



COMMITTEE OF THE WHOLE AGENDA
Board of Commissioners, St. Louis County, Minnesota

October 22, 2013
Immediately following the Board Meeting, which begins at 9:30 A.M.
McDavitt Town Hall, 9042 Zim Road, Zim, MN

Directions: North on Highway 53 to Cotton; turn left (west) on Highway 52/Arkola Road, proceed approximately 6 miles; turn right on County Road 7 proceed approximately 9 miles to Zim; turn left on Zim Road and proceed 1.5 miles to the McDavitt Town Hall, on the left.

CONSENT AGENDA:

All matters listed under the consent agenda are considered routine and/or non-controversial 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.

Minutes of October 8, 2013

Environment & Natural Resources Committee – Commissioner Nelson, Chair

1. Driveway Easement Request across State Tax Forfeited Land – Becker [13-435]
2. Reclassification of State Tax Forfeited Lands to Non-Conservation (Alborn Township) [13-436]
3. Approval of Registered Land Survey No. 116 (Ellsburg Township) [13-437]
4. Contract Amendment with Northern Minnesota Recycling, Inc. [13-438]

Public Works & Transportation Committee – Commissioner Forsman, Chair

5. Establishment of No Parking Zone on CSAH 10/Strand Road (Lakewood Township) [13-439]
6. Additional Work Associated with Crack Sealing CSAH Routes – CP 187560 [13-440]

Finance & Budget Committee – Commissioner Raukar, Chair

7. 2013 Third Quarter Budget Changes [13-441]
8. Abatement List for Board Approval [13-442]

Public Safety & Corrections Committee – Commissioner Miller, Chair

9. Authorization to Accept the Minnesota Art Learning Grant [13-443]
10. Renew Agreement for Housing Inmates at the St. Louis County Holding Facility in Hibbing [13-444]

ESTABLISHMENT OF PUBLIC HEARINGS:

Finance & Budget Committee – Commissioner Raukar, Chair

11. Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License – Beatty Township (9:40 a.m., Tuesday, November 26, 2013, City Council Chambers, City Hall, Hibbing, MN) [13-445]

REGULAR AGENDA:

For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

1. **Civil Service Basic Unit Bargaining Agreement 2012-2014 [13-446]**
Resolution authorizing the 2012-2014 Civil Service Basic Unit bargaining agreement.

2. **Merit System Basic Unit Bargaining Agreement 2012-2014 [13-447]**
Resolution authorizing the 2012-2014 Merit System Basic Unit bargaining agreement.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

At this time, Commissioners may introduce items for discussion or report on past and future activities.

ADJOURNED:

Because there is no Board meeting scheduled for October 29, the County Board may reconvene to address these agenda items.

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

November 5, 2013 Commissioners' Conference Room, Courthouse, Duluth, MN

November 12, 2013 Fredenberg Town Hall, 5104 Fish Lake Road, Duluth, MN

November 26, 2013 City Council Chambers, City Hall, 401 East 21st Street, Hibbing

BARRIER FREE: *All St. Louis County Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual needs for special services. Please contact St. Louis County Property Management (218-725-5085) early so necessary arrangements can be made.*

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Tuesday, October 8, 2013

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Jewell, Miller, Forsman, Stauber, Nelson, and Chair Dahlberg

Absent: Commissioner Raukar

Convened: Chair Dahlberg called the meeting to order at 10:44 a.m.

CONSENT AGENDA

Forsman/Jewell moved to approve the consent agenda. The motion passed. (6-0)

- Minutes of October 1, 2013
- Request for Conveyance of State of Minnesota Tax Forfeit Land (Duluth Township) [13-423]
- Amendment to Road Maintenance Agreement with the City of Duluth [13-424]
- Award 2013 Emergency Solutions Grant [13-425]
- Sale of Fee Land (Solway Township) [13-426]
- Partial Liquor License Fee Refund – Junction Bar & Grill (Unorganized Township 61-13) [13-427]
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – Crossroads Convenience and Liquor Store (Clinton Township) – 9:40 a.m., Tuesday, November 5, 2013, St. Louis County Courthouse, Duluth, MN [13-428]
- Establish Public Hearing to Consider Allegations of Liquor Law Violation –Vermilion Fairways (Beatty Township) – 9:45 a.m., Tuesday, November 5, 2013, St. Louis County Courthouse, Duluth, MN [13-429]

REGULAR AGENDA

Public Works & Transportation

Forsman/Nelson moved that the St. Louis County Board authorizes extra work related to work on County Project 8175/SAP 69-603-011 in the amount of \$234,867 for rehabilitation of surrounding CSAH roads performed by Fahrner Asphalt Sealers, LLC. After further discussion, the motion passed. (6-0)

Central Management & Inter-Governmental

Jewell/Nelson moved that the St. Louis County Board directs the Human Resources Department to develop and administer procedures necessary to conduct pre-employment background checks consistent with the provisions of the 2013 Criminal Offenders/Rehabilitation Act.

St. Louis County Human Resources Director Jim Gottschald discussed pre-employment background checks. After further discussion, the motion passed. (6-0)

Jewell/Nelson moved that the St. Louis County Board directs the Human Resources Department to develop and administer employee training on respectful workplace, bullying and workplace violence to employees of St. Louis County. After further discussion, the motion passed. (6-0)

Jewell/Miller moved that the St. Louis County Board adopts the amended Smoke and Tobacco Free Workplace Policy. The previous No-Smoking and Smoking Cessation Reimbursement Board Resolutions (Resolutions No. 88-148 and 94-271) and policies are hereby rescinded. The motion passed. (6-0)

Jewell/Miller moved that the St. Louis County Board approve the revised Discrimination, Harassment and Retaliation Policy. It is further recommended that the County Board rescind Resolutions No. 87-103 (Sexual Harassment Policy), 02-102 (Discrimination), and 05-494 (Policy Prohibiting Discrimination, Harassment, and Retaliation, Including Complaint Procedure). The motion passed. (6-0)

A discussion was had regarding the appropriate protocol for the introduction of specific items by individual Commissioners for full Board consideration and action. St. Louis County Deputy Administer Gary Eckenberg provided flow charts detailing the protocol for the Introduction of Resolutions for County Board Action and the Protocol for Resolutions to be placed on the Committee of the Whole Agenda.

