

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

February 12, 2013

Hermantown City Hall, 5105 Maple Grove Road, Hermantown, 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 for the February 5, 2013, meeting.

Health & Human Services Committee – Commissioner Stauber, Chair

1. Authorize grant agreements with the Center for Alcohol and Drug Treatment and the Range Mental Health Center for detoxification and hold services for Calendar Year (CY) 2013.
2. Agreement authorized with the Carlton-Cook-Lake-St. Louis Community Health Board to receive Community Transformation Grant Program funding in the amount of \$37,482 for the period December 1, 2012 through September 29, 2013.

Environment & Natural Resources Committee – Commissioner Nelson, Chair

3. Amend Ordinance No. 46, zoning map for portions of Sections 13, 14, 23 and 24, Township 56 North, Range 16 West (Unorganized), to change the classification of Section Fourteen Lake from Natural Environment to Recreational Development; and further, amend Ordinance No. 46, zoning map, from Residential, RES-5, to Shoreland Mixed Uses, SMU-7, effective March 29, 2013.
4. Cancellation of contract for purchase of state tax forfeited land by Mary and Joshua Lokken of Eveleth, MN.
5. Cancellation of contract to repurchase state tax forfeited land by Christine Schweiger of Duluth, MN.
6. Repurchase of state tax forfeited land by Kenneth Truscott of Duluth, MN, upon total payment of \$25,348.14.

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Public Works & Transportation Committee – Commissioner Forsman, Chair

7. Authorize Minnesota Department of Transportation Agreement No. 95419 with Wisconsin Central LTD and the Commissioner of Transportation for crossing improvements on County State Aid Highway (CSAH) No. 59/Melrude Road in Ellsburg Township (SP 69-00192, CP 97084) and appoint the Commissioner of Transportation agent for the county.
8. Agreement authorized with LHB Corp., Duluth, MN, in the amount of \$343,856 for design services for the reconstruction of CSAH 89 (57th Avenue West and Highland Street) and County Bridge No. 812 over Keene Creek in Duluth (SAP 69-689-004[low], CP 176509, and SAP 69-689-010, CP 183085).
9. Bid awarded to Ulland Brothers, Inc., Cloquet, MN, in the amount of \$722,833.87 for reclamation, aggregate base, bituminous surface, and aggregate shouldering on CSAH 44 (Normanna Road) in Gnesen Township.

Finance & Budget Committee – Commissioner Raukar, Chair

10. Conveyance of fee land to the City of Virginia to fulfill a contract for deed entered into in 1967 and also transfer an additional parcel of fee land to the City of Virginia to consolidate ownership of the Virginia Hospital property.
11. Abatement list for Board approval.
12. Authorize a professional services agreement with Scalzo Architects of Duluth, MN, in an amount of \$34,725 for project design and construction administration of the Auditor's Service Center relocation in the Miller Hill Mall, Duluth, MN.
13. Public hearing established for March 12, 2013, at 9:40 a.m. at the St. Louis County Courthouse, Duluth, MN, to solicit citizen comments on the priorities and funding recommendations included in the Fiscal Year (FY) 2013 Action Plan of the 2010-2014 Consolidated Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs.
14. Agreement authorized with Hallberg Engineering of White Bear Lake, MN, in an amount of \$65,000 for the Duluth Courthouse HVAC system commissioning investigation, analysis, and report to verify all systems are functioning according to design protocol.
15. Contract authorized with Kraus-Anderson Construction of Duluth, MN, in the amount of \$72,397 for the final phase of window replacement at the Duluth Motor Pool facility.

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16. Professional service contract authorized with Damberg, Scott, Gerzina, Wagner Architects of Virginia and Duluth, MN, in the amount of \$81,600 for the planning, design, construction and bid documents, project administration and project close out for the Virginia Motor Pool construction project.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

17. Appoint Allen Willman and Jim Takala to the St. Louis County Cooperative Extension Committee for 3-year terms ending December 31, 2015.

Public Safety & Corrections Committee – Commissioner O’Neil, Chair

18. Contract authorized with Unique Security, Inc., in the amount of \$88,341 plus sales tax (contract not to exceed \$95,000) for security upgrades for the county jail in Duluth.

