

OFFICIAL PROCEEDINGS
OF THE
BOARD OF COUNTY COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA
FEBRUARY, 2013

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 5, 2013

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of February, 2013, at 9:31 a.m., in the County Boardroom, Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Mike Forsman, Pete Stauber, Keith Nelson, and Chair Chris Dahlberg - 6. Absent: Commissioner Steve Raukar - 1.

Chair Dahlberg asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner O'Neil introduced Dr. Linda LeGarde-Grover, an American Indian Studies professor at the University of Minnesota Duluth. Dr. LeGarde-Grover gave a presentation on past and present Native American life in St. Louis County.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. No one chose to do so.

Commissioner O'Neil stepped out of the meeting.

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

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

Repurchase of state tax forfeited land applications approved for 2013.—59601

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-32, Rice Lake Road Safe Routes to School Grant Application.—59602

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-33, Installation of Intersection Conflict Warning System.—59603

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-34, Installation of Ground-in-Wet-Reflective Edgeline.—59604

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Kevin Gray, County Administrator, submitting Board Letter No. 13-36, Establish Public Hearing to Consider Renaming Johnson Point on Pelican Lake to "Eagle Point".—59605

Handout from Dr. Linda LeGarde-Grover entitled "University of Minnesota Duluth American Indian Related Programs" and pamphlet entitled "Master of Tribal Administration & Governance".—59606

Agreement for Professional Services between St. Louis County and Stoel Rives, LLP, to provide legal representation and counsel services pertaining to environmental and solid waste matters for the period December 1, 2012, through December 31, 2013.—13-100

Agreement for Professional Services between St. Louis County and Lockridge, Grindal, Nauen, P.L.L.P., to assist with Federal Government Relation Services and administrative matters for calendar year (CY) 2013.—13-101

Purchase of Service Agreement No. 15008 between St. Louis County and Lutheran Social Service Bethany Crisis Nursery to furnish social services for CY 2013.—13-102

Purchase of Service Agreement No. 15004 between St. Louis County and Indian Legal Assistance Program to furnish social services for CY 2013.—13-103

Addendum to Grant Agreement, Contract No. 20792D, between the St. Louis County Board of Commissioners and Human Development Center for Adult Mental Health Integrated Fund Services.—13-104

Addendum to Grant Agreement, Contract No. 20793C, between the St. Louis County Board of Commissioners and Range Mental Health Center for Adult Mental Health Integrated Fund Services.—13-105

Group Residential Housing Rate Agreement No. 51491 between the St. Louis County Board of Commissioners and Sharon Shofner.—13-106

Group Residential Housing Rate Agreement No. 51490 between the St. Louis County Board of Commissioners and Arrowhead House East.—13-107

Group Residential Housing Rate Agreement No. 51489 between the St. Louis County Board of Commissioners and Arrowhead House West.—13-108

Addendum to Home and Community-Based Waiver Services Contract No. 14678E between the St. Louis County Board of Commissioners and Peace of Mind of Duluth, Inc.—13-109

Home and Community-Based Waiver Services Contract No. 15029 between the St. Louis County Board of Commissioners and Cummings Mobility Conversion and Supply, Inc.—13-110

Agreement for Professional Services between St. Louis County and Erickson Engineering Co., LLC, for bridge design of County Bridge 707 (State Bridge 92261) over Willow River on Unorganized Township Road 8109 (County Project 128464) and bridge design of a temporary bypass bridge.—13-111

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State of Minnesota Department of Transportation and St. Louis County Detour Agreement, Mn/DOT Contract No. 01453, for Trunk Highway No. 169 (State Project 6936-17).—[13-112](#)

State of Minnesota Department of Transportation and St. Louis County Detour Agreement, Mn/DOT Contract No. 01449, for Trunk Highway No. 35 (State Project 6939-19 TH2).—[13-113](#)

Grant Agreement No. 2012-007545 between St. Louis County and South St. Louis County Fair Association for purchase of services for CY 2013.—[13-114](#)

Agreement for Professional Services between St. Louis County and Todd E. Deal, Attorney at Law, to provide civil commitment representation for CY 2013.—[13-115](#)

Agreement between the County of St. Louis and Law Enforcement Labor Services, Inc., (Local No. 288) for 2012 – 2013.—[13-116](#)

Amendment No. 2 to Agreement between St. Louis County and the Township of Balkan (Damion No. 2008-004583) for Balkan Township Canister Site Operation extending the term to December 31, 2013.—[13-117](#)

Agreement for Professional Services between St. Louis County and North St. Louis Soil and Water Conservation District for CY 2013.—[13-118](#)

Purchase of Service Agreement No. 15015 between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Family Resource Center – Supervised Visitation Program) for Parent/Child Supervised Visitation Services for CY 2013.—[13-119](#)

