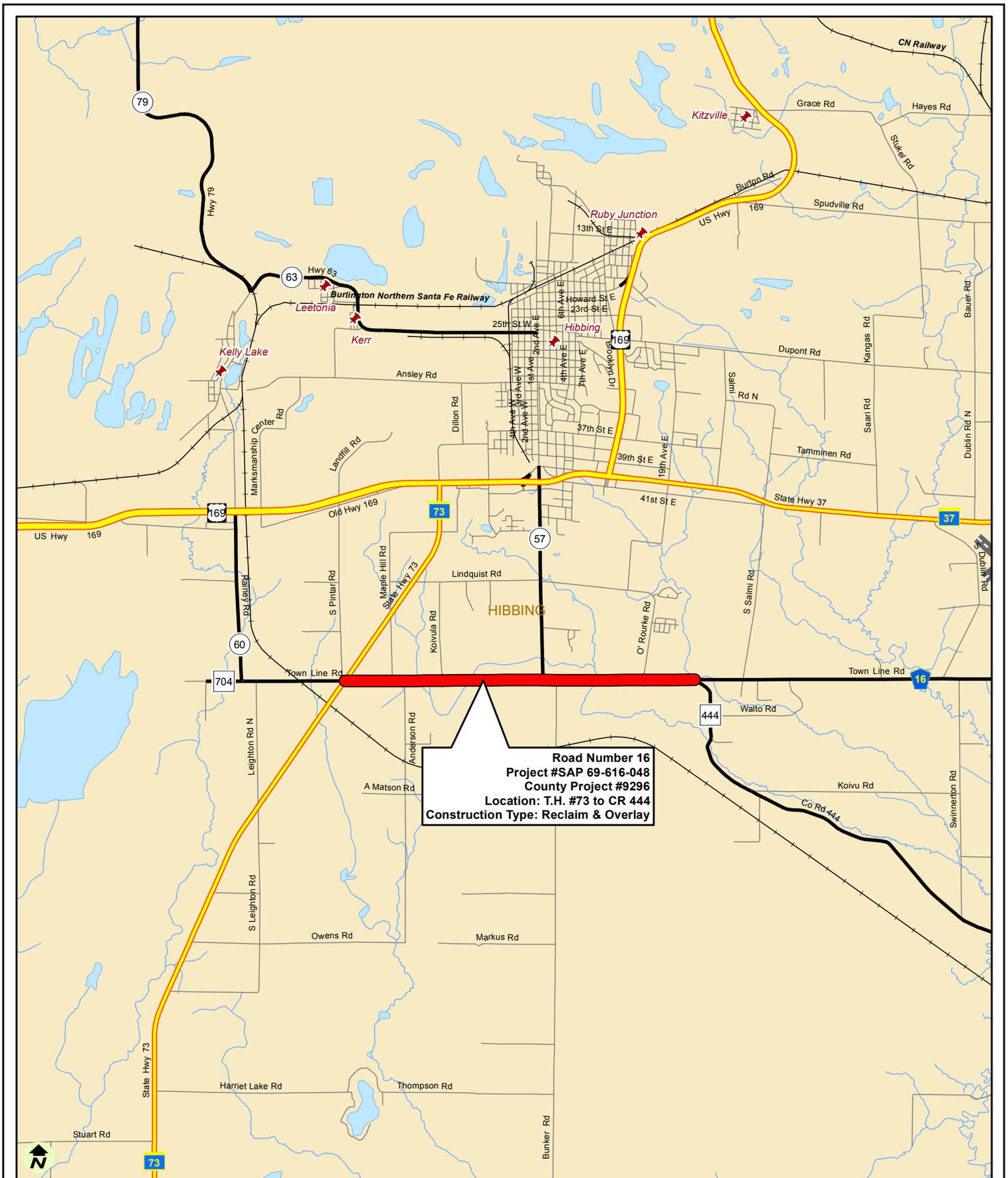
Road Number 7
Project #SAP 69-607-047
County Project #98840
Location: 1.6 MI W OF JCT TH 33 over the Cloquet River
Construction Type: Bridge Construction

St. Louis County 2012 Road & Bridge Construction

Map Components

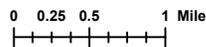
	2012 Road & Bridge Construction		Interstate Highway		Commissioner District
	Bridge Construction		U.S./State Highway		Township
			Paved County Road		City/Town
			Gravel County Road		Lake
			Railroad		