COMMISSIONER DISCUSSION ITEMS

Commissioner Nelson discussed the amount of claims the Extension Office has seen as a result of timber wolf kills. Commissioner Nelson discussed a recent National Geographic article that detailed ecological damage in Third-World Countries.

Commissioner Jewell expressed concerns about ecological damage as a result of mining.

Commissioner Stauber thanked the Board for their willingness to hold Board meetings in each Commissioner's district.

At 12:41 p.m., Nelson/Jewell moved to adjourn the Committee of the Whole meeting. (6-0)

Chris Dahlberg, Chair of the County Board

Phil Chapman, Clerk of the County Board

Driveway Easement Request across State Tax Forfeited Land – Becker

BY COMMISSIONER _____

WHEREAS, Daniel J. Becker, Rosemary Becker and John Becker have requested a non-exclusive easement across state tax forfeited land for a driveway; and

WHEREAS, Exercising this easement will not conflict with public use of the land; and

WHEREAS, Minn Stat. § 282.04, Subd. 4 (a) authorizes the County Auditor to grant easements for such purchases;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04 Subd. 4 (a), to grant a non-exclusive easement to Daniel J. Becker, Rosemary Becker and John Becker described as follows:

A 33 foot wide Permanent Easement for ingress and egress across part of Section 35, Township 55 North, Range 15 West of the 4th Principal Meridian. The centerline of the Driveway Easement is described as follows:

Commencing at the West Quarter Corner of Section 35. T55N. R15W of the 4th Principal meridian; thence North 28 degrees 37 minutes 09 seconds East 198.32 feet to the Point of Beginning; thence North 82 degrees 38 minutes 35 seconds West 11.05 feet; thence South 87 degrees 32 minutes 00 seconds West 12.10 feet; thence South 86 degrees 20 minutes 40 seconds West 24.50 feet; thence North 89 degrees 34 minutes 55 seconds West 12.65 feet; thence South 80 degrees 48 minutes 20 seconds West 31.65 feet; thence South 73 degrees 37 minutes 25 seconds West 19.00 feet to the West Line of Section 35, T55N, R15W of the 4th Principal Meridian and there terminating.

The sidelines of said easement shall be prolonged or shortened to the West line of Section 35 and also to the Westerly Right of Way Line of Comstock Lake Road (County Road 547).

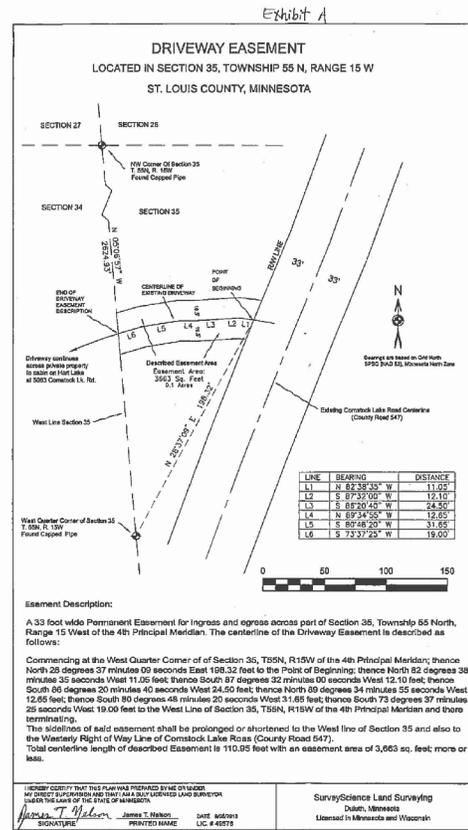
Total centerline length of described Easement is 110.95 feet with an easement area of 3,663 sq. feet; more or less.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$100 land use fee, \$50 administration fee, and \$46 recording fee; for a total of \$196, to be deposited into Fund 240 (Forfeited Tax Fund).

St. Louis County Land Department Request for Easement on State Tax Forfeited Land

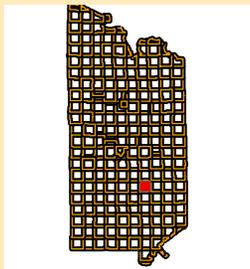
A 33 foot wide Permanent Easement for ingress and egress across part of Section 35, Township 55 North, Range 15 West of the 4th Principal Meridian.

Parcel #662-0010-05266



Fourth Commissioner District

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land Department**



9/29/13

2003 NAIP Photo

BOARD LETTER NO. 13 - 436

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: October 22, 2013 **RE:** **Reclassification of State Tax
Forfeited Lands to Non-
Conservation (Alborn Township)**

FROM: **Kevin Z. Gray
County Administrator**

**Mark Weber, Director
Land and Minerals**

RELATED DEPARTMENT GOAL:

To provide financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the reclassification of state tax forfeited lands as non-conservation.

BACKGROUND:

Pursuant to Minn. Stat. § 282.01, Subd. 1, all parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation.

The following parcels located in the Town of Alborn forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation:

205-0010-06170	T52 R18 S35	That part of SW 3 of NW 3 Lying E of RY R of W
205-0010-06190	T52 R18 S35	SE 3 of NW 3 Ex SE 3 of SE 3 Lying E of RY

The Land and Minerals Department has determined that the parcels are suitable for private ownership and is recommending that they be reclassified as non-conservation.

RECOMMENDATION:

It is recommended that the St. Louis County Board reclassify the described state tax forfeited parcels as non-conservation.

**Reclassification of State Tax Forfeited Lands to Non-Conservation
(Alborn Township)**

BY COMMISSIONER _____

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The following parcels located in the Town of Alborn forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation:

205-0010-06170	T52 R18 S35	That part of SW 3 of NW 3 Lying E of RY R of W
205-0010-06190	T52 R18 S35	SE 3 of NW 3 Ex SE 3 of SE 3 Lying E of RY

WHEREAS, The Land and Minerals Department has recommended that the parcels be reclassified as non-conservation after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described here shall be reclassified as non-conservation, and the request for approval of the reclassification shall be transmitted by the Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.



