

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

**MAY 3, 2011**

**County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota**

**All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.**

**RESOLUTIONS FOR APPROVAL:**

**Health & Human Services Committee – Commissioner Dahlberg, Chair**

1. Accept MnCHOICES grant in the amount of \$32,496 from the Minnesota Department of Human Services for technology upgrades.
2. Reappoint four (4) citizens to serve as members of the St. Louis County Public Health and Human Services Advisory Committee to serve additional three-year terms.

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

3. Grant final approval to Registered Land Survey Number 103 located in Sections 26 and 27, Township 52 North, Range 16 West (Grand Lake Township).
4. Award a contract for “Mechanical Site Scarification by Disc Trench” on state tax forfeited lands during the summer of 2011 (Bid No. 4950) to Future Forests, Inc., of Askov, MN, at its specification quote of \$54,581.90.
5. Approve the sale of a 0.6 acre parcel of tax forfeited land described as the S 20 ft of N ½ of NW ¼ of SW ¼, Section 28, Township 52 North, Range 12 West (Duluth Township) for the appraised price of \$1,722 plus fees, and authorize the County Auditor to offer the parcel at private sale to adjacent property owners.
6. Authorize the County auditor to offer certain lands at public sale on Thursday, June 9, 2011, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, Minnesota.
7. Reclassify certain state tax forfeited parcels as ‘non-conservation’, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land Department to the clerk of the Town of Meadowlands.
8. Reinstatement of contract for purchase of state tax forfeited land by Patricia Ann Rudy, Eveleth, MN, approved upon payment of \$5,066.77, to be deposited into Fund 240 (Forfeited Tax Fund.)
9. Appraisal report for sale of timber as submitted by the Land Commissioner.

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

10. Vacate a segment of the East Ely Lake Road (subsequently known as State Aid Road 392 and County State Aid Highway 97) located in Government Lot 3, Section 6, Township 57 North, Range 16 West and Government Lot 7, Section 31, Township 58 North, Range 16 West southeast of Gilbert, MN.
  
11. Bids awarded for Public Works projects:
  - a. MP 97037, Maintenance Striping 2011 - Various locations in St. Louis, Lake Counties, and others awarded to **AAA Striping Service Co.**, St. Michael, MN, on their low bid of **\$570,290.00**.
  - b. MP 97036, North Crushing 2011 – Various locations in Northern St. Louis County, awarded to **Forest Concrete Products**, Ely, MN, on their low bid of **\$200,100.00**.
  - c. SAP 69-598-033, Approach Grading and Bridge No. 69683, CP 1834 – County Road (CR) 447 (Tamminen Rd.) between CR 452 and CR 592 in Cherry, MN, awarded to **Dallco, Inc.**, Finlayson, MN, on their low bid of **\$464,347.39**.
  - d. SAP 69-598-035, Bridge No. 69686 and Approaches, CP 1819 – Unorg. Township Rd. 8180 over Bearskin River, 17 mi. west of Cook, MN, awarded to **Robert R. Schroeder Construction Co., Inc.**, Glenwood, MN, on their low bid of **\$643,391.62**.
  
12. Authorize agreement with the Minnesota Department of Transportation to accept Minnesota State Transportation Grant funds for bridge replacement projects:
  - a. State Bridge 69683 on County Road 447, Cherry Township, CP 1834

Roadway:	\$ 65,048.66	SLC Local funds
Bridge:	\$399,298.73	Fund 29 (Grant)
Total Project:	\$464,347.39	SAP 69-598-033
  - b. State Bridge 69686 on Unorganized Township Road 8180, west of Cook, CP 1819

Roadway:	\$195,041.60	SLC Unorganized Twp. Funds
Bridge:	\$448,350.20	Fund 29 (Grant)
Total Project:	\$643,391.62	SAP 69-598-035
  
13. Bids awarded for Public Works projects:
  - a. MP 97038, Central Crushing 2011 – Crush, Screen, and Stockpile Aggregate, Class 5 (Mod.) at various locations in Central St. Louis County awarded to **Hammerlund Construction, Inc.**, Grand Rapids, MN, on their low bid of **\$264,570.00**.
  - b. MP 97035, Crack Sealing 2011 at various locations in St. Louis and Lake Counties awarded to **Fahrner Asphalt Sealers, Inc.**, Eau Claire, WI, on their low bid of **\$261,518.52**.

