



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

March 25, 2014

Immediately following the Board Meeting, which begins at 9:30 A.M.
Joint Public Works Facility, 2210 East Sheridan, Ely, MN

DIRECTIONS: Highway 53 North through Virginia, merge onto MN 169 North toward Ely. MN/169 becomes Sheridan Street. Proceed through town to 2210 East Sheridan, facility is on the right.

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 March 11, 2014

Health & Human Services Committee, Commissioner Stauber, Chair

1. Day Training & Habilitation and Semi-Independent Living Services Contract Amendments [14-108]

Environment & Natural Resources Committee, Commissioner Dahlberg, Chair

2. Final Plat Approval Stoney Point Cottages (Duluth Township) [14-109]
3. Contract for Management and Recycling of Used Tires with Liberty Tire Recycling, LLC [14-110]
4. Award of Bid: Broadcast Application of Herbicides [14-111]
5. Repurchase of State Tax Forfeited Land – Lilli, Nelson, Fink, Estate of Sundahl, Bildeaux, Tony's Construction [14-112]
6. Special Sale to Duluth ISD No. 709 [14-113]
7. Roadway Easement across State Tax Forfeited Land to Stuart Swanstrom [14-114]

Public Works & Transportation Committee, Commissioner Raukar, Chair

8. Agreements for 2014 Maintenance Striping (Lake County and the City of Virginia) [14-115]
9. Agreements for 2014 Crack Sealing (Babbitt, Biwabik, Chisholm, Floodwood and Grand Lake and Rice Lake Townships) [14-116]

Finance & Budget Committee, Commissioner Nelson, Chair

10. Orr Area Minneonto II, Inc. – Lease Agreement Extension [14-117]
11. Upgrade of Storage Area Network Hardware and Software [14-118]
12. Parking Lease – U.S. Coast Guard Duluth Station [14-119]

Central Management & Inter-Governmental Committee, Commissioner Jewell, Chair

13. Compensation for Services to the Law Library Board 2014 – 2018 [14-120]

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.

Public Works & Transportation Committee, Commissioner Raukar, Chair

1. Award of Bids for a Reclaim, Overlay and Bridge Replacement on CSAH 89 (Duluth and Hermantown) [14-121]

Bids were opened on Thursday, March 20th. Bid results and a recommendation for consideration will be provided at the March 25th Committee of the Whole Meeting.

2. **Award or Bids – Crack Seal and Repairs, Edgeline and Centerline Markings and Reclaim and Overlay Projects (Various cities and Townships, and Lake County) [14-122]**
 - A. Resolution awarding bids for crack seal and repairs and fog seal projects in various St. Louis County cities and townships and Lake County.
 - B. Resolution awarding bids for ground in wet reflective edgeline and centerline markings in various county state aid highways in St. Louis County.
 - C. Resolution awarding bids for a reclamation and bituminous surfacing project in Rice Lake Township.
 - D. Resolution awarding bids for a reclamation and bituminous surfacing project in Midway Township.

Finance & Budget Committee, Commissioner Nelson, Chair

1. **Government Services Center Remodel – Contract for Planning, Design and Coordinating Swing Space Moves [14-123]**

Resolution authorizing an agreement with Suit LLC of Duluth, MN for services involved in the moving of staff throughout the Government Services Center remodeling project.
2. **Law Library Relocation Construction Services Agreement – Duluth Courthouse [14-124]**

Resolution authorizing a project construction agreement with Kaski Inc., of Duluth, MN for construction services for the relocation of the Law Library within the Duluth Courthouse.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

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

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

April 1, 2014	Commissioners' Conference Room, Courthouse, Duluth, MN
April 8, 2014	Midway Town Hall, 3230 Midway Road, Duluth, MN
April 22, 2014	Gilbert City Hall, 16 South Broadway, Gilbert, MN

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, March 11, 2014

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Jewell, Boyle, Nelson, Raukar and Vice-Chair Stauber

Absent: Commissioner Dahlberg and Chair Forsman

Convened: Vice-Chair Stauber called the meeting to order at 11:51 a.m.

CONSENT AGENDA

Nelson/Jewell moved to approve the consent agenda without Item #8, City of Orr Infrastructure Project [14-96]. The motion passed. 5-0 (Dahlberg, Forsman absent)

- Minutes of February 25, 2014
- Health and Human Service Annual Conference Facility Payment [14-89]
- CY 2014 Detoxification and Hold Services Contracts [14-90]
- Internal Document Management System (IDMS) Planning for Public Health & Human Services – Phase 2 [14-91]
- Administration of Grant for the Northeast Minnesota Project to End Long-Term Homelessness [14-92]
- Repurchase of State Tax Forfeited Land – Karjala, Voigt, North Shore Bank of Commerce, Johnson, Dilley [14-93]
- Request for 2014 State Aid Advance [14-94]
- Abatement List for Board Approval [14-95]
- Parking Lot Repairs – Hibbing Courthouse [14-97]

REGULAR AGENDA

Commissioner Dahlberg entered the meeting at 11:54 a.m.

Finance & Budget Committee

Nelson/Raukar moved to authorize a grant of \$125,000 from Economic Development Funds - MIF repayments to the city of Orr for an infrastructure project and authorizes the Planning and Community Development Director and County Attorney to execute the grant agreement on behalf of the county, along with all the necessary related documents [14-96]. Joel Astleford, City of Orr Mayor, discussed the project. After further discussion, the motion passed. 6-0 (Forsman absent)

Public Works & Transportation Committee

Stauber/Jewell moved to award a bid to Asphalt Surface Tech. Corp. (ASTECH), of St. Cloud, MN, in the amount of \$1,102,605.18 for project SAP 069-030-034, CP 0000-205954 (Micro Surfacing) [14-98]. The motion passed. 6-0 (Forsman absent)

Raukar/Nelson moved that the St. Louis County Board authorizes the purchase of “Base One” material for the 2014 Gravel Road Investment Program from Team Lab Chemical Corporation of Detroit Lakes, MN, for \$114,537.50 [14-99]. The motion passed. 6-0 (Forsman absent)

Finance & Budget Committee

Nelson/Jewell moved that the St. Louis County Board authorizes the purchase of Microsoft product licenses and software assurance for the next three years at a total cost of \$461,382 and authorizes the ongoing payment of software assurance for the purchased licenses according to the State of Minnesota Microsoft State Select Agreement pricing schedule [14-100]. Martin Buscombe, St. Louis County I.T. Director, discussed the project. After further discussion, the motion passed. 6-0 (Forsman absent)

Nelson/Raukar moved that the St. Louis County Board authorizes the purchase of 2014 fleet vehicles in accordance with the specifications of Bid No. 5107 [14-101]. Donna Viskoe, St. Louis County Senior Buyer, discussed the bid process. The motion passed. 6-0 (Forsman absent)

Dalhberg/Nelson moved that the St. Louis County Board approves the apportionment of the 2013 net proceeds of the Land and Minerals Department [14-102]. Commissioner Dahlberg exited the meeting at 12:34 p.m. After further discussion, the motion passed. 5-0 (Dahlberg, Forsman absent)

Central Management & Inter-Governmental Committee

Jewell/Boyle moved that the St. Louis County Board requests that the Minnesota Legislature pass a smoke-free foster care policy [14-103]. After further discussion, an amendment was offered to include the wording “O’Neil Resolution” as part of the title. The amended motion passed. 5-0 (Dahlberg, Forsman absent)

Jewell/Nelson moved that the St. Louis County Board ratifies the 2014 Civil Service Supervisory contract and authorizes the appropriate county officials to execute the Collective Bargaining Unit Agreement [14-104]. The motion passed. 5-0 (Dahlberg, Forsman absent)

COMMISSIONER DISCUSSION ITEMS

Commissioner Jewell talked about items that were discussed during a National Association of Counties (NACO) conference that he and Commissioner Forsman attended.

Commissioner Boyle said he has been visiting various St. Louis County facilities and mentioned that a 911 Citizens Academy will be held in the Public Safety Building on March 24, from 6:30 to 8:30 p.m. Commissioner Boyle asked the Board to consider moving Commissioner Discussion to the end of the County Board meetings.

Commissioner Nelson discussed past practices of the Board relating to Commissioner Discussion.

Administrator Gray discussed potential impacts of moving Commissioner Discussion to the end of the Board meeting.

Commissioner Raukar cautioned the Board about moving Commissioner Discussion Items and discussed past issues when Commissioner Discussion took place at the end of Board meetings.

Commissioner Nelson stated that he was pleased that discussion is taking place regarding the transportation of loaded logging trucks through city streets.

Commissioner Jewell said that the Metropolitan Interstate Commission played a large role in bringing the loaded logging truck issue to the forefront.

Commissioner Stauber said he would be attending a meeting in Washington, D.C. on April 7 - 9 to lobby for a runway extension at the Duluth International Airport and in support of the 148th Fighter Wing.

At 1:01 p.m., Nelson/Jewell moved to adjourn the Committee of the Whole meeting. 5-0 (Dahlberg, Forsman absent)

Pete Stauber, Vice-Chair of the County Board

Phil Chapman, Clerk of the County Board

BOARD LETTER NO. 14 - 108

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Day Training & Habilitation and
Semi-Independent Living
Services Contract
Amendments

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

Adults will live in the least restrictive living arrangements that meet their health and safety needs. Adults will be self-sufficient, providing for their own welfare and that of their children.

ACTION REQUESTED:

The St. Louis County Board is requested to amend agreements with Day Training and Habilitation (DT&H) and Semi-Independent Living Service (SILS) providers to apply a 1.0% rate increase effective April 1, 2014.

BACKGROUND:

The St. Louis County Board has agreements in effect with DT&H and SILS providers through June 30, 2014. Costs incurred for DT&H services provided to St. Louis County residents are primarily funded through the Medical Assistance (MA) program, although a small number of clients receive services using county funds. Semi-independent Living Services are paid for by a combination of state and local funding. The county is required to provide a 30% match.

The 2013 Minnesota Legislature authorized a 1.0% rate increase effective April 1, 2014 for both DT&H services and SILS services. This cost is included in the Public Health and Human Services Department budget for 2014.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the appropriate county officials to execute amendments to the purchase of service agreements to implement a 1.0% rate increase for Day Training and Habilitation Services, and Semi-independent Living Services with current providers effective April 1, 2014 as follows:

- 1) Day Training and Habilitation Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 604800

- 2) Semi-independent Living Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 605200

DAY TRAINING & HABILITATION

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program & Transport.</u>
Access to Employment Too, Inc.	\$ 86.04	\$ 64.53	\$ 7.51	\$ 93.56
CHOICE, Unlimited – CHOICE	\$ 73.39	\$ 55.03	\$ 8.10	\$ 81.49
CHOICE, Unlimited – OPTIONS	\$102.29	\$ 76.72	\$10.80	\$113.09
East Range DAC	\$ 64.96	\$ 48.72	\$11.58	\$ 76.55
Floodwood Services & Training, Inc.	\$ 65.53	\$ 49.15	\$ 5.77	\$ 71.30
MSOCS Duluth – Airpark Products & Services (only waiver-funded services)	\$118.70	\$ 89.02	\$ 9.83	\$128.52
MSOCS Duluth – Lincoln Park Life Skills	\$ 91.46	\$ 68.59	\$13.69	\$105.14
MSOCS Range Area Vocational Supports	\$117.51	\$ 88.13	\$16.64	\$134.16
Range Center, Inc.	\$ 84.51	\$ 63.38	\$ 6.08	\$ 90.59
UDAC, Inc.	\$ 63.90	\$ 47.92	\$ 9.90	\$ 73.80

	<u>Level</u>	<u>Hourly Rate*</u>
Pinewood, Inc. – Duluth	A	\$28.44
	B	\$13.94
	C	\$10.95
	D	\$ 9.78

* Pinewood, Inc.-Duluth was formerly a Rule 75 pilot program and is allowed to have hourly rates.

SEMI-INDEPENDENT LIVING SERVICES (SILS)

	<u>Per Hour</u>
Duluth Regional Care Center	\$26.44
HOMES, Inc. - Hibbing	\$26.44
HOMES, Inc. - Virginia	\$26.44
Trillium Services, Inc.	\$26.44

**Day Training & Habilitation and Semi-Independent Living
Services Contract Amendments**

BY COMMISSIONER _____

WHEREAS, St. Louis County purchases Day Training & Habilitation (DT&H) and Semi-Independent Living Services (SILS) for residents with developmental disabilities; and

WHEREAS, The 2013 Minnesota Legislature authorized a 1.0% rate increase for both DT&H and SILS effective April 1, 2014;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute amendments to the purchase of service agreements to implement a 1.0% rate increase for Day Training and Habilitation Services, and Semi-independent Living Services with current providers effective April 1, 2014 through June 30, 2014 as follows:

- 1) Day Training & Habilitation Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 604800

- 2) Semi-Independent Living Service providers to be paid from:
Fund: 230, Agency: 232006, Object: 605200

DAY TRAINING & HABILITATION

<u>Program Name</u>	<u>Full Day Program</u>	<u>Partial Day Program</u>	<u>Round Trip Daily Transport.</u>	<u>Full Day Program & Transport.</u>
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Final Plat Approval Stoney Point Cottages (Duluth Township)

BY COMMISSIONER _____

WHEREAS, The St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Stoney Point Cottages on December 12, 2009, and granted preliminary approval for the plat; and

WHEREAS, The final prints have been submitted and conform with the requirements set forth by the Planning Commission;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of Stoney Point Cottages, located in Section 2, Township 51N, Range 12W, (Duluth Township).

**MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS
COUNTY PLANNING COMMISSION THURSDAY, DECEMBER 10, 2009
NORTHLAND OFFICE CENTER, THIRD FLOOR CONFERENCE ROOM**

9:30 AM – 1:45 PM

Planning Commission members in attendance:

Tom Coombe
Chris Dahlberg
Jack Huhta
John Lukan
Don Nienas
Sonya Pineo
Darlene Saumer
Roger Skraba
Ray Svatos

Decisions/Minutes for the following public hearing matters are attached:

NEW BUSINESS:

- A. Wick, conditional use application for a general purpose borrow pit, S7, T54N, R19W (Toivola)
- B. Amerigas Propane LP, conditional use application for a commercial bulk propane business, S28, T57N, R18W (Clinton)
- C. Independent Apostolic Lutheran Church, conditional use application for a private cemetery, S23, T50N, R16W (Solway)
- D. Town of Wuori, zoning ordinance map and plan amendment, S21, T59N, R17W (Wuori)
- E. Stoney Point Cottages, preliminary plat, S2, T51N, R12W (Duluth)
- F. Duluth Ready Mix, Inc., appeal the denial of a wetland replacement plan, S7 and S8, T51N, R16W (Grand Lake)

OTHER BUSINESS:

Motion by Lukan/Nienas to approve the November 19, 2009 minutes. Pineo and Skraba were not yet present. Dahlberg abstained since he had not attended the November 19, 2009 meeting.

In Favor: Coombe, Huhta, Lukan, Nienas, Saumer, Svatos – 6

Opposed: None – 0

Abstained: Dahlberg – 1

Motion carries 6-0-1

Variance requested from Ordinance 33, Subdivision Regulations:

The Planning Commission is recommending denial of the Toman variance request to the Board of Adjustment for relief from Ordinance 33 Article I, Section 4.04C due to other alternative options. Coombe abstained as he will be acting on the case at the Board of Adjustment meeting to be held on December 15, 2009.

In Favor: Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 8

Opposed: None – 0

Abstained: Coombe – 1

Motion carries 8-0-1

The *Planning Commission* expressed their concern over a letter presented to them discussing ex parte communication. *Barb Hayden* explained that she was asked by the chair of the County Board to address the issue via the letter. She also noted that the department would use this as an opportunity for training in 2010. *Skraba* noted that he would like more training provided for Planning Commission members.

Commissioner Keith Nelson addressed the Planning Commission as to his reasons why he can no longer represent the County Board as a liaison to the Planning Commission and he said he will use the time he would normally spend on Planning Commission to focus on Ordinance 55.

The first hearing was **Wick, conditional use application for a general purpose borrow pit including portable hot mix and the recycling of bituminous and concrete, S7, T54N, R19W (Toivola).**

Mark Lindhorst, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is for a borrow pit to include crushing, screening, recycling of concrete and bituminous and portable hot mix.
- B. A maximum of 10 trucks would be leaving the pit per day.
- C. The area is zoned FAM-3.
- D. The applicant received a Public Works permit in 1996.
- E. There are 12 residences within one-quarter mile of the property.
- F. There are four borrow pits located within one mile of the property.
- G. The haul road is adjacent to a residential home.
- H. The applicant meets setbacks and there are no wetland issues.

Mark Lindhorst noted no items of correspondence.

Michael Wick, the applicant, 10591 Oja Road, Meadowlands: the pit was his father's and believes it has been in existence since 1968.

Audience member who spoke in favor:

Gerald Wick, 9174 Larva Road, Toivola: believes the applicant should receive a permit.

Motion by Coombe/Dahlberg to approve per staff recommendation.

DECISION: approved the use with the following conditions:

1. If the borrow pit exceeds two acres in size, a reclamation bond shall be required that equals \$10,000 plus \$2,000 per acre of disturbed area.
2. There shall be a 50-foot buffer from any wetlands within the pit area.
3. The applicant shall demonstrate legal access to the borrow pit.
4. All minimum standards of the county borrow pit section of the zoning ordinance shall be followed by the applicant and all those utilizing the borrow pit. The operator and users of the pit shall sign an affidavit acknowledging that they have read the conditions of this permit and the minimum standards of the zoning ordinance.
5. A reclamation plan will be submitted and approved by the Planning and Development Director prior to issuance of the conditional use permit.
6. The permit will expire five years after it is issued. Staff may renew the permit for 5-year increments if all conditions are being followed.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

The second hearing was **Amerigas Propane LP, conditional use application for a commercial bulk propane business, S28, T57N, R18W (Clinton).**

Mark Lindhorst, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is for bulk propane including tank deliveries.
- B. The property is located in a MUNS-4 zone district.
- C. The project is located on railroad property.
- D. There are no residences within one-quarter mile of the site.
- E. The business will be well screened.

Mark Lindhorst noted no items of correspondence.

The *Planning Commission* discussed the following:

- A. Inquired if the ordinance has any language regarding bulk tanks. *Mark Lindhorst* said that what is required are state and federal regulations for fire, safety and installation be followed.
- B. Inquired of the applicant which access road will be used by their trucks. *Carl Ball* said truck access will be off Highway 7 via County Road 310.

Other government agencies:

Ray Svatos, speaking for the Town Board of Clinton: the Clinton Town Board supports the project.

Carl Ball, representing Amerigas, 1238 127th Street, Brainerd: there will be no other office buildings or any structures other than what is required for the unit; the fire department will come out to the site and go through safety procedures; Amerigas meets national fire code; currently this business is to service the railroad; Amerigas is leasing a small piece of property and would like to service the public as well as the railroad.

Motion by Svatos/Skraba to approve per staff recommendation.

DECISION: approved the use with the following conditions:

1. The local fire department will be made aware of the location of the new tank.
2. All state and federal regulations for installation of an LP gas tank shall be followed.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

The third hearing was **Independent Apostolic Lutheran Church, conditional use application for a private cemetery**, S23, T50N, R16W (Solway).

Roanne Axdahl, St. Louis County Planner, reviewed the staff report as follows:

- A. The property is 13.35 acres, located off Highway 2, and is in a RES-4 zone district.
- B. The request is for a private cemetery with an estimated 120 gravesites within the existing church property.
- C. The driveway to the church is heavily wooded; therefore, the site will be screened from Highway 2.

Roanne Axdahl noted an item of correspondence from the Town of Solway and one from the Solway Planning and Zoning Committee, in favor, stating their concerns and recommendations.

Roanne Axdahl noted that Minnesota Statute 307 is for public cemeteries and Minnesota Statute 306 is for private cemeteries. Staff's recommendation had stated Minnesota Statute 307 and needs to be corrected to read Minnesota Statute 306.

The *Planning Commission* discussed the following:

Inquired if there is an issue as to how far from the site the Highway 2 right-of-way is.

Roanne Axdahl said that it is not an issue.

Chris Morris, the applicant, 5161 Hermantown Road: reviewed the proposed cemetery site, parking area and setbacks from Highway 2.

Motion by Skraba/Nienas to approve per staff recommendation noting the change from Minnesota Statute 307 to Minnesota Statute 306.

DECISION: approved the use with the following conditions:

1. The church establishes a separate cemetery association, and the cemetery association shall establish a permanent fund for the care, maintenance, and improvement of the cemetery.
2. Compliance with all state standards, including Minnesota Statute 306 and Minnesota State Department of Mortuary Science.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

The fourth hearing was **Town of Wuori, zoning ordinance map and plan amendment, S21, T59N, R17W (Wuori)**

Tyler Lampella, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is to change the zoning from IND-4 to MUNS-4 and a plan map amendment from Concept 11 Area (Mining) to Concept 6 Area (Rural Residential).
- B. The request is from the township on behalf of a private party.
- C. The proposed rezoning area is surrounded mostly by federal property. The county has no authority/jurisdiction over federally owned property.

Tyler Lampella noted no items of correspondence.

Mark Burja, Wuori Township: the township is in favor of the changes.

Motion by Coombe/Dahlberg to approve per staff recommendation.

DECISION: the Planning Commission recommends approval of the zoning ordinance map and plan amendment to the St. Louis County Board based on the following conclusions:

Criteria for Zoning Map Amendments

1. Amendments to the Zoning Map shall be recommended for approval only upon the finding by the Planning Commission that all of the following conditions exist:
 - a. **The proposed zoning shall be consistent with the Comprehensive or Land Use Plan adopted for the county. The procedure for amendments to the Land Use Plan is discussed in Ordinance 27, Article III.** The West Range Plan intended for property owned by mining companies to be zoned IND. Other private holdings were not to be zoned so, as to create nonconformities, which is what happened in this instance. The requested zoning change appears to be consistent with the intent of the plan.
 - b. **The proposed zoning shall not be spot zoning, which is zoning to discriminate in favor of one lot or parcel out of harmony with surrounding lots or parcels**

and the comprehensive or land use plan and without benefit to the community. This subject parcel, if rezoned to MUNS, would not be contiguous with another MUNS zone district; however, there is a MUNS zone district one-quarter mile to the north.

- c. **There shall exist a clear public need for and benefit from additional zoning of the type proposed, which shall be above and beyond any benefit or convenience to the landowner.** This rezoning would allow the property to be put to a use that would benefit the public by allowing single family dwellings to be constructed.
- d. **Beyond a public need being evident, there shall be a showing that the public interest would be best served by rezoning the property in question rather than other property in the community.** The current zoning is not appropriate per the goals and policies of the West Range Plan. The rezoning request would correct an apparent oversight in the creation of the concept maps in the plan. This situation is not necessarily applicable to other areas.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

The fifth hearing was **Stoney Point Cottages, preliminary plat, S2, T51N, R2W (Duluth).**

Tyler Lampella, St. Louis County Planner, reviewed the staff report as follows:

- A. This is an eight lot development on Lake Superior.
- B. The preliminary plat was originally heard by the Planning Commission in October of 2008 and was denied without prejudice. The developers needed variance approval from the Town of Duluth, and they did not have approval at that time.
- C. The Town of Duluth approved the variance requests for shoreland stabilization and reduced lake setbacks in November of 2009.
- D. The project fronts Scenic Highway 61.
- E. Private drives that are shared rather than individual driveways will be looked at to access the lots.
- F. The plat will be developed in stages.
- G. The Town of Duluth administers the zoning and must approve the final plat.
- H. There is municipal sewer available.
- I. Access to each lot has been demonstrated; however, in two instances, one drive serves three lots. The developer is requesting a waiver for two private drives in a plat and a 20 foot driving surface where 26 feet is required.
- J. There is limited suitable building area on Lot 8.
- K. The developer is working with the DNR for shoreline stabilization and with an engineering firm for the slopes within the project area.

Tyler Lampella noted two items of correspondence: a letter from Jane M. Grubb in opposition and a letter from the applicant requesting the waivers.

The *Planning Commission* discussed the following:

- A. Inquired about a shoreline stabilization permit from the DNR, which had expired in 2008. *Tyler Lampella* said that the permit was extended to September 30, 2011.
- B. Inquired of the applicant if there will be a road association for the shared roads. *Bob Ryan* said yes, and a road association document was submitted to the township.
- C. Inquired what kind of soil the developer is working with. *Bob Ryan* said it is heavy clay. Homes will be placed further back than required.

Bob Ryan, the applicant and owner of Odyssey Development, 2610 East 8th Street, Duluth: have been working with the township for over four years; the majority of the controversy at the township level was in regards to the developer repairing the eroding slope; the developer will grade the slope and re-vegetate the entire slope; this is a residential development, not a commercial development.

Audience members who spoke in opposition:

Robert Swanson, 1389 Stoney Point Drive: referred to reports regarding the development; he is against the project; stated his concerns about the soil conditions on the site; does Odyssey have a long term solution; it needs more study.

Motion by Coombe/Skraba per staff recommendation.

Discussion on motion:

Skraba mentioned that a letter from the Township of Duluth addresses a shoreline repair and maintenance fund.

DECISION: the Planning Commission recommends approval of the preliminary plat, including the waiver requests for the construction of the two private roads and a road driving surface of 20 feet, to the St. Louis County Board with the following conditions:

- 1. Any additional wetland impacts must be reviewed and approved by the Wetland TAC.
- 2. The private roads shall be named in accordance to 911 Communications' standards.
- 3. Roads signs shall be provided and installed by the Public Works Department and shall be paid for by the developer of the plat.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

The sixth hearing was **Duluth Ready Mix, Inc., appeal the denial of a wetland replacement plan, S7 and S8, T51N, R16W (Grand Lake).**

Commissioner Dahlberg stated that he knows the Robertsons but would like to be able to participate and vote. The Planning Commission decided he may participate and vote.

Barb Hayden, St. Louis County Planning & Development Director, introduced the case and summarized the efforts made by the department to work with Mr. Robertson prior to this appeal.

