

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

July 2, 2013

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

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

RESOLUTIONS FOR APPROVAL:

Environment & Natural Resources Committee – Commissioner Nelson, Chair

1. Special sale of state tax forfeit land described as Lots 1 and 2 and Sly 17 feet of Lot 3, Block 4, MacFarlanes Grassy Point Addition to Duluth, to the City of Duluth for flood mitigation purposes, for a total price of \$59,744.08; and further, the land shall be offered for sale at public auction if the City of Duluth does not purchase the land by September 1, 2013.
2. Agreement authorized with Northeast Technical Services, Inc., in an amount not to exceed \$56,979 to provide engineering and hydrogeologic services to pursue the potential expansion and permitting requirements of the Regional Landfill.

Public Works & Transportation Committee - Commissioner Forsman, Chair

3. Agreement authorized with Max Gray Construction of Hibbing, MN, for renovation of the former 911 and Mine Inspector areas of the Virginia Public Works Garage, for a cost of \$65,700.
4. Authorize the estimated purchase of sodium chloride from North American Salt Company of Overland Park, KS, at the State of Minnesota Contract price, including delivery costs and sales tax, of \$1,583,129.54.
5. Acceptance of a Minnesota State Transportation Fund grant in the amount of \$174,894.00 for the reconstruction of Bridge 69J97 located on County Road 284/Ugstad Road in the City of Proctor (Storm Project WO 177705, SAP 69-598-041).

Finance & Budget Committee – Commissioner Raukar, Chair

6. Dedicate permanent highway easements over certain county fee owned property being considered for sale.
7. Abatement list for Board approval.

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8. Public hearing established for July 30, 2013, at 9:40 a.m. in the Floodwood City Hall, Floodwood, MN, to consider allegations of a liquor law violation by A. P. Inc. d/b/a A. P. Liquor, Gnesen Township.
9. Application to sell/serve liquor outside the designated serving area by ILI, LLC d/b/a Island Lake Inn, Gnesen Township, for July 19, 20 and 21, and August 2, 3 and 4, 2013.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

10. Ratify the 2012-2014 Confidential Unit contract and authorize execution of the Collective Bargaining Unit Agreement.
11. Approve and adopt the Unrepresented Employees' Compensation Plan and 2012-2014 salary range adjustments, effective July 1, 2013.
12. Approve the updated Management Compensation Plan and 2012-2014 salary range increases for elected and appointed department heads and unrepresented county managers, effective July 1, 2013.
13. Appointment of election judges to process applications and ballots for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board during 2013.

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

14. Contract authorized with Evergreen Construction, Inc., Ely, MN, in the amount of \$99,000 for the U.S. Forest Service Ely Site Project to promote the 2011 Hazardous Fuels Reduction Grant objective.
15. Application and acceptance of the 2013 Hazardous Fuels Reduction Grant funding on behalf of the Superior National Forest in the amount of \$240,000 for the period September, 2013 through September 2014; and further, the County will serve as fiscal agent.
16. Sheriff's Office authorized to use Title III funding for Firewise Communities activities.

Special Sale to the City of Duluth

BY COMMISSIONER _____

WHEREAS, The City of Duluth has requested to purchase the following described state tax forfeited land for the price of \$57,750, plus fees, for the purpose of flood mitigation:

Legal: CITY OF DULUTH
LOTS 1 AND 2 AND SLY 17 FT OF LOT 3, BLOCK 4
MACFARLANES GRASSY POINT ADD TO DULUTH
Parcel Code: 010-3140-00700
Acres: 0.19
LDKEY: 70356

and

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, This parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and § 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the state tax forfeited land, as described, to the City of Duluth for the price of \$57,750 plus the following fees: 3% assurance fee of \$1,732.50, deed fee of \$25, deed tax of \$190.58, and recording fee of \$46; for a total of \$59,744.08, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the County Auditor shall offer for sale at public auction the state tax forfeited land described here if the City of Duluth does not purchase the land by September 1, 2013.

**Contract with Northeast Technical Services, Inc., for
Consulting and Engineering Services**

BY COMMISSIONER _____

WHEREAS, St. Louis County, through its Environmental Services Department, operates an integrated waste management program to provide disposal of waste materials for county residents; and

WHEREAS, The St. Louis County Board supports proper waste disposal which includes environmentally sound landfilling practices; and

WHEREAS, The opportunity for expansion of the existing leachate spray field is prudent to better manage the leachate program for this facility; and

WHEREAS, Environmental Services needs to address this potential project within its current landfill permit cycle; and

WHEREAS, Northeast Technical Services, Inc., has provided a quote not to exceed \$56,979 for the professional services associated with this project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Northeast Technical Services, Inc., in an amount not to exceed \$56,979 to assist the Environmental Services Department with the permit submission process to the Minnesota Pollution Control Agency for possible expansion of the existing leachate spray field, payable from Fund 600, Agency 607001.