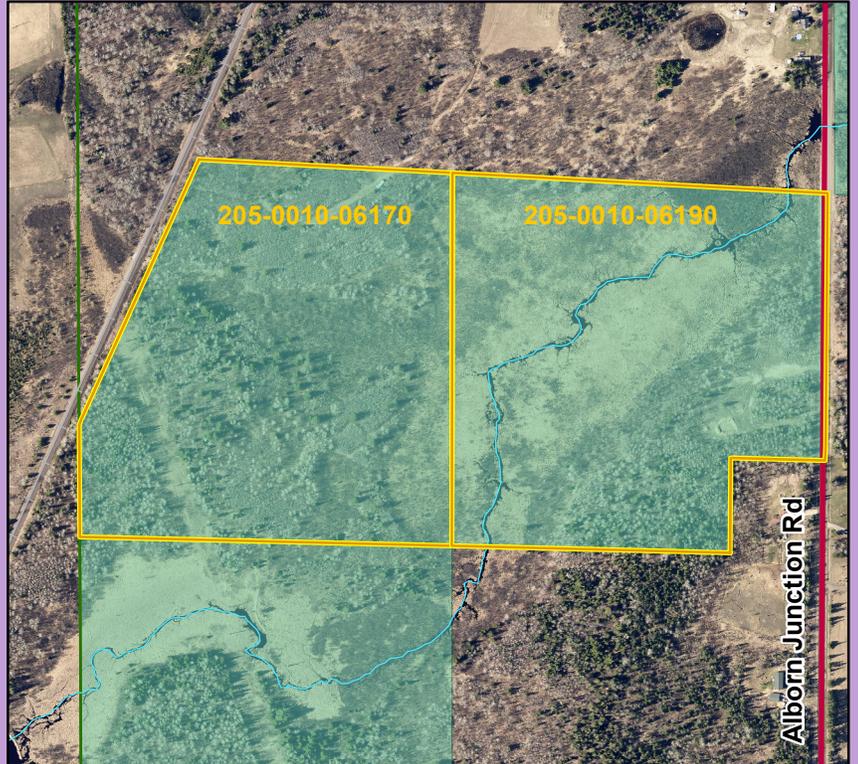
St. Louis County Land and Minerals Department

Reclassification of State Tax Forfeited Land as Non-Conservation

Town of Alborn

THAT PART OF SW 1/4 OF NW 1/4
 LYING E OF THE RY R OF W
 SEC 35 TWP 52 RGE 18
 Parcel Code: 205-0010-06170

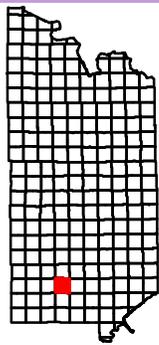
SE 1/4 OF NW 1/4 EX SE1/4 OF SE1/4
 LYING E OF RY
 SEC 35 TWP 52 RGE 18
 Parcel Code: 205-0010-06190



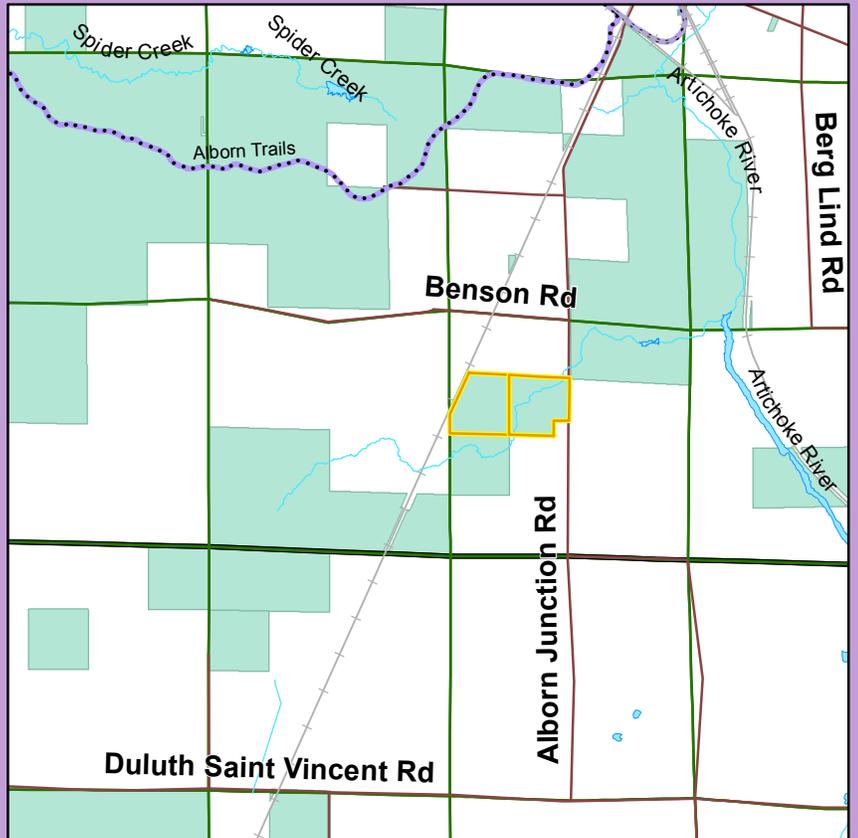
Town of Alborn Section 35 Township 52 Range 18

Commissioner District # 7

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota



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St. Louis County
Land and Minerals Department
October 2013

BOARD LETTER NO. 13 - 437

ENVIRONMENT & NATURAL RESOURCES COMMITTEE
CONSENT NO. 3

BOARD AGENDA NO.

DATE: October 22, 2013 **RE:** Approval of Registered Land
Survey No. 116 (Ellsburg
Township)

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

RELATED DEPARTMENT GOAL:

Promptly record real estate documents in accordance with Minnesota Statutes and county policies.

ACTION REQUESTED:

The St. Louis County Board is requested to grant final approval to Registered Land Survey Number 116.