Scott Smith, St. Louis County Physical Planning Manager, reviewed the staff report as follows:

- A. Noted that the legal description in the staff report needs to be amended to include the N ½ of Section 7 and Section 8.
- B. Tim Robertson, Duluth Ready Mix, was denied an after-the-fact replacement plan for 53,011 square feet of fill to wetland types 3 (shallow marsh), 7 (wooded swamp), and 8 (bog).
- C. The Technical Evaluation Panel (TEP) found that the sequencing standards of MN Rule 8420.0520 have not been met.
- D. The Director of Planning & Development affirmed the decision of the TEP.
- E. Parcel 1365: has a permitted home, garage and Subsurface Sewage Treatment System (SSTS).
- F. Parcel 1482: a garage was built without a permit and the garage and fill pad are impacting wetland.
- G. Parcel 1480 eastern portion: has a 911 number assigned and a SSTS approved mound.
- H. Mr. Robertson believes he has a grandfathered right of the use of the property for his borrow pit. *Scott Smith* stated that the Mr. Robertson has expanded his nonconforming use beyond what Ordinance 46, Article IV, Section 2.02, A., which reads:
Nonconforming uses may not be enlarged, increased, moved or extended to occupy a greater area of land than was occupied at the effective date of this ordinance and amendments thereto, unless specifically allowed under other provisions of this ordinance or state statute.
- I. The standard applied in making the decision on allowing replacement is based on whether the project is permitted and whether the wetland sequencing standards have been met.
- J. In 2002, Mr. Robertson was told he needed a conditional use but to date has never applied for one. Mr. Robertson was also told again in 2009 that he needed a conditional use permit but is contesting the need for a permit.

The *Planning Commission* discussed the following:

Inquired what the process is for compliance. *Staff* explained that Mr. Robertson would first need to obtain appropriate permits for the borrow pit, garage and subdivision of property or remove the wetland fill. Once he has obtained permits, he would need to make application for wetland replacement. If replacement is approved, he would then be in compliance.

Scott Smith noted three items of correspondence as follows: the Town of Grand Lake, which was read into record, Czeslaw Miltakis in opposition, and Robert M. Winship in opposition.

Tim Robertson, the appellant, 5364 Beaver Lake Boulevard: handed out a copy of his presentation to the Planning Commission, noting his difference of opinion with the staff report, which is in the file; the property was purchased in the 1950's for borrow pit purposes; stated that Mr. Winship's property is not within 300 feet of the borrow pit, that only family members and owners of Duluth Ready Mix are within 300 feet; the wetlands are the real issue; the applicant states they have a borrow permit already; he maintains Beaver Lake Boulevard, which is a private road; Castle Lake was created by his family and himself; the Department of Natural Resources (DNR) issued a cease and desist order based on a complaint; stated that he has dug up half the fill that the DNR marked.

Audience members who spoke in favor:

Tom Robertson, another owner of Duluth Ready Mix, 5577 Highway 53: has a problem with the bouncing back and forth of the issues by the county; has lived on Castle Lake since 1994; in 1975 when they were creating the lake, the laws did not exist as they do now.

Richard Martin, 5581 Highway 53, Saginaw: neighbor of the Robertsons'; no complaints of the trucks going by.

Courtney Smith, 5581 Highway 53: hunts, fishes and traps the area; removal of one-half to one acre of the wetland fill out of the permitted area should not be an issue.

Scott Smith stated that the permit Mr. Robertson referred to having was a Public Works pit project permit and expired with the project.

The *Planning Commission* discussed the following:

- A. Inquired if a borrow pit permit is required for a private lot. *Scott Smith* said that as long as no gravel is being sold, no permit is required.
- B. Inquired if current reclamation standards apply to pre-existing borrow areas. *Scott Smith* explained that any areas excavated prior to 1993 would not be held to the same standards as current Ordinance 46 requirements.
- C. Inquired what the amount of the performance bond would be required. *Scott Smith* said that would be determined by the acreage needing reclamation.
- D. Inquired if the county requested the appellant to become permitted for the expansion only. *Barb Hayden* said that the expansions continue. The county wants the entire pit, including the pre-existing pit and expansion area, to be permitted and have subdivision approval or the wetland fill for the remainder of the project removed.
- E. Inquired if the Planning Commission could allow Mr. Robertson to buy wetland credits prior to being permitted. *Staff* stated that there are non-permitted projects on this property and until there are permits on file, there is no way that the appellant can meet wetland sequencing standards as required by state law. *Mary Anderson* stated that the Public Works permit Mr. Robertson referred to has expired and he will now need a General Purpose Borrow Pit permit, which comes before the Planning Commission for approval. Once a permit is approved, then Mr. Roberson can apply for replacement.

Mr. Robertson said that he built the garage for tool storage for his business. The new owner is using the garage as a hunting shack and nowhere in Ordinance 46 does it state that a permit is needed for tool storage or a hunting shack.

Mr. Robertson said that Duluth Ready Mix has a state pit permit and that permit number shows on every ticket, so he does not believe he needs a county permit also.

Motion by Svatos/Pineo to affirm the director’s decision to deny the after-the-fact wetland replacement plan.

Discussion on motion:

Dahlberg: no sequencing was followed.

Pineo: the department is trying to get them into compliance.

Lukan: we are after them for one acre.

Coombe: wants to ensure that the applicant can come back to the Planning Commission. *Staff* said they can via a conditional use application.

DECISION: the Planning Commission affirms the Planning and Development Director’s decision to deny the after-the-fact wetland replacement plan.

In Favor: Coombe, Dahlberg, Huhta, Lukan, Nienas, Pineo, Saumer, Skraba, Svatos – 9

Opposed: None – 0

Motion carries 9-0

STONEY POINT COTTAGES

LOCATED IN PART OF GOVERNMENT LOTS 3 & 4, SECTION 2, TOWNSHIP 51 NORTH, RANGE 12 WEST OF THE FOURTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MINNESOTA

KNOW ALL PERSONS BY THESE PRESENTS: That ODYSSEY DEVELOPMENT, INC., a Minnesota corporation, owner and proprietor of the following described property situated in the Township of Duluth, County of St. Louis, State of Minnesota to wit:

Parcel 1:
All that part of Governments Lots 3 and 4, Section 2, Township 51 North, Range 12 West, St. Louis County, Minnesota, described as follows:

On the Northernly boundary by a line described as follows:

Commencing at the West Quarter corner of said Section 2; thence South 01 degrees 11 minutes 02 seconds East 1224.24 feet along the West line of said Government Lot 4 to the Southernly Right of Way line of C.S.A.H. 61, as now laid out and platted; thence along said Southernly line of C.S.A.H. No. 61 North 68 degrees 57 minutes 06 seconds East 496.73 feet; thence by a tangential curve to the right having a radius of 2517.38 feet, a length of 546.47 feet, whose chord is described as bearing North 75 degrees 10 minutes 14 seconds East, a distance of 545.40 feet; thence North 01 degree 10 minutes 59 seconds West 100.81 feet; thence by a non-tangential curve to the right having a radius of 2617.38 feet and a length of 5.52 feet and whose chord is described as bearing North 81 degrees 44 minutes 06 seconds East at a distance of 5.52 feet to the POINT OF BEGINNING of the line to be described; said POINT OF BEGINNING is on the southwest Right of Way line of Congdon Boulevard; plat and record in Book N of Plans, page 27 in the office of the St. Louis County Recorder; thence running along a curve having a radius of 2617.38 feet and a length of 327.25 feet and whose chord is described as bearing North 86 degrees 23 minutes 02 seconds East a distance of 327.24 feet; thence tangent to said curve North 89 degrees 58 minutes East a distance of 237.73 feet to a point on the East Right of Way of said Congdon Boulevard and there terminating.

On the Easternly and Northeastly boundary by a line described as follows:

Commencing at the termination of the Northernly boundary line; thence along the Easternly and Northeastly Right of Way of said Congdon Boulevard on a non-tangential curve to the left having a radius of 135 feet and a length of 183.02 feet and whose chord is described as bearing South 27 degrees 23 minutes 09 seconds East at a distance of 178.52 feet; thence by a non-tangential curve to the left having a radius of 1119.28 feet and a length of 560.04 feet and whose chord is described as bearing South 73 degrees 12 minutes 02 seconds East a distance of 504.66 feet; thence tangent to said curve South 86 degrees 14 minutes 44 seconds East 191.57 feet; thence depending the described Easternly, Northeastly and Northernly Right of Way of said Congdon Boulevard, South 15 degrees 19 minutes 15 seconds East 183.4 feet more or less to the shore of Lake Superior.

On the Westernly boundary by a line described as follows:

Commencing at the West Quarter corner of said Section 2; thence South 01 degrees 11 minutes 02 seconds East 1224.24 feet along the West line of said Government Lot 4 to the Southernly Right of Way line of C.S.A.H. 61, as now laid out and platted; thence along said Southernly line of C.S.A.H. No. 61 North 68 degrees 57 minutes 06 seconds East 496.73 feet; thence by a tangential curve to the right having a radius of 2517.38 feet, a length of 546.47 feet, whose chord is described as bearing North 75 degrees 10 minutes 14 seconds East, a distance of 545.40 feet; thence North 01 degree 10 minutes 59 seconds West 100.81 feet; thence by a non-tangential curve to the right having a radius of 2617.38 feet and a length of 5.52 feet and whose chord is described as bearing North 81 degrees 44 minutes 06 seconds East at a distance of 5.52 feet to the POINT OF BEGINNING of the line to be described; thence on a curve to the right having a radius of 1146.28 feet and a length of 222.39 feet and whose chord is described as bearing South 74 degrees 19 minutes 11 seconds East a distance of 222.04 feet; thence North 69 degrees 49 minutes 42 seconds East 1064.1 feet, more or less to the shore of Lake Superior, and ending the description of said southwesternly Right of Way of Congdon Boulevard.

On the Southernly boundary by the shore of Lake Superior.

Parcel 2:
All that part of Government Lots 3 and 4, Section 2, Township 51 North, Range 12 West, St. Louis County, Minnesota, lying within the southerly 100 feet of the Right of Way of C.S.A.H. Highway No. 61 (AKA Section 61) as now laid out, West of County Road 222 (AKA Stoney Point Road) as now laid out and East of the following described line: Commencing at the West Quarter Corner of said Section 2 and running thence on an assumed bearing of South 01 degrees 11 minutes 02 seconds East along the west line of said Government Lot 4 a distance of 1224.24 feet to the southerly Right of Way line of said C.S.A.H. No. 61; thence along the southerly Right of Way line of said C.S.A.H. No. 61 North 68 degrees 57 minutes 06 seconds East 496.73 feet; thence along a tangential curve to the right, having a radius of 2517.38 feet, a Delta Angle of 02 degrees 26 minutes 19 seconds and an arc length of 546.47 feet to the point of beginning; thence from said point of beginning North 01 degree 11 minutes 02 seconds West and parallel with said west line of Government Lot 4 a distance of 100.81 feet and there terminating.

Parcel 3:
All that part of Government Lots 3 and 4 in Section 2, Township 51 North, Range 12 West, St. Louis County, Minnesota, lying south of the center line of Minnesota Trunk Highway No. 61 as laid out and established across said lots on May 20, 1935 and West of County Road 222 (aka Stoney Point Road)

EXCEPT the following parcel:
All that part of Government Lot 4 in Section 2, Township 51 North, Range 12 West, St. Louis County, Minnesota, lying southerly of C.S.A.H. Highway No. 61 and westerly of the following described line:

Commencing at the West Quarter Corner of said Section 2 and running thence on an assumed bearing of South 01 degrees 11 minutes 02 seconds East along the west line of said Government Lot 4 a distance of 1224.24 feet to the southerly Right of Way line of said C.S.A.H. No. 61; thence along the southerly Right of Way line of said C.S.A.H. No. 61 North 68 degrees 57 minutes 06 seconds East 496.73 feet; thence by a curve to the right having a radius of 2517.38 feet, a Delta Angle of 02 degrees 26 minutes 19 seconds and an arc length of 121.02 feet to the POINT OF BEGINNING; thence South 41 degrees 21 minutes 12 seconds East 104.54 feet; thence South 05 degrees 59 minutes 30 seconds East 85.98 feet; thence South 34 degrees 42 minutes 09 seconds West 102.11 feet; thence South 10 degrees 14 minutes 21 seconds West 179.6 feet more or less to the shore of Lake Superior and there terminating.

Except the following parcel:
That part of the Government Lot 3, Section 2, Township 51 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota, lying South of the Southernly Right of Way line of County State Ake Highway No. 61 and Easternly of the following described line:

Commencing at the center of Section 2, Township 51 North, Range 12 West thence on an assumed bearing of South 09 degrees 10 minutes 39 seconds East, along the East line of said Government Lot 3 a distance of 504.34 feet to the Northernly Right of Way line of the North Shore Rail Road (formerly known as the DULUTH & ST. LOUIS RAIL ROAD) as traveled; thence South 88 degrees 44 minutes 59 seconds West, along said Northernly Right of Way line, a distance of 472.45 feet to the Northeastly extension of the Westernly Right of Way line of County Road 222 (Stoney Point Road); thence South 15 degrees 19 minutes 15 seconds East, along said Northeastly extension, a distance of 309.28 feet to the point of beginning of the line to be described; thence South 15 degrees 19 minutes 15 seconds East, along the Westernly Right of Way line of County Road 222 (Stoney Point Road), a distance of 530 feet more or less to the Shoreline of Lake Superior and there terminating.

