

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON AUGUST 5, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of August, 2014, at 9:43 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Mike Forsman - 7. Absent: None - 0.

Chair Forsman asked for a moment of silence in honor of military personnel serving here and abroad, law enforcement and public safety people, and for all of the innocent victims of conflicts throughout the world.

An Employee Recognition Ceremony was held honoring St. Louis County employees and retirees with 25, 30, 35 and 40+ years of service to St. Louis County.

Chair Forsman then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. The following individuals addressed the Board:

Todd Youngberg, of Duluth, MN, discussed concerns he had with his property and the treatment he is receiving from St. Louis County.

Jeff Schelde, of Stillwater, MN, discussed encroachment issues regarding his Lake Vermillion property.

Commissioner Jewell, supported by Commissioner Raukar, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Nelson, moved to direct the Land and Minerals Department to put the tax-forfeited parcel described as the E ½ of SE ¼, SECTION 13, Township 52 North, Range 15 West (Fredenberg Township) up for public auction no sooner than the third quarter of 2015, providing that all easements and trails currently existing are protected and secured prior to the sale.

Commissioner Raukar, supported by Commissioner Boyle, moved to amend the motion to recognize the value of land consolidation and support the concept of a proposed exchange of state tax forfeited (Class B) lands for lands of equal value to be obtained by Positive Energy. Commissioner Raukar distributed a copy of the amended resolution to the Board. Land Commissioner Mark Weber discussed the proposed land exchange and the formal process when applying for a land exchange. After further discussion, Chair Forsman opened the floor to persons who wished to address the Board regarding the proposed tax-forfeited parcel sale or the proposed land exchange. The following individuals addressed the Board:

Andrew Fena discussed the impacts of Positive Energy on youth and said he was in favor of the land swap.

Clayton Cich said that Fredenberg Township opposed the land swap and was in favor of the land sale. Mr. Cich stated that the Fredenberg Town Board does not currently have a resolution opposing the land swap.

Suzanne Kelley felt that Positive Energy gave kids the opportunity to work together and become friends, regardless of what part of town they are from, and expressed her support for Positive Energy.

Dori Streit, Executive Director, Volunteer Attorney Program, discussed the Kids First Program and the Family Forward collaboration with Positive Energy. Ms. Streit urged the Board to not support the public auction and come up with another solution.

Libby Fena shared a painting with the Board that was inspired by Positive Energy. Ms. Fena asked the Board to support the land exchange and felt that a public auction would put Positive Energy out of business.

Amber Potts highlighted student experiences at Positive Energy and said that she is supportive of the land exchange.

Tjaard Breeuwer felt that government has a role to make decisions based on the greater good. Mr. Breeuwer discussed area outdoor opportunities and their impact on attracting new residents and tourists.

At 10:52 a.m., the Board recessed into a Housing and Redevelopment Authority (HRA) meeting.

At 11:08 a.m., the Board reconvened and public comments continued.

Marshall Disrude talked about the success of an afterschool program due to support and encouragement from the Positive Energy staff. Mr. Disrude was in support of the land swap or keeping the land as tax-forfeited land.

Daniela Bautista discussed the impact Positive Energy has had on her students and expressed support of Positive Energy.

Alan Jimenex Gonzalez described his experiences as a high school student participating in a Positive Energy Outdoors summer camp.

Julieta Saavedra highlighted student experiences at Positive Energy.

Amanda Bruce said that approximately 22% of Duluth families are at poverty level. Ms. Bruce discussed the impact Positive Energy has had on low-income families and said everything possible should be done to keep Positive Energy open.

Joseph Stingl stated that he tried purchase land years ago and he was told the land was not available for sale by the County. Mr. Stingl felt that in fairness to everyone, the land should be put up for sale at public auction.

Steve Goldschmidt felt that since there were several taxpayers interested in purchasing the land, it should be offered for sale at public auction.

Larry Stingl said that he tried purchase land in the seventies and was told that the land was not available for sale. Mr. Stingl felt that the land should be put up for sale at public auction.

Matt Goldschmidt expressed support of the land being offered for sale at public action, so everyone has a fair shot at purchasing the land and no one receives preferential treatment.

Steve Overom spoke in favor of the sale of the tax-forfeited land and questioned what would happen to the Conditional Use Permit if the land swap took place.

Peg Apka expressed support of Positive Energy. Ms. Apka felt that an alternative solution should be found in order to keep Positive Energy in business and provide benefit to the county.

Jim Suttie stated that he was against the land sale and discussed the vision of Positive Energy. Mr. Suttie felt that if the land sale went through, Positive Energy would not be able to continue to offer the programs.

Bonnie Perkins is supportive of the land swap and stated that sometimes the right decisions are the most difficult.

Pam Solberg-Tapper said she is supportive of Positive Energy and the land exchange. Ms. Solberg-Tapper highlighted educational opportunities as a result of Positive Energy being in business.

