

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

November 13, 2012

County Board Room, Room 200, St. Louis County Courthouse, Duluth, Minnesota

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

RESOLUTIONS FOR APPROVAL:

Minutes of the November 6, 2012, meeting.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

1. Bid awarded to Future Forests, Inc., Askov, Minnesota, in the amount of \$51,567 for mechanical site scarification by disc trench on 511.5 acres of state tax forfeited land in preparation for spring planting in 2013 (Bid No. 5023).
2. Final approval of Registered Land Survey No. 112 located in Greenwood Township.
3. Special sale of state tax forfeited land described as Lot 10, Block 6, Gilbert, to the City of Gilbert for economic development for a total amount of \$587.65; and further, the County Auditor shall offer the land for sale at public auction if the City of Gilbert does not purchase the land by December 31, 2012.
4. Repurchase of state tax forfeited land by Cheryl Danielson, Duluth, Minnesota, upon total payment of \$3,461.79.

Finance & Budget Committee – Commissioner Raukar, Chair

5. Abatement list for Board approval.
6. Project change order/fee adjustment in the amount of \$69,783.49 to Max Gray Construction, Hibbing, Minnesota, for the Virginia Courthouse remodel and addition project.
7. Public hearing established for November 27, 2012, at 9:40 a.m. in the Council Chambers, City Hall, Hibbing, Minnesota, to obtain public comment and adopt the 2013 fee schedule for various county services.
8. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals.

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9. Applications for license to sell tobacco products at retail, as submitted by the County Auditor, renewals with violations.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

10. Grant local approval of special legislation which provides for the private sale of Chris Jensen Health & Rehabilitation Center to Health Dimensions Group; and further, the County Auditor is directed to file a certified copy of the Board resolution and the “Certificate of Approval of Special Law by Governing Body” with the Office of the Minnesota Secretary of State before the start of the 2013 Legislative Session.
11. Authorize a Joint Powers Agreement with Dakota, Olmsted and Washington Counties for a 2013 Joint Residential Survey for an expected participation cost of approximately \$22,000.
12. Authorize an agreement with Arrowhead Counties Association in an amount not to exceed \$16,000 for lobbying services at the State Legislature during the 2013 Legislative Session.
13. Authorize the County Auditor to advertise for applications to fill two (2) citizen member vacancies on the St. Louis County Cooperative Extension Committee for three-year terms beginning January 1, 2013, and expiring December 31, 2015.
14. Authorize the reallocation of an Information Specialist III to an Information Specialist Supervisor in the Auditor’s Office, Tax Division.
15. Reappoint David L. Sipila, St. Louis County Assessor, to a four-year term beginning January 1, 2013, through December 31, 2016, subject to the approval of the Commissioner of Revenue.

Public Safety & Corrections Committee – Commissioner Sweeney, Chair

16. Authorize a Memorandum of Understanding with the United States Department of Interior, National Park Service, for law enforcement assistance within Voyageurs National Park.

**Official Proceedings of the County Board
of Commissioners**

BY COMMISSIONER _____

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 6, 2012, are hereby approved.

Award of Bid - Mechanical Site Scarification by Disc Trench

BY COMMISSIONER_____

WHEREAS, the 2012 Land and Minerals Department budget includes funding for treating 511.5 acres with mechanical site scarification by disc trench on state tax forfeited lands in the late fall of 2012; and

WHEREAS, the Purchasing Division solicited bids for mechanical site scarification by disc trench with Future Forests, Inc., of Askov, MN, submitting the second lowest bid in the amount of \$51,567.

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 the mechanical site scarification by disc trench on 511.5 acres, in accordance with the specifications of Bid No. 5023, subject to approval of the County Attorney, at its bid price of \$51,567, payable from Fund 290, Agency 290001.

Approval of Registered Land Survey Number 112 (Greenwood Township)

BY COMMISSIONER _____

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey Number 112 pursuant to Minn. Stat. § 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey Number 112; 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 112 located in Tracts C and D, Registered Land Survey Number 82 and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 18, Township 62 North, Range 16 West (Greenwood Township).

Special Sale to the City of Gilbert

BY COMMISSIONER _____

WHEREAS, the City of Gilbert has requested to purchase the following described state tax forfeited land for the price of \$500, plus fees, for economic development:

Legal: Lot 10, Block 6
Gilbert
City of Gilbert
Parcel Code: 060-0010-01250
Acres: 0.07
LDKEY: 71045

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, this lot 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 state tax forfeited land, as described, to the City of Gilbert for the price of \$500, plus the following fees: 3% assurance fee of \$15, deed fee of \$25, deed tax of \$1.65, 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 land described here if the City of Gilbert does not purchase the land by December 31, 2012.