Purchase of Service Agreement No. 15013 between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Bethany Crisis Shelter – Supervised Visitation Program) for Parent/Child Supervised Visitation Services for CY 2013.—[13-120](#)

Grant Agreement No. 20986 between the St. Louis County Board of Commissioners and Lutheran Social Services (Bethany Crisis Nursery) for CY 2013.—[13-121](#)

Agreement for Professional Services between St. Louis County and LHB Corporation for bridge design of County Bridge 641 (State Bridge 7054) on CSAH 22 (County Project WO 176286).—[13-122](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond No. 2162163, by Sinnott Contracting, LLC, for bituminous paving and ditch shaping on County State Aid Highway (CSAH 73), Storm WO 160766.—[13-123](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond No. GRMN35175A, by KTM Paving, Inc., for bituminous paving, aggregate shouldering, and ditch shaping on County Road 696, Storm WO 160794.—[13-124](#)

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Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond No. GRMN35176A, by KTM Paving, Inc., for bituminous paving and aggregate shouldering on CSAH 14, Storm WO 160765.—13-125

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond No. 2162162, by Sinnott Contracting, LLC, for bituminous paving and aggregate shouldering on CSAH 13, Storm WO 160786.—13-126

Agreement for Professional Services, Damion No. 2012-7608, between the County of St. Louis and Michael W. Lien, Attorney at Law, for representation for civil commitments during CY 2013.—13-127

Agreement for Professional Services between the County of St. Louis and LHB Corporation for bridge design of County Bridge 488 on CSAH 110, WO 176330.—13-128

Purchase of Service Agreement No. 15011 between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Foster Care Program) for family foster licensing and adoption services for CY 2013.—13-129

Purchase of Service Agreement No. 15015 between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Family Resource Center – Range Youth Shelter) for Group Home Residential/Shelter Service for CY 2013.—13-130

Purchase of Service Agreement No. 15017 between the St. Louis County Board of Commissioners and Northwood Children’s Services for residential treatment and foster care services during CY 2013.—13-131

Agreement between St. Louis County and Arrowhead Regional Development Commission for 2012 Duluth Regional Intersection Control Evaluation (ICE) Planning Study for the regional Duluth area.—13-132

Upon motion by Commissioner Jewell, supported by Commissioner Forsman, resolutions numbered 13-68 through 13-78, 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 January 15, 2013, are hereby approved.
Adopted February 5, 2013. No. 13-68

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 22, 2013, are hereby approved.
Adopted February 5, 2013. No. 13-69

WHEREAS, when a person dies in St. Louis County without means to provide for his or her funeral or final disposition, the county is required by Minn. Stat. § 261.035 to provide for that funeral and final disposition; and

WHEREAS, the St. Louis County Board adopted Resolution No. 01-357, dated June 5, 2001, and adopted a revised funeral policy; and

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WHEREAS, Minn. Stat. § 261.035 has subsequently been amended since the 2001 resolution and therefore, the county's policy is no longer in conformity with state statute; and

WHEREAS, the county policy must be revised to reflect current law and it appears prudent to adopt Minn. Stat. § 261.035 as county policy.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board rescinds Resolution No. 01-357, dated June 5, 2001, and adopts Minn. Stat. § 261.035 as the County Burial Policy.

RESOLVED FURTHER, that the funeral fee schedule may be adjusted without further action of the County Board; said adjustment will be determined by the Director of Public Health and Human Services Department (PHHS) and the County Attorney's office. The PHHS county burial procedure will be amended to reflect any adjustment and a copy will be provided to all funeral homes and members of the County Board. In no case shall an adjustment exceed the U.S. Consumer Price Index average for all items without prior County Board approval.

Adopted February 5, 2013. No. 13-70

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, David McCray of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING

LOT: 0015 BLOCK: 004 AVIATORS FIELD ADDITION

PARCEL CODE: 140-0030-00850; 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 David McCray of Hibbing, MN, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$7,411.34, service fee of \$114, deed tax of \$24.46, deed fee of \$25, recording fee of \$46 and court costs of \$320; for a total of \$7,940.80, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 5, 2013. No. 13-71

RESOLVED, that the appraisal report for sale of timber, numbered Tracts 1 & 2 as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59590, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted February 5, 2013. No. 13-72

WHEREAS, the Safe Routes to School Program is a federally funded program to fund infrastructure and non-infrastructure projects to make improvements that encourage and support students to walk and bicycle to school; and

WHEREAS, the Minnesota Department of Transportation administers the Safe Routes to School Grant Program for local agencies in Minnesota; and

WHEREAS, St. Louis County is working in cooperation with the Duluth-Superior Metropolitan Interstate Council to submit a Safe Routes to School grant application to construct a sidewalk on Rice Lake Road (County State Aid Highway No. 4).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board supports the Safe Routes to School grant application to construct a sidewalk on Rice Lake Road

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(County State Aid Highway No. 4) beginning at a point near Marshall School and ending at West Arrowhead Road.