Road Number 16
Project #SAP 69-616-048
County Project #9296
Location: T.H. #73 to CR 444
Construction Type: Reclaim & Overlay

St. Louis County 2012 Road & Bridge Construction



Map Components

2012 Road & Bridge Construction

-  Reclaim & Overlay
-  Interstate Highway
-  U.S./State Highway

-  County Road - Paved
-  County Road - Gravel
-  Railroad



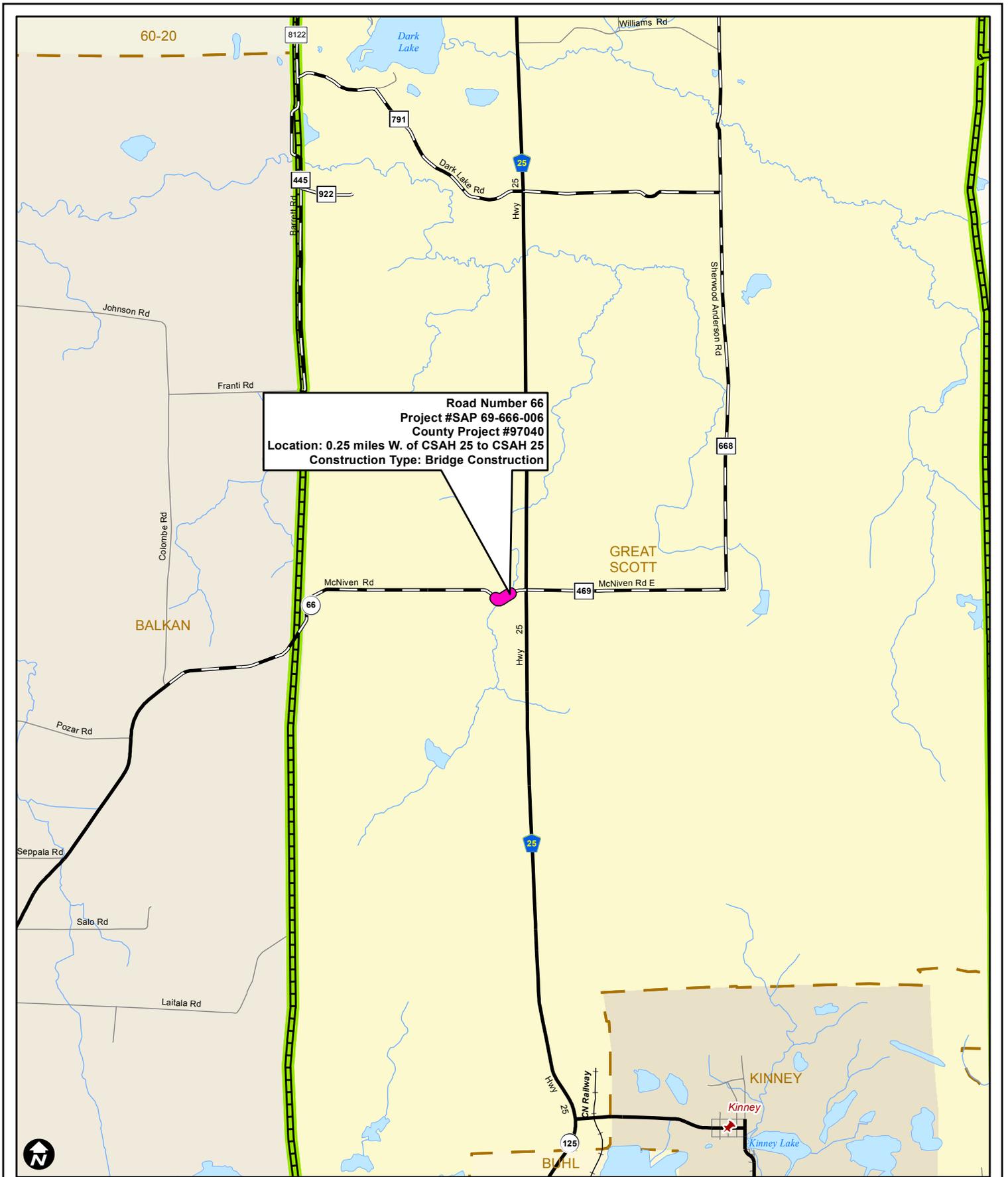
Commissioner District

 Township Boundary

 City/Town

 Lake

 River/Stream

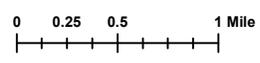


Road Number 66
Project #SAP 69-666-006
County Project #97040
Location: 0.25 miles W. of CSAH 25 to CSAH 25
Construction Type: Bridge Construction