**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 February 5, 2013, are hereby approved.

CY 2013 Detox and Hold Services Contracts

BY COMMISSIONER _____

WHEREAS, St. Louis County has supported detoxification and hold services from Center for Alcohol and Drug Treatment in Duluth and Range Mental Health Center in Virginia with county funds for over ten years; and

WHEREAS, The Public Health and Human Services Department (PHHS) wishes to continue these grant agreements for Calendar Year 2013 with no change in total funds committed for this purpose; and

WHEREAS, After reviewing a five-year Detox utilization report from the Minnesota Department of Human Services, PHHS will adjust payments to the two providers, in twelve equal monthly installments;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into grant agreements with the following providers for detoxification and hold services for the period January 1, 2013, through December 31, 2013, payable from Fund 230-232006-606000:

<u>Provider</u>	<u>2012</u>	<u>2013</u>	<u>Change</u>
Center for Alcohol and Drug Treatment	\$1,393,366.00	\$1,344,978.00	- 3%
Range Mental Health Center	\$ 376,342.00	\$ 424,730.00	+ 13%

**Agreement with the Community Health Board for
Community Transformation Grant Objectives**

BY COMMISSIONER _____

WHEREAS, The Centers for Disease Control and Prevention wishes to continue its longstanding dedication to improving the health and wellness of all Americans through the Community Transformation Grant Program; and

WHEREAS, The Centers for Disease Control and Prevention has awarded \$3,603,724 per year to the Minnesota Department of Health to increase opportunities to prevent chronic diseases and promote health; and

WHEREAS, The Minnesota Department of Health has awarded the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) \$675,000 of these funds per year for a five-year period; and

WHEREAS, The CHB has awarded St. Louis County \$37,482 for the period December 1, 2012, through September 29, 2013;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of funds through a contract with the Carlton-Cook-Lake-St. Louis Community Health Board in the amount of \$37,482 for the period December 1, 2012, through September 29, 2013, to be placed in budget revenue Fund 230, Agency 233999, Grant 23323, Project 99999999, Grant Year 2012 and expenditure Fund 230, Agency 233999, Grant 23323, Project 99999999, Year 2012.

Amend Zoning Ordinance No. 46, Zoning Map

BY COMMISSIONER _____

WHEREAS, The St. Louis County Planning Commission initiated a zoning map amendment for portions of Sections 13, 14, 23 and 24, Township 56 North, Range 16 West (Unorganized); and

WHEREAS, On January 10, 2013, the County Planning Commission held a public hearing to consider amending Ordinance 46, zoning map; and

WHEREAS, The Planning Commission recommends approval of the proposed amendments;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends Ordinance 46, zoning map, Township 56 North, Range 16 West (Unorganized) to change the classification of Section Fourteen Lake from Natural Environment to Recreational Development.

RESOLVED FURTHER, That the St. Louis County Board amends Ordinance 46, zoning map, from Residential, RES-5, to Shoreland Mixed Uses, SMU-7.

RESOLVED FURTHER, That the effective date of this zoning change will be March 29, 2013.

Cancellation of Contract for Purchase of State Tax Forfeited Land - Lokken

BY COMMISSIONER _____

WHEREAS, The contract with Mary and Joshua Lokken of Eveleth, MN, for the purchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, The purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

CITY OF EVELETH
LOT: 0019 BLOCK: 035
EVELETH 2ND ADDITION
Parcel Code: 040-0030-00720
C22090091

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 property will be notified by posting of property or by mail;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, That the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Cancellation of Contract for Repurchase of State Tax Forfeited Land - Schweiger

BY COMMISSIONER _____

WHEREAS, The contract with Christine Schweiger of Duluth, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

TOWN OF DULUTH
NW1/4 OF SW1/4 EX 3 AC AT SE CORNER FOR SCHOOL AND EX N1/2
Section 29, Township 52 North, Range 12 West
Parcel Code: 315-0020-04830
C22110090

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Repurchase of State Tax Forfeited Land - Truscott

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, Kenneth Truscott of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
COMM AT A PT ON THE W SIDE OF WOODLAND AVE WITH THE
INTERSECTION OF N BOUNDARY LINE OF OXFORD ST PRODUCED
ACROSS WOODLAND AVE EXTENDING NLY ALONG THE W LINE OF
WOODLAND AVE 68 FT TO A PT; RUNNING THENCE SWLY 5.52 FT
PARALLEL WITH OXFORD ST; THENCE SWLY 32 FT; THENCE NWLY 1.11
FT; THENCE SWLY PARALLEL WITH OXFORD ST TO A PT 115 FT FROM
WOODLAND AVE; RUNNING THENCE SELY 68 FT TO THE SAID N
BOUNDARY LINE OF SAID OXFORD ST PRODUCED W OF WOODLAND
AVE; RUNNING THENCE NELY 115 FT ALONG SAID N BOUNDARY LINE OF
OXFORD ST TO PT OF BEG
DULUTH LANDS IN THE CITY
Section 11, Township 50 North, Range 14 West
PARCEL: 010-2710-03010

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 Kenneth Truscott of Duluth, MN, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$25,080.37, service fee of \$114, deed tax of \$82.77, deed fee of \$25, and recording fee of \$46, for a total of \$25,348.14, to be deposited into Fund 240 (Forfeited Tax Fund).