Has caused the same to be surveyed and platted as STONEY POINT COTTAGES.

In witness whereof, Odyssey Development, Inc., a Minnesota corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20__.

Odyssey Development, Inc.

its President

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____ President of Odyssey Development, Inc., a Minnesota corporation, on behalf of the corporation.

Notary Public for the State of Minnesota My Commission Expires _____

I hereby certify that I have surveyed and platted the property described on this plat as STONEY POINT COTTAGES, that this plat is a correct representation of the survey; that all distances are correctly shown on this plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.01 Subd. 3, or public highways to be designated other than as shown.

Ronald L. Krueger, Minnesota License Number 14374

STATE OF MINNESOTA
COUNTY OF ST. LOUIS

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20__ by Ronald L. Krueger, Minnesota License Number 14374.

Notary Public for the State of Minnesota My Commission Expires _____

PLANNING COMMISSION TOWNSHIP OF DULUTH

Approved by the Planning Commission of the Township of Duluth, at a regular meeting thereof, on _____ day of _____, 20__.

Mayor, Township of Duluth Clerk, Township of Duluth

ST. LOUIS COUNTY SURVEYOR

I hereby certify that this plat has been checked and approved this _____ day of _____, 20__.

Christopher Larsen, Deputy St. Louis County Surveyor

ST. LOUIS COUNTY AUDITOR-TREASURER

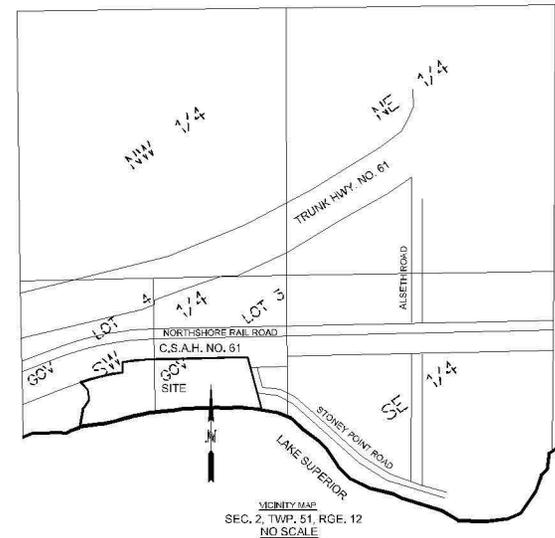
I hereby certify that current taxes have been paid and that there are no delinquent taxes for all years prior to 20__ for land described on this plat as of this _____ day of _____, 20__.

St. Louis County Auditor-Treasurer

ST. LOUIS COUNTY RECORDER

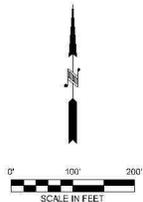
I hereby certify that this plat was filed in the Office of the County Recorder for record on this _____ day of _____, 20__ at _____ o'clock _____ M. as Document Number _____.

St. Louis County Recorder Deputy



STONEY POINT COTTAGES

LOCATED IN PART OF GOVERNMENT LOTS 3 & 4, SECTION 2, TOWNSHIP 51 NORTH,
RANGE 12 WEST OF THE FOURTH PRINCIPAL MERIDIAN,
ST. LOUIS COUNTY, MINNESOTA



LEGEND

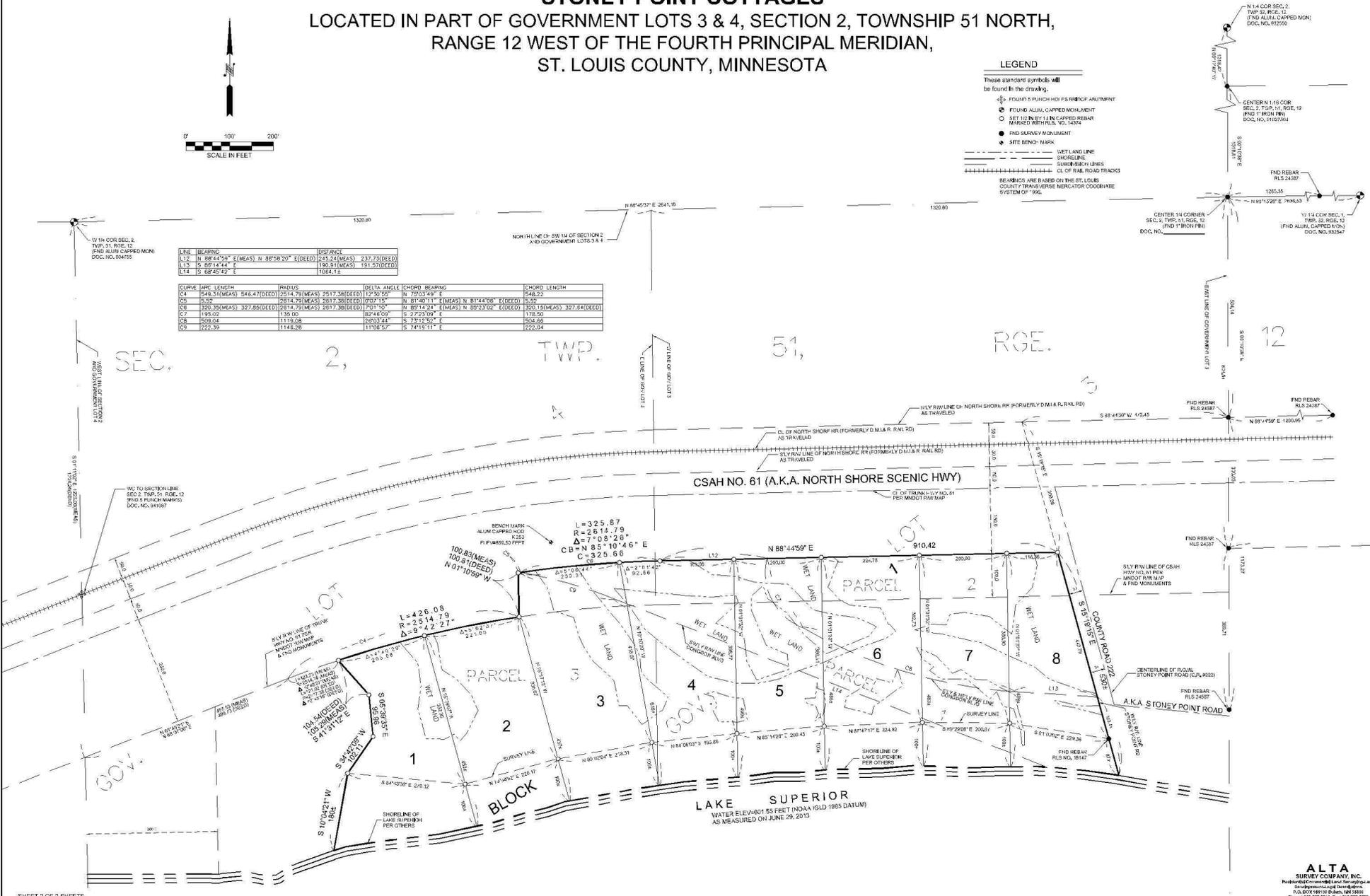
These standard symbols will be found in the drawing:

- FOUND & PUNCH HOLE PERMITS APPOINTMENT
- FOUND ALUM. CAPPED MONUMENT
- SET (2) ALUM. I.I.N. CAPPED REBAR MARKED WITH PLS. NO. 24874
- FOUND SURVEY MONUMENT
- SITE BENCH MARK
- WETLAND LINE
- SHORELINE
- SURVEY BENCH LINES
- CL. OF RAILROAD TRACKS

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1985.

LINE	BEARING	DISTANCE
L12	N 86°44'59" E (MEAS)	N 88°58'20" E (DEED)
L13	S 88°14'44" E	190.81 (MEAS)
L14	S 62°54'22" E	104.11

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	1543.31 (MEAS)	548.47 (DEED)	2514.79 (MEAS)	2517.38 (DEED)	1120.85
C6	5.32	2614.79 (MEAS)	2617.38 (DEED)	100°15'	N 81°40'11" E (MEAS)
C8	1200.39 (MEAS)	327.85 (DEED)	2814.39 (MEAS)	2817.38 (DEED)	1203.10
C7	185.00	135.00	82°48'00"	S 22°23'09" E	178.50
C8	509.04	1118.08	207°3'44"	S 73°19'30" E	504.86
C9	1223.36	1148.69	111°05'37"	S 74°18'11" E	1222.04



Year three: Tires up to 24½ inches will be \$135.00 per ton, and \$200 per ton for tires over 24½ inches.

Years four and five: Tires up to 24½ inches will be \$140.00 per ton, and \$205 per ton for tires over 24½ inches.

For facilities that have less than a 100 tires, the rate will be per tire (not per ton). Tires up to 24½ inches will be \$1.60 per tire and \$7.50 per tire for tires over 24½ inches.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the appropriate county officials to enter into a new five (5) year contract with Liberty Tire Recycling, LLC for tire management and recycling services. Funding for this contract is available in Fund 600, Agency 601004 (Recycling).

**Contract for Management and Recycling of Used Tires with
Liberty Tire Recycling, LLC**

BY COMMISSIONER _____

WHEREAS, St. Louis County requires the services of a competent contractor to provide tire management and recycling service to the Environmental Services and Public Works facilities; and

WHEREAS, Liberty Tire Recycling, LLC. is willing and able to provide the service;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the appropriate county officials to enter into a five (5) year contract with Liberty Tire Recycling, LLC, for collection, haulage and proper disposal of waste tires at the following yearly rates:

Year one: Tires up to 24½ inches will be \$125.00 per ton, and \$190 per ton for tires over 24½ inches.

Year two: Tires up to 24½ inches will be \$130.00 per ton, and \$195 per ton for tires over 24½ inches.

Year three: Tires up to 24½ inches will be \$135.00 per ton, and \$200 per ton for tires over 24½ inches.

Years four and five: Tires up to 24½ inches will be \$140.00 per ton, and \$205 per ton for tires over 24½ inches.

For facilities that have less than a 100 tires, the rate will be per tire (not per ton). Tires up to 24½ inches will be \$1.60 per tire and \$7.50 per tire for tires over 24½ inches.

Funding for this contract is available in Fund 600, Agency 601004 (Recycling).

BOARD LETTER NO. 14 - 111

ENVIRONMENT & NATURAL RESOURCES COMMITTEE
CONSENT NO. 4

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Award of Bid: Broadcast
Application of Herbicides

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

RELATED DEPARTMENT GOAL:

Maintaining and improving forest health and productivity.

ACTION REQUESTED:

The St. Louis County Board is requested to award a contract for broadcast application of herbicide.

BACKGROUND:

The 2014 Land and Minerals Department budget includes funding for treating 913 acres with ground applied herbicides for tree plantation site preparation and the release of existing conifer plantations. Vendors were notified of the request for bids through DemandStar. One bid was received from Future Forests Inc. of Askov, MN, for the lump sum amount of \$112,457. Purchasing Division and Land and Minerals Department staff have reviewed the bid and recommend award to Future Forests Inc.

RECOMMENDATION:

It is recommended that the St. Louis County Board award the contract for the broadcast application of herbicides to Future Forests Inc. of Askov, MN, at its bid of \$112,457, payable from Fund 290, Agency 290001, and authorize the appropriate county officials to enter into a contract with Future Forests Inc., subject to approval of the County Attorney.

Award of Bid: Broadcast Application of Herbicides

BY COMMISSIONER: _____

WHEREAS, The Land and Minerals Department plans to treat 913 acres with ground applied herbicides for tree plantation site preparation and the release of existing conifer plantations on state tax forfeited lands in the summer of 2014; and

WHEREAS, The Purchasing Division solicited bids for ground application of herbicides with Future Forests Inc. of Askov, MN, submitting the only bid in the amount of \$112,457;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a contract with Future Forests Inc. of Askov, MN, for the chemical site preparation of 17 sites totaling 819.5 acres and the chemical release of 5 sites totaling 93.5 acres, in accordance with the specifications of Bid No. 5136, subject to approval of the County Attorney, at its bid price of \$112,457, payable from Fund 290, Agency 290001.

BOARD LETTER NO. 14 - 112

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 5

BOARD AGENDA NO.

DATE: March 25, 2014

RE: Repurchase of State Tax
Forfeited Land – Lilli, Nelson,
Fink, Estate of Sunsdahl,
Bildeaux, Tony's Construction

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 approve applications to repurchase state tax forfeited land.

BACKGROUND:

Minn. Stat. § 282.241 provides for state tax forfeited land to be repurchased by the previous owners subject to payment equivalent to the delinquent taxes and assessments, with penalties, costs, and interest. The properties to be repurchased forfeited to the State of Minnesota on December 2, 2013. The repurchase deadline for these non-homestead properties is December 1, 2014. Erik Lilli of Angora, MN, Jeffrey Nelson of Duluth, MN, Gerald & Linda Fink of Ely, MN, Estate of Steven & Rita Sunsdahl of Isanti, MN, Tom & Mary Bildeaux of Virginia, MN and Tony's Construction LLC of Side Lake, MN have made application to repurchase these properties and are eligible to repurchase the properties.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the repurchase requests of Erik Lilli of Angora, MN, Jeffrey Nelson of Duluth, MN, Gerald & Linda Fink of Ely, MN, Estate of Steven & Rita Sunsdahl of Isanti, MN, Tom & Mary Bildeaux of Virginia, MN and Tony's Construction LLC of Side Lake, MN. The repurchase fees listed below are to be deposited into Fund 240 (Forfeited Tax Fund).