St. Louis County 2012 Road & Bridge Construction

Map Components

Bridge Construction	County/Unorg. Twp. Road - Paved	Township Boundary
Interstate Highway	County/Unorg. Twp. Road - Gravel	City/Town
U.S./State Highway	Local Road/City Street	Lake
Commissioner District	Railroad	River/Stream



BOARD LETTER NO. 12 - 317

FINANCE & BUDGET COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** Abatement List for Board Approval

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

David L. Sipila
County Assessor

RELATED DEPARTMENT GOAL:

The County Assessor will meet all state mandates for classifying and valuing taxable parcels for property tax purposes as outlined in Minn. Stat. § 270 through 273.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the attached abatements.

BACKGROUND:

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 861, dated November 30, 1993, outlining the Board's policy on abatement of ad valorem taxes. This Policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the attached list of abatements.

Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59401.

7/27/2012
12:43:18PM

Abatements Submitted for Approval by the St. Louis County Board
on 8/14/2012

<u>PARCEL CODE</u>	<u>AUD NBR</u>	<u>NAME</u>	<u>TYPE</u>	<u>LOCATION</u>	<u>APPRAISER</u>	<u>REASON</u>	<u>YEAR</u>	<u>REDUCTION</u>
10 4510 3625	0 14531	ANDERSON, CLINTON	R	City of Duluth	Diane Suomi	HOMESTEAD	2012	693.00
10 3610 10280	0 14532	BELL, NICOLE	R	City of Duluth	Diane Suomi	HOMESTEAD	2012	326.70
10 0 0	9656 14533	BERNADETTE WALLER	M	City of Duluth	Linda Brophy	DOUBLE ASSESSMENT	2012	281.76
10 4690 1120	0 14534	DECKER, KRAIG	R	City of Duluth	Diane Suomi	HOMESTEAD	2012	385.42
465 20 4190	0 14535	GAYLORD, STEPHEN	R	Morse	Chris Link	VALUATION	2012	592.18
10 0 0	662 14536	HAKALA, TANYA	M	City of Duluth	Linda Brophy	HOMESTEAD	2012	91.88
10 470 585	0 14537	KLANG, ELEANOR	R	City of Duluth	Diane Suomi	HOMESTEAD	2012	142.94
400 10 3725	0 14538	PARROTT, ROBERT	R	Industrial	Jan Jackson	HOMESTEAD	2012	557.16

BOARD LETTER NO. 12 - 318

FINANCE & BUDGET COMMITTEE CONSENT NO. 7

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** Sale of Non-Conforming Fee
Land to Adjoining Property
Owner – Gnesen Township

FROM: Kevin Z. Gray
County Administrator

Tony Mancuso, Director
Property Management

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

To facilitate county fee land purchase, sale and easement activities.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the sale of non-conforming fee land pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subdivision (i), and authorize the issuance of a quit claim deed for the property.

BACKGROUND:

A 2.0 acre depleted gravel pit which was purchased in 1924 was identified as non-conforming surplus fee owned county land by the Property Management Department. The owner of the land which surrounds this parcel was contacted to determine interest in purchasing this parcel, since it is not a good candidate for sale to anyone but the adjoining owner. The owner was interested and requested to purchase the property. A review of sales in the vicinity was performed by Property Management staff with a resulting value of \$5,600, and the adjoining owner, Gnesen Forest Products, Inc., has agreed to purchase the property at this value.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the sale of unimproved non-conforming fee land in Gnesen Township to Gnesen Forest Products Inc., for the amount of \$5,600. Proceeds from the sale will be assigned to Fund 100, Agency 128014, Object 583100. The purchaser is also responsible for recording fees and associated filing fees. A quit claim deed will be issued to Gnesen Forest Products Inc.

**Sale of Non-Conforming Fee Land to Adjoining
Property Owner – Gnesen Township**

BY COMMISSIONER_____

WHEREAS, a request to purchase county fee land was submitted by Gnesen Forest Products Inc., and the Property Acquisition Team deems the property to be non-conforming surplus property described as follows:

Beginning at a point on the north and south quarter line of Section 14, Township 52 Range 14; 175 feet north of the south quarter corner of said section; thence westerly at an angle of 90 degrees with the said north and south quarter line 220 feet; thence northerly at an angle of 90 degrees and parallel to said north and south quarter line 396 feet; thence easterly at an angle of 90 degrees 220 feet to a point on the north and south quarter line; thence southerly on the north and south quarter line 396 feet to the point of beginning. Said parcel contains two acres.