Adopted February 5, 2013. No. 13-73

WHEREAS, improving the design and operation of highway intersections is a critical emphasis area in Minnesota; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has identified two intersections in St. Louis County to install the Intersection Conflict Warning System; and

WHEREAS, St. Louis County Public Works Department has reviewed and approved the warning system and proposed installation locations.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County enters into MnDOT Agreement No. 01469 with the State of Minnesota, Department of Transportation, for the following purposes:

Provide Electrical Energy for the new Intersection Conflict Warning System at the intersection of Trunk Highway No. 1 and County State Aid Highway No. 77 and Electrical Energy for the new Intersection Conflict Warning System at the intersection of US Trunk Highway No. 2 and County State Aid Highway No. 98, under State Project No. 8816-1765 (T.H. 1, 2), within St. Louis County.

Adopted February 5, 2013. No. 13-74

WHEREAS, keeping vehicles on the roadway is a critical emphasis area in Minnesota; and

WHEREAS, the Minnesota Department of Transportation has secured federal funding for counties in District 1 for a joint highway safety improvement project to install ground-in-wet-reflective edgeline in 2013; and

WHEREAS, the participating counties in this project are Carlton, Itasca, Lake, Pine and St. Louis.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a cooperative agreement, and any amendments authorized by the St. Louis County Attorney, with Carlton County, Itasca County, Lake County and Pine County to install ground-in-wet-reflective edgeline on various highways in these counties and St. Louis County.

Adopted February 5, 2013. No. 13-75

WHEREAS, certain property owners who sustained damage as a result of the June 19-20, 2012, flood event are eligible for abatements of 2012 property taxes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the applications for flood damage abatements, correction of assessed valuations and taxes, plus penalty and interest and any additional accrual, identified in County Board File No. 59577.

Adopted February 5, 2013. No. 13-76

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 25, 2013, on file in the office of the County Auditor, identified as County Board File No. 59592, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 5, 2013. No. 13-77

WHEREAS, the St. Louis County Auditor has received a petition signed by residents of the Pelican Lake area in support of renaming Johnson's Point located on the south shore of Pelican Lake in Leiding Township, Section 9, Township 64 North, Range 20 West, to "Eagle Pointe," and at least fifteen (15) of the petition signers have been verified as registered voters by the County Auditor; and

WHEREAS, D. Max and Mary A. Smith of Orr, MN, provided the following

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information in support of the name change:

“This point on Pelican Lake has been home to bald eagle nests for many years. We feel that the name change to ‘Eagle Pointe’ would be a benefit to the private residents on both sides of the point and to commercial properties in the vicinity including the resort to the north and west of the point. The name ‘Johnson’s Point’ is not an asset to the surrounding neighborhood. The name ‘Eagle Pointe’ is more enticing to visitors considering a trip to Pelican Lake. Also, having the point and the lake itself both named after well-known birds is an advantage.”; and

WHEREAS, County Administration has contacted Peter Boulay, State Climatology Office, Department of Natural Resources (DNR), Division of Waters, about the proposed name identification, and Mr. Boulay researched state geological features named “Eagle” in the state of Minnesota, and could not find another point identified with that name but suggested the more traditional spelling of “Point”; and

WHEREAS, with this spelling change, the DNR is supportive of the naming proposal and has encouraged a positive action by the St. Louis County Board; and

WHEREAS, Minnesota Statutes require that the County Board conduct a public hearing on any request for the naming or renaming of state geological features and waterways.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board establishes a public hearing for Tuesday, March 12, 2013, at 9:40 a.m. in the County Board Room, St. Louis County Courthouse, Duluth, MN, to consider renaming Johnson’s Point located on the south shore of Pelican Lake in Leiding Township, Section 9, Township 64 North, Range 20 West, to “Eagle Point”.

Adopted February 5, 2013. No. 13-78

At 10:30 a.m., February 5, 2013, Commissioner Nelson, supported by Commissioner Stauber, moved to adjourn; five yeas, zero nays.

Chris Dahlberg, Chair of the Board
Board of County Commissioners

Attest:

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

(Seal of the County Auditor)

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OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 12, 2013**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of February 2013, at 9:40 a.m., in the Hermantown City Hall, Hermantown, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 7. Absent: None.

Chair Dahlberg asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner Stauber introduced Bob Swanstrom, Co-Chair of the Hermantown Historical Society. Mr. Swanstrom was an educator for over thirty years and volunteers for "...anything Hermantown", stated Commissioner Stauber. Mr. Swanstrom provided the Board with Hermantown's history.