**Agreement with MnDOT and Wisconsin Central LTD for Crossing
Improvements – CSAH 59/Melrude Road (Ellsburg Township)**

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes Minnesota Department of Transportation Agreement 95419, SP 69-00192, CP 97084, and any amendments approved by the County Attorney, with Wisconsin Central LTD and the Commissioner of Transportation for crossing improvements at crossing number USDOT 260112P (F-2071) on County State Aid Highway 59/Melrude Road, in Ellsburg Township, Minnesota, and appoints the Commissioner of Transportation agent for the county to supervise the project and administer available federal funds in accordance with Minn. Stat. § 161.36. The cost will be paid by 100% Federal Rail Road Funds.

Agreement with LHB Corp for Design Services – CSAH 89/57th Avenue West and Highland Street and County Bridge 812 (Duluth)

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, whereby the county will purchase the services of LHB Corp, Duluth, MN, for design services for the reconstruction of County State Aid Highway 89 (57th Ave. West and Highland Street), and County Bridge No. 812 over Keene Creek in Duluth, MN, SAP 69-689-004(Low) CP 176509, and SAP 69-689-010, CP 183085. The total cost of these services is \$343,856, payable from Fund 225, Agency 176509, Object 626600.

**Award of Bids – Reclaim and Overlay Project on CSAH 44/Normanna Road
(Gnesen Township)**

BY COMMISSIONER _____

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

MP 44-1023, CP 1023 located on CSAH 44 (Normanna Road) from CSAH 34 (Howard Gnesen Road) to CSAH 37 (Jean Duluth Road), Gnesen Township; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on January 24, 2013, and the low responsible bid determined;

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>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$722,833.87

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 203278, Object 652800.

**Conveyance of Fee Land to Fulfill Contract for Deed –
Virginia Hospital Property**

BY COMMISSIONER _____

WHEREAS, St. Louis County is obligated to transfer ownership to satisfy a contract for deed with the City of Virginia entered into in 1967 and St. Louis County also wishes to transfer an additional parcel of county fee land to the City of Virginia currently occupied by a tunnel which served to connect the Pioneer Infirmary to the hospital. Said property is legally described as follows.

That tract of land lying and being in the City of Virginia in the County of St. Louis and State of Minnesota, described as follows:

Beginning at a one inch iron pipe which is 443.43 feet South and 67 feet West of the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section Six (6), Township Fifty-Eight (58) North, Range Seventeen (17) West of the 4th Principal Meridian, measured respectively along the East boundary of said Southwest Quarter of the Southeast Quarter and at right angles therefrom; thence running West a distance of 350 feet to a one inch iron pipe; thence running South a distance of 360 feet to a one inch iron pipe; thence running East a distance of 350 feet to a one inch iron pipe; thence running North a distance of 360 feet to the point of beginning, containing 2.9 acres; except, however, all iron ore and other minerals and mineral rights as heretofore reserved in former conveyances of record in the office of the Register of Deeds of St. Louis County, Minnesota;

and

Beginning at an iron pipe which is 803.43 feet South and 67 feet West of the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township Fifty-eight (58) North, Range Seventeen (17) West of the Fourth Principal Meridian, measured respectively along the East boundary of the said Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) at right angles therefrom; thence running West a distance of 175 feet; thence running South a distance of 106 feet; thence running East a distance of 175 feet; thence running North a distance of 106 feet to the point of beginning, containing .43 of an acre, subject to prior mineral reservations;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the necessary documents to transfer the county fee lands as above described to the City of Virginia.

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. 59577.

Auditor's Mall Service Center Project Design and Construction Administration

BY COMMISSIONER _____

WHEREAS, The owner/operator of the Miller Hill Mall in Duluth, Simon Properties, terminated the county's license service center lease in 2012; and

WHEREAS, The county procured the service of Scalzo Architects in the relocation site selection, which included preliminary design drawings/options for several potential locations and sites; and

WHEREAS, A different location at the Miller Hill Mall was ultimately selected and lease terms negotiated and Scalzo Architects has provided the full spectrum of service for the project from layout, design, bid documents, construction administration to project close out;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a professional services agreement with Scalzo Architects of Duluth, Minnesota, in an amount of \$34,725.00. Funding is available from an increase in the revenue and expense budget in the License Center budget 100-115004, due to higher 2012 revenues than anticipated. This expense budget will then be transferred to Fund 400-400035 where the entire License Center Relocation project is being tracked.