Parcel Code 375-0010-02510

WHEREAS, Gnesen Forest Products has agreed to pay \$5,600 for the property.

NOW THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subdivision (i), the Chair of the County Board and the County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Gnesen Forest Products Inc., a corporation under the laws of the State of Minnesota, for the amount of \$5,600, payable to Fund 100, Agency 128014, Object 583100. The purchaser is also responsible for recording fees and associated filing fees.

**Proposed "Adjoining Owner Sale" of County Fee Owned Property
St. Louis County Property Management Dept.**



Parcel Code: 375-0010-02510

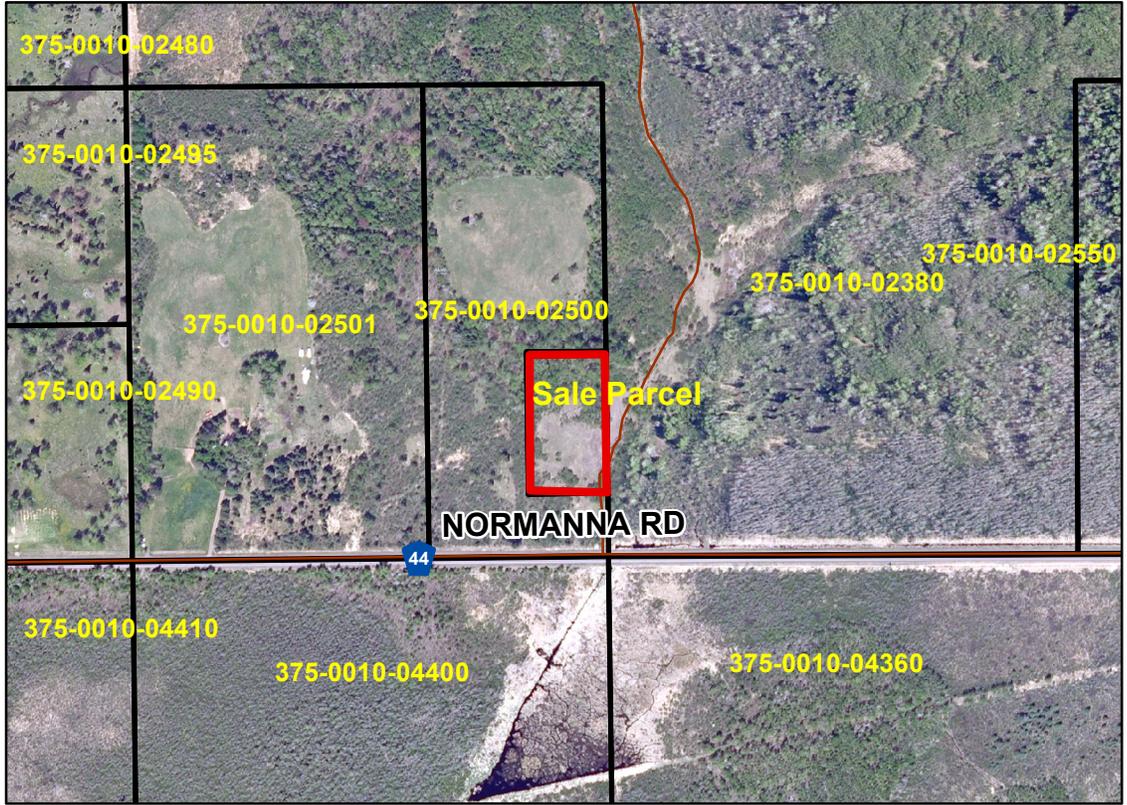
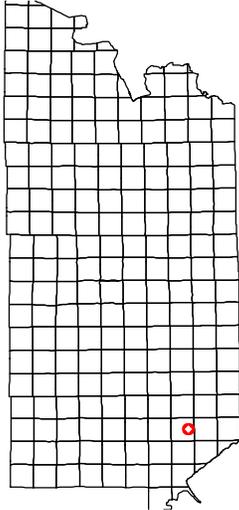
Legal Description: Part of SE 1/4 of SW 1/4 Section 14, T52N, R14W

Address: 3800 Normanna Rd, CSAH 44

Acres: Approximately 2 Acres

Commissioner District # 5

Maintenance District # 5



Parcel Specifications: This parcel is 2.0 acres with no road frontage. Parcel is 175 feet from the Normanna Road. This parcel is located 3.5 miles east of County Hwy. # 4 on the Normanna Road.