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

14. 2011 First Quarter Budget Changes.
15. Authorize the sale of unimproved non-conforming surplus fee land in Lakewood Township to adjoining property owner Justin C. Agne, Duluth, MN, for the bid amount of \$2,300 plus fees.
16. Authorize the sale of unimproved non-conforming surplus fee land in Owens Township to adjoining property owner Wakely Land Group, LLC, Eveleth, MN, for the bid amount of \$1,305 plus fees.
17. Authorize the purchase of 2000 licenses of the Vipre Enterprise Premium anti-virus software plus ongoing annual maintenance through December 14, 2014 for a total cost of \$31,175.44 including state sales tax.
18. Abatement List for Board approval.
19. Authorize an agreement with Johnson-Wilson Constructors, Inc., Duluth, MN, for the Duluth Courthouse window replacement project in an amount of \$1,825,000, payable from the Energy Efficiency and Conservation Block Grant (EECBG) grant budget, Fund 100, Grant 104999, Year 2011 (\$400,000) and the 2008 Capital Improvement Bond Proceeds, Fund 438, Agency 438007 (\$1,425,000).
20. Authorize appropriation of \$73,000 from General Fund Designated for the Hibbing Race Track – Fund 100, Object Code 311106, to Fund 100, Agency 102003, and approve a contract in the amount of \$73,000 for grandstand repairs with Restoration Systems, Inc., Chaska, MN, payable from Fund 100, Agency 102003.
21. Application for a Temporary On-Sale 3.2 Percent Malt Liquor License approved for Lake 14 – Leander Club, Unorganized Township 60-19, for July 2, 2011 (rain date July 3, 2011).
22. Application to sell tobacco products at retail approved for Renee L. Padget d/b/a Dick's Head Shop, City of Aurora, new.
23. Application for an Off-Sale Intoxicating Liquor License approved for Bois Forte Reservation Tribal Council d/b/a Ledge Liquor Store, Vermilion Lake Township, tribal council member change and renewal.
24. Application for license to sell tobacco at retail approved for Palisade Enterprises, Inc., d/b/a Homecroft Foods, Rice Lake Township, transfer.

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**Public Safety & Corrections Committee – Commissioner Sweeney, Chair**

25. Authorize the purchase of a custom-built Mobile Command Center from LDV Incorporated, Burlington, WI, at the United States General Services Administration pricing, including all costs associated with the purchase, not to exceed \$410,000 including required match, to be accounted for in the 2008 Port Security Grant, Fund 100, Agency 129999, Object 666200, Grant 12938, Year 2008.

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

26. Appoint seven (7) individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2011.
27. Workers' Compensation report dated April 22, 2011, as submitted by Safety & Risk Management.

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

**WHEREAS**, the State of Minnesota developed a standard assessment tool called MnCHOICES which is designed to ensure greater consistency across Minnesota counties and across all populations under age 65 with disabilities; and

**WHEREAS**, St. Louis County will need certain technological upgrades and/or purchases in order to build network capacity to support the new MnCHOICES assessment tool; and

**WHEREAS**, St. Louis County was awarded \$32,496 to enter into a contract with the Department of Human Services to purchase necessary equipment or technology upgrades in order to support the MnCHOICES assessment application.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board accepts a MnCHOICES grant from the Minnesota Department of Human Services for CY 2011 in the amount of \$32,496 for the purpose of technological upgrades and/or purchases in order to build network capacity to support the new MnCHOICES assessment tool.

Budget reference: Fund 230, Agency 232999, Object 530652, Grant 23213, Grant Year 2011 and expended from Fund 230, Agency 232999, Object 629900, Grant 23213, Grant Year 2011.

**BOARD CONSENT AGENDA No. 2**

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

**WHEREAS**, the St. Louis County Public Health and Human Services (PHHS) Advisory Committee was established to make recommendations relative to the public health and human service needs of St. Louis County communities; and

**WHEREAS**, members of the PHHS Advisory Committee are appointed by the St. Louis County Board to serve three-year staggered terms of membership.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board reappoints the following four citizens to serve as members of the St. Louis County Public Health and Human Services Advisory Committee to serve additional three-year terms:

<u>Member Name</u>	<u>Commissioner District</u>	<u>Term Expires</u>
Pat Ives	At Large	January 1, 2014
Chad Scott	#4	January 1, 2014
Mary Zupancich	#4	January 1, 2014
Mary Feroni	#6	January 1, 2014

**BOARD CONSENT AGENDA No. 3**

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

**WHEREAS**, the Registrar of Titles is authorized to require Registered Land Survey Number 103 pursuant to Minn. Stat. § 508.47; and

**WHEREAS**, the County Surveyor and Examiner of Titles have approved Registered Land Survey Number 103; and

**WHEREAS**, the final prints have been submitted for filing.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board grants final approval to Registered Land Survey Number 103 located in Government Lot 8 and the SW 1/4 of NW 1/4, Section 26, Township 52 North, Range 16 West and Government Lot 2, Section 27, Township 52 North, Range 16 West (Grand Lake Township).