Erik Lilli, Angora, MN

Parcel Code	200-0010-05340
Taxes and Assessments	\$2,036.50
Service Fees	\$114.00
Deed Tax	\$6.72
Deed Fee	\$25.00
Recording Fee	\$46.00
Well	\$50.00
Total Consideration	\$2,278.22

Jeffrey Nelson, Duluth, MN

Parcel Code	010-2710-00740
Taxes and Assessments	\$7,246.26
Service Fees	\$114.00
Deed Tax	\$23.91
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$7,455.17

Gerald & Linda Fink, Ely, MN

Parcel Code	090-0110-02800
Taxes and Assessments	\$4,975.54
Service Fees	\$114.00
Deed Tax	\$16.42
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$5,176.96

Gerald & Linda Fink, Ely, MN

Parcel Code	090-0010-01550
Taxes and Assessments	\$4,787.06
Service Fees	\$114.00
Deed Tax	\$15.80
Deed Fee	\$25.00
Recording Fee	\$46.00
Locks & Hasps Fee	\$28.00
Total Consideration	\$5,015.86

Estate of Steven & Rita Sunsdahl, Isanti, MN

Parcel Code	270-0020-00959
Taxes and Assessments	\$14,795.41
Service Fees	\$114.00
Deed Tax	\$48.82
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$15,029.23

Tom & Mary Bildeaux, Virginia, MN

Parcel Code	465-0010-03515
Taxes and Assessments	\$6,752.64
Service Fees	\$114.00
Deed Tax	\$22.28
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$6,959.92

Tony's Construction LLC, Side Lake, MN

Parcel Code	140-0200-01290
Taxes and Assessments	\$1,613.96
Service Fees	\$114.00
Deed Tax	\$5.33
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$1,804.29

Repurchase of State Tax Forfeited Land - Lilli

BY COMMISSIONER: _____

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

WHEREAS, The applicant, Erik Lilli of Angora, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF ALANGO
SE 1/4 OF NW 1/4
SEC 33 TWP 61 RGE 19
200-0010-05340

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 Erik Lilli of Angora, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$2,036.50, service fee of \$114, deed tax of \$6.72, deed fee of \$25, recording fee of \$46 and well disclosure of \$50; for a total of \$2,278.22, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Erik Matthews Lilli, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

TOWN OF ALANGO, SE 1/4 OF NW 1/4, Sec 33 Twp 61 Rge 19

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2007 and remained delinquent and unpaid for the subsequent years of: 2008, 2009, 2010, 2011, 2012, 2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$2,228.22 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid. lost my primary source of income. could not find anything comparable until recently, just now starting to get back on my feet.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate
- Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): ERIC MATTHEWS LILLI

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 2/25/2014

By: [Signature] (Signature)

Address: 10241 Fall Rd
City: Angora State: MN Zip: 55703
Phone: 218-966-1176



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Repurchase of Property

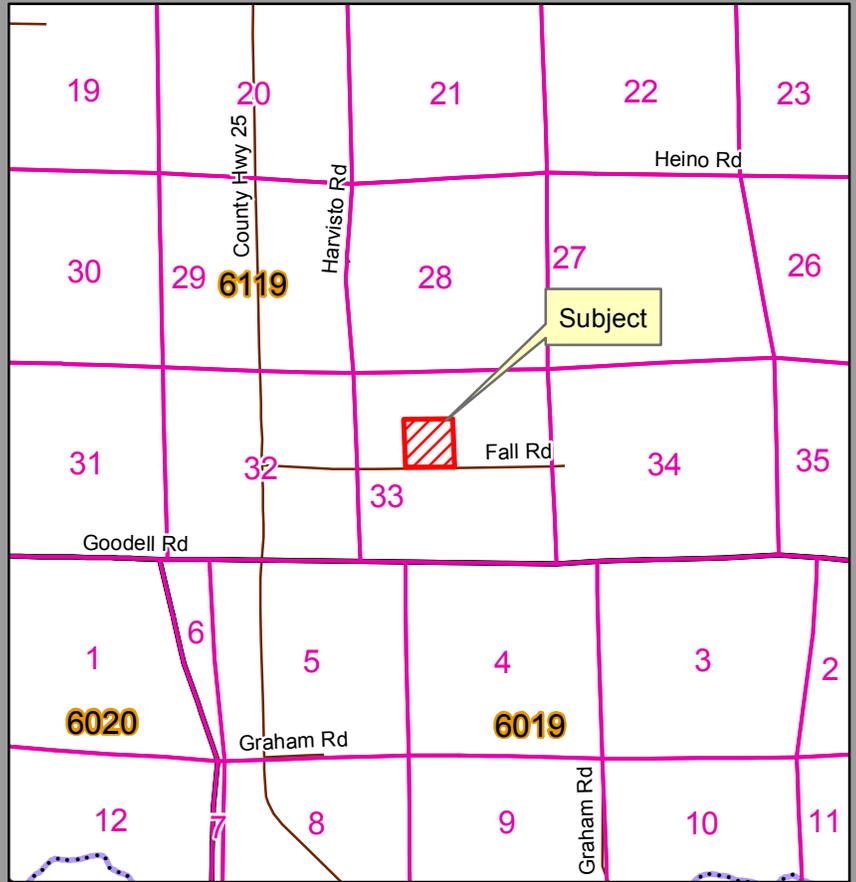
Legal: TOWN OF ALANGO
SE 1/4 OF NW 1/4
Sec 33 Twp 61 Rge 19

Parcel Code: 200-0010-05340

LDKEY: 118099

Acres: 40.00

Address: 10241 Fall Rd
Angora, MN 55703

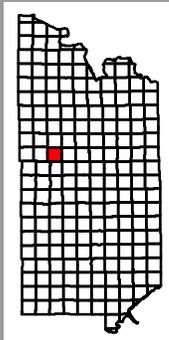


Town of Alango

Sec: 33 Twp: 61 Rng: 19

Commissioner District # 4

-  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**

March 2014



Repurchase of State Tax Forfeited Land - Nelson

BY COMMISSIONER: _____

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

WHEREAS, The applicant, Jeffrey Nelson of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
W 1/2 OF E 1/2 OF NW 1/4 OF SW 1/4
SEC 4 TWP 50 RGE 14
010-2710-00740

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 Jeffrey Nelson of Duluth, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$7,246.26, service fee of \$114, deed tax of \$23.91, deed fee of \$25, and recording fee of \$46; for a total of \$7,455.17, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Jeffrey J Nelson, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF DULUTH, W 1/2 OF E 1/2 OF NW 1/4 OF SW 1/4, Sec 4 Twp 50 Rge 14

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2009 and remained delinquent and unpaid for the subsequent years of: 2010,2011,2012,2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$7,455.17 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that: applicant to state reasons why taxes were not paid.

Im a CONTRACTOR WHO'S BUISNESS SLOWED DOWN WITH THE RECENT HOUSING MARKET. ALSO HAVE HAD MAJOR MEDICAL BILLS FROM DAUGHTERS SURGERYS.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): JEFFREY JAMES NELSON

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: FEB. 23 20 14

By: [Signature] (Signature)

Address: 1950 MIDDLE LN

City: DULUTH State: MN Zip: 55811

Phone: (218) 348-6289



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

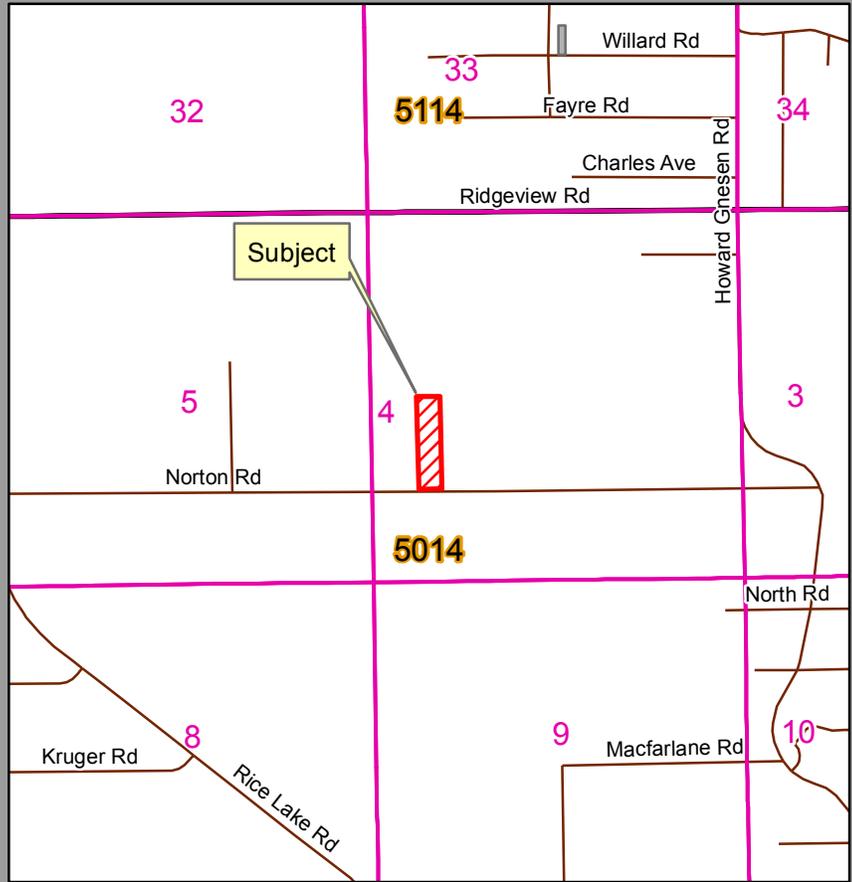
Repurchase of Property

Legal: CITY OF DULUTH
W 1/2 OF E 1/2 OF NW 1/4 OF
SW 1/4, Sec 4 Twp 50 Rge 14

Parcel Code: 010-2710-00740

LDKEY: 118223

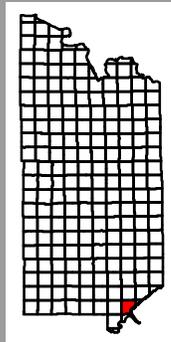
Acres: 10.00



City of Duluth Sec: 4 Twp: 50 Rng: 14

Commissioner District # 1

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

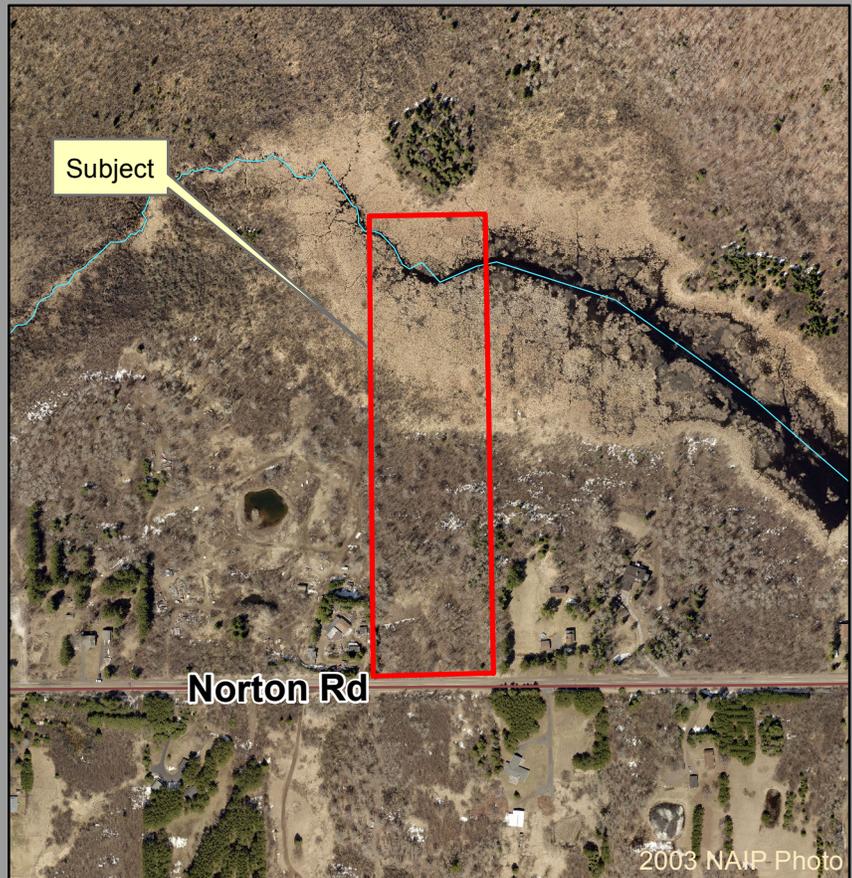


St. Louis County, Minnesota

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**St. Louis County
Land and Minerals
Department**

March 2014



Repurchase of State Tax Forfeited Land - Fink

BY COMMISSIONER: _____

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

WHEREAS, The applicants, Gerald & Linda Fink of Ely, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF VIRGINIA
LOT: 0024 BLOCK: 011
NORTH SIDE ADDITION TO VIRGINIA
090-0110-02800

WHEREAS, The applicants were the owners of record at the time of forfeiture and are 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 Gerald & Linda Fink of Ely, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$4,975.54, service fee of \$114, deed tax of \$16.42, deed fee of \$25, and recording fee of \$46; for a total of \$5,176.96, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Gerald & Linda Fink hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF VIRGINIA, LOT:0024 BLOCK:011, NORTH SIDE ADDITION TO VIRGINIA

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2009 and remained delinquent and unpaid for the subsequent years of: 2010, 2011, 2012, 2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$5176.96 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at **218-726-2606** for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid.