BACKGROUND:

Pursuant to Minn. Stat. § 508.47, the Registrar of Titles is authorized to require a Registered Land Survey to re-name parcels where legal descriptions have become unmanageable. Short, Elliot, Hendrickson has submitted the final prints which have been approved by the County Surveyor and the Examiner of Titles. Registered Land Survey Number 116 is located in Government Lot 1, Section 34, Township 55 North, Range 16 West and Government Lot 4, Section 35, Township 55 North, Range 16 West (Ellsburg Township).

RECOMMENDATION:

It is recommended that the St. Louis County Board grant final approval to Registered Land Survey Number 116.

Approval of Registered Land Survey No. 116 (Ellsburg Township)

BY COMMISSIONER _____

WHEREAS, The Registrar of Titles is authorized to require Registered Land Survey Number 116 pursuant to Minn. Stat. § 508.47; and

WHEREAS, The County Surveyor and Examiner of Titles have approved Registered Land Survey Number 116; and

WHEREAS, The final prints have been submitted for filing;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to Registered Land Survey Number 116 located in Government Lot 1, Section 34, Township 55, Range 16 and Government Lot 4, Section 35, Township 55, Range 16 (Ellsburg Township).

Environmental Services is requesting that the contract with NMR be increased for the processing and administration portion of the contract by \$1,465.50 per month. This will increase the fixed monthly payment to \$28,874.86. The fixed monthly fee will be adjusted on an annual basis with a cost of living increase. There will be no change in the haulage portion of the contract or other expenses included in this contract.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an amendment to the current agreement with Northern Minnesota Recycling, Inc. to increase the processing and administration portion of the contract by \$1,465.50 per month. Funding is available in Fund 600 Agency 601004.

Contract Amendment with Northern Minnesota Recycling

BY COMMISSIONER _____

WHEREAS, The county operates a roll-off program to provide an opportunity for county residents to recycle; and

WHEREAS, The county operates a recyclable materials processing facility in Virginia to process and market recyclable materials generated in the St. Louis County Solid Waste Management Area; and

WHEREAS, Northern Minnesota Recycling, Inc. has a contract to haul, process and market recyclable materials for St. Louis County; and

WHEREAS, Environmental Services has added new materials to the county's recycling program which reduces waste that is deposited in the Regional Landfill; and

WHEREAS, The addition of the new recyclable materials will require Northern Minnesota Recycling, Inc. to add sort line staff;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to amend the contract with Northern Minnesota Recycling, Inc. to increase the processing and administration portion of the original agreement by \$1,465.50 per month, payable from Fund 600, Agency 601004.

BOARD LETTER NO. 13 - 439

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 5

BOARD AGENDA NO.

DATE: October 22, 2013 **RE:** Establishment of No Parking
Zone on CSAH 10/Strand Road
(Lakewood Township)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a no parking zone on both sides of County State Aid Highway (CSAH) 10/Strand Road in Lakewood Township.

BACKGROUND:

St. Louis County will replace a box culvert on Strand Road at an unnamed tributary to the Lester River as part of SAP 069-610-010, CP 0010-177718. This box culvert was damaged due to the June 2012 flood event. The project scope includes the reconstruction of Strand Road within the project limits to meet state aid design standards. These standards require a paved shoulder where no paved shoulder currently exists.

During the acquisition of right-of-way from an adjacent property owner, the property owner expressed concern about vehicles parking on the new paved shoulder and the risk that posed to vehicle traffic and pedestrians. As part of the right-of-way negotiation, St. Louis County committed to establishing a no parking zone on both sides of Strand Road within the limits of the project. The no-parking zone shall extend from a point approximately one-half mile west of the intersection of CSAH 10/Strand Road with CSAH 12/Lester River Road and shall extend from a point approximately 350 feet west of an unnamed tributary to the Lester River to a point approximately 250 feet east of the unnamed tributary.

RECOMMENDATION:

It is recommended that the St. Louis County Board establish a no parking zone for both sides of CSAH 10/Strand Road in Lakewood Township.

**Establishment of No Parking Zone on CSAH 10/Strand Road
(Lakewood Township)**

BY COMMISSIONER _____

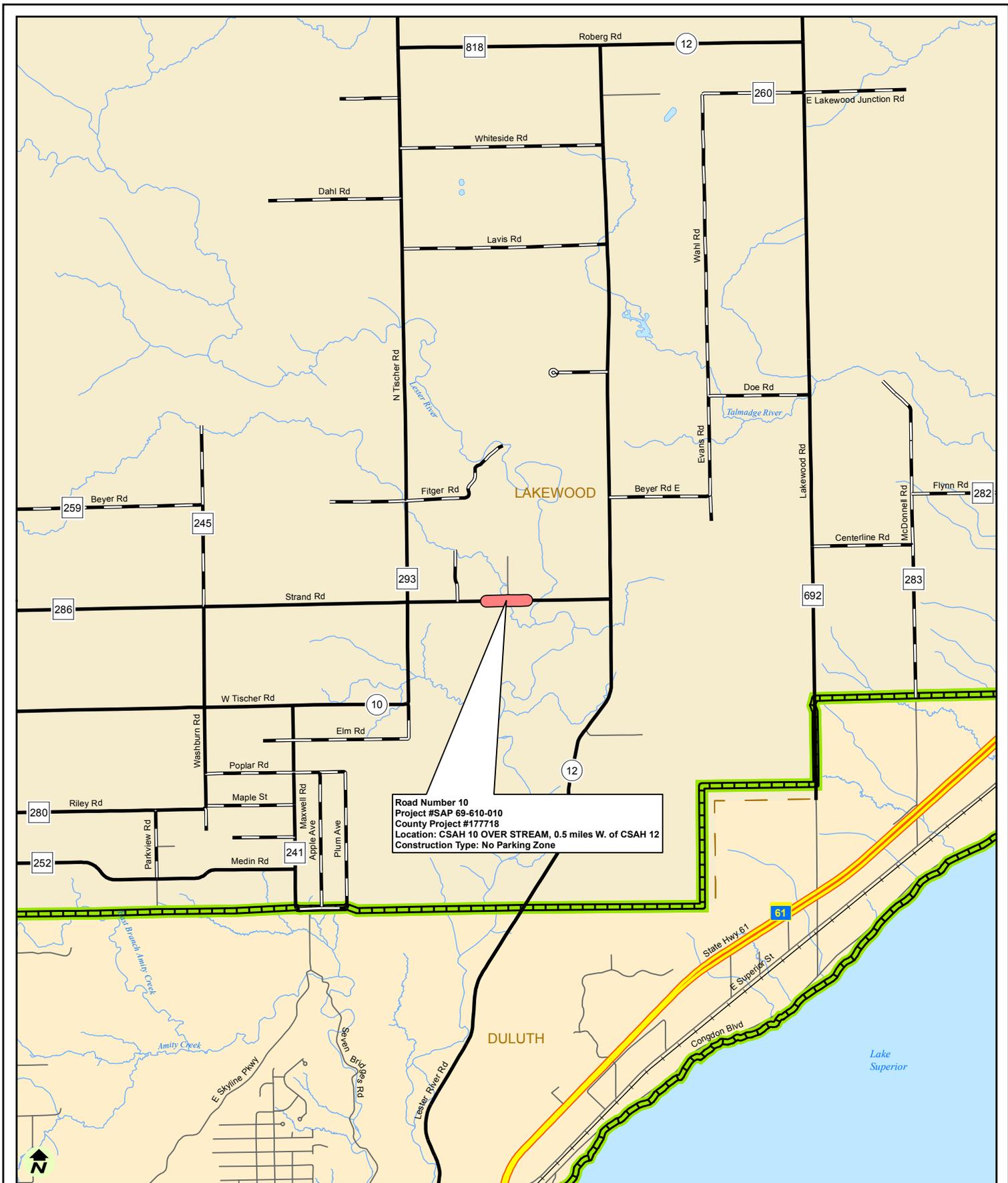
WHEREAS, St. Louis County will replace a box culvert on County State Aid Highway 10/Strand Road at an unnamed tributary to the Lester River as part of SAP 069-610-010, CP 0010-177718; and