**BOARD CONSENT AGENDA No. 4**

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

**WHEREAS**, the St. Louis County Purchasing Division solicited quotes for “Mechanical Site Scarification by Disc Trench” on state tax forfeited lands for the year 2011; and

**WHEREAS**, Future Forests, Inc. of Askov, MN, submitted the only quote in the amount of \$54,581.90.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Future Forests, Inc., of Askov, MN, for “Mechanical Site Scarification by Disc Trench” on state tax forfeited lands during the summer of 2011, in accordance with the specifications of Bid No. 4950, and subject to approval of the County Attorney, at its specification quote of \$54,581.90, payable from Fund 290 Agency 290001.

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

**WHEREAS**, St. Louis County desires to offer for sale a 0.6 acre parcel of tax forfeited land described as:

S 20 FT OF N 1/2 OF NW 1/4 OF SW 1/4  
SECTION 28, TOWNSHIP 52 NORTH, RANGE 12 WEST

**WHEREAS**, the parcel is 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 parcel of land cannot be improved because it is less than the minimum size 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 parcel of land has 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 described parcel for the appraised price of \$1,722 plus fees, and the County Auditor is authorized to offer the parcel 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 the sale to all adjacent landowners.

**BOARD CONSENT AGENDA No. 6**

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

**WHEREAS**, the St. Louis County Board desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

**WHEREAS**, the parcels of land as described in County Board File No. \_\_\_\_\_ have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

**WHEREAS**, these parcels of land 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 Commissioner of Natural Resources has approved the sale of said lands, as required by Minn. Stat. Chapter 282.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the County Auditor to offer these lands at public sale for not less than the basic sale price in accordance with terms set forth in the Land Department policy, and in a manner provided for by law on Thursday, June 9, 2011, at 10:00 a.m. at the Depot, 506 W. Michigan Street, Duluth, MN. Funds from the land sale are to be deposited into Fund 240 (Forfeited Tax Fund).

**BOARD CONSENT AGENDA No. 7**

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

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

**WHEREAS**, the following parcels forfeited to the State of Minnesota in 2010 for nonpayment of real estate taxes and were previously classified as ‘conservation’:

<u>Township Description</u>	<u>Cvt Plat Parcel</u>	<u>Acres</u>
Meadowlands Township		
53 19 4 LOT 2	440-10-370	42.45
53 19 4 LOT 3	440-10-380	42.83
53 19 4 LOT 4	440-10-390	43.21
53 19 5 LOT 6	440-10-490	34.4
53 19 5 LOT 7 EX RY R OF W 1 10/100 AC AND EX PART SOUTH AND WEST OF RY RT OF W	440-10-500	35.25
53 19 8 THAT PART OF LOT 1 N OF RY RT OF W	440-10-525	2.2

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board reclassifies the state tax forfeited parcels described here as ‘non-conservation’, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land Department to the clerk of the Town of Meadowlands.

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

**WHEREAS**, under the provisions of Minn. Stat. § 282.341 Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, interest, and costs; and

**WHEREAS**, less than 50% of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement; and

**WHEREAS**, Patricia Ann Rudy of Eveleth, MN, has requested to reinstate Contract C22080329, having been cancelled on October 12, 2010, under new Contract C22110055 for property described as:

CITY OF HIBBING  
PART OF S1/2 OF E1/2 OF E1/2 OF NE1/4 OF  
NE1/4 COMMENCING 857.07 FT S OF NE COR  
OF SEC THENCE W 33 FT TO PT OF BEG  
THENCE W 378.15 FT THENCE S 77.66 FT  
THENCE E 377.62 FT THENCE N 77.06 FT TO  
PT OF BEG  
SEC 30 TWP 57 RGE 20  
Parcel Code: 140-270-1642

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the reinstatement of Contract C22110055 by Patricia Ann Rudy of Eveleth, MN, in the amount \$5,066.77, to be deposited into Fund 240 (Forfeited Tax Fund).