Iron Range Rentals defaulted on CD. The CD stated the taxes be sent to Iron Range Rentals - they never pd the taxes. Serviced default & got the homes back in disrepair

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Gerald & Linda Fink

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 2-26 20 14

By: Gerald F Fink
(Signature)

Address: 1286 Hemlock Ave Blvd
City: SG State: MN Zip: 55737
Phone: 218-365-5268



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

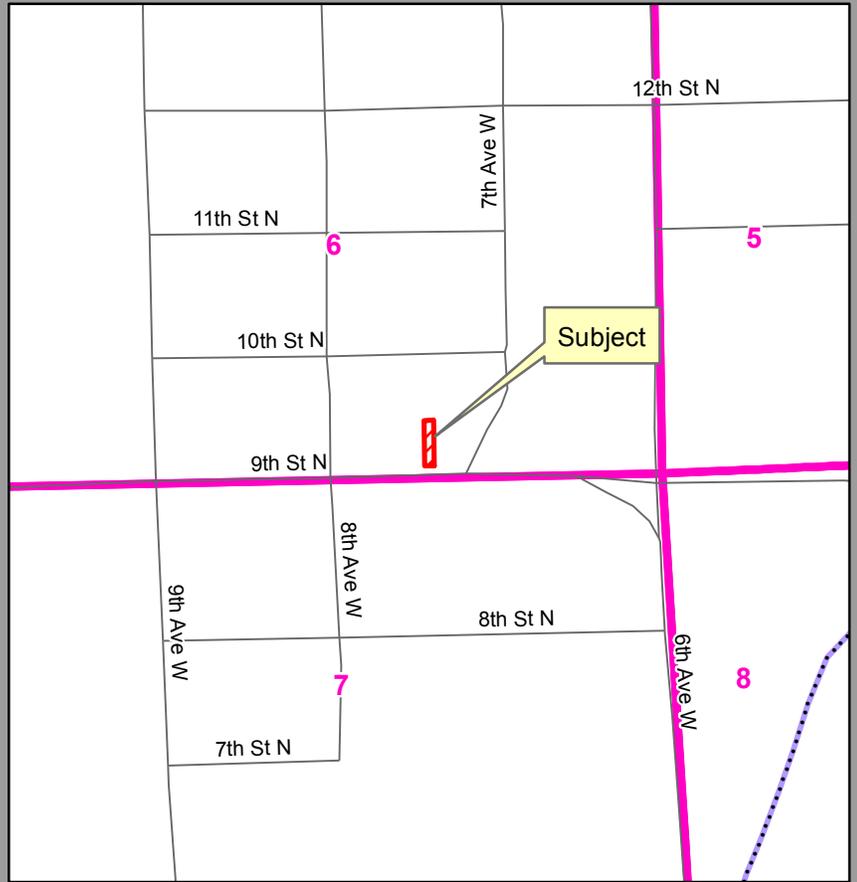
Repurchase of Property

Legal : CITY OF VIRGINIA
LOT: 0024 BLOCK:011
NORTH SIDE ADDITION TO VIRGINIA

Parcel Code : 090-0110-02800

LDKEY : 118225

Address: 709 N 9TH ST
VIRGINIA MN 55792

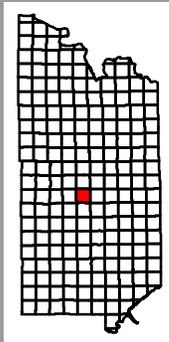


City of Virginia

Sec: 6 Twp: 58 Rng: 17

Commissioner District # 6

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

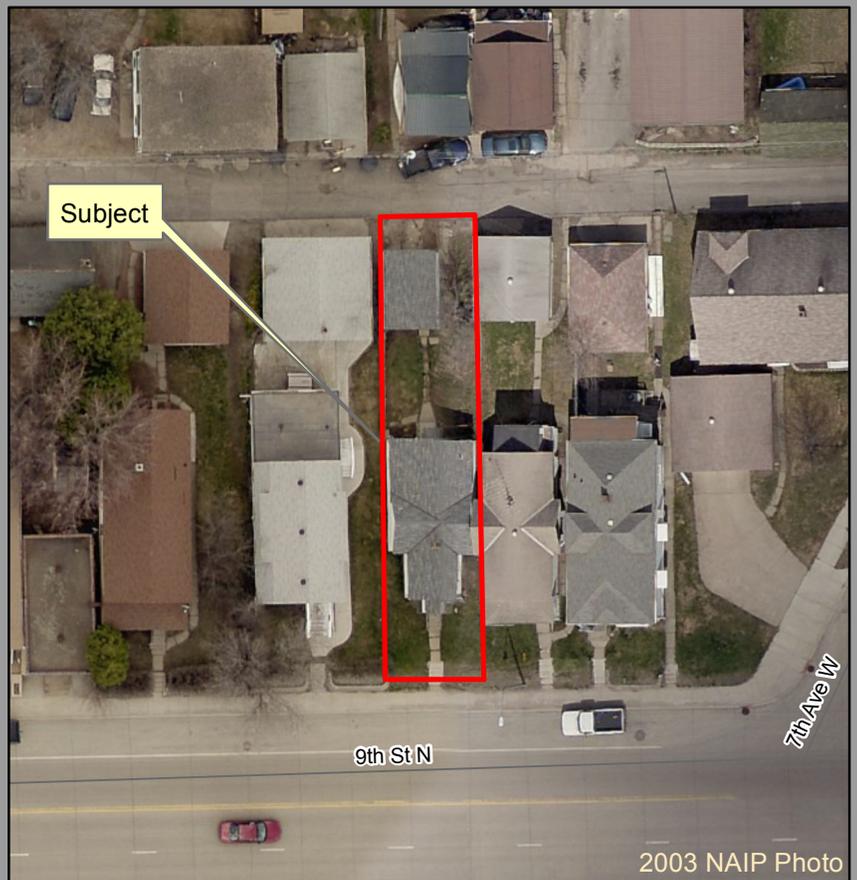


St. Louis County, Minnesota

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**St. Louis County
Land & Minerals
Department**

March 2014



Repurchase of State Tax Forfeited Land - Fink

BY COMMISSIONER: _____

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

WHEREAS, The applicants, Gerald & Linda Fink of Ely, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF VIRGINIA
LOT: 0012 BLOCK: 011
VIRGINIA
090-0010-01550

WHEREAS, The applicants were the owners of record at the time of forfeiture and are 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 Gerald & Linda Fink of Ely, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$4,787.06, service fee of \$114, deed tax of \$15.80, deed fee of \$25, recording fee of \$46 and lock & hasp fee of \$28; for a total of \$5,015.86, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Gerardo & Linda Funk, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

City of Virginia, Lot 12, Block 11, Virginia (90-10-1550)

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2009 and remained delinquent and unpaid for the subsequent years of: 2010, 2011, 2012, 2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$5017.54 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. **Please contact our office at 218-726-2606 for the current amount due which increases monthly.**

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid. Said homes to Iron Range Rentals, Contract for Deed - Both Homes were in excellent condition but due to cancellation of Contract for Deed OK last year. Due to Iron Range Rentals default - taxes were to be pd by Iron Range Rentals & NEVER were pd

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate
- Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Gerardo & Linda Funk
Are you currently in active military service? No

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.
Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 2/26 2014

By: [Signature]
(Signature)

Address: 1296 Hematite Blvd
City: ELY State: MINN Zip: 55731
Phone: 218-365-5264



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Repurchase of Property

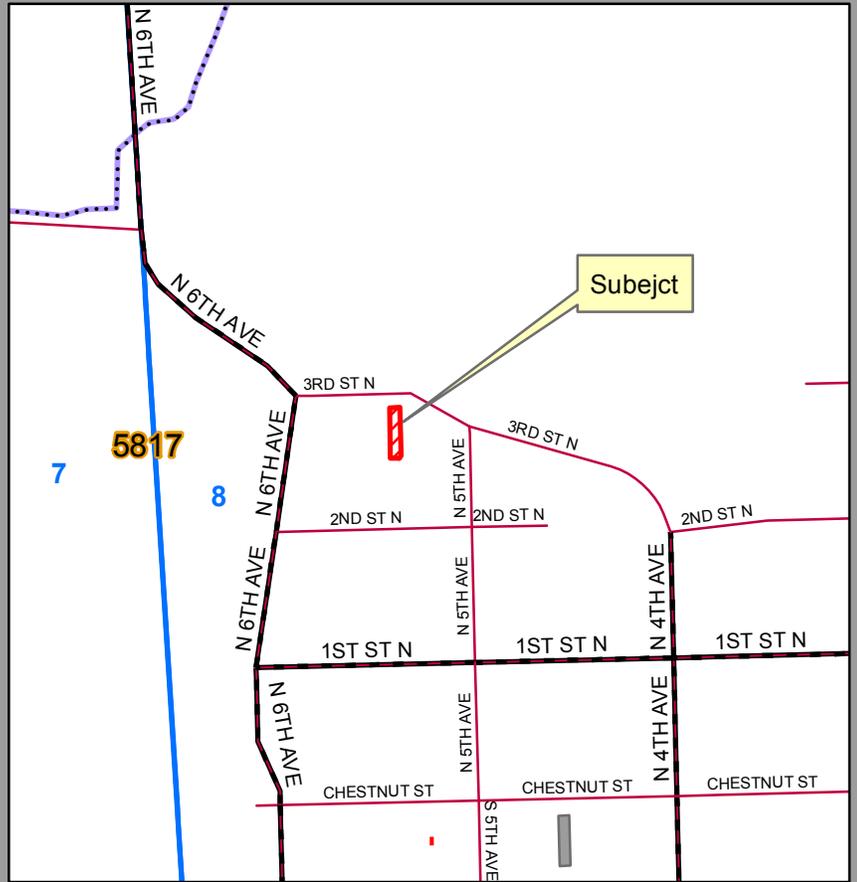
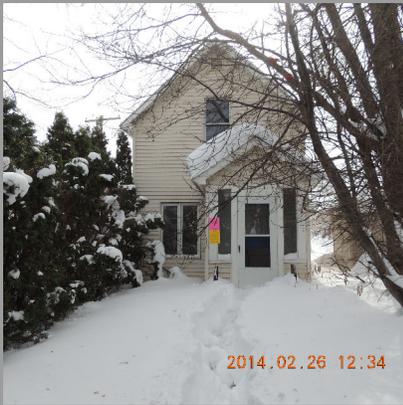
Legal : CITY OF VIRGINIA
LOT: 0012 BLOCK:011
VIRGINIA

Parcel Code : 090-0010-01550

LDKEY : 118220

Acres: .68

Address: 502 N 3RD ST
VIRGINIA MN 55792

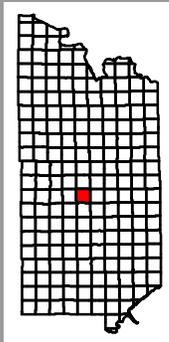


City of Virginia

Sec: 8 Twp: 58 Rng: 17

Commissioner District # 6

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



St. Louis County, Minnesota

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St. Louis County
Land & Minerals
Department

March 2014



Repurchase of State Tax Forfeited Land – Estate of Sunsdahl

BY COMMISSIONER: _____

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

WHEREAS, The applicant, Estate of Steven & Rita Sunsdahl of Isanti, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF BREITUNG
WLY 125 FT OF LOT 2
SEC 11 TWP 62 RGE 15
270-0020-00959

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 Estate of Steven & Rita Sunsdahl of Isanti, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$14,795.41, service fee of \$114, deed tax of \$48.82, deed fee of \$25, and recording fee of \$46; for a total of \$15,029.23, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Steven W & Rita L Sunsdahl, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

TOWN OF BREITUNG, WLY 125 FT OF LOT 2, Sec 11 Twp 62 Rge 15

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2007 and remained delinquent and unpaid for the subsequent years of: 2008,2009,2010,2011,2012,2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$15,029.23 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. **Please contact our office at 218-726-2606 for the current amount due which increases monthly.**

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid.

owners deceased, taxes sent to wrong address, not aware of back taxes.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Kimberly R. Jensen

Are you currently in active military service? _____

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: Feb. 27 2014

By: Kimberly R. Jensen
(Signature)