WHEREAS, St. Louis County required additional right-of-way to replace the box culvert; and

WHEREAS, As part of the right-of-way negotiations, St. Louis County committed to the establishment of a no parking zone on both sides of Strand Road within the project limits; and

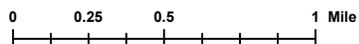
WHEREAS, The Public Works Department has reviewed this issue and has determined that a no parking zone is warranted at this location;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a no parking zone on both sides of County State Aid Highway 10/Strand Road approximately one-half mile west of the intersection with County State Aid Highway 12/Lester River Road extending from a point approximately 350 feet west of an unnamed tributary to the Lester River to a point approximately 250 feet east of the unnamed tributary, all within the Lakewood Township.



Road Number 10
 Project #SAP 69-610-010
 County Project #177718
 Location: CSAH 10 OVER STREAM, 0.5 miles W. of CSAH 12
 Construction Type: No Parking Zone

St. Louis County 2013 Road & Bridge Construction



Map Components

- | | | |
|---------------------------------|------------------------|-------------------|
| 2013 Road & Bridge Construction | County Road - Paved | Township Boundary |
| No Parking Zone | County Road - Gravel | City/Town |
| Interstate Highway | Local Road/City Street | Lake |
| U.S./State Highway | Railroad | River/Stream |
| Commissioner District | | |

The Supplemental Agreement with Fahrner Asphalt Sealers, LLC has been approved by the Minnesota Department of Transportation and is eligible for St. Louis County State Aid Funding.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the additional crack sealing work detailed in Supplemental Agreement No. 1, CP 187650/SAP 69-030-031 in the total amount of \$300,000, payable from Fund 220, Agency 220294, Object 652700.

**Additional Work Associated with Crack Sealing CSAH Routes –
County Project 187650**

BY COMMISSIONER _____

WHEREAS, A Supplemental Agreement was processed in the amount of \$288,213.92 on Project CP 187650/SAP 69-030-031 for crack sealing County State Aid Highways by Fahrner Asphalt Sealers, LLC; and

WHEREAS, The Supplemental Agreement has been approved by the Minnesota Department of Transportation and is eligible for State Aid Funding;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes additional work related to work on Project CP 187650/SAP 69-030-031 in the amount of \$300,000 for crack sealing County State Aid Highways, payable from Fund 220, Agency 220294, Object 652700.

APPENDIX C

St. Louis County Sole Procurement Justification

Competitive bidding is not required "When by reason of a copyright, patent, or exclusive franchise, purchases can be only made at a standard, fixed, or uniform price and no advantage can be secured by advertisement and competitive bidding because of the noncompetitive nature of the item to be purchased..."

This form must be approved by the Director of Purchasing for any sole source procurement estimated to exceed \$25,000. The purpose of this justification is to demonstrate why it is impractical or impossible to seek competitive bids for this purchase.

Estimated amount of this purchase \$ 300,000 Contract period _____

Please answer the following on a separate sheet in detail (referencing each question by number):

1. What is it about this purchase that makes it unique? (Patents/copyrights, need compatibility with existing – why?, space constraints, must match equipment with another public jurisdiction, consequences if this were put out for bid, etc.)
2. What steps have you undertaken to determine that this is the only product/service that will meet your particular needs? (professional opinions/correspondence, trade publications, trade shows, visits to, or correspondence with, other institutions that have installed the same product, other site visitations, etc.)
3. Will this purchase tie us to a particular vendor for future purchases? (Either in terms of maintenance that only this vendor will be able to perform and/or if we purchase this item, will we then need more "like" items in the future to match this one?)
4. On your attachment, please affirmatively state, "No other vendor can provide the same or a similar product/service," and enclose any other information which will help make the determination that this is a sole source procurement.

I am aware that Minnesota statutes require procurements to be competitively bid whenever practicable. The preceding statements are complete and accurate, based on my professional judgment and investigations. I also certify that no personal advantage will accrue to me or any member of my immediate family as a result of this procurement.

Director of Purchasing GARY ECKENBERG

Signature of Director of Purchasing GARY ECKENBERG

Contact person and phone number Brian Boder

Buyer assigned to project DONNA VISKOE

Date: 10/16/13

- 1) Public Works had a bid opening on 5/9/3013 to preform crack sealing on various County State Aid Highways (CSAH) in the county. Fahrner Asphalt was the low bidder. Please see the attached bid abstract. Public Works encountered trouble delivering another preventative maintenance project to chip seal various roads in the county and thus some CSAH funding became available to transfer between the projects. The transfer would allow Public Works to maximize our preventative maintenance program with an existing contract that was previously bid.