**Renovation of the Former 911 and Mine Inspector Areas –
Virginia Public Works Garage**

BY COMMISSIONER _____

WHEREAS, The former 911 and Mine Inspector areas of the Virginia Public Works Garage are in need of renovation to make the space useable; and

WHEREAS, The Public Works Department's 2013 Capital Improvement Budget includes funding for this project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an agreement with Max Gray Construction of Hibbing, MN, for the renovation of the former 911 and Mine Inspector areas of the Virginia Public Works Garage for a cost of \$65,700, payable from Fund 405, Agency 405060, Object 663100.

Purchase of Sodium Chloride

BY COMMISSIONER _____

WHEREAS, The Public Works Department's 2013 budget includes purchase of sodium chloride (road salt) for maintaining winter roads; and

WHEREAS, The Public Works Department requested State Contract pricing for road salt; and

WHEREAS, North American Salt Company submitted the lowest delivered price to 17 locations in the amount of \$1,481,290.80;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the estimated purchase of sodium chloride at the State of Minnesota Contract price from North American Salt Company of Overland Park, Kansas for a maximum delivered cost of \$1,481,290.80 plus State of Minnesota Sales Tax of \$101,838.74, for a total of \$1,583,129.54, payable from Fund 200, Agency 207013, Object 651700.

**Acceptance of Flood Grant for Storm Project WO 177705 –
Bridge Reconstruction on CR 284/Ugstad Road (Proctor)**

BY COMMISSIONER _____

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Bridge 69J97 construction of project SAP 69-598-041 on County Road 284 (Ugstad Road) in Proctor, MN; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, The amount of the grant has been determined to be \$174,894.00;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge reconstruction but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute a grant agreement with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Acct 266 Flood Bond Funds \$174,894.00 Construction

**Dedication of Permanent Highway Easements
over County Fee Owned Property**

BY COMMISSIONER _____

WHEREAS, St. Louis County owns property which is being considered for sale;
and

WHEREAS, It is the intent of the St. Louis County Board to preserve additional
highway right of way necessary to construct and maintain said segments of road when
the county owned parcels are sold or transferred;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 163.11, the St.
Louis County Board hereby dedicates to the public the permanent highway easements
more particularly described in County Board File No. _____, containing the following
exhibits:

EXHIBIT A	Parcel 1	County State Aid Highway 22
EXHIBIT A & B	Parcel 2	County Road 973 (Bug Creek Road)
EXHIBIT A & B	Parcel 3	County State Aid Highway 23
EXHIBIT A & B	Parcel 4	County State Aid Highway 34
EXHIBIT A & B	Parcel 5	County State Aid Highway 31
EXHIBIT A & B	Parcel 6	County State Aid Highway 44
EXHIBIT A & B	Parcel 7	County Road 879 (Jackson Road)

RESOLVED FURTHER, That a certified copy of this County Board Resolution
and County Board File No. _____ shall be recorded in the office of the St. Louis County
Recorder.

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.

**Establish Public Hearing to Consider Allegations of Liquor Law Violation –
A.P. Liquor (Gnesen Township)**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:40 a.m. on Tuesday, July 30, 2013, in the Floodwood City Hall, Floodwood, Minnesota, for the consideration of the allegations, sale to minor on June 3, 2013, and, if proven, the suspension or revocation of the liquor license issued to A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, and/or the imposition of civil penalties for the violation.

**Application to Sell/Serve Liquor Outside the Designated Serving Area
(Gnesen Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59580:

ILI, LLC d/b/a Island Lake Inn, Township of Gnesen, July 19, 20 and 21, 2013;

ILI, LLC d/b/a Island Lake Inn, Township of Gnesen, August 2, 3 and 4, 2013.

Confidential Unit Bargaining Agreement – 2012 through 2014

BY COMMISSIONER _____

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

**Unrepresented Employees' Compensation Plan and
2012-2014 Salary Range Adjustments**

BY COMMISSIONER _____

WHEREAS, There are several classes of unrepresented employees whose terms and conditions of employment have only been documented through references contained in county board resolutions over the course of many years; and

WHEREAS, It will be more efficient to have the compensation, terms and conditions of employment for all unrepresented employees documented in a compensation plan; and

WHEREAS, No salary range cost of living adjustments have been established for unrepresented employees since 2009;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves and adopts the Unrepresented Employees' Compensation Plan contained in County Board File No. _____ to cover the compensation and benefits of unrepresented non-managerial employees of St. Louis County, effective July 1, 2013;

RESOLVED FURTHER, That the new Unrepresented Employees' Compensation Plan replaces any previous stand-alone Board resolutions establishing the terms or conditions of employment for unrepresented employees;

RESOLVED FURTHER, That the County Board approves and adopts a 70% county premium contribution toward Long Term Disability benefits for employees covered under the Unrepresented Employees' Compensation Plan, effective August 1, 2013;

RESOLVED FURTHER, That the following job title changes and pay plan reassignments are effective July 1, 2013 payroll year:

Old Class:	New Class:	From:	To:
Administrative Secretary	Administrative Secretary I	Plan Q2-Gr. QAH	No change
Executive Secretary I	Administrative Secretary II	Plan Q2-Gr. QBA	No change
Executive Secretary II	Administrative Secretary II ZZ	Plan Q2-Gr. QAK	No change

RESOLVED FURTHER, For individuals covered under the Unrepresented Employees' Compensation Plan, the following payroll year cost of living salary increases are approved: 2012 – 1.0%; 2013 – 1.5%; 2014 – 2.0%; and a one-time lump sum payment of \$480, not added to the salary base, is approved for individuals covered by the plan, as of July 1, 2013.