Address: 14609 2531/2 Ave

City: Zimmerman State: MN Zip: 55398

Phone: (763) 221-3258



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Repurchase of Property

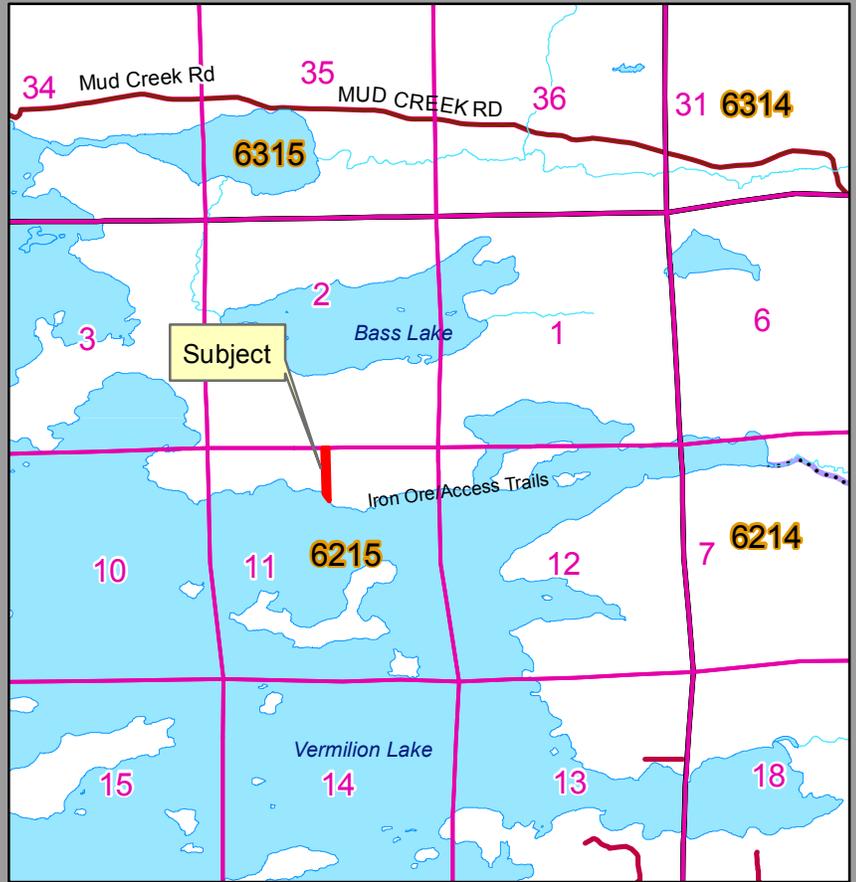
Legal : TOWN OF BREITUNG
WLY 125 FT OF LOT 2
Sec 11 Twp 62 Rge 15

Parcel Code : 270-0020-00959

LDKEY : 118107

Acres: 3.79

Address: 4997 Lake Vermilion

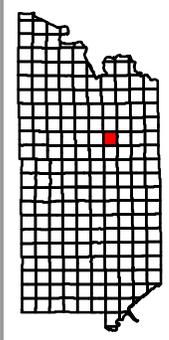


Town of Breitung

Sec: 11 Twp: 62 Rng: 15

Commissioner District # 4

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

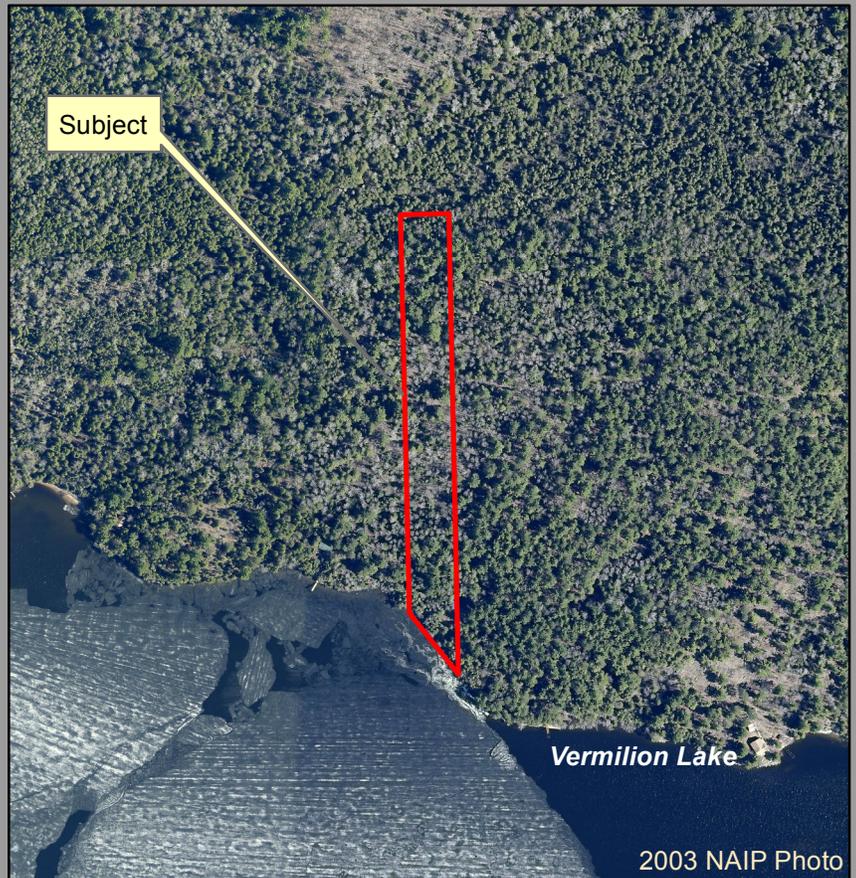


St. Louis County, Minnesota

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**St. Louis County
Land and Minerals
Department**

March 2014



2003 NAIP Photo

Repurchase of State Tax Forfeited Land - Bildeaux

BY COMMISSIONER: _____

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

WHEREAS, The applicants, Tom & Mary Bildeaux of Virginia, MN, have applied to repurchase state tax forfeited land legally described as:

TOWN OF MORSE
THAT PART OF LOT 1 LYING SWLY OF STATE
HWY #1
SEC 25 TWP 62 RGE 12
465-0010-03515

WHEREAS, The applicants were the owners of record at the time of forfeiture and are 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 Tom & Mary Bildeaux of Virginia, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$6,752.64, service fee of \$114, deed tax of \$22.28, deed fee of \$25, and recording fee of \$46; for a total of \$6,959.92, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Ely Area Credit Union, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

TOWN OF MORSE, THAT PART OF LOT 1 LYING SWLY OF STATE HWY #1, Sec 25 Twp 62 Rge 12

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

Mortgagee

That such taxes became delinquent in 2005 and remained delinquent and unpaid for the subsequent years of:

2006,2007,2008,2009,2010,2012,2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$6,959.92 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid.

Ely Area Credit Union has a mortgage against this property. Due to miscommunication, we did not realize that the property owner defaulted on his plan to repay the property taxes. This is why we did not pay the property taxes sooner.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate
- Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Ely Area Credit Union

Are you currently in active military service? No

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: March 4 2014

By: [Signature] Manager Ely Area CU (Signature)

Address: 2 E Chapman St
City: Ely State: MN Zip: 55731
Phone: 218-365-3131



St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Repurchase of Property

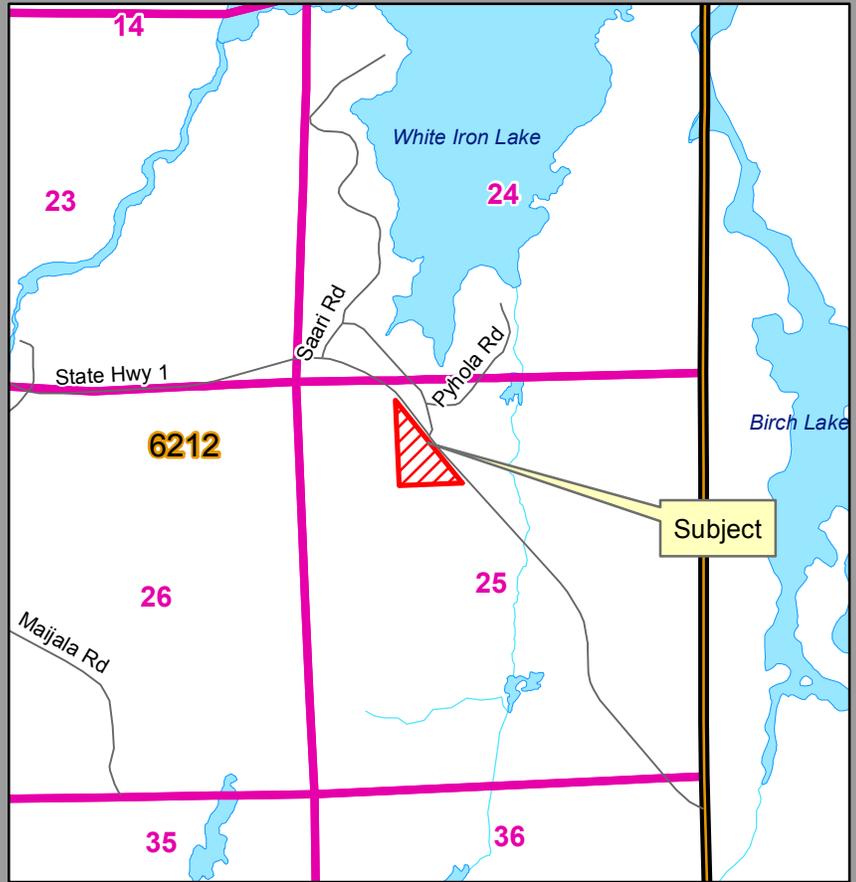
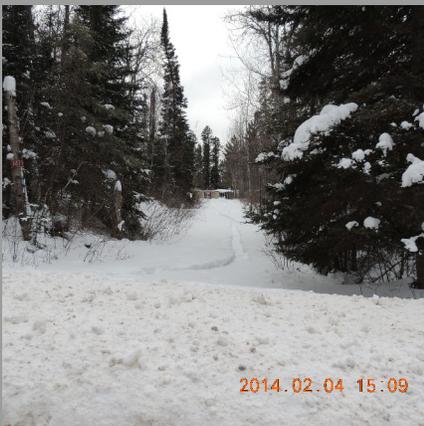
Legal : TOWN OF MORSE
THAT PART OF LOT 1 LYING SWLY
OF STATE HWY #1
Sec 25 Twp 62 Rge 12

Parcel Code : 465-0010-03515

LDKEY : 118122

Acres: 8.70

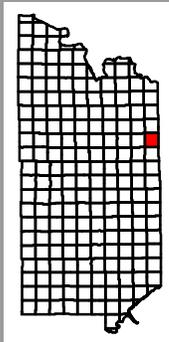
Address: 1471 HWY 1
ELY MN 55731



Town of Morse Sec: 25 Twp: 62 Rng: 12

Commissioner District # 4

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

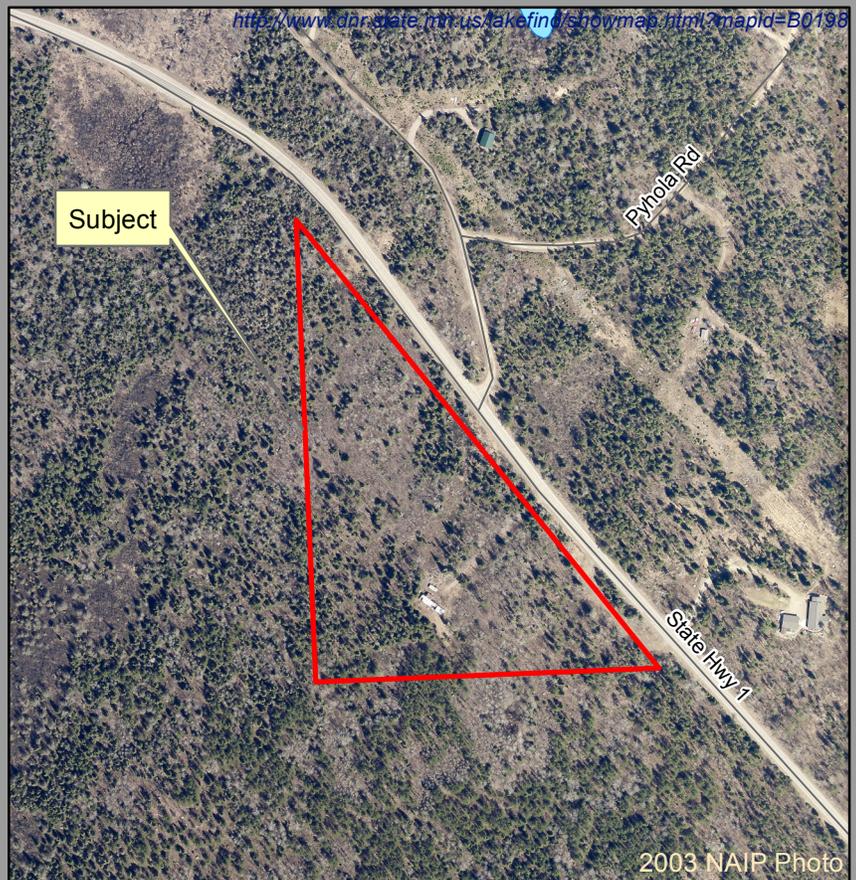


St. Louis County, Minnesota

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**St. Louis County
Land & Minerals
Department**

March 2014



2003 NAIP Photo

Repurchase of State Tax Forfeited Land – Tony’s Construction

BY COMMISSIONER: _____

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

WHEREAS, The applicant, Tony’s Construction LLC of Side Lake, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
LOT: 0001 BLOCK:006
ROOSEVELT ADDITION TO HIBBING
140-0200-01290

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 Tony’s Construction LLC of Side Lake, MN, on file in County Board File No.____, subject to payments including total taxes and assessments of \$1,613.96, service fee of \$114, deed tax of \$5.33, deed fee of \$25, and recording fee of \$46; for a total of \$1,804.29, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Tonys Construction Inc, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF HIBBING, LOT: 0001 BLOCK:006, ROOSEVELT ADDITION TO HIBBING

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2009 and remained delinquent and unpaid for the subsequent years of: 2010,2011,2012,2013

That pursuant to Minnesota Statutes, the total cost of repurchase \$1,794.75 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid.