Machelle Kendrick said she was supportive of Positive Energy and the land swap. Ms. Kendrick stated that Positive Energy generates approximately \$500,000 of revenue per year for the community.

Debra Pawlowicz provided a packet to the Board that contained letters of opposition to the land sale, a petition in opposition of the land swap and various documents related to the proposed land swap. Ms. Pawlowicz stressed the importance of fairness and said that the land should be offered at public auction, so everyone would have an opportunity to purchase the land.

Thomas Pawlowicz said that he and several residents have shown interest in purchasing the land. Mr. Pawlowicz said he supports public auction of the land.

Kathy Stingl expressed hope that another solution could be found and the land left as is.

Charlie Rounds discussed the impacts of Positive Energy on children. Mr. Rounds stated that he was supportive of leaving the land as is or a land swap.

Commissioner Jewell exited the meeting at 11:48 a.m.

Cal Janisch said that he and his wife have a cabin next door to Positive Energy. Mr. Janisch said he has observed participants enjoying themselves and said Positive Energy have been good neighbors.

Mr. Janisch said the decision should be based on benefit to the overall community, not misinformation.

Commissioner Jewell entered the meeting at 11:51 a.m.

Phillip Lockett stated that he was representing the Reservoir Riders Snowmobile Club and they maintain the only authorized trail on the land. Mr. Lockett questioned why Positive Energy is allowed to maintain an extensive trail system on public land without following the rules like everyone else. Mr. Lockett said he was not in favor of the land auction or the land swap but felt everyone should follow the rules.

Greg Follmer expressed support of the land exchange for Positive Energy and highlighted community benefits as a result of Positive Energy.

Andrea Peterson expressed support of Positive Energy and stated that if the only solution is keeping the land public, that should be discussed.

Lynn Van Deeler discussed the physical layout of the area and expressed concerns regarding future growth of Positive Energy if the land exchange was allowed.

Vince Steiner expressed support of the land swap and questioned the impact on future business attraction if Positive Energy was forced to go out of business.

Stephanie Love, Positive Energy Outdoors, discussed the history of the property and stated that use of the land is important to the business since 50% of their programming takes place on the land. Ms. Love said that Positive Energy received permission from the St. Louis County to use the land and maintain trails. Ms. Love also stated that St. Louis County is listed as an additional insured on their policy since they are using the land.

Commissioner Nelson asked Ms. Love to clarify the policy liability limits and describe how St. Louis County came to be listed as an additional insured on their insurance policy. Ms. Love was not sure of the exact policy limits. Ms. Love stated that they (Positive Energy) asked the Land Department if they would be like to be listed as additional insured because they were using the property for business purposes; the Land Department said that would be fine.

Commissioner Boyle asked Ms. Love what would happen if they did not have access to the land. Ms. Love responded that they would go out of business.

Commissioner Nelson exited the meeting at 12:16 p.m.

Commissioner Nelson entered the meeting at 12:17 p.m.

Commissioner Dahlberg exited the meeting at 12:17 p.m.

Michael Boyer said his first preference was that nothing happens to the land. Mr. Boyer said that public auction was in response to the proposed land swap and he did not feel that the land swap

would serve the needs of the county. Mr. Boyer said he was supportive of putting the land up for public auction. Commissioner Jewell asked Mr. Boyer if his preference was to keep the land in public ownership; Mr. Boyer said yes that was his preference.

Commissioner Dahlberg entered the meeting at 12:19 p.m.

Nick Van Deeler said he and a neighbor approached the Land Department about fifteen years ago and was told that the land was not for sale. Mr. Van Deeler expressed concern about the fairness of a land swap. Mr. Van Deeler said the parcel is used by many people in the area and felt that was the best use of the land at this time.

Blake Cazier, Positive Energy Outdoors, said he was told in 1997 by the Land Department that the land would not be sold. Because of this, all of their personal and business decisions have been based on access to the land. Mr. Cazier discussed the events leading up to the proposed land swap and said their first choice is the land be kept for the public good.

Commissioner Raukar asked Mr. Cazier what his position would be towards other users of the land if land exchange was the preference of the Board. Mr. Cazier stated he would allow reasonable access for neighbors as continued use of the land is their goal.

A recess was taken from 12:30 p.m. to 1:45 p.m.

At 1:45 p.m. the Board reconvened with all members present. Chair Forsman announced that the Board would recess into an HRA meeting followed by the Board attending the 2:00 p.m. St. Louis County Law Library Board of Trustees' dedication of the Alan Mitchell Law Library.

At 1:46 p.m. the Board recessed into an HRA meeting.

At 2:52 p.m. the Board reconvened with all members present except Commissioner Nelson.

Chair Forsman asked if there were any other persons who wished to address the Board regarding proposed public sale or land exchange.

Commissioner Nelson entered the meeting at 2:53 p.m.

Ken Lindberg said he would like to see Positive Energy continue their business and felt the land should be kept in St. Louis County ownership as recreational land.