St. Louis County Sheriff, Ross Litman appeared before the County Board to recognize individuals involved in the transition to the digital Allied Radio Matrix for Emergency Response (ARMER) system. Those honored were: Technical Supervisor Bruce Hegrenes and Electronic System Technicians Tom Semmelroth, Vince Regan, Rob O'Connor, Les Flemming and John Zehowski. Also recognized were Emergency Services Manager Scott Camps and Assistant Center Supervisor Dewey Johnson.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. No one chose to address the Board.

At 10:15 a.m., a public hearing, pursuant to Resolution No. 13-61, adopted January 22, 2013, to receive citizen comments on the Minnesota Investment Fund (MIF) application by Altec HiLine, LLC and regional economic development partners was opened by Chair Dahlberg. Barbara Hayden, Director of Planning and Community Development, made the initial presentation and reviewed financial aspects of the proposed Minnesota Investment Fund application. Director Hayden stated that Altec HiLine, LLC wishes to expand its Duluth facility and has requested that St. Louis County apply to the Minnesota Department of Employment and Economic Development (DEED) for a \$250,000 forgivable loan from MIF. Chair Dahlberg asked if there was any testimony from supporters. Jeff Borling, Sawyer Morow and Cynthia Yewell spoke to the Board in favor of the action. Chair Dahlberg asked if there was any testimony from opponents, or any other comments from the public, and no one came forth. At 10:23 a.m. Commissioner Nelson, supported by Commissioner Forsman, moved to close the public hearing; seven yeas, zero nays. Commissioner Raukar, supported by Commissioner Jewell, moved that St. Louis County act as the legal sponsor for the project contained in the \$250,000 Business and Community Development Application submitted on or about February 5, 2013, and that the St. Louis County Planning and Community Development Director is authorized to apply to the Minnesota Department of Employment and Economic Development for funding of this project on behalf of St. Louis County. The motion passed; seven yeas, zero nays. Resolution No. 13-98.

Commissioner O'Neil, supported by Commissioner Forsman, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

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Commissioner Raukar, supported by Commissioner Nelson, moved to approve an initial payment of \$115,000 to the Arrowhead Center, Virginia, MN, contingent on a contract being finalized in the first quarter of 2013. The motion passed; seven yeas, zero nays. Resolution No. 13-99.

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

Kevin Gray, County Administrator, and Barbara Hayden, Director of Planning and Community Development, submitting Board Letter No. 13-39, Amend Zoning Ordinance No. 46, Zoning Map.—[59607](#)

Highway project bid awards and contracts approved during 2013.—[59608](#)

Fee land sales submitted during 2013.—[59609](#)

Kevin Gray, County Administrator, and Barbara Hayden, Director of Planning and Community Development, submitting Board Letter No. 13-49, Establish a Public Hearing on FY 2013 Action Plan for CDBG, HOME and ESG Funding.—[59610](#)

Kevin Gray, County Administrator, and Patty Swedberg, County Extension Administrator, submitting Board Letter No. 13-55, Appointments to the St. Louis County Cooperative Extension Committee.—[59611](#)

Kevin Gray, County Administrator, and Tony Mancuso, Director of Property Management, submitting Board Letter No. 13-54, Initial Funding for Arrowhead Center Contract – Camp Esquagama Management and Operation Services.—[59612](#)

Agreement between St. Louis County and the City of Iron Junction for Railroad Crossings Closure Agreement vacating and permanently close Main Street within the railroad right-of-way at Main Street, RR milepost 63.50 – Missabe Sub DOT #251968W and Main Street RR milepost .13 – Iron Range Sub DOT #251990J.—[13-133](#)

Purchase of Service Agreement No. 15020 between St. Louis County and Salvation Army for social services during calendar year (CY) 2013.[13-134](#)

Purchase of Service Agreement No. 15012 between the St. Louis County Board of Commissioners and Lutheran Social Service of Minnesota (Bethany Crisis Shelter) for Group Home Residential Service and Diagnostic 25-day Evaluation to children during CY 2013.—[13-135](#)

Purchase of Service Agreement No. 15025 between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) for Extended Employment services to persons with developmental disabilities and persons with mental illness during CY 2013.—[13-136](#)

Group Residential Housing Rate Agreement No. 51514 between the St. Louis County Board of Commissioners and Northland AFC – Celia.—[13-137](#)

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Group Residential Housing Rate Agreement No. 51492 between the St. Louis County Board of Commissioners and Benet Hall.—13-138

Group Residential Housing Rate Agreement No. 51506 between the St. Louis County Board of Commissioners and Spectrum – Babbitt Carefree Living.—13-139

Group Residential Housing Rate Agreement No. 51505 between the St. Louis County Board of Commissioner and Gloria Samich.—13-140