Did not have enough work because of the economy

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Tony's Construction

Are you currently in active military service? no

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 3/6 2014

By: [Signature]
(Signature)

RECEIVED

MAR 10 2014

LAND COMMISSIONER

Address: 7181 Ellen Ln
City: Side Lake State: MN Zip: 55781
Phone: 218-969-2483



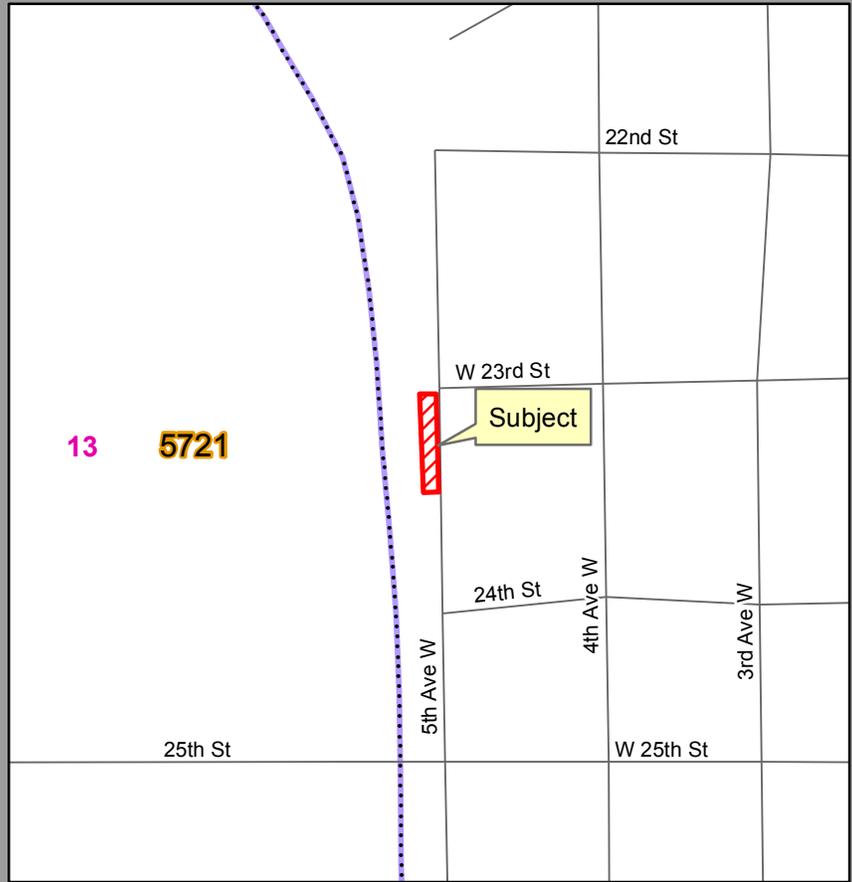
St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Repurchase of Property

Legal : CITY OF HIBBING
LOT: 0001 BLOCK:006
ROOSEVELT ADDITION TO HIBBING

Parcel Code : 140-0200-01290

LDKEY : 118093

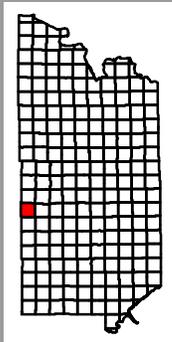


City of Hibbing

Sec: 13 Twp: 57 Rng: 21

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 & Minerals
Department**

March 2014



BOARD LETTER NO. 14 - 113

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Special Sale to Duluth ISD No. 709

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENTAL GOAL:
Financial return to the county and taxing districts.

ACTION REQUESTED:
The St. Louis County Board is requested to authorize the sale of state tax forfeited land to Duluth Independent School District (ISD) No. 709.

BACKGROUND:
Duluth ISD No. 709 has asked to acquire a parcel of state tax forfeited land for the purpose of economic redevelopment. The parcel was free conveyed to Duluth ISD No. 709 on April 29, 1994 to facilitate the economical and adequate provision of education at Nettleton Elementary School. The property was no longer needed for the intended purpose and was reconveyed by the school district on July 16, 2013.

RECOMMENDATION:
It is recommended that the St. Louis County Board approve the sale of state tax forfeited land to Duluth ISD No. 709 for the price of \$27,000 plus the following fees: 3% assurance fee of \$810, deed fee of \$25, deed tax of \$89.10, and recording fee of \$46; for a total of \$27,970.40, to be deposited into Fund 240 (Forfeited Tax Fund).

Special Sale to Duluth ISD No. 709

BY COMMISSIONER _____

WHEREAS, Duluth Independent School District (ISD) No. 709 has requested to purchase the following described state tax forfeited land for the price of \$27,000, plus fees, for the purpose of economic redevelopment:

Legal: City of Duluth
LOT 17 AND W 5 FT OF LOT 19
DULUTH PROPER 1ST DIVISION EAST 5TH STREET
Parcel Code: 010-1010-00130
LDKey: 27357

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, 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 as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that the parcel be classified as 'non-conservation' after considering many factors including 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, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcel is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcel will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcel is located; 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;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the

sale of state tax forfeited land, as described, to Duluth ISD No. 709 for the price of \$27,000 plus the following fees: 3% assurance fee of \$810, deed fee of \$25, deed tax of \$89.10, and recording fee of \$46; for a total of \$27,970.40, 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 Duluth ISD No. 709 does not purchase the land by September 30, 2014.



FACILITIES MANAGEMENT

Located at 730 East Central Entrance
Mailing Address: 215 North 1st Avenue East
Duluth, Minnesota 55802
Construction Management (218) 336-8907
Maintenance (218) 336-8906
Operations (218) 336-8905
Fax (218) 336-8909

August 23, 2013

St. Louis County Land Department
Attn: Karen Zeisler
320 West 2nd Street, Rm 208
Duluth, MN 55802

Re: Reconveyance and Purchase of Forfeited Lands near Nettleton School

Attached please find two original signed copies of the Reconveyance of Forfeited Lands to the State of Minnesota by a Governmental Subdivision (PT Form 975) related to the Nettleton property owned by the school district further described as City of Duluth, Lot 17 and Westerly 5 feet of Lot 19, Duluth Proper, First Division, East 5th Street in St. Louis County. This reconveyance was authorized by the School Board at their regular meeting on July 16, 2013 with Minutes from this meeting approved at the regular School Board Meeting on August 20, 2013. The Certified Resolution #B-7-13-3113 Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose is attached for your records and reference.

Once fully executed, please return a copy of this Reconveyance to the Facilities Management office, attn: Betty Berndt at the mailing address listed above.

Also on July 16, 2013 by Resolution #B-7-13-3114, the Duluth School Board authorized the purchase of the parcel identified above. The Minutes from this meeting were approved on August 20, 2013 and the Certified Resolution authorizing the purchase of said property is attached for your reference and action.

It is the intent of ISD #709 to purchase this property and as such, the Duluth School District is requesting the County conduct an appraisal of this property to allow this purchase transaction to move forward.

If you have any questions, I can be reached at 218-343-2894.

Sincerely,

Kerry Leider
Property and Risk Manager
Duluth Public Schools

Attachments

Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, July 16, 2013

Members Present:

Mary Cameron
Art Johnston
Tom Kasper
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Ed Crawford, Assistant Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives:

Erik Thibault

Others Absent:

Katlyn Persch, Student Representative

➤ Chair Kasper called the regular school board meeting of July 16, 2013 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

M-Seliga Punyko, S-Wasson, to approve the agenda as presented. Upon a vote on the agenda as presented, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorizing the Purchase of Real Property near Nettleton School

WHEREAS, the School Board by Resolution B-6-07-2452 adopted a Long-range Facilities Plan for the District, and therein also directed the District's administrative staff to commence with the disposition of certain non-school sites including the Nettleton Elementary School property; and

WHEREAS, by Resolution #B-4-13-3089, the School Board authorized the School Board Chair to execute a purchase agreement for the sale of the Nettleton School property located at 108 East 6th Street consistent with the terms considered by the board in Executive Closed Session on April 15, 2013; and

WHEREAS, terms of the Purchase Agreement for the sale of the Nettleton School request the District consolidate along with the Nettleton School property a parcel of tax forfeited land legally described as Lot 17 and the westerly 5 feet of Lot 19, East 5th Street, Duluth Proper, First Division hereafter referred to as the "Vacant Lot"; and

WHEREAS, the District had previously acquired the Vacant Lot by Free Conveyance from the State of Minnesota to facilitate the economical and adequate provision of education, which included a provision that if such use shall cease, said land shall revert back to the State; and

WHEREAS, the Vacant Lot will no longer be used for purposes set forth in Minnesota Statute Section 123B.51 and therefore must be reconveyed to the State of Minnesota; and

WHEREAS, the Vacant Lot will have been reconveyed back to the State of Minnesota and it can be acquired by the District to be consolidated with the Nettleton School property; and

WHEREAS, in the Purchase Agreement the buyer agrees to pay the District \$10,000 for the Vacant Lot as part of the Nettleton School property purchase.

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the purchase of the Vacant Lot, a real property legally described as Lot 17 and the westerly 5 feet of Lot 19, East 5th Street, Duluth Proper First Division, City of Duluth, in St. Louis County, and;

BE IT FURTHER RESOLVED that the School Board authorizes the School Board Chair to sign and execute all documents required for closing this purchase transaction from the State of Minnesota.

B-7-13-3114

July 16, 2013

M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3114 – Authorizing the Purchase of Real Property near Nettleton School. Upon a vote, the same was approved – unanimously.

Minutes of the Regular School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, July 16, 2013

Members Present:

Mary Cameron
Art Johnston
Tom Kasper
Mike Miernicki
Judy Seliga Punyko
Ann Wasson
Bill Westholm

Others Present:

Ed Crawford, Assistant Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Student Representatives:

Erik Thibault

Others Absent:

Katlyn Persch, Student Representative

➤ Chair Kasper called the regular school board meeting of July 16, 2013 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

M-Seliga Punyko, S-Wasson, to approve the agenda as presented. Upon a vote on the agenda as presented, the same was approved – unanimously.

Member Seliga Punyko presented the resolution:

RESOLUTION

Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose

WHEREAS, the School Board of Independent School District No. 709 entered into an agreement with the State of Minnesota in 1994 wherein the State of Minnesota conveyed property to the School District to be used exclusively to facilitate the economical and adequate provision of education at Nettleton Elementary School; and

WHEREAS, the property will no longer be needed for the intended purpose of the original conveyance and therefore, the Recorded Deed requires the property revert to the State of Minnesota;

NOW, THEREFORE, BE IT RESOLVED the School Board authorizes the School Board Chair and Clerk to execute the Reconveyance of Forfeited Lands to the State of Minnesota by a Governmental Subdivision and any other documents necessary for this purpose that causes the Real Property further described as Lot 17 and the westerly 5 feet of Lot 19, East Fifth Street, Duluth Proper, First Division described in State of Minnesota, St. Louis County, Deed No. 0180954 to revert to the State of Minnesota.

B-7-13-3113

July, 16, 2013

M-Seliga Punyko, S-Wasson, to approve Resolution B-7-13-3113 Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose. Upon a vote, the same was approved – unanimously.

STATE OF MINNESOTA)
)
COUNTY OF ST. LOUIS)

I, Mike Miernicki, the duly elected, qualified and acting Clerk of the School Board of Independent School District No. 709, a public corporation, located in St. Louis County, Minnesota, do hereby certify that I am the official custodian of the records of the school district, and that I have compared the attached copies with the original records of the school district, and that they are true and correct transcripts taken from the records of the proceedings of a regular meeting of the school board, held at the City of Duluth, in said State, on July 16, 2013, as related to Authorizing the Reconveyance of Real Property to the State of Minnesota and Execution of Documents Required for this Purpose, included therein is a full, true and correct copy of the original thereof.

IN WITNESS WHEREOF I have hereunto set my hand as Clerk and affixed the seal of said Independent School District No. 709, this 20th day of August 2013.



Mike Miernicki

Mike Miernicki
Clerk of the School Board
Independent School District No. 709
St. Louis County, Minnesota

Reconveyance of Forfeited Lands to the State of Minnesota
By a Governmental Subdivision
Under Minnesota Statutes, Section 282.01, Subdivision 1d

State Deed Tax Due Hereon: \$1.65

WHEREAS, pursuant to Minnesota