**BOARD CONSENT AGENDA No. 9**

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

**RESOLVED**, that the appraisal report for sale of timber, numbered Tract 1 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

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

**WHEREAS**, an examination of the history of the East Ely Lake Road, also known historically as State Aid Road 392 and County State Aid Highway 97, has been conducted by the St. Louis County Public Works Department; and

**WHEREAS**, the investigation was focused on that part of East Ely Lake Road existing within Government Lot 3, Section 6, T57N, R16W and Government Lot 7, Section 31, T58N, R16W; and

**WHEREAS**, the investigation has revealed that this segment of the East Ely Lake Road was originally established by County Board Resolution in 1924 to run on the north section line of the Section 6 and then revised, also by County Board Resolution, in 1933 to a new alignment around the southerly shore of Lost Lake; and

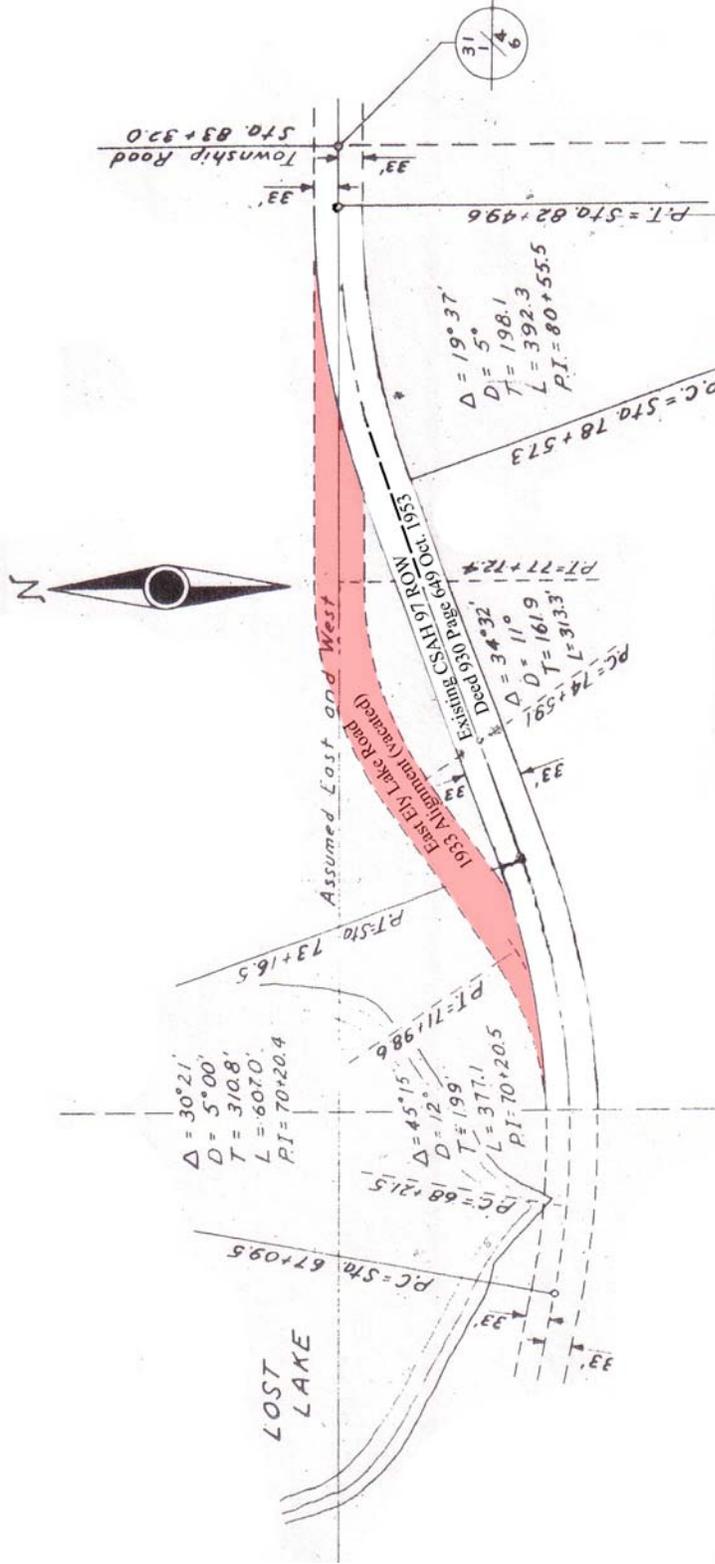
**WHEREAS**, the investigation has determined that St. Louis County's interest in the segment of East Ely Lake Road so established in 1933 is not a fee interest but was occupied and maintained by St. Louis County as a public highway from 1933 until 1953 when it was again realigned; and