The request to transfer was made to Purchasing on July 18, 2012. The request was made because of the time lines associated with bidding a project. A verbal ok was given and the paper work was to follow in a Supplemental Agreement. The additional work was completed on September 25, 2013.

- 2)
To develop a plan that was adequate for bidding purposes would have taken about 1 week. Advertising requires 3 weeks and 10 days. That puts the bid opening at August 22, 2013. Allowing for Board approval and contracts would have been 4 weeks at the very best given the Board schedule for that period of time. A realistic project start date would be September 23rd, 2013. A \$300,000 contract would equate to 2 months worth of work and a mid-November completion. The manufactures requirements for the product state that the road surface must be 40 degrees and rising for application of the crack sealing material. This would have inevitably occurred in October and November. It would have required delayed starts for the contractor and thus an increased unit cost. It would also be questionable if the project could be completed in 2013. In addition, a different contractor would have had mobilization costs. By utilizing the existing contract, Public Works was able to invest the money into the road network and not the mobilization of equipment.

For the reasons stated above, the contractor should be considered a sole source.

- 3) The purchase of this product does not obligate Public Works to any future purchases / projects. .
- 4) No other contractor could have completed the project in the timelines put forth at a competitive price.



10/9/2013

**SLCPW
Project Bid Abstract**

Project Name: Sealing CSAH Roads, CP 0000- Contract No.: 187650
SAP 69-030-031, 2013 Crack

Client: Department **St. Louis County Public Works** **Project No.:** SAP 069-030-031

Bid Opening: 09/09/2013 10:00 AM **Owner:** Saint Louis County Public Works Department - Pike Lake

Line No.	Item	Units	Quantity	Fahmer Asphalt Sealers, LLC - Eau Claire		Interstate Improvement		Winding Road Construction		Asphalt Surface Tech Corp-ASTECH	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	CRACK REPAIR SPECIAL	POUND	118868	\$2.72	\$317,880.96	\$2.75	\$321,387.00	\$2.98	\$348,266.64	\$3.39	\$396,182.52
Totals for Project SAP 069-030-031					\$317,880.96		\$321,387.00		\$348,266.64		\$396,182.52

I hereby certify that this is an exact reproduction of bids received.

Certified By: _____ License No. _____
 Date: _____

2013 Third Quarter Budget Changes

BY COMMISSIONER: _____

WHEREAS, All increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, Departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, Proposed budget adjustments are levy neutral;

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

1. Use of Recorder's Technology Fund balance to purchase tablets, tablet accessories, miscellaneous hardware and software (\$15,000.00).
2. Use of missing heirs fund balance to pay missing heirs claim (\$3,330.12).
3. Use of Sheriff Federal Forfeitures fund balance for Boundary Waters Drug Task Force replacement vehicle (\$13,475.00).
4. Add Public Works expense and revenue budget for State of Minnesota/Wisconsin Central Limited share of CP 127-200446 (City of Iron Junction railroad crossing closure) originally approved by Resolution No. 12-569 and Resolution No. 12-570 (\$100,000.00).
5. Reallocation in Public Works of vacant Engineering Technician Senior to Engineering Technician, and reduction of expense budget to reflect six months of savings (\$4,598.30).
6. Increase Public Health & Human Services (PHHS) revenue and expense budget for Minnesota Family Investment Program Innovation Fund grant, which is an allocation that St. Louis County will pass along to Community Action Duluth and Arrowhead Economic Opportunity Agency to work with Minnesota Family Investment Program and Diversionary Work Program clients to get their GEDs before the tests change on January 1, 2014 (\$25,000.00).
7. Increase Public Health & Human Services revenue and expense budget for Health Information Exchange grant to purchase equipment that will enable PHHS to share information electronically with St. Luke's Hospital (\$25,000.00).
8. Transfer Public Health and Human Services fund balance assigned for Government Services Center remodel to capital projects fund to purchase furniture (\$737,450.00).
9. Increase revenue and expense budget for Northern Lights Express pass-through grant to reflect additional federal funds received for this project, which the county is required to report because St. Louis County is named on the grant agreement (\$2,715.79).
10. Increase capital projects revenue and expense budget to allow spending of revenue received from the Minnesota Sixth Judicial District for Hibbing Courthouse security cameras (\$8,500.00)
11. Increase capital projects revenue and expense budget to allow spending of unexpected energy rebate (\$6,375.76).
12. Use of Motor Pool fund balance for Duluth facility tuck point/window replacement overage (\$682.68).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	121002	634800			15,000.00					
	100	999999	311014								(15,000.00)
2	161	161001	653000			3,330.12					
	161	999999	311017								(3,330.12)
3	172	999999	311047								(13,475.00)
	172	172001	666200			13,475.00					
4	200	203300	583100						(100,000.00)		
	200	203300	695100			100,000.00					
5	200	200008	610100			(4,002.00)					
	200	200008	616200			(290.15)					
	200	200008	617100			(306.15)					
	200	200008	311200					4,598.30			
6	230	232020	540213	23216	2013				(25,000.00)		
	230	232020	603800	23216	2013	25,000.00					
7	230	233999	530522	23324	2013				(25,000.00)		
	230	233999	629900	23324	2013	25,000.00					
8	230	999999	311404								(737,450.00)
	230	230099	697600				737,450.00				
	400	400037	590100							(737,450.00)	
	400	400037	664600			737,450.00					
9	295	295999	540706	29501	2010				(2,715.79)		
	295	295999	629900	29501	2010	2,715.79					
10	400	400014	583100						(8,500.00)		
	400	400014	663100			8,500.00					
11	400	400015	545137						(6,375.76)		
	400	400015	663100			6,375.76					
12	715	999999	311202								(682.68)
	715	715010	630900			682.68					

BOARD LETTER NO. 13 - 442

FINANCE & BUDGET COMMITTEE CONSENT NO. 8

BOARD AGENDA NO.