Home and Community-Based Wavier Services Contract No. 15040 between the St. Louis County Board of Commissioners and Gloria Samich.—13-141

Home and Community-Based Waiver Services Contract No. 15033 between the St. Louis County Board of Commissioners and Benedictine Sisters Benevolent Association d/b/a Benet Hall.—13-142

Addendum to Home and Community-Based Waiver Services Contract No. 14635F between the St. Louis County Board of Commissioners and Innovative Living, Inc., removing Respite Care services from the contract.—13-143

Easement granted to the County of St. Louis over state tax forfeited land described as Lots 9 through 13, Block 3, Plat of Johnson’s Addition to Proctor (Parcel Code: 450-0050-00640) for highway and bridge reconstruction purposes (County Project 177705), Midway Township and City of Proctor.—13-144

Upon motion by Commissioner O’Neil, supported by Commissioner Forsman, resolutions numbered 13-79 through 13-97, as submitted to this Board on the consent agenda were unanimously adopted as follows:

BY COMMISSIONER O’NEIL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 5, 2013, are hereby approved.
Adopted February 12, 2013. No. 13-79

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%

Adopted February 12, 2013. No. 13-80

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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.

Adopted February 12, 2013. No. 13-81

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.

Adopted February 12, 2013. No. 13-82

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,

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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.

Adopted February 12, 2013. No. 13-83

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.

Adopted February 12, 2013. No. 13-84

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 Code: 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,

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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).
Adopted February 12, 2013. No. 13-85

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 100% by Federal Railroad funds.
Adopted February 12, 2013. No. 13-86

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.
Adopted February 12, 2013. No. 13-87

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.
Adopted February 12, 2013. No. 13-88

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

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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 ¼) of the Southeast Quarter (SE ¼) 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 ¼) of the Southeast Quarter (SE ¼) 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.

Adopted February 12, 2013. No. 13-89

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.

Adopted February 12, 2013. No. 13-90

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.

Adopted February 12, 2013. No. 13-91

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 9:45 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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priorities and funding recommendations included in the FY 2013 Action Plan of the 2010-2014 Consolidated Plan.

Adopted February 12, 2013. No. 13-92

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.

Adopted February 12, 2013. No. 13-93

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 was completed, including roof replacement, tuck-pointing, sealing, insulation, replacement of 80% of the windows, new ventilation, office A/C, and heating system replacement; 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.

Adopted February 12, 2013. No. 13-94

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.

Adopted February 12, 2013. No. 13-95

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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 and Jim Takala

Adopted February 12, 2013. No. 13-96

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.

Adopted February 12, 2013. No. 13-97

BY COMMISSIONER RAUKAR:

WHEREAS, The Minnesota Department of Employment and Economic Development is currently accepting applications for the Minnesota Investment Fund (MIF); and

WHEREAS, St. Louis County has been requested by Altec HiLine, LLC and regional economic development partners to apply to the Minnesota Department of Employment and Economic Development (DEED) for a \$250,000 MIF forgivable loan; and

WHEREAS, St. Louis County will act as the legal sponsor for the MIF loan to Altec HiLine, LLC to assist with the expansion at the Duluth facility that will result in creating an additional 85 full time equivalent workers and a \$1 million investment in the facility; and

WHEREAS, The St. Louis County Board conducted a public hearing on February 12, 2013, at 9:40 a.m. at the Hermantown City Hall, Hermantown, Minnesota for the purpose of receiving public comments on the Minnesota Investment Fund application;

THEREFORE, BE IT RESOLVED, That St. Louis County act as the legal sponsor for the project contained in the \$250,000 Business and Community Development Application to be submitted on or about February 5, 2013, and that the St. Louis County Planning and Community Development Director is authorized to apply to the Minnesota Department of Employment and Economic Development for funding of this project on behalf of St. Louis County;

RESOLVED FURTHER, That St. Louis County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life;

RESOLVED FURTHER, That St. Louis County has not incurred any costs and has not entered into any written agreements to purchase property;

RESOLVED FURTHER, That St. Louis County has not violated any federal, state, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice;

RESOLVED FURTHER, That upon approval of its application by the state, St. Louis County may enter into an agreement with the state of Minnesota for the above referenced project, and that St. Louis County certifies that it will comply with all applicable laws and regulations as stated in all contract agreements and described on the Compliance Section (S-7) of the Business and Community Development Application;

RESOLVED FURTHER, That St. Louis County has obtained credit reports and credit information from Altec HiLine, LLC. Upon review by St. Louis County, no adverse

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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findings or concerns regarding, but not limited to, tax liens, judgments, court actions, and filings with state, federal and other regulatory agencies were identified. Failure to disclose any such adverse information could result in revocation or other legal action;

RESOLVED FURTHER, That the St. Louis County Planning and Community Development Director and a representative of the County Attorney are authorized to execute such agreements, and amendments thereto, as are necessary to implement the projects on behalf of St. Louis County;

RESOLVED FURTHER, That the St. Louis County Planning and Community Development Director and a representative of the County Attorney are authorized to execute loan agreements and all necessary documents for the approved projects;

RESOLVED FURTHER, That funds be deposited into and dispersed from Fund 176, Agency 176001.