Roger Wedin, Director of Policy, Duluth Chamber of Commerce, expressed support of Positive Energy and encouraged the Board to find a middle ground to keep Positive Energy in business.

After further discussion, Commissioner Raukar withdrew the amendment to recognize the value of land consolidation and support the concept of a proposed exchange of state tax forfeited (Class B) lands for lands of equal value to be obtained by Positive Energy.

Commissioner Raukar, supported by Commissioner Boyle, moved to table indefinitely the motion on

the floor (to direct the Land and Minerals Department to put the tax forfeited parcel described as the E ½ of SE ¼, SECTION 13, Township 52 North, Range 15 West, Fredenberg Township, up for public auction no sooner than the third quarter of 2015, providing that all easements and trails currently existing are protected and secured prior to the sale). A roll-call vote was taken and the motion passed: four yeas (Jewell, Boyle, Raukar, Forsman), three nays (Dahlberg, Stauber, Nelson).

Commissioner Nelson asked the County Attorney if the Board could table a motion indefinitely. Chair Forsman said his understanding is that a tabling motion was a legal motion and the land would remain as tax-forfeited land. County Attorney Mark Rubin stated that the Board has tabled this item indefinitely and would require a resolution to take it off the table at a later date.

Commissioner Jewell, supported by Commissioner Raukar, moved that the St. Louis County Board would convene in a closed meeting of the Committee of the Whole on August 5, 2014, for the purpose of discussing settlement and litigation strategy, immediately following the Board meeting, in accord with Minn. Stat. § 13D.05, Subd. 3(b); no other pending public business will be discussed at this closed session. The motion passed; seven yeas, zero nays. Resolution No. 14-449.

The following Board and contract files were created as a result of documents received at this Board meeting:

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-284, Removal and Cleanup of Abandoned Personal Property.—59909

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 14-294, Assistant County Attorney Unit Agreement: 2012-2014.—59910

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-289, Joint Maintenance Facility Rebate Agreement with City of Ely.—59911

Employee and Retiree Longevity Recognition Program – South.—59912

Commissioner Steve Raukar submitting proposed resolution “St. Louis County Class B Land Exchange – Positive Energy Outdoors.—59913

Agreement for Professional Services by and between the County of St. Louis and ACCT, Inc., Cloquet, MN, for Hazardous Material Investigation/Report/Inventory for the Virginia Rescue Squad Building Remodeling Project.—14-745

Agreement for Professional Services between St. Louis County and Sandy Roggenkamp for Lab services for the Public Works Department during the period August 1, 2014 through December 31, 2015.—14-746

Addendum to Family Homeless Prevention Assistance Program Grant, Contract No. 21021A, by and between the St. Louis County Board of Commissioners and Life House, Inc., Duluth, MN.—14-747

Group Residential Housing Rate Agreement, Contract No. 52340, by and between the St. Louis

County Board of Commissioners and MSOCS NE – Biwabik (#9), Biwabik, MN.—14-748

Group Residential Housing Rate Agreement, Contract No. 52341, by and between the St. Louis County Board of Commissioners and MSOCS NE – Pike Lake (#12), Duluth, MN.—14-749

Group Residential Housing Rate Agreement, Contract No. 52342, by and between the St. Louis County Board of Commissioners and MSOCS NE – West Marble (#3), Hermantown, MN.—14-750

Group Residential Housing Rate Agreement, Contract No. 52348, by and between the St. Louis County Board of Commissioners and Winter Homes, Inc., Brookston, MN.—14-751

Group Residential Housing Rate Agreement, Contract No. 52349, by and between the St. Louis County Board of Commissioners and Winter Homes West, Brookston, MN.—14-752

Group Residential Housing Rate Agreement, Contract No. 52367, by and between the St. Louis County Board of Commissioners and TBI – 85th Avenue, Duluth, MN.—14-753

Group Residential Housing Rate Agreement, Contract No. 52368, by and between the St. Louis County Board of Commissioners and TBI – 1239 N. 93rd Avenue West, Duluth, MN.—14-754

Group Residential Housing Rate Agreement, Contract No. 52369, by and between the St. Louis County Board of Commissioners and TBI – Alder, Duluth, MN.—14-755

Group Residential Housing Rate Agreement, Contract No. 52370, by and between the St. Louis County Board of Commissioners and TBI – 2004 Anderson Road, Duluth, MN.—14-756

Group Residential Housing Rate Agreement, Contract No. 52371, by and between the St. Louis County Board of Commissioners and TBI – Apartment A & B, Duluth, MN.—14-757

Group Residential Housing Rate Agreement, Contract No. 52372, by and between the St. Louis County Board of Commissioners and TBI – Apartment C, Duluth, MN.—14-758

Group Residential Housing Rate Agreement, Contract No. 52373, by and between the St. Louis County Board of Commissioners and TBI – Basswood, Duluth, MN.—14-759

Group Residential Housing Rate Agreement, Contract No. 52374, by and between the St. Louis County Board of Commissioners and TBI – Blackman, Duluth, MN.—14-760