DATE: October 22, 2013 **RE:** Abatement List for Board Approval

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

David L. Sipila
County Assessor

RELATED DEPARTMENT GOAL:

The County Assessor will meet all state mandates for classifying and valuing taxable parcels for property tax purposes as outlined in Minn. Stat. § 270 through 273.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the attached abatements.

BACKGROUND:

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 861, dated November 30, 1993, outlining the Board's policy on abatement of ad valorem taxes. This Policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the attached list of abatements.

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.

10/11/2013
4:42:17PM

Abatements Submitted for Approval by the St. Louis County Board
on 10/22/2013

<u>PARCEL CODE</u>	<u>AUD NBR</u>	<u>NAME</u>	<u>TYPE</u>	<u>LOCATION</u>	<u>APPRAISER</u>	<u>REASON</u>	<u>YEAR</u>	<u>REDUCTION</u>
10 2890 840	0 14954	ADOLPHSON, RYAN	R	City of Duluth	Lana Anderson	HOMESTEAD	2013	407.28
375 10 5407	0 14955	AHO, BRADLEY	R	Gnesen	Noah Mittlefehldt	HOMESTEAD	2013	321.28
450 45 140	0 14968	DEBARTOLO, TERRY	R	Midway	Dave Christensen	HOMESTEAD	2013	306.00
10 4110 1140	9068 14956	ERICHSEN, DUSTIN	M	City of Duluth	Mike Busick	HOMESTEAD	2013	41.44
580 10 2995	0 14963	FLANNIGAN, KYLE	R	Wuori	Jan Jackson	HOMESTEAD	2013	604.20
10 3360 250	0 14969	GALESKI, VIVIAN	R	City of Duluth	Cory Leinwander	HOMESTEAD	2013	326.92
698 71 40	0 14966	HARMS, BRENT	R	63-17	Dan Christensen	VALUATION	2013	55.22
385 70 120	0 14965	MATTSON, JOSEPH	R	Great Scott	Brian Grahek	VALUATION	2012	203.50
385 70 120	0 14964	MATTSON, JOSEPH	R	Great Scott	Brian Grahek	VALUATION	2013	217.00
175 10 1190	0 14970	NEWBERG, ERIC	R	Mt. Iron	Brian Grahek	HOMESTEAD	2013	370.98
380 160 430	0 14957	PICKAR, JOAN	R	Grand Lake	Lana Anderson	HOMESTEAD	2013	207.66
10 2730 265	10401 14958	SALO, TERRY	M	City of Duluth	Mike Busick	HOMESTEAD	2013	21.78
10 4110 1140	0257 14959	SCHLANDER, THOMAS	M	City of Duluth	Mike Busick	HOMESTEAD	2013	331.62
495 10 4390	0 14967	SCHLOTEC, THOMAS A	R	Owens	Brian Grahek	VALUATION	2013	265.40
140 270 1860	5560 14960	WALTERS, EDWARD	M	Hibbing	Patrick Orent	HOMESTEAD	2013	114.06
10 3730 1710	0 14961	WALTERS, ZACH	R	City of Duluth	Bruce Eichorn	HOMESTEAD	2013	371.88
395 10 7680	0 14962	YOUNGREN ALEX	R	Hermantown	Noah Mittlefehldt	HOMESTEAD	2013	306.84

BOARD LETTER NO. 13 - 443

PUBLIC SAFETY & CORRECTIONS COMMITTEE

CONSENT NO. 9

BOARD AGENDA NO.

DATE: October 22, 2013

RE: Authorization to Accept the
Minnesota Art Learning Grant

FROM: Kevin Z. Gray
County Administrator

Ross Litman
Sheriff

RELATED DEPARTMENT GOAL:

To enhance public safety.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize acceptance of the 2014 Minnesota Art Learning Grant.

BACKGROUND:

The State of Minnesota has made monies available through the Minnesota State Arts Board to provide additional programming to the inmates at the St. Louis County Jail. The grant will pay for a program at the jail for inmates to learn, practice, and internalize cognitive restructuring skills through participation in a curriculum developed by teaching artist, Angie Frank.

On October 1, 2013, the St. Louis County Board adopted Resolution No. 13-608, approving an application for the 2014 Minnesota Art Learning Grant in the amount of \$33,800. The Sheriff's Office will provide an in-kind match in employee salary and transportation equivalent to \$1,650, for a total of \$35,450.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize acceptance of the 2014 Minnesota Art Learning grant in the amount of \$33,800, to be accounted for in Fund 100, Agency 137999, Grant 13701, Year 2013.

Authorization to Accept the Minnesota Art Learning Grant

BY COMMISSIONER _____

WHEREAS, The Minnesota State Art Board has made monies available to the St. Louis County Jail for inmates to learn, practice, and internalize cognitive restructuring skills through participation in a curriculum developed by teaching artist, Angie Frank; and

WHEREAS, On October 1, 2013, the St. Louis County Board adopted Resolution No. 13-608, approving an application for the 2014 Minnesota Art Learning Grant in the amount of \$33,800;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes acceptance of the 2014 Minnesota Art Learning Grant in the amount of \$33,800, to be accounted for in Fund 100, Agency 137999, Grant 13701, Year 2013.

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

GRANT APPROVAL FORM

GRANT NAME: 2014 Minnesota Art Learning GRANT AMOUNT: 33,800

GRANTOR: Minnesota State Art Board MATCH AMOUNT: 1,650 - In Kind

FUND: 100 AGENCY: 137999 GRANT: 13701 GRANT YEAR: 2013

AGENCY NAME: Sheriff

CONTACT PERSON: Dawn Sathers PHONE: 218-726-2389

GRANT PERIOD: BEGIN DATE: 11/01/13 END DATE: 10/31/14

STATE GRANT AWARD NUMBER OR FEDERAL CFDA # grant number 742

FILL IN THE ABOVE INFORMATION ON THIS FORM AND IDENTIFY THE CATEGORY OF THE GRANT FROM THE CHOICES BELOW. ATTACH THIS FORM TO THE GRANT APPLICATION AND ANY OTHER PERTINENT OTHER DOCUMENTATION AND ROUTE THE PACKET TO THE INDIVIDUALS LISTED FOR THE TYPE OF GRANT.