Unanimously adopted February 12, 2013. No. 13-98

BY COMMISSIONER RAUKAR:

WHEREAS, The Camp Esquagama summer youth camp, located in Biwabik, Minnesota, was originally held in trust by St. Louis County on behalf of the residents of the county and 4-H participants, with the camp now wholly owned by the county; and

WHEREAS, In the fall of 2012, St. Louis County issued a Request for Proposals asking interested parties to submit proposals to “provide a viable arrangement for strategic leadership, property management and operation/administration services that would provide for the financially sustainable and self-sufficient operation of vibrant, high-value youth, adult, and community camping and recreation programming on the Camp Esquagama property;” and

WHEREAS, The County Board selected Arrowhead Center, Virginia, MN, to operate the camp and directed County Administration to negotiate a contract based on Arrowhead Center’s proposal; and

WHEREAS, The contract development and negotiation process is ongoing and expected to be complete in February, 2013; and

WHEREAS, There is \$115,000 of funding immediately available for Arrowhead Center to use as it begins to promote the 2013 camping season;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves an initial payment of \$115,000 to the Arrowhead Center, Virginia, MN, contingent on a contract being finalized in the first quarter of 2013. Funding is available from Fund 100, Agency 102006, Object 690300.

Unanimously adopted February 12, 2013. No. 13-99

At 10:40 a.m., February 12, 2013, Commissioner Stauber, supported by Commissioner Jewell, moved to adjourn. The motion passed; seven yeas, zero nays.

Chris Dahlberg, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 26, 2013**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of February, 2013, at 9:37 a.m., in the Hibbing City Hall, Hibbing, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 7. Absent: None.

Chair Dahlberg asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

As a part of Chair Dahlberg's initiative "St. Louis County History: People & Places", Commissioner Raukar introduced Leonard Hirsch. Mr. Hirsch is one of Hibbing's most precious treasures and an ace volunteer at the Hibbing Historical Society and Museum, stated Commissioner Raukar. Mr. Hirsch provided the Board with a copy of The City of Hibbing's History.

Commissioner Stauber, Public Health and Human Services Chairman, recognized the Superior Babies Program as having received the Emerging Practice Award at the Association of Maternal & Child Health Programs Annual Conference held February 2, 2013, in Washington, D.C. Ann Busche, Public Health & Human Services Director, recognized PHHS employees Diane Torrel and Carol Peterson. Director Busche also thanked and recognized The Arrowhead Center's Sue Neutila and Roy Connaughton.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. James Medure spoke to the Board concerning fencing and dirt issues.

Commissioner O'Neil, supported by Commissioner Nelson, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

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

Liquor Licensing Committee minutes for 2013.—59613

Land Sales/Withdrawals of State Tax Forfeited Land from Memorial Forest Status submitted during 2013.—59614

Gambling License applications submitted during 2013.—59615

Kevin Gray, County Administrator, Jim Foldesi, Public Works Director/Highway Engineer, and Tony Mancuso, Property Management Director, submitting Board Letter No. 13-63, Virginia Motor Pool Building Project – Purchase of Property from City of Virginia.—59616

Kevin Gray, County Administrator, Robert Krepps, Land Commissioner, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-57, Adjoining Owner Sales.—59617

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Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-61, Waiver of Ordinance No. 28, Section 11.05 – Billy’s (Rice Lake Township).—59618

Commissioner Pete Stauber’s comments recognizing the Public Health Division of Public Health & Human Services Department for their Emerging Practice Award from the Association of Maternal & Child Health Programs and letter awarding the honor.—59619

Grant Agreement No. 20979 between the St. Louis County Board of Commissioners and Life House for Transition Services for Calendar Year (CY) 2013.—13-145

Amendment to Service Agreement between St. Louis County and the City of Virginia for collection of residential and commercial recyclable materials extending the term of the contract to December 31, 2013 and amend Section VII. Insurance.—13-146

Agreement between the County of St. Louis, County Auditor Donald Dicklich, and the Arrowhead Regional Corrections Board for Fiscal Agent Services during CY 2013.—13-147

Minnesota Counties Information Systems (MCIS) Joint and Cooperative Agreement effective January 1, 2013.—13-148

ATM Site Agreement between St. Louis County and Minnesota Pastime for an ATM located at the Duluth Courthouse for a five-year term commencing February 1, 2013.—13-149