**WHEREAS**, that portion of the "1933 alignment" not occupied or used by the 1953 realignment has not been formally vacated; however, no highway improvement has been constructed and no highway maintenance has occurred on this segment of right of way within the last forty (40) years.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Minn. Stat. Section 163.11 subd. 7, and 541.023, St. Louis County hereby disclaims and extinguishes its interest in that segment of the East Ely Lake Road described as follows:

All of the right of way of East Ely Lake Road (subsequently known as State Aid Road 392 and CSAH 97) existing in Government Lot 3, Section 6, Township 57N, Range 16W and in Government Lot 7, Township 58N, Range 16W, EXCEPT the existing Right of Way of County State Aid Highway 97 described as follows:

A strip of land, 66 feet in width, the centerline of which begins at the North quarter corner of said Section 6; thence running westerly along the section line for a distance of 82.4 feet; thence southwesterly along the arc of a 5 degree curve to the left, whose central angle is 19 deg. 37' for a distance of 392.3 feet; thence continuing southwesterly along the tangent to said curve for a distance of 540.8 feet; thence westerly along the arc of a 5 degree curve to the right, whose central angle is 30 deg 21' for a distance of 365.0 feet more or less to the intersection with the west line of Government Lot 3, Section 6, Township 57N, Range 16W, and there terminating.



GOV'T LOT 3  
 SEC. 6-57-16

**PROPOSED VACATION**  
**PART OF EAST ELY LAKE ROAD**

April 2011

GOV'T LOT 4  
 SEC. 6-57-16

**BOARD CONSENT AGENDA No. 11a**

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

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

MP 97037, Maintenance Striping 2011 located at various locations in St. Louis County, Lake County, City of Eveleth, and City of Babbitt.

**WHEREAS**, bids were opened in the County Board Room at 10:00 a.m., April 18, 2011, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
AAA Striping Service Co.	12220 – 43 <sup>rd</sup> St. NE St. Michael, MN 55376	\$570,290.00

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 207001, Object 651800.

With additional revenue budgeted for expense:

Lake County Fund 200, Agency 207001, Object 551508	\$ 100,264.00
City of Eveleth Fund 200, Agency 207001, Object 551519	\$ 878.80
City of Babbitt Fund 200, Agency 207001, Object 551518	\$ 1,191.20

**BOARD CONSENT AGENDA No. 11b**

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

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

MP 97036, North Crushing 2011 located in various locations in Northern St. Louis County.

**WHEREAS**, bids were opened in the County Board Room at 10:00 a.m., April 18, 2011, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Forest Concrete Products, Inc.	1715 East Sheridan St. Ely, MN 55731	\$200,100.00

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 201068, Object 650200.

**BOARD CONSENT AGENDA No. 11c**

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

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

SAP 69-598-033, CP 1834 Approach Grading and Bridge No. 69683 located on CR 447 (Tamminen Rd.) between CR 452 and CR 592 in Cherry, MN.

**WHEREAS**, bids were opened in the County Board Room at 10:00 a.m., April 18, 2011, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Dallco, Inc.	P.O. Box 38 Finlayson, MN 55735	\$464,347.39

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 220, Agency 220260, Object 652700 – Bridge	\$ 399,298.73
Fund 200, Agency 203243, Object 652800 – Approaches	\$ 65,048.66

**BOARD CONSENT AGENDA No. 11d**

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

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

SAP 69-598-035, CP 1819 Bridge No. 69686 and Approaches located on UT 8180, 0.1 mi. So. of CSAH 5, 17 mi. west of Cook, MN.

**WHEREAS**, bids were opened in the County Board Room at 10:00 a.m., April 18, 2011, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Robert R. Schroeder Construction Co., Inc.	23948 North Lakeshore Dr. Glenwood, MN 56334	\$643,391.62

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 220, Agency 220261, Object 652700 - Bridge	\$448,350.20
Fund 210, Agency 210040, Object 652800 - Approaches	\$195,041.42

**BOARD CONSENT AGENDA No. 12a**

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

**WHEREAS**, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project SAP 69-598-033, State Bridge 69683 on County Road 447, in Cherry, MN; and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this bridge is available; and