Group Residential Housing Rate Agreement, Contract No. 52375, by and between the St. Louis County Board of Commissioners and TBI – Blackman Central, Duluth, MN.—14-761

Group Residential Housing Rate Agreement, Contract No. 52376, by and between the St. Louis County Board of Commissioners and TBI – Calvary, Duluth, MN.—14-762

Group Residential Housing Rate Agreement, Contract No. 52377, by and between the St. Louis County Board of Commissioners and TBI – Carlson, Hermantown, MN.—14-763

Group Residential Housing Rate Agreement, Contract No. 52378, by and between the St. Louis

County Board of Commissioners and TBI – Cook Lake, Duluth, MN.—14-764

Group Residential Housing Rate Agreement, Contract No. 52379, by and between the St. Louis County Board of Commissioners and TBI – East 4th, Duluth, MN.—14-765

Group Residential Housing Rate Agreement, Contract No. 52380, by and between the St. Louis County Board of Commissioners and TBI – Fredenberg #1 AFC, Duluth, MN.—14-766

Group Residential Housing Rate Agreement, Contract No. 52381, by and between the St. Louis County Board of Commissioners and TBI – Fredenberg #2 RCS, Duluth, MN.—14-767

Group Residential Housing Rate Agreement, Contract No. 52382, by and between the St. Louis County Board of Commissioners and TBI – Hanford, Duluth, MN.—14-768

Group Residential Housing Rate Agreement, Contract No. 52383, by and between the St. Louis County Board of Commissioners and TBI – Highland, Duluth, MN.—14-769

Group Residential Housing Rate Agreement, Contract No. 52384, by and between the St. Louis County Board of Commissioners and TBI – Highway House, Hermantown, MN.—14-770

Group Residential Housing Rate Agreement, Contract No. 52385, by and between the St. Louis County Board of Commissioners and TBI – Hillside, Duluth, MN.—14-771

Group Residential Housing Rate Agreement, Contract No. 52386, by and between the St. Louis County Board of Commissioners and TBI – Kenroy, Hermantown, MN.—14-772

Group Residential Housing Rate Agreement, Contract No. 52387, by and between the St. Louis County Board of Commissioners and TBI – Lavaque, Duluth, MN.—14-773

Group Residential Housing Rate Agreement, Contract No. 52388, by and between the St. Louis County Board of Commissioners and TBI – Leicester, Duluth, MN.—14-774

Group Residential Housing Rate Agreement, Contract No. 52389, by and between the St. Louis County Board of Commissioners and TBI – Lemon, Duluth, MN.—14-775

Group Residential Housing Rate Agreement, Contract No. 52390, by and between the St. Louis County Board of Commissioners and TBI – Lindahl, Duluth, MN.—14-776

Group Residential Housing Rate Agreement, Contract No. 52391, by and between the St. Louis County Board of Commissioners and TBI – Maxwell, Duluth, MN.—14-777

Group Residential Housing Rate Agreement, Contract No. 52392, by and between the St. Louis County Board of Commissioners and TBI – Medin Creek, Duluth, MN.—14-778

Group Residential Housing Rate Agreement, Contract No. 52393, by and between the St. Louis County Board of Commissioners and TBI – Medin, Duluth, MN.—14-779

Group Residential Housing Rate Agreement, Contract No. 52394, by and between the St. Louis

County Board of Commissioners and TBI – Mud Lake, Saginaw, MN.—14-780

Group Residential Housing Rate Agreement, Contract No. 52395, by and between the St. Louis County Board of Commissioners and TBI – Munger Shaw, Cloquet, MN.—14-781

Group Residential Housing Rate Agreement, Contract No. 52396, by and between the St. Louis County Board of Commissioners and TBI – Oakley, Duluth, MN.—14-782

Group Residential Housing Rate Agreement, Contract No. 52397, by and between the St. Louis County Board of Commissioners and TBI – Piedmont, Duluth, MN.—14-783

Group Residential Housing Rate Agreement, Contract No. 52398, by and between the St. Louis County Board of Commissioners and TBI – Quince, Duluth, MN.—14-784

Group Residential Housing Rate Agreement, Contract No. 52399, by and between the St. Louis County Board of Commissioners and TBI – Saginaw, Saginaw, MN.—14-785

Group Residential Housing Rate Agreement, Contract No. 52400, by and between the St. Louis County Board of Commissioners and TBI – Samuelson, Hermantown, MN.—14-786

Group Residential Housing Rate Agreement, Contract No. 52401, by and between the St. Louis County Board of Commissioners and TBI – Shelby, Hermantown, MN.—14-787

Group Residential Housing Rate Agreement, Contract No. 52402, by and between the St. Louis County Board of Commissioners and TBI – Woodrich, Duluth, MN.—14-788

Group Residential Housing Rate Agreement, Contract No. 52403, by and between the St. Louis County Board of Commissioners and TBI – Wren, Duluth, MN.—14-789