Acquisition History: Parcel was acquired on Dec. 13, 1924 from Axel and Hilma Johnson for gravel pit purposes. There is no reversion clause on this deed.

Zoning: Parcel is in Zoning District MUNS-4. This zoning requires 4.5 acres and 300 feet of lot width. This parcel does not conform to current zoning. The parcel does not have a legal access to the Normanna road.

Summary: This parcel appears to be a good candidate for sale to the adjoining owner. The adjoining/surrounding owner was contacted and has an interest in purchasing this property. A field review of this property shows evidence of gravel removal, some unsloped banks have been left, small pile of reject rock, old culverts have been left on site, a small amount of illegal dumping has occurred. Subject has grown up in brush.

Recommendation: Offer parcel to adjoining / surrounding owner as a non-conforming sale for \$5,600 which is based on assessed value..

6/21/2012

Mark J. Hudson
Right of Way Agent
St. Louis County Property Management
100 North 5th Avenue West RM 2
Duluth, MN 55802
218-726-2356 Office

BOARD LETTER NO. 12 - 319

FINANCE & BUDGET COMMITTEE CONSENT NO. 8

BOARD AGENDA NO.

DATE: August 7, 2012

RE: Exchange of Non-Conforming
Fee Land for Highway Right of
Way – McDavitt Township

FROM: Kevin Z. Gray
County Administrator

Tony Mancuso, Director
Property Management

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

To facilitate county fee land purchase, sale and easement activities.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an exchange of a small (0.5 acre) parcel of county fee land for highway right of way of same or similar value as authorized in accordance with Minn. Stat. § 373.01 Subdivision (d), and authorize the issuance of a quit claim deed for the property.

BACKGROUND:

St. Louis County purchased property located adjacent to County State Aid Highway (CSAH) 27 in 1991. The existing structures were torn down to improve the safety and drainage at the site, adjacent to a railroad crossing on CSAH 27. Neil and Emily Anderson have requested to purchase this 0.5 acre parcel, which was originally part of their 40 acre parcel. St. Louis County has reserved necessary highway right of way on this parcel and desires to obtain an easement from Neil and Emily Anderson on the remainder of their frontage. The easement area will be approximately 0.92 acres of right of way.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the issuance of a quit claim deed conveying a 0.5 acre parcel to Neil and Emily Anderson upon them granting St. Louis County a permanent highway easement over their property.

**Exchange of Non-Conforming Fee Land for Highway
Right of Way – McDavitt Township**

BY COMMISSIONER _____

WHEREAS, a request to exchange a 0.5 acre parcel of county fee land for a 0.92 acre highway right of way easement was submitted by Neil and Emily Anderson. The Property Management Team has reviewed this request and has no objections to this proposed exchange of county fee property described as follows.

That portion of the Southwest Quarter of Northeast Quarter (SW ¼ of NE1/4), Section Twenty- seven (27), TOWNSHIP Fifty-six (56), Range Eighteen (18), described as follows;

Beginning at the Southeast corner of said 40, thence North along the East line of said 40 a distance of 208 feet, thence West a distance of 104.0 feet, thence South a distance of 208 feet to the South line of said 40, thence East along the South line of said 40 a distance of 104 feet to the point of beginning.

Parcel Code 435-0010-04718

NOW THEREFORE, BE IT RESOLVED, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subdivision (d), the Chair of the County Board and the County Auditor are authorized to execute and deliver a quit claim deed, conveying the above listed property to Neil C. Anderson and Emily J. Anderson.