**WHEREAS**, the amount of the grant is anticipated to be \$399,298.73 by reason of the low responsible bid of \$464,347.39, submitted by Dallco, Inc.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat., Section 174.50, Subd. 5, (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Roadway:	\$ 65,048.66	SLC Local funds
Bridge:	\$399,298.73	Fund 29 (Grant)
Total Project:	\$464,347.39	SAP 69-598-033

**BOARD CONSENT AGENDA No. 12b**

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

**WHEREAS**, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project SAP 69-598-035, State Bridge 69686 on Unorganized Township Road 8180, west of Cook, MN; and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this bridge is available; and

**WHEREAS**, the amount of the grant is anticipated to be \$448,350.20 by reason of the low responsible bid of \$643,391.62 submitted by Robert R. Schroeder Construction Co.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat., Section 174.50, Subd. 5, (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Roadway:	\$195,041.60	SLC Unorganized Twp. funds
Bridge:	\$448,350.20	Fund 29 (Grant)
Total Project:	\$643,391.62	SAP 69-598-035

**BOARD CONSENT AGENDA No. 13a**

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

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

MP 97038, Central Crushing 2011 located in various locations in Central St. Louis County.

**WHEREAS**, said bids were opened in the County Board Room at 10:00 a.m., April 25, 2011, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hammerlund Construction, Inc.	3201 W. Hwy. 2 Grand Rapids, MN 55744	\$264,570.00

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 200, Agency 201069, Object 650200.

With additional revenue budgeted for expense:

Meadowlands Township: Fund 200, Agency 201069, Rev. Obj. 551566	\$ 2,632.00
Sandy Township: Fund 200, Agency 201069, Rev. Obj. 551578	\$ 6,048.00
SLC Land Dept.: Fund 200, Agency 201069, Rev. Obj. 553022	\$11,480.00

**BOARD CONSENT AGENDA No. 13b**

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

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

MP 97035, Crack Sealing 2011 located at various locations in St. Louis County, Lake County, City of Biwabik, and Town of Rice Lake

**WHEREAS**, said bids were opened in the County Board Room at 10:00 a.m., April 25, 2011, and the St. Louis County Board has, with the County Highway Engineer, determined the lowest responsible bidder.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, LLC	P.O. Box 659 Eau Claire, WI 54702	\$261,518.52

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from Fund 200, Agency 201066, Object 653300.

With additional revenue budgeted for expense:

Lake County: Fund 200, Agency 201066, Rev. Object 551508	\$23,510.59
City of Biwabik: Fund 200, Agency 201066, Rev. Object 551540	\$ 4,802.00
Town of Rice Lake: Fund 200, Agency 201066, Rev. Object 551521	\$ 686.00

**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 of Commissioners authorizes the following budget changes:

1. Reduce expense and revenue budget for Food Support Employment and Training, a federally funded program in which Public Health & Human Services will not participate (\$51,307.00).
2. Authorize the use of fund balance designated for parking to enter into agreement with Twin Ports Testing to assist with contaminated soil in lower Green Lot (\$6,759.07) and to install security gates for Government Services Center parking ramp (\$29,560).
3. Carry forward 2010 budget into 2011 for MP 10022R cracksealing project that had to be rebid. See fourth quarter budget adjustments board letter for additional detail (\$196,502.95).
4. Increase budget for project SP 69-596-006 payments to the Minnesota Department of Transportation, which will be reimbursed by City of Tower, per Resolution No. 142 dated March 23, 2010 (\$36,000.00).
5. Carry forward remaining 2010 funds in Chris Jensen capital expense/operations fund into 2011 (\$29,141.17), and increase revenue and expense budget up to the \$500,000 received per section 6.4 of the lease agreement with Health Dimensions Group (\$300,000.00).
6. Add revenue and expense budget in Sheriff Federal Forfeiture fund to match revenues received so far in 2011 (\$12,766.49).
7. Use of fund balance contributed by Assessor's Office, from 2010 unspent funds, to reimburse Property Management for office furniture in the Ely Service Center (\$7,503.35).

Eliminate transfer from Motor Pool to Sheriff; through a combination of savings in 2010 (which rolled into fund balance at the end of the year) and anticipated savings in 2011, the Sheriff's Office is able to cover its expense without a transfer from Motor Pool (\$377,568.00).



COMMISSIONER \_\_\_\_\_

**WHEREAS**, a request to purchase county fee land was submitted by Justin T. Agne, and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows.