Repurchase of State Tax Forfeited Land - Danielson

BY COMMISSIONER: _____

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

WHEREAS, the applicant, Cheryl Danielson of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

City Of Duluth
W 300.81 Ft of SE ¼
Section 2, Township 49 North, Range 15 West
Parcel Code: 010-2741-00632

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.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Cheryl Danielson of Duluth, MN, on file in County Board File No. _____, subject to payments including total taxes and assessments of \$3,266.01, service fee of \$114, deed tax of \$10.78, deed fee of \$25, and recording fee of \$46; for a total of \$3,461.79, to be deposited into Fund 240 (Forfeited Tax Fund).

Abatement List for Board Approval

BY COMMISSIONER _____

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

**Project Change Order/Fee Adjustment – Virginia
Courthouse Remodel and Addition**

BY COMMISSIONER _____

WHEREAS, the 2010A bond project package includes remodeling, energy upgrades, window replacement, and a new addition for the courthouse in Virginia, MN, approved by County Board Resolution No. 10-480, dated October 5, 2010; and

WHEREAS, this project will complete the Virginia Courthouse long term master space plan and bring the facility up to date for building safety, building code, and current efficiency standards; and

WHEREAS, the Virginia Courthouse remodeling and addition project began in 2011 is nearing completion and a change order is necessary for unforeseen work needed to comply with state and city code standards and Department of Corrections mandates.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a project change order/fee adjustment for the Virginia Courthouse remodel and addition in the amount of \$69,783.49 to Max Gray Construction, Hibbing, MN, payable from Fund 400, Agency 400033.

**Establish Public Hearing to Consider Adoption
of 2013 Fee Schedule**

BY COMMISSIONER _____

RESOLVED, that the St. Louis County Board will convene a public hearing at 9:40 a.m. on Tuesday, November 27, 2012, Council Chambers, City Hall, Hibbing, Minnesota, to consider the adoption of the fee schedule for various county services for the year 2013.

Applications for License to Sell Tobacco Products at Retail – Renewals

BY COMMISSIONER _____

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59392, are hereby approved and the County Auditor is authorized to issue the licenses as follows:

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco Products License No. T1369;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Township of Cotton, Tobacco Products License No. T1370;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Township of Unorganized 68-21, Tobacco Products License No. T13189;

JDL's Landing, Inc., d/b/a The Landing, Township of Beatty, Tobacco Products License No. T13254;

Thirsty Moose Bar & Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Township of Cherry, Tobacco Products License No. T13218.

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

**Applications for License to Sell Tobacco Products at Retail –
Renewals with Violations**

BY COMMISSIONER _____

RESOLVED, that pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 59392, are hereby approved and the County Auditor is authorized to issue the licenses as follows.

The following license holders were issued a tobacco violation citation on the dates as stated:

Edwards Oil, Inc., d/b/a Edwards Lucky 7, Ashawa, City of Cook, Tobacco Products License No. T1344, September 7, 1998, August 25, 2001; October 18, 2002; November 4, 2011;

Misty, Inc., d/b/a Fredenberg Minnoette, Township of Fredenberg, Tobacco Products License No. T1353, December 31, 2002; July 12, 2011;

Stutzman Group, Inc., d/b/a Hoyt Lakes IGA, City of Hoyt Lakes, Tobacco Products License No. T13247, December 16, 2010;

Edwards Oil, Inc., d/b/a Lucky Seven General Store, Aurora, City of Aurora, Tobacco Products License No. T1387, December 14, 2011;

Curtis Convenience Stores, Inc., d/b/a SuperAmerica, Township of Cotton, Tobacco Products License No. T1350, December 23, 2004;

M. & T. Wedin, Inc., d/b/a Wooden Table Inn, Township of Unorganized 60-19, Tobacco Products License No. T13185, November 4, 2011.

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

Certificate of Approval of Special Law – Chris Jensen Health & Rehabilitation Center

BY COMMISSIONER _____

WHEREAS, St. Louis County requested authority to conduct a private sale of the Chris Jensen facility to the current lessee during the 2012 Legislative Session; and

WHEREAS, this authority was approved by the Legislature and must now be certified by the St. Louis County Board to become effective, according to Minn. Stat. § 645.021, Subd. 2 and 3; and

WHEREAS, as the specified local unit of government, the St. Louis County Board must pass a resolution approving the legislation and have it filed with the Minnesota Secretary of State, along with a completed “Certificate of Approval of Special Law by Governing Body” before the start of the 2013 Legislative Session.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants local approval of special legislation found in Laws of Minnesota for 2012, Chapter 236, Section 29, which provides for the private sale of Chris Jensen Health & Rehabilitation Center to Health Dimensions Group, the current lessee.