ATM Site Agreement between St. Louis County and Minnesota Pastime for an ATM located at the Auditor’s Service Center, 1600 Miller Trunk Highway, Duluth, MN, for a five-year term commencing February 1, 2013.—13-150

Purchase of Service Agreement No. 15018 between the St. Louis County Board of Commissioners and Woodland Hills for Children’s Residential Services for CY 2013.—13-151

Purchase of Service Agreement No. 15019 between the St. Louis County Board of Commissioners and Human Development Center for Child Mental Health-Targeted Case Management (Child MH-TCM) for CY 2013.—13-152

Purchase of Service Agreement No. 14993 between the St. Louis County Board of Commissioners and Human Development Center for Mental Health – Targeted Case Management (MH-TCM) for Adults for CY 2013.—13-153

Purchase of Service Agreement No. 15043 between the St. Louis County Board of Commissioners and Duluth Bethel Society d/b/a Bethel Work Release for Court Ordered Urinalysis Collection and Drug Testing services for CY 2013.—13-154

Purchase of Service Agreement No. 15028 between the St. Louis County Board of Commissioners and United Way of Greater Duluth for 211 Information and Referral and 211 Disaster Preparedness services for CY 2013.—13-155

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Purchase of Service Agreement No. 15042 between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Detox Transportation Services.—[13-156](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14616D between the St. Louis County Board of Commissioners and Edgewood Virginia I Senior Living, LLC.—[13-157](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14615D between the St. Louis County Board of Commissioners and Edgewood Hermantown II Senior Living, LLC.—[13-158](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14614D between the St. Louis County Board of Commissioners and Edgewood Hermantown I Senior Living, LLC.—[13-159](#)

Group Residential Housing Rate Agreement No. 51512 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Aspen).—[13-160](#)

Group Residential Housing Rate Agreement No. 51509 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Birch).—[13-161](#)

Group Residential Housing Rate Agreement No. 51513 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Chestnut).—[13-162](#)

Group Residential Housing Rate Agreement No. 51507 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Juniper).—[13-163](#)

Group Residential Housing Rate Agreement No. 51510 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Maple).—[13-164](#)

Group Residential Housing Rate Agreement No. 51508 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Oak).—[13-165](#)

Group Residential Housing Rate Agreement No. 51511 between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc. (Willow).—[13-166](#)

Group Residential Housing Rate Agreement No. 51502 between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Assisted Living.—[13-167](#)

Group Residential Housing Rate Agreement No. 51501 between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's C.—[13-168](#)

Group Residential Housing Rate Agreement No. 51500 between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's B.—[13-169](#)

Group Residential Housing Rate Agreement No. 51499 between the St. Louis County Board of Commissioners and Edgewood Vista Virginia Alzheimer's A.—[13-170](#)

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Group Residential Housing Rate Agreement No. 51498 between the St. Louis County Board of Commissioners and Edgewood Vista Suites Assisted Living.—13-171

Group Residential Housing Rate Agreement No. 51497 between the St. Louis County Board of Commissioners and Edgewood Vista Mabel's Home Alzheimer's Care.—13-172

Group Residential Housing Rate Agreement No. 51496 between the St. Louis County Board of Commissioners and Edgewood Vista Assisted Living.—13-173

Group Residential Housing Rate Agreement No. 51495 between the St. Louis County Board of Commissioners and Edgewood Vista Alzheimer's C.—13-174

Group Residential Housing Rate Agreement No. 51494 between the St. Louis County Board of Commissioners and Edgewood Vista Alzheimer's B.—13-175

Group Residential Housing Rate Agreement No. 51493 between the St. Louis County Board of Commissioners and Edgewood Vista Alzheimer's A.—13-176

Upon motion by Commissioner O'Neil, supported by Commissioner Nelson, resolutions numbered 13-100 through 13-111, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 12, 2013, are hereby approved.

Adopted April 26, 2013. No. 13-100

WHEREAS, St. Louis County desires to offer for sale certain parcels of tax forfeited land; and

WHEREAS, The parcels are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, The parcels of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, The County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, The parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the parcels described in County Board File No. 59617, and the County Auditor is authorized to offer the parcels at private sale to the adjacent property owners to encourage return of the parcels to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the Land Commissioner shall give at least 30 days' notice of its sales to all adjoining owners.

Adopted February 26, 2013. No. 13-101

WHEREAS, The state tax forfeited parcels described herein are currently included in an established memorial forest; and

WHEREAS, Pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established memorial forest and found more suitable for other

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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purposes may by resolution of the County Board be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and WHEREAS, The state tax forfeited parcels described above are more suitable for purposes other than forest management and have been approved for sale by the Commissioner of Natural Resources;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 59614 shall be withdrawn from Island Lake and Central Lakes Memorial Forests.