Beginning at a point thirty-three (33) feet south of the northwest corner of the northeast quarter of the northwest quarter of the northwest quarter (NE 1/4 of NW 1/4 of NW 1/4) of Section Thirty (30) in Township Fifty one (51) North of Range Thirteen (13) West, as a point of beginning, thence running east parallel to the north line of said Section 30 a distance of one hundred sixty five (165) feet; thence south parallel to the west line of said NE 1/4 of the NW 1/4 of the NW 1/4 of said Section 30 a distance of one hundred thirty-two (132) feet; thence running west parallel to the north line of said Section 30 a distance of one hundred sixty five (165) feet; thence running along the west line of said NE 1/4 of the NW 1/4 of NW 1/4 of said Section 30, a distance of one hundred thirty two (132) feet to the point of beginning, containing one-half (1/2) acre more or less. (Parcel Code 415-0010-07460)

**WHEREAS**, a valuation of the property has been completed with a resulting value of \$2,300; and

**WHEREAS**, Justin T. Agne submitted a bid amount of \$2,300 for the property.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subd. (h), 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 Justin T. Agne, for the bid amount of \$2,300, payable to Fund 100, Agency 128014, Object 583100. Mr. Agne is responsible for all recording fees and associated filing fees.

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

**WHEREAS**, a request to purchase county fee land was submitted by the Wakely Land Group LLC and the County Property Acquisition Team deems the property to be non-conforming surplus property described as follows.

Starting at the corner common to sections 11, 12, 13, 14, T62N, R18W and running South on the section line a distance of 509.5 ft; Thence East a distance of 33 feet to the right of way line of the Wakely road, the Northwest corner of the pit the point of beginning. Thence continuing East a distance of 256.23 ft. Thence South a distance of 170.0 ft. Thence West a distance of 256.23 ft. Thence North a distance of 170.0 ft. to the point of beginning. Described parcel of land contains 1.0 acres in the N.W. of the N.W. Section 13, T62N, R18W. Parcel Code 495-0010-01115.

**WHEREAS**, the Wakely Land Group LLC submitted a bid amount of \$1,305 for the property.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to the requirements and procedures of Minn. Stat. § 373.01 Subd. (h), 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 Wakely Land Group, LLC, for the bid amount of \$1305, payable to Fund 100, Agency 128014, Object 583100. Wakely Land Group, LLC. is also responsible for all recording fees and associated filing fees.

**BOARD CONSENT AGENDA No. 17**

**BY COMMISSIONER:** \_\_\_\_\_

**WHEREAS**, the St. Louis County Board supports the goal of providing a strong technology infrastructure; and

**WHEREAS**, the county's computer workstations need to be adequately protected from virus threats using quality anti-virus software.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the purchase of 2000 licenses of the Vipre Enterprise Premium software plus ongoing annual maintenance through December 31, 2014 for a total cost of \$31,175.44 including state sales tax of \$2,005.44, payable from Fund 100, Agency 117006, Object 634800.

**BOARD CONSENT AGENDA No. 18**

**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. 59185.

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

**WHEREAS**, the windows in the Duluth St. Louis County Courthouse were last replaced and the upper window sections filled with insulated panels in the early 1970s; and

**WHEREAS**, in 2007 architects estimated the replacement of all existing windows at \$800,000, leaving the insulated panels in place after recaulking; and

**WHEREAS**, the county was granted approval to use a portion of its Energy Efficiency and Conservation Block Grant (EECBG) formulary grant (part of the Federal Stimulus program) for this project in 2009; and

**WHEREAS**, the building is on the National Registry of Historic Places, and approval was granted from both the local Heritage Preservation Commission (HPC) and Minnesota State Historical Preservation Office (SHPO); and

**WHEREAS**, the SHPO approval required that all filled insulated panels be replaced with glass, effectively doubling the cost of the project; and

**WHEREAS**, St. Louis County Purchasing Division solicited bids for project construction services which were opened on April 7, 2011 with Johnson-Wilson Constructors Incorporated of Duluth, Minnesota being the low responsible bidder in the amount of \$1,825,000.

**NOW, THEREFORE, BE IT RESOLVED**, the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Johnson-Wilson Constructors Incorporated of Duluth, Minnesota for the Duluth Courthouse window replacement project in an amount of \$1,825,000, payable from the EECBG grant budget, Fund 100, Grant 104999, Year 2011 (\$400,000) and the 2008 Capital Improvement Bond Proceeds, Fund 438, Agency 438007 (\$1,425,000).