Group Residential Housing Rate Agreement, Contract No. 52435, by and between the St. Louis County Board of Commissioners and Lora Kesselhon and Ryan Kesselhon , Duluth, MN.—14-790

Group Residential Housing Rate Agreement, Contract No. 52437, by and between the St. Louis County Board of Commissioners and Peace of Mind - Glenwood, Duluth, MN.—14-791

Group Residential Housing Rate Agreement, Contract No. 52438, by and between the St. Louis County Board of Commissioners and Peace of Mind - Morgan, Duluth, MN.—14-792

Group Residential Housing Rate Agreement, Contract No. 52439, by and between the St. Louis County Board of Commissioners and Peace of Mind – Pike Lake, Duluth, MN.—14-793

Group Residential Housing Rate Agreement, Contract No. 52440, by and between the St. Louis County Board of Commissioners and Peace of Mind - Redbud, Duluth, MN.—14-794

Group Residential Housing Rate Agreement, Contract No. 52441, by and between the St. Louis County Board of Commissioners and Peace of Mind - Superior, Duluth, MN.—14-795

Group Residential Housing Rate Agreement, Contract No. 52442, by and between the St. Louis

County Board of Commissioners and Peace of Mind - Woodland, Duluth, MN.—14-796

Group Residential Housing Rate Agreement, Contract No. 52451, by and between the St. Louis County Board of Commissioners and Nora Zywicki, Cloquet, MN.—14-797

Group Residential Housing Rate Agreement, Contract No. 52465, by and between the St. Louis County Board of Commissioners and Michael and Heidi Cooney, Duluth, MN.—14-798

Agreement for Services between the County of St. Louis and Craig David, LLC, St. Paul, MN, for Artist services to create a wall relief with stone mosaic on the North wall of the Entry Vestibule of the St. Louis County Government Services Center, Duluth, MN.—14-799

Agreement for Services between the County of St. Louis and Ron Benson, Duluth, MN, for Artist services to create a thematic approach to the Elevator Lobbies in the St. Louis County Government Services Center, Duluth, MN.—14-800

Agreement for Services between the County of St. Louis and Ann Klefstad, Duluth, MN, for Artist services to create an artful reinterpretation of the Exterior Entry Plaza of the St. Louis County Government Services Center, Duluth, MN.—14-801

Contract for County-State Aid Highway (CSAH) Project between the County of St. Louis and Northland Constructors of Duluth, LLC, Duluth, MN, for culvert replacement, reclamation, aggregate base stabilization, plant mixed bituminous surface & aggregate shouldering on CSAH 33/McQuade Road over Sucker River (CP 0033-1240[Low]) and CSAH 61/North Shore Drive (CP 0061-202192[Tied]) in Duluth Township.—14-802

Agreement between the County of St. Louis and Fond du Lac Band of Lake Superior Chippewa to furnish and install bilingual traffic signs on county roads located in the Fond du Lac Reservation.—14-803

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis, through its Auditor's Office, and Alta Land Survey Company, PC, Duluth, MN.—14-804

Upon motion by Commissioner Jewell, supported by Commissioner Raukar, resolutions numbered 14-431 through 14-448, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 22, 2014, are hereby approved.

Adopted August 5, 2014. No. 14-431

WHEREAS, The St. Louis County Public Health and Human Services Department (PHHS) was notified that the Minnesota State Legislature appropriated \$4.0 million in state general funds over a period of two years (SFY 2015 and SFY 2016) for local projects that focus on services to African Americans and American Indians on Minnesota Family Investment Program (MFIP) who are experiencing poor employment outcomes; and

WHEREAS, The Minnesota Department of Human Services (DHS) will be accepting proposals only from those counties in which the outcomes for African American and American Indian participants show significant disparities in the Self-Support Index in the six reporting quarters ending in March 2013, of which St. Louis County is included; and

WHEREAS, The focus of local projects needs to be on comprehensive case management strategies to engage African American and American Indian participants in education and employment activities and job matching activities as a pathway to long-term economic self-sufficiency;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to submit the 2014 MFIP Innovation Fund Grant-Racial and Ethnic Disparities in Employment Outcomes for Families Served by MFIP.

Adopted August 5, 2014. No. 14-432

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

WHEREAS, The 2014 Minnesota Legislature authorized a 5.0% rate increase for both DT&H services and SILS services effective July 1, 2014;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute contract documents to implement a 5.0% rate increase for Day Training and Habilitation services and Semi-Independent Living Services with current providers effective July 1, 2014 as shown below:

