

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

August 14, 2012

Mesabi Station, 111 Station 44 Road, Eveleth, 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:

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

1. Amendments to extend the term of purchase of service agreements with various providers of Day Training & Habilitation and Semi-Independent Living Services for fiscal year ending June 30, 2013.
2. Authorize amendments the Joint Powers Agreement with the Carlton-Cook-Lake-St. Louis Community Health Board.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

3. Bid awarded to Star Forestry, Bemidji, MN, in the amount of \$74,839.10 for Budcapping Application (Bid No. 5040) on state tax forfeited lands during the fall of 2012.
4. Approve the private sale of certain tax forfeited lands to adjoining property owners.

Public Works & Transportation Committee – Commissioner Forsman, Chair

5. Approve a request for an advance from the County State Aid Construction Fund for 2012 in an amount up to \$4,000,000.
6. Authorize a cooperative agreement with the Fond du Lac Band of Lake Superior Chippewa for emergency relief funding through the Emergency Relief of Federally Owned Roads program for repairs of county roads located within the Fond du Lac Reservation near the City of Brookston, Minnesota, damaged in the June 2012 flood event.

Finance & Budget Committee – Commissioner Raukar, Chair

7. Abatement list for Board approval.
8. Authorize the sale of unimproved non-conforming fee land located in Gnesen Township to adjoining property owner Gnesen Forest Products, Inc., for the amount of \$5,600 plus recording and filing fees.

ST. LOUIS COUNTY BOARD

Consent Agenda

August 14, 2012

Page 2

9. Authorize the exchange of non-conforming fee land located in McDavitt Township for a highway right of way easement with Neil C. Anderson and Emily J. Anderson.
10. Authorize acceptance of federal government funds for the June 2012 Storm Event damage repair and authorize the required 2012 budget changes.

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

11. Authorize an agreement with MEnD Correctional Care, LLC, of Rogers, MN, to provide medical services at the St. Louis County Jail for the period October 1, 2012, through September 30, 2014, automatically renewed thereafter for one-year terms unless properly notified otherwise, at a first-year cost of \$448,300 with a 2% increase per year thereafter.

**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

**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.

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.

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 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.

3. 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.

4. 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.

5. 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 MUN5 5, requiring 2.5 acres and 200 feet of lot width; this parcel does not meet those requirements.

6. 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.

7. 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.

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.

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.

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.

**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, Inc., 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.

**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.

**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, that 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.

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.