**BOARD CONSENT AGENDA No. 20**

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

**WHEREAS**, the Iron Range Racing Association has leased property from St. Louis County since 1975 for operation of the Hibbing Race Track facility; and

**WHEREAS**, the \$12,000 annual lease revenues are used for maintenance and repairs to the facility, and basic structural stabilization repairs for the grandstand are deemed necessary.

**NOW, THEREFORE, BE IT RESOLVED**, the St. Louis County Board authorizes the appropriation of \$73,000 from General Fund Designated for the Hibbing Race Track - Fund 100, Object Code 311106, to Fund 100, Agency 102003 and approves a construction contract in an amount of \$73,000 with Restoration Systems Incorporated of Chaska, Minnesota, payable from Fund 100, Agency 102003.

**BOARD CONSENT AGENDA No. 21**

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

**RESOLVED**, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. \_\_\_\_\_ is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 - Leander Club, Town of Unorganized 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1140, for July 2, 2011 (rain date July 3, 2011).

**BOARD CONSENT AGENDA No. 22**

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

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

Renee L. Padgett d/b/a Dick's Head Shop, City of Aurora, Tobacco Products  
License No. T11261, new.

**RESOLVED FURTHER**, that if named license holder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the license holder.

**BOARD CONSENT AGENDA No. 23**

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

**RESOLVED**, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59184.

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

**RESOLVED FURTHER**, that if named license holder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder.

**RESOLVED FURTHER**, that said license shall be effective through June 30, 2012.

Bois Forte Reservation Tribal Council d/b/a Ledge Liquor Store, Vermilion Lake Township, Off-Sale Intoxicating Liquor License No. OFSL1225, tribal council member change and renewal.

**BOARD CONSENT AGENDA No. 24**

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

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

Palisade Enterprises, Inc. d/b/a Homecroft Foods, Rice Lake Township,  
Tobacco Products License No. T11262, transfer.

**RESOLVED FURTHER**, that if named license holder sells their licensed business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund to the license holder.

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

**WHEREAS**, the St. Louis County Sheriff's Office has been approved to receive a grant from the FY2008 Infrastructure Protection Program: Port Security for the purchase of a Mobile Command Center; and

**WHEREAS**, Sheriff's Office staff has performed its due diligence in research, planning, and design to find a custom-built mobile command center that best fits the future needs of the office and will serve the citizens of St. Louis County for decades to come; and

**WHEREAS**, the Sheriff's Office has determined that LDV Incorporated of Burlington, Wisconsin, offers unique design and build features that are best suited to its needs.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the appropriate county officials to proceed with the purchase of a Mobile Command Center as specified by LDV Model #SS40RC1S-10SV.

**RESOLVED FURTHER**, the United States General Services Administration pricing including all costs associated with the purchase of this command vehicle shall not exceed \$410,000 including required match, to be accounted for in the 2008 Port Security Grant, Fund 100, Agency 129999, Object 666200, Grant 12938, Year 2008.

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

**WHEREAS**, Minn. Stat. § 274.13 requires that the county commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

**WHEREAS**, the statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

**WHEREAS**, the St. Louis County Board, having reviewed the matter, determines it is in the public interest to appoint this Special Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2011:

- |                                     |                          |
|-------------------------------------|--------------------------|
| John Vigen, Duluth                  | Commissioner District #1 |
| Lee Conradi, Duluth                 | Commissioner District #2 |
| Kevin Doyle, Duluth                 | Commissioner District #3 |
| Leonard Cersine, Ely                | Commissioner District #4 |
| William Clements, Town of Rice Lake | Commissioner District #5 |
| Dawn Cole, Town of Fayal            | Commissioner District #6 |
| Frank Bigelow, City of Hibbing      | Commissioner District #7 |

**RESOLVED FURTHER**, that the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization.
- To report the results of its deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board.
- Directed to hold at least one meeting day in the St. Louis County Courthouse, Duluth, Minnesota, and one day at the Northland Office Center in Virginia, Minnesota.
- To be compensated at the rate of \$200 per meeting day (payable from Assessor's Department Fund 100, Agency 118001, Object 635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current county rate (from Assessor's Department Fund 100, Agency 118001, Object 635500 - Non-employee travel).
- Directed to convene at 10:00 AM, June 16, 2011, in the Commissioners' Conference Room, St. Louis County Courthouse, Duluth, MN.

**BOARD CONSENT AGENDA No. 27**

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

**RESOLVED**, that the workers' compensation report of claims by employees for work-related injuries, dated April 22, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.