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

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.	\$ 90.34	\$ 67.76	\$ 7.89	\$ 98.23
CHOICE, Unlimited – CHOICE	\$ 77.06	\$ 57.78	\$ 8.51	\$ 85.57
CHOICE, Unlimited – OPTIONS	\$107.40	\$ 80.56	\$11.34	\$118.74
East Range DAC	\$ 68.21	\$ 51.16	\$12.16	\$ 80.37
Floodwood Services & Training, Inc.	\$ 68.81	\$ 51.61	\$ 6.06	\$ 74.87
MSOCS Duluth – Airpark Products & Services (only waiver-funded services)	\$124.64	\$ 93.47	\$10.32	\$134.96
MSOCS Duluth – Lincoln Park Life Skills	\$ 96.03	\$ 72.02	\$14.37	\$110.40
MSOCS Range Area Vocational Supports	\$123.39	\$ 92.54	\$17.47	\$140.86
Range Center, Inc.	\$ 88.74	\$ 66.55	\$ 6.38	\$ 95.12
UDAC, Inc.	\$ 67.10	\$ 50.32	\$10.40	\$ 77.50

	<u>Level</u>	<u>Hourly Rate*</u>
Pinewood, Inc. – Duluth	A	\$29.86
	B	\$14.64
	C	\$11.50
	D	\$10.27

* 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	\$27.76
HOMES, Inc. - Hibbing	\$27.76
HOMES, Inc. - Virginia	\$27.76
Trillium Services, Inc.	\$27.76

Adopted August 5, 2014. No. 14-433

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owner(s) subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicant, Guy Pohto of Cook, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF COOK
 LOTS 21 AND 22, BLOCK 4
 BALLIETS ADDITION TO COOK
 Parcel Code: 120-0030-01250; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, Approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Guy Pohto of Cook, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$4,249.93, service fee of \$114, deed tax of \$14.02, deed fee of \$25, recording fee of \$46 and court costs of \$322; for a total of \$4,770.95, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 5, 2014. No. 14-434

WHEREAS, The City of Aurora has requested to purchase the following described state tax forfeited lands for the price of \$500, plus fees, to correct blighted conditions and to promote economic development:

Legal: City of Aurora
 LOT: 0009 BLOCK: 004
 AUDITORS PLAT NO 47 AURORA
 Parcel Code: 100-0015-00310
 LDKey: 118227; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to

an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, This lot has not been 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, Minn. Stat. § 282.01, Subd. 1a.(d), allows for non-conservation tax forfeited land to be sold to a governmental subdivision for less than market value if a reduced price is necessary to provide an incentive to correct blighted conditions; and

WHEREAS, The parcel described here forfeited to the State of Minnesota on December 2, 2013 for nonpayment of real estate taxes; and

WHEREAS, This parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the City of Aurora for the price of \$500, plus the following fees: 3% assurance fee of \$15, deed fee of \$25, deed tax of \$1.65, and recording fee of \$46; for a total of \$587.65, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited lands described herein if the City of Aurora does not purchase the land by December 31, 2014.

Adopted August 5, 2014. No. 14-435

WHEREAS, Christopher Freeman has requested a non-exclusive easement across state tax forfeited land for access to private land; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4a, authorizes the St. Louis County Auditor to grant easements for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive easement to Christopher Freeman for access across state tax forfeited land described as follows:

SLY 2 FT OF ELY 33 FT OF W ½ OF E ½ OF SE ¼ OF NW ¼, Section 7, Township 50 North, Range 15 West; and

SLY 2 FT OF WLY 33 FT OF E ½ OF E ½ OF SE ¼ OF NW ¼, Section 7, Township 50 North, Range 15 West;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$75 land use and administration fee, and \$46 recording fee, for a total of \$121, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted August 5, 2014. No. 14-436

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owners of the properties will be properly notified by posting of property or by mail;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the state tax forfeited properties described in County Board File No. 59909.

Adopted August 5, 2014. No. 14-437

WHEREAS, The Land and Minerals Department provides services to external and internal customers dealing with tax forfeited properties; and

WHEREAS, The Land and Minerals Department requires a complement of employees capable of providing this service effectively and efficiently; and

WHEREAS, The Human Resources Department has reallocated two (2) 1.0 FTE Information Specialist I positions and one (1) vacant 1.0 FTE Information Specialist III position to three (3) 1.0 FTE Information Specialist II positions to provide that service; and

WHEREAS, This will result in an approximate annual savings of \$12,690;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of two (2) 1.0 FTE Information Specialist I positions and one (1) vacant 1.0 FTE Information Specialist III position to three (3) 1.0 FTE Information Specialist II classifications;

RESOLVED FURTHER, That funding for the positions is available in Fund 240, with no budget adjustments necessary for 2014.