**Proposed Exchange of Non-Conforming Fee Land for Highway Right of Way
St. Louis County Property Management Dept.**



Parcel Code: 435-0010-04718

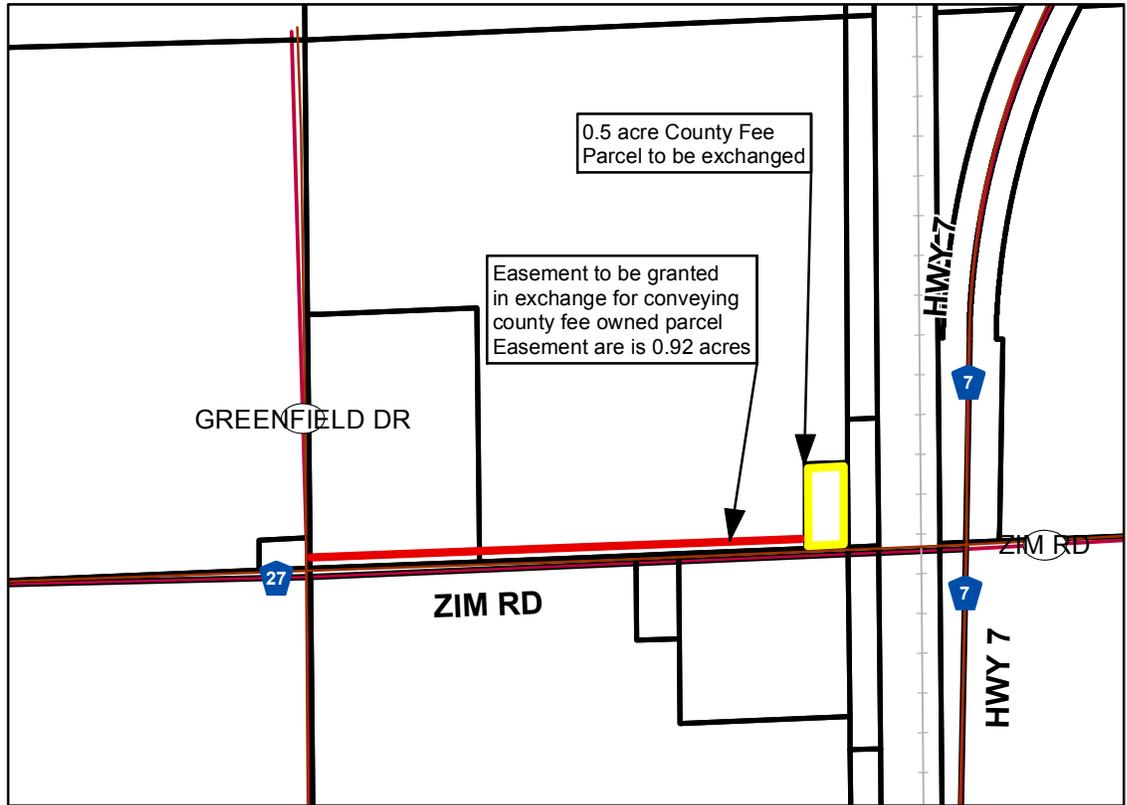
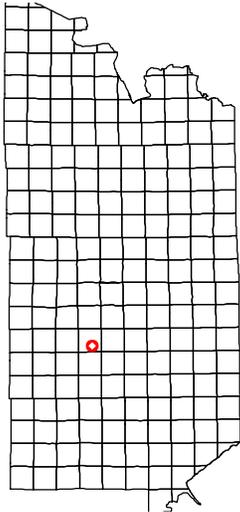
Legal Description: Part of SW 1/4 of NE 1/4 Section 27, T56N, R18W

Address: 8755 Zim Road

Acres: Approximately 0.5 Acres.

Commissioner District # 6

Maintenance District # 6



Parcel Specifications: Parcel requested for exchange is 0.5 acres in size. Property was the site of a store which was purchased by the County Public Works as part of Zim Road Highway Improvement. The store was torn down and roadway drainage improved. The remainder of the parcel is no longer necessary for Highway purposes. Property is encumbered by easements for a telephone communications cabinet and reserved highway right of way.

Acquisition History: Parcel was one of 5 parcels purchased from Nicomedes Maldonado on December 17, 1991.

Zoning: Parcel is in Zoning District FAM-3. This zoning requires 9 acres and 300 feet of lot width. This parcel does not conform to current zoning.

Recommendation: After consultation with Public Works Right of Way Division personnel it is recommended to grant fee ownership to the adjoining owner Neil and Emily Anderson in exchange for Neil and Emily Anderson granting an easement for highway purposes to St. Louis County. No recorded easement exists for this segment of roadway. Values of parcels is very similar as required by Minnesota Statute 373.01(5) d.

Mark J. Hudson
Right of Way Agent
St. Louis County Property Management
100 North 5th Avenue West RM 2
Duluth, MN 55802
218-726-2356 Office
218-343-3505 Cell

BOARD LETTER NO. 12 - 320

PUBLIC SAFETY & CORRECTIONS COMMITTEE

CONSENT NO. 9

BOARD AGENDA NO.