IT IS ESSENTIAL THAT DEPARTMENTS SUBMIT THE COMPLETED APPROVAL FORM ON THOSE GRANTS THAT DO NOT REQUIRE BOARD RESOLUTION TO THE AUDITOR'S OFFICE ACCOUNTING DEPARTMENT FOR BUDGETING PURPOSES. NO GRANT ACTIVITY WILL BE RECORDED WITHOUT AN ESTABLISHED BUDGET.

GRANTS OF \$25,000 OR LESS

A grant of \$25,000 or less may be applied for and/or accepted by the department without a separate County Board Resolution if it meets the following:

1. The grant fits within the department's functions, and
2. If the grant requires a County match (not to exceed in money or value an amount equal to the actual grant), and if that match is "in kind", that "in-kind" match is part of the ongoing operations, or if the match is monetary, that the department can find the necessary amount within its existing budget.

DOES THIS GRANT QUALIFY UNDER "GRANTS OF \$25,000 OR LESS"?

YES NO

If so, this type of grant requires the following review approval:

County Auditor	<input type="text"/>	Date:	<input type="text"/>
County Administrator	<input type="text"/>	Date:	<input type="text"/>
County Attorney	<input type="text"/>	Date:	<input type="text"/>

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this signed approval form and any other pertinent information to the Auditor's Office-Accounting, so the budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.

NEW GRANTS GREATER THAN \$25,000

All new grants that exceed \$25,000 and all recurring grants that exceed \$25,000 that contain changes in the grant's requirements which may affect either County resources or the scope of the grant need two (2) board resolutions. One board resolution is required to apply for the grant and a second resolution is required to accept the grant.

DOES THIS GRANT QUALIFY UNDER "GRANTS GREATER THAN \$25,000"?

YES NO

If this is a new grant greater than \$25,000, it requires the following review approval:

County Auditor *Q. D. Rickard* Date: 10-16-13
County Administrator *Sam J. Keeney* Date: 10-17-13

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this completed approval form and the Board Resolution to the Auditor's Office-Accounting, so a budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.

RECURRING GRANTS GREATER THAN \$25,000

A recurring grant greater than \$25,000 that is a repeat of a grant which has been received by the County in past year(s) and that has no changes in the use of County resources or in the scope of the grant, requires one Board Resolution to both apply for and/or accept the grant.

DOES THIS GRANT QUALIFY AS "RECURRING GRANTS GREATER THAN \$25,000"?

YES NO

If yes, this recurring grant greater than \$25,000 requires the following review approval:

County Auditor _____ Date: _____
County Administrator _____ Date: _____

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this completed approval form and the Board Resolution to the Auditor's Office-Accounting, so a budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.

**Renew Agreement for Housing Inmates at the
St. Louis County Holding Facility in Hibbing**

BY COMMISSIONER _____

WHEREAS, St. Louis County owns and operates the Hibbing Holding Facility in Hibbing, Minnesota; and

WHEREAS, In 2003 the City of Hibbing and St. Louis County entered into an agreement to provide continuous operation of the Holding Facility twenty-four hours per day, seven days per week; and

WHEREAS, On April 5, 2011, the St. Louis County Board adopted Resolution No. 11-161 renewing the agreement through December 31, 2013; and

WHEREAS, The parties wish to continue this mutually beneficial arrangement;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to renew an agreement between the City of Hibbing and St. Louis County for housing inmates at the St. Louis County Holding Facility in Hibbing, Minnesota, in the amount of \$66,000 per year for the period January 1, 2014 through December 31, 2018, to be accounted for in Fund 100, Agency 129001, Revenue 551504;

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

**Establish Public Hearing to Consider Off-Sale Intoxicating
Liquor License (Beatty Township)**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:40 a.m. on November 26, 2013, in the Hibbing City Council Chambers, Hibbing, Minnesota, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to MSO & ALS L. L. C. d/b/a The Landing, Beatty Township.

Compensation above their maximum, or receive payoff of sick leave hours above their maximum upon retirement.

The 2012-2014 collective bargaining agreement also provides language that requires Department Head approval for Union Representatives to have access to the Employer's premises and a re-opener for the limited purpose of negotiating proposed benefit changes to the county's health insurance plan.

Lastly, the contract provides for an updated Supplemental Labor Agreement that covers the Information Technology Department relating to remote support and standby pay for IT support of critical life safety systems. The standby duty compensation is increased from \$3.00 to \$3.65 per hour (and from \$5.00 to \$5.90 per hour on holidays) effective December 17, 2011. Remote Support calls after 8:00 am until 4:30 pm are subject to minimum compensation of 1 hour at time and one half; after 4:30 pm until 8:00 am, 2 hours at time and one half.

On holidays employees receive double time and one half instead of compensation at time and one half. Employees may be assigned not more than one week out of every six weeks. An employee can't be assigned an involuntary stand-by assignment for more than two years without a break of one year. Qualified, eligible employees who volunteer, shall be appointed in the order of seniority. In the case of involuntary assignment, assignment of qualified, eligible employees shall be in reverse order of seniority.

RECOMMENDATION:

It is recommended that the St. Louis County Board ratify the 2012-2014 Civil Service Basic Unit collective bargaining agreement and authorize the appropriate county officials to execute a written agreement consistent with negotiations.

Civil Service Basic Unit Bargaining Agreement 2012-2014

BY COMMISSIONER _____

RESOLVED, that the 2012-2014 Civil Service Basic 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. _____.

The 2012-2014 collective bargaining agreement also provides: language that requires Department Head approval for Union Representatives to have access to the Employer's premises; a re-opener for the limited purpose of negotiating proposed benefit changes to the county's health insurance plan and pay off of compensatory time be limited to employees who are precluded from use of compensatory time throughout the year.

RECOMMENDATION:

It is recommended that the St. Louis County Board ratify the 2012-2014 Merit System Basic Unit collective bargaining agreement and authorize the appropriate county officials to execute a written agreement consistent with negotiations.

Merit System Basic Unit Bargaining Agreement 2012-2014

BY COMMISSIONER _____

RESOLVED, that the 2012-2014 Merit System Basic 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. _____.