Adopted August 5, 2014. No. 14-438

WHEREAS, The Public Works Department's 2014 budget includes replacement of grader blades, cutting edges, plow shoes, pick blades, bits, and carbide blades; and

WHEREAS, The Public Works Department requested the Purchasing Division to issue Request for Bids for this purchase; and

WHEREAS, Zeigler, Inc., of Hibbing, MN, submitted the low bid meeting specifications for Category 1 (grader blades) in the amount of \$64,015.20; and

WHEREAS, Titan Machinery of Hermantown, MN, submitted the low bid meeting specifications for Category 2 and 3 (cutting edges, plow shoes, pick blades and bits) in the amount of \$184,867.29; and

WHEREAS, H & L Mesabi of Hibbing, MN, submitted the low bid meeting specifications for Category 4 (carbide blades) in the amount of \$24,665.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of grader blades from Zeigler, Inc., of Hibbing, MN, in the amount of \$64,015.20; cutting edges, plow shoes, pick blades, and bits from Titan Machinery of Hermantown, MN, in the amount of \$184,867.29; and carbide blades from H & L Mesabi of Hibbing, MN, in the amount of \$24,665.00, for a total cost of \$273,547.49, payable from Fund 200, Agency 207001, Object 657000.

Adopted August 5, 2014. No. 14-439

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. 59797.

Adopted August 5, 2014. No. 14-440

WHEREAS, St. Louis County has been standardizing its building automation systems and equipment and an upgrade of the heating, ventilation and air conditioning control system (HVAC) is necessary at the Hibbing Courthouse; and

WHEREAS, Uhl Company of Maple Grove and Duluth, MN, has been chosen to standardize these systems in county facilities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Uhl Company of Maple Grove and Duluth, MN, in the amount of \$162,250 for Phase I of the replacement of the HVAC building automation control system at the Hibbing Courthouse, payable from Fund 402.

Adopted August 5, 2014. No. 14-441

WHEREAS, St. Louis County, the City of Ely and Lake County are partners in a joint maintenance facility in Ely, MN; and

WHEREAS, In 2007, the parties entered into a lease agreement for payment of construction, operating and maintenance costs of the facility; and

WHEREAS, St. Louis County advance refunded existing bonded debt on the facility to obtain reduced interest costs; and

WHEREAS, The City of Ely requested to participate in interest cost savings, resulting from the refinancing, for its proportional share of the outstanding debt;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a rebate agreement with the City of Ely for its proportional share of interest costs of the Ely Joint Maintenance Facility. A rebate of \$1,968.50 per half-year or \$3,937 per year will be provided, beginning with the May 2014 payment and continuing to and including the May 2027 payment. Rebates are payable from Fund 321, Agency 321001, Object 583103.

Adopted August 5, 2014. No. 14-442

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;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes the following budget changes:

1. Increase County Program Aid budget for the first half of 2014 to match the certified amount, and transfer the increase to Capital Projects for the Sheriff's Rescue Squad (\$558,345.87).
2. Transfer portion of Auditor overtime budget to Human Resources to cover workforce system programming performed by Human Resources staff (\$6,000.00).
3. Add revenue and expense budget in Planning & Community Development for 2014 Aquatic Invasive Species Prevention Aid (\$306,356.00).
4. Use of Information Technology assigned fund balance to purchase computers for conference room in Government Services Center (\$23,004.00).
5. Use of Telecommunications assigned fund balance for purchase and installation of a video conferencing cart in Government Services Center, as well as videoconferencing hardware and software for conference rooms (\$33,375.24).
6. Use of Missing Heirs fund balance to cover transfer to general fund; after 21 years, the money becomes property of St. Louis County (\$1,000.00).
7. Increase revenue and expense budget in the Controlled Substances fund to reflect an increase in anticipated revenue (\$2,000.00).

8. Transfer Economic Development fund balance assigned for Community and Economic Development Blight Program into operating expense account for the new blight program (\$109,115.54).
9. Increase Public Health & Human Services pass-through revenue and expenditure budget for Supplemental Nutrition Assistance Program (SNAP) Employment and Training allocation from the Department of Human Services (\$171,600.00).
10. Transfer Public Health & Human Services fund balance assigned for building remodel expenses to the capital projects fund for furniture in Government Services Center, beyond the original furniture budget that was established for the Government Services Center Remodel Bond Project (\$46,366.26).
11. Increase Capital Projects revenue and expense budget to allow spending of unbudgeted rebate from Minnesota Power (\$3,584.98).
12. Increase Environmental Services budget to reflect unanticipated reimbursement from the state for staff time spent inspecting a commercial sewer system (\$1,634.11).
13. Increase insurance fund revenue and expense budget to account for the receipt of unanticipated revenue recapture funds (\$2,142.80).

Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	100001	521525					(558,345.87)		
	100	100001	697600			558,345.87				
	400	400039	590100						(558,345.87)	
	400	400039	663100		558,345.87					
2	100	115001	610300		(6,000.00)					
	100	115001	697700			6,000.00				
	100	123001	590500						(6,000.00)	
	100	123001	610300		6,000.00					
3	100	109999	530814	10910	2014			(306,356.00)		
	100	109999	629900	10910	2014	306,356.00				
4	100	117007	640400		23,004.00					
	100	999999	311139							(23,004.00)
5	100	999999	311141							(33,375.24)
	100	116101	665400		33,375.24					
6	161	161001	653000		1,000.00					
	161	999999	311017							(1,000.00)
7	171	171001	564700					(2,000.00)		
	171	171001	695100		2,000.00					
8	178	178005	629900		109,115.54					
	178	999999	311052							(109,115.54)
9	230	231007	628200		171,600.00					
	230	231007	540101					(171,600.00)		