DATE: August 7, 2012

RE: Contract for Medical Services
at the St. Louis County Jail

FROM: Kevin Z. Gray
County Administrator

Ross Litman
Sheriff

RELATED DEPARTMENT GOAL:

To provide state mandated inmate medical services at the County Jail.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a contract with MEnD Correctional Care, LLC (MEnD) to provide physician and nursing services for inmates at the St. Louis County Jail.

BACKGROUND:

In April 2012, Essentia Health gave notice of intent to terminate its medical services contract with the county. In May, the Purchasing Division authorized Request for Proposals for Jail Medical Services. Five proposals were received, and subsequently reviewed by Purchasing and Jail Administration:

Maximum Healthcare Services	Columbia, Maryland
Advanced Correctional Healthcare	Peoria, Illinois
MEnD Correctional Care	Rogers, Minnesota
Guardian Healthcare	Nashville, Tennessee
The Dove	Superior, Wisconsin

MEnD and Advanced Correctional Healthcare were interviewed in July by Purchasing and Jail Administration, with MEnD selected as the preferred vendor to provide these services. MEnD's proposal includes the same coverage for nurses and physicians as Essentia Health with additional services for delivering medications to the inmates. The cost is \$448,300 for the first year with a 2% increase per year thereafter for ten (10) full and part time employees plus the executive management (Medical Director and Nursing Director).

The original contract period is for two years, from October 1, 2012 through September 30, 2014, and will be automatically renewed thereafter for one-year terms unless either party provides the other with 180-days written notice.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with MEnD Correctional Care, LLC of Rogers, Minnesota, to provide medical services at the County Jail. The contract fees shall be payable from Fund 100, Agency 137002, Object 626400.

Contract for Medical Services at the St. Louis County Jail

BY COMMISSIONER _____

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with MEnD Correctional Care, LLC of Rogers, Minnesota, to provide medical services at the St. Louis County Jail.

RESOLVED FURTHER, that the original contract period is for two years, October 1, 2012 through September 30, 2014, and will be automatically renewed for one-year terms thereafter unless either party provides the other with 180-days written notice.

RESOLVED FURTHER, that the cost of these services for the first year is \$448,300, with a 2% increase per year thereafter, payable from Fund 100, Agency 137002, Object 626400.

BOARD LETTER NO. 12 - 321

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: August 7, 2012

RE: Agreement with the Fond du Lac Band of Lake Superior Chippewa for Emergency Relief for Federally Owned Roads within the Fond du Lac Reservation (Brookston)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/ Highway Engineer

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an agreement with the Fond du Lac Band of Lake Superior Chippewa, for participation with the county to obtain federal funding for repairs of county roads damaged by the June 19-20, 2012 flood event within the reservation near the City of Brookston, Minnesota.

BACKGROUND:

The Public Works Department has been working with the Fond du Lac Band to secure funding through the Federal Lands Highway program within the Federal Highway Administration (FHWA) for reimbursement of costs for repairs to certain county roads within the reservation, through the Emergency Relief of Federally Owned Roads (ERFO) program. The ERFO program provides funding for tribal roads and non-tribal roads located within the boundaries of the Fond du Lac Reservation. If approved for the program, 100% expense reimbursement for individual damage sites over \$5,000 are eligible. Expense reimbursement for work done either by the county, band enterprises, or private contractors are eligible. It is a federal requirement that a cooperative agreement between the county and the band be approved by their respective boards, to be eligible for applying to the program.

RECOMMENDATION:

It is recommended the St. Louis County Board authorize a cooperative agreement with the Fond du Lac Band of Lake Superior Chippewa outlining responsibilities of both St. Louis County and the Fond du Lac Band, for application to the ERFO program. Reimbursed funds from the ERFO program will be receipted into Fund 225, Agency 225001. Object 540708.

Agreement with the Fond du Lac Band of Lake Superior Chippewa for Emergency Relief for Federally Owned Roads within the Fond du Lac Reservation (Brookston)

BY COMMISSIONER _____

WHEREAS, on June 19-20, 2012, a flood event occurred causing significant damage to county roads within the Fond du Lac Reservation in St. Louis County; and

WHEREAS, the Emergency Relief of Federally Owned Roads (ERFO) program, which is administered by the Federal Lands Highway program, provides funding for tribal roads and non-tribal roads located within the boundaries of the Reservation; and

WHEREAS, Title 23, United States Codes (U.S.C.), HIGHWAYS, Section 308, authorizes the Band to enter into cooperative agreements with other government agencies for the authorized engineering or other services in connection with the survey, construction, or improvements of roads, and reimbursement of such services; and

WHEREAS, an approved agreement between St. Louis County, and the Fond Du Lac Band of Lake Superior Chippewa is required to be eligible for application to the ERFO program.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a Cooperative Agreement, and any amendments approved by the County Attorney with the Fond du Lac Band of Lake Superior Chippewa outlining responsibilities of both St. Louis County and the Fond Du Lac Band, for application to the ERFO program. Reimbursed funds from the ERFO program will be receipted into Fund 225, Agency 225001, Object 540708.