Adopted February 26, 2013. No. 13-102

WHEREAS, The Hibbing Public Utilities Commission has requested a perpetual easement to install potable water well(s) and to construct and to operate related distribution infrastructure upon the following St. Louis County fee owned land:

The Southwest Quarter of the Northeast Quarter (SW ¼ of NE ¼), and the Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼) of Section 24, Township 57 North, Range 20 West in Hibbing; and

WHEREAS, The Public Works Department, which operates the "Chicago John" gravel pit near this area, has reviewed the location and terms of the proposed easement and has no objections;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to grant an easement to the Hibbing Public Utilities Commission for the purposes of well and water utilities over, under, and across a part of the above described tract. Consideration received for this grant to be receipted to Fund 200, Agency 205003, Object 583100 (Misc. Other Revenue).

Adopted February 26, 2013. No. 13-103

WHEREAS, The Public Works Department began a ten-year program to improve the gravel road system in the county in 2012, known as the Gravel Road Investment Program (GRIP); and

WHEREAS, "Base One" material is an essential component to complete the projects in the Public Works Department GRIP; and

WHEREAS, The Public Works Department has negotiated a cost for the material needed for the 2013 GRIP with Team Lab Chemical Corporation of Detroit Lakes, MN, (5,757 gallons for \$95,225.63) including tax and delivery;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of "Base One" material for the 2013 Gravel Road Investment Program from Team Lab Chemical Corporation of Detroit Lakes, MN, for \$95,225.63 out of GRIP, Fund 200, Agency 203001, Object 652805.

Adopted February 26, 2013. No. 13-104

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.05 requires patrons to vacate licensed premises within twenty minutes after sales are ceased by law; and

WHEREAS, Ragnar Properties, Inc., d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a licensed liquor establishment, has requested a waiver to remain open from 1:00 a.m. to 8:00 a.m. on March 13, 2013, through March 14, 2013, to provide facilities and food to mushers and race officials of the John Beargrease Sled Dog Marathon; and

WHEREAS, The Liquor Licensing Committee has recommended approval of the waiver application, pursuant to Section 14 of Ordinance No. 28;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the application (on file in County Board File No. 59618) submitted by the below listed establishment for a waiver of Section 11.05, which requires patrons to vacate the licensed premises by 1:20 a.m.

Ragnar Properties, Inc., d/b/a Billy's

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3502 West Tischer Road
Duluth, MN 55803
Rice Lake Township

RESOLVED FURTHER, That the waiver shall be March 13, 2013, through March 14, 2013, from 1:00 a.m. to 8:00 a.m. and no alcohol shall be served or consumed on the licensed premises during the waiver period, although Billy's will be allowed to serve food to mushers and race officials of the John Beargrease Sled Dog Marathon during the waiver period.

Adopted February 26, 2013. No. 13-105

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License application (Pull-tabs [paper] with dispensing device) on file in the office of the County Auditor, identified as County Board File No. 59615, for the following organization:

Glen Avon Hockey Club, Duluth, Minnesota, to operate out of the following:
Ragnar Properties, Inc., d/b/a Billy's, Rice Lake Township, 3502 West Tischer
Road, Duluth, MN 55803, new

Adopted February 26, 2013. No. 13-106

WHEREAS, St. Louis County wishes to purchase property from the City of Virginia, Minnesota, for the county's Virginia Motor Pool construction project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a purchase agreement with the City of Virginia, Minnesota, in an amount of \$45,000 for the purchase of land described as Parcel ID # 090-0010-07820, East ½ of lot 25, and all of lots 26, 27, and 28, Block 31 in Virginia. Funding is available from Motor Pool Fund balance, Fund 715, Object 311500, transferred into Fund 715, Agency 715011.

Adopted February 26, 2013. No. 13-107

WHEREAS, The county has been standardizing its building automation systems and equipment and an upgrade of the Hibbing Annex heating, ventilation and air conditioning system is necessary; 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, Minnesota, in the amount \$120,500 for the replacement of the HVAC building automation control system at the Hibbing Annex facility, payable from Fund 402.

Adopted February 26, 2013. No. 13-108

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated February 8, 2013, on file in the office of the County Auditor, identified as County Board File No. 59592, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 26, 2013. No. 13-109

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve outside the designated serving area of the County Liquor License for the date of March 9, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580.

Adopted February 26, 2013. No. 13-110

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

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RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the dates of March 8 and 9, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580. Adopted February 28, 2013. No. 13-111

At 10:18 a.m., February 26, 2013, Commissioner Jewell, supported by Commissioner Stauber, moved to adjourn. The motion passed; seven yeas, zero nays.

Chris Dahlberg, 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)