10	230	230011	697600	46,366.26	
	230	999999	311404		(46,366.26)
	400	400037	664600	46,366.26	
	400	400037	590100		(46,366.26)
11	400	400015	545102		(1,352.11)
	400	400015	545137		(2,232.87)
	400	400015	663100	3,584.98	
12	616	616001	525200		(1,634.11)
	616	616001	610000	1,634.11	
13	720	720001	583100		(2,142.80)
	720	720001	637900	2,142.80	

Adopted August 5, 2014. No. 14-443

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59788:

Wieber & Associates, Inc. d/b/a Ash Trail Lodge, Township of Unorganized 68-19, September 19-20, 2014;

Wieber & Associates, Inc. d/b/a Ash Trail Lodge, Township of Unorganized 68-19, September 26-27, 2014.

Adopted August 5, 2014. No. 14-444

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated July 25, 2014, on file in the office of the County Auditor, identified as County Board File No. 59787, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted August 5, 2014. No. 14-445

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59790, are hereby approved and the County Auditor shall issue checks in the following amounts:

April 2014

100	General Fund	\$6,768,527.61
149	Personnel Service Fund	1,978.57
150	Sheriff's Nemesis Fund Group	14,113.02
160	MN Trail Assistance	23,835.15
167	Attorney's Forfeitures	300.00
168	Sheriff's State Forfeitures	858.50
169	Attorney Trust Accounts-VW	1,157.99
173	Emergency Shelter Grant	15,929.10
179	Enhanced 9-1-1	1,247.00
180	Law Library	14,576.88
183	City/County Communications	342.56
184	Extension Service	90,184.50

200	Public Works	2,925,965.77
210	Road Maintenance – Unorg. Townships	12,033.02
220	State Road Aid	372,327.22
225	PW – June 2012 Flood	262,674.37
230	Public Health & Human Services	7,419,478.82
240	Forfeited Tax	396,900.55
260	CDBG Grant	56,765.19
270	HOME Grant	100,323.26
280	Federal Septic Loan EPA Fund	21,245.00
290	Forest Resources	120,915.45
400	County Facilities	504,252.95
405	Public Works Building Const.	38,142.66
440	2013A Capital Improvement Bond	2,835,409.92
441	2013B Capital Equipment Note	159,648.00
600	Environmental Services	422,162.75
616	On-Site Waste Water Division	38,145.57
715	County Garage	240,106.02
720	Property Casualty Liability	14,424.36
730	Workers Compensation	271,904.38
740	Medical Dental Insurance	2,562,718.53
770	Retired Employees Health Insurance	1,191.00
		<u>\$25,729,785.67</u>

Adopted August 5, 2014. No. 14-446

RESOLVED, That the 2012-2014 Assistant County Attorney contract is ratified and county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59910.

Adopted August 5, 2014. No. 14-447

WHEREAS, The St. Louis County Sheriff's Office has decommissioned a 2006 Ford F250 pickup truck as part of an upgrade and this vehicle is no longer needed by the county; and

WHEREAS, Arrowhead Regional Corrections has requested to purchase this vehicle for use at the Northeast Regional Corrections Center;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Sheriff's Office to transfer ownership of a 2006 Ford F250 pickup truck, Unit No. A722, to Arrowhead Regional Corrections (ARC) at a total cost of \$5,000, with transfer of title costs to be paid by ARC:

1. 2006 Ford F250 Truck Unit A722, VIN 1FTSW21556ED02201

RESOLVED FURTHER, That \$5,000 shall be deposited into Fund 100, Agency 129001, Object 583208 (Sheriff), from Fund 925, Agency 940001, Object 666200 (ARC).

Adopted August 5, 2014. No. 14-448

BY COMMISSIONER JEWELL:

WHEREAS, Pursuant to Minn. Stat. § 13D.05, Subd. 3(b), the St. Louis County Board may close a meeting as permitted by the attorney/client privilege; and

WHEREAS, The County Attorney requires candid and open discussion to provide legal

advice to the County Board with respect to potential settlement and litigation strategy in a closed session of the Committee of the Whole; and

WHEREAS, A closed session would benefit the public because potential financial liability could result in the expenditure of public funds;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board will convene in a closed meeting of the Committee of the Whole on August 5, 2014 for the purpose of discussing settlement and litigation strategy immediately following the Board meeting, in accordance with Minn. Stat. § 13D.05, Subd. 3(b);

RESOLVED FURTHER, That no other pending public business will be discussed at this closed session.

Unanimously adopted August 5, 2014. No. 14-449

At 3:19 p.m., August 5, 2014, Commissioner Raukar, supported by Commissioner Jewell, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.


Mike Forsman, Chair of the Board
of County Commissioners

Attest:


Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