RESOLVED FURTHER, that the County Auditor is directed to file a copy of the certified County Board resolution and the completed “Certificate of Approval of Special Law by Governing Body,” with the Office of the Minnesota Secretary of State before the start of the 2013 Legislative Session.

**Authority to Enter into a Joint Powers Agreement for the
Joint County Residential Survey**

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 471.59 allows two or more governmental units, by agreement entered into through action of their governing bodies, to jointly exercise any power common to the contracting governmental units; and

WHEREAS, counties are empowered to conduct a residential survey within their geographic boundaries for the purpose of gathering objective information regarding residents perceptions of the quality of life, the quality of government services being provided, their satisfaction with county government, their priorities for community planning and their expectations for allocation of county resources; and

WHEREAS, St. Louis, Dakota, Olmsted and Washington Counties wish to jointly engage in the conduct of a residential survey for the mutual benefit of all parties.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a Joint Powers Agreement with Dakota, Olmsted and Washington Counties for the purpose of the 2013 Joint Residential Survey, a scientifically valid citizen survey with funding for the expected expense of \$22,000 available from Fund 100, Agency 104001, Object 629900.

Arrowhead Counties Association Lobbying Services Agreement

BY COMMISSIONER _____

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute the lobbying services agreement with Arrowhead Counties Association, on file in County Board File No. _____, which would use the services of St. Louis County's Director of Intergovernmental Relations to further the Arrowhead Counties Association's lobbying activities at the State Legislature during the 2013 Legislative Session, not to exceed \$16,000 to be deposited into fund 100-105001, Intergovernmental Affairs.

**Advertising for the St. Louis County Cooperative Extension
Committee Membership**

BY COMMISSIONER _____

WHEREAS, the St. Louis County Board appoints citizens to the St. Louis County Cooperative Extension Committee; and

WHEREAS, currently there are two citizen vacancies on the County Cooperative Extension Committee with terms beginning January 1, 2013, and expiring on December 31, 2015; and

WHEREAS, the St. Louis County Board attempts to appoint citizen members who represent a geographical balance across the county.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to advertise for applications to fill two citizen member vacancies on the St. Louis County Cooperative Extension Committee for three-year terms beginning January 1, 2013, and expiring December 31, 2015.

Reallocation of an Information Specialist III to an Information Specialist Supervisor – Auditor’s Office

BY COMMISSIONER _____

WHEREAS, new maintenance responsibilities of the county-wide parcel layer, working interactively with the public using land portal technology, and the need for training and supervision of staff and processes to support this new model require a realignment of staff capabilities in the Auditor’s Office, Tax Division; and

WHEREAS, the Auditor’s Office has determined that a reallocation of an Information Specialist III position to an Information Specialist Supervisor position will assist in this realignment; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go to the County Board for approval; and

WHEREAS, funding for this reallocation is available in the Auditor’s budget.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the reallocation of an Information Specialist III (pay grade B16) to an Information Specialist Supervisor (pay grade E21) in the Auditor’s Office, Tax Division (Fund 100, Agency 115009).

County Assessor Appointment

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 273.061 declares that the term of office as county assessor shall begin on January 1 of every fourth year after 1973; and

WHEREAS, January 1, 2013, will begin a new term of office for county assessors statewide.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints David L. Sipila, St. Louis County Assessor, to a four-year term beginning January 1, 2013, through December 31, 2016, pursuant to the provisions of Minn. Stat. § 273.061, subject to the approval of the Commissioner of Revenue.

**Memorandum of Understanding for Law Enforcement Assistance
within Voyageurs National Park**

BY COMMISSIONER _____

WHEREAS, Voyageurs National Park, managed by the United States Department of the Interior, National Park Service, has lands within St. Louis County; and

WHEREAS, the National Park Service and St. Louis County Sheriff's Office strive to protect all citizens with a cooperative effort to respond, investigate, and uphold public safety for the benefit of county residents and park visitors.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a Memorandum of Understanding for Law Enforcement Assistance with the United States Department of the Interior, National Park Service, regarding cooperative response to public safety incidents within or near Voyageurs National Park.

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