BOARD LETTER NO. 12 - 322

FINANCE & BUDGET COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: August 7, 2012 **RE:** 2012 Budget Changes -
Public Works Department for
June 2012 Storm Event

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

Provide professional finance and accounting services in keeping with best practices, ensuring that public dollars are used exclusively for authorized public purposes.

ACTION REQUESTED:

It is requested that the St. Louis County Board authorize the budgetary revenue and expenditure changes incurred after the June 2012 Storm Event.

BACKGROUND:

Each year, the County Board adopts a resolution which allows for transfers and appropriations within funds for the current budget year. In addition, the 2012 Budget Resolution (No. 11-636, dated Dec. 13, 2011) requires that increases to the original governmental funds revenue and expenditure budgets cannot be made without County Board approval. The following represents the transfers and budgetary changes requested by the Public Works Department due to the June 2012 Storm Event.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the 2012 Storm Event related budget changes as set forth by the Public Works Department.

**2012 Budget Changes - Public Works Department
for June 2012 Storm Event**

BY COMMISSIONER _____

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

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

WHEREAS, proposed budget adjustments are levy neutral.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of Federal Highway Administration Emergency Relief (FHWA ER), Federal Emergency Management Agency (FEMA), Emergency Relief for Federally Owned Roads (ERFO), State Aid Disaster and State Aid Administration Grant Funds.

RESOLVED FURTHER, the St. Louis County Board authorizes the following budget changes:

Increase in revenue and expense budget in the newly created Fund 225 due to a change in the allocation amounts for the Public Works Department from the following revenue sources in the total amount of \$22,924,801.00 as a result of the June 2012 Storm Event:

- A.) FHWA ER Funds (Federal Highway Administration Emergency Relief), Revenue Object 540707, Expense Object 652707, \$7,598,614.10;
- B.) FEMA Funds (Federal Emergency Management Agency), Revenue Object 540958, Expense Object 652708, \$7,069,416.00;
- C.) ERFO Funds (Emergency Relief for Federally Owned Roads), Revenue Object 540708, Expense Object 652709, \$422,620.00;
- D.) State Aid Disaster Funds, Revenue Object 521615, Expense Object 652710, \$5,432,551.65;
- E.) State Bonding Funds (anticipated in August 2012 Special Legislative Session), Revenue Object 521617, Expense Object 652711, \$1,901,599.25;
- F.) State Aid Administration Funds (Master Partnership Agreement for Special Bridge Assessments), Revenue Object 521616, Expense Object 652712, \$500,000.00.

Preliminary Estimate of Funding Source and Projected Revenue for June 2012 Storm Event

Funding Source	Estimated Amount for Project Type						Total
	FHWA	FEMA	ERFO	SA Disaster	Non-Site Specific	State Bonding	
FHWA	\$7,038,614.10				\$560,000.00		\$7,598,614.10
FEMA		\$6,671,666.25			\$397,749.75		\$7,069,416.00
ERFO			\$422,620.00				\$422,620.00
SA Disaster	\$1,590,472.90	\$440,772.75		\$1,615,206.00	\$1,786,100.00		\$5,432,551.65
State Bonding		\$1,783,116.00			\$111,483.25	\$7,000.00	\$1,901,599.25
SA Admin					\$500,000.00		\$500,000.00
Total	\$8,629,087.00	\$8,895,555.00	\$422,620.00	\$1,615,206.00	\$3,355,333.00	\$7,000.00	\$22,924,801.00

Summary

Funding Source		Rev Object	Exp Object
FHWA	\$7,598,614.10	540707	652707
FEMA	\$7,069,416.00	540958	652708
ERFO	\$422,620.00	540708	652709
SA Disaster	\$5,432,551.65	521615	652710
State Bonding	\$1,901,599.25	521617	652711
SA Admin	\$500,000.00	521616	652712
Total	\$22,924,801.00		