**Establish Public Hearing on FY 2013 Action Plan for
CDBG, HOME and ESG Funding**

BY COMMISSIONER _____

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) requires a consolidated application process for entitlement funds under the following Community Planning and Development (CPD) programs: Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grant (ESG); and

WHEREAS, The St. Louis County Board approved the 2010-2014 Consolidated Plan on March 2, 2010; and

WHEREAS, St. Louis County has prepared a draft FY 2013 Action Plan of the 2010-2014 Consolidated Plan required by HUD; and

WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of these plans;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board will hold a public hearing on Tuesday, March 12, 2013, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the FY 2013 Action Plan of the 2010-2014 Consolidated Plan.

Duluth Courthouse HVAC System Commission Services

BY COMMISSIONER _____

WHEREAS, The Duluth Courthouse HVAC upgrade phases which began in 2001 have been completed; and

WHEREAS, The long duration of this project requires that the systems, controls, pumps, fans, and other equipment and infrastructure be commissioned, providing a verification that all systems are operating and functioning according to design protocol; and

WHEREAS, St. Louis County Property Management solicited quotes for building commissioning services for the Duluth Courthouse HVAC Upgrades with Hallberg Engineering of White Bear Lake, Minnesota, submitting the low qualified quote in an amount of \$65,000.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Hallberg Engineering of White Bear Lake, Minnesota, in an amount of \$65,000.00 for the Duluth Courthouse HVAC system commissioning investigation, analysis, and report. Funding for this agreement is available from Fund 400, Agency 400004, Object 660266.

**Duluth Motor Pool – Final Phase Window Replacement Project
Construction Agreement**

BY COMMISSIONER_____

WHEREAS, The Duluth area motor pool facility was constructed in 1956 to serve as a vehicle maintenance repair shop and county vehicle, warm storage site; and

WHEREAS, In 2006/2007 the building exterior and mechanical systems renovation, including roof replacement, tuck-pointing, sealing, insulation, 80% of the windows replaced, and new ventilation, office A/C, and heating system replacement were completed; and

WHEREAS, This project will conclude the final phase of the window replacement; and

WHEREAS, Bids were submitted on January 16, 2013, with Kraus-Anderson Construction Company of Duluth, Minnesota, providing the low acceptable bid in the amount of \$72,397.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Kraus-Anderson Construction Company of Duluth, Minnesota, in the amount of \$72,397, payable from Fund 715, Agency 715001, Object 663100, with funds transferred from the Motor Pool fund balance 715, 311202.

**Virginia Motor Pool Building Project –
Architectural, Engineering and Design Services**

BY COMMISSIONER _____

WHEREAS, The Virginia Motor Pool operations are located three miles from using departments in downtown Virginia; and

WHEREAS, The existing motor pool facility has a marginal shop area, inadequate space and is in need of significant repairs; and

WHEREAS, Relocating the motor pool to downtown Virginia will result in operational improvements, efficiencies and cost savings;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a professional service agreement with Damberg, Scott, Gerzina, Wagner Architects of Virginia and Duluth, Minnesota, for the planning, design, construction and bid documents, project administration, and project close out for the Virginia Motor Pool construction project in an amount of \$81,600. Funding is available in the Motor Pool Fund balance, Fund 715, Object 311500, transferred into Fund 715, Agency 715011, Object 626500. This expense would be eligible for 2013 bond sale proceeds reimbursement.

Appointment to the St. Louis County Cooperative Extension Committee

BY COMMISSIONER_____

RESOLVED, That the St. Louis County Board appoints the following two applicants to the St. Louis County Cooperative Extension Committee for 3-year terms expiring December 31, 2015:

Allen Willman

Jim Takala

Security Upgrades for the Jail in Duluth

BY COMMISSIONER _____

WHEREAS, The county's jail security system runs on analog closed circuit television (CCTV) and is in need of upgrades; and

WHEREAS, Unique Security, Inc., is the current security system vendor and has proposed to upgrade and migrate the existing analog CCTV system to an internet protocol based system;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Unique Security, Inc., for security upgrades for the county jail in Duluth in the amount of \$88,341 plus tax, not to exceed \$95,000, to be accounted for in Fund 100, Agency 137002, Object 665900.

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