Management Compensation Plan and 2012-2014 Salary Range Adjustments

BY COMMISSIONER _____

WHEREAS, The Management Compensation Plan has been updated to reflect changes to sick leave accrual rates and caps, expanded sick leave use allowances in accord with Minnesota statutes, and changes to Long-Term Disability Benefits; and

WHEREAS, No salary range cost of living adjustments have been established for employees covered under the Management Compensation Plan since 2009;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves and adopts the updated Management Compensation Plan contained in County Board File No. _____ to cover the compensation and benefits of elected department heads and the compensation, terms and conditions of employment of appointed department heads and unrepresented managers, effective July 1, 2013;

RESOLVED FURTHER, That the previous Management Compensation Plan, dated December 17, 2011, is rescinded;

RESOLVED FURTHER, That the County Board approves and adopts a 70% county premium contribution toward Long Term Disability benefits for individuals covered under the Management Compensation Plan and other elected officials, effective August 1, 2013;

RESOLVED FURTHER, That the following job title change and pay plan reassignment is effective July 1, 2013:

Old Class:	New Class:	From:	To:
Executive Secretary Supervisor	Administrative Secretary Supervisor	Plan Q4-Gr. QAA	Plan A1-Gr. A16*

* Administrative Secretary Supervisor salary reassignment applies to new appointments on or after 7/01/2013

RESOLVED FURTHER, That for individuals covered under the Management Compensation Plan, the following payroll year cost of living salary increases are approved: 2012 – 1.0%; 2013 – 1.5%; 2014 – 2.0%; and a one-time lump sum payment of \$480, not added to the salary base, is approved for individuals covered by the plan as of July 1, 2013.

Appointment of Election Judges for UOCAVA Ballot Board

BY COMMISSIONER: _____

RESOLVED, That the following eligible voters are appointed as election judges during 2013 to process applications and ballots in the Duluth Courthouse for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board:

Judge/Staff – Lisa Sweet, 100 N. 5th Ave. W. #214, Duluth, MN 55802

Judge/Staff – Amy Gundersen, 100 N. 5th Ave. W. #214, Duluth, MN 55802

RESOLVED FURTHER, That the County Auditor and/or Clerk of the County Board may make election judge appointments to fill vacancies should they occur.

**Contract with Evergreen Construction, Inc., for the
U.S. Forest Service Ely Site Project**

BY COMMISSIONER _____

WHEREAS, On February 7, 2012, the St. Louis County Board adopted Resolution No.12-69 authorizing acceptance of the Hazardous Fuel Reduction Grant; and

WHEREAS, St. Louis County has worked with the U.S. Forest Service to identify projects that will promote the Hazardous Fuels Reduction Grant objective, including the Ely Site Project; and

WHEREAS, Evergreen Construction, Inc., of Ely, MN, was awarded the project in the amount of \$99,000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Evergreen Construction, Inc., Ely, MN, for the U.S. Forest Service Ely Site Project in the amount of \$99,000, to be accounted for in Fund 290, Agency 290999, Grant 29003, Year 2011.

Application and Acceptance of 2013 Hazardous Fuel Reduction Grant

BY COMMISSIONER _____

WHEREAS, The Hazardous Fuels Reduction Grant of 2011 provided \$721,600 to the Superior National Forest, which specifically includes \$240,000 for reducing the threat of wildfires in high-risk areas as identified in the St. Louis County Community Wildfire Protection Plan; and

WHEREAS, On August 12, 2008, by Resolution No. 08-443, the County Board approved the St. Louis County Community Wildfire Protection Plan, and this funding is a mechanism to carry out the plan;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application and acceptance of the 2013 Hazardous Fuels Reduction Grant funding on behalf of the Superior National Forest in the amount of \$240,000 for the period September, 2013 through September 2014;

RESOLVED FURTHER, That St. Louis County will serve as fiscal agent, with funds to be accounted for in Fund 290, Agency 290999 Grant 29003, Year 2013.

Title III Funds for Firewise Communities Activities

BY COMMISSIONER _____

WHEREAS, The U.S. Forest Service has made available Title III funding for St. Louis County to carry out Firewise Communities activities; and

WHEREAS, The St. Louis County Sheriff's Office will enhance its preparation for wildland fires and emergency response as a result of this funding;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Sheriff's Office to use Title III funding for authorized Firewise Communities activities, to be accounted for in Fund 100, Agency 135999, Grant 13503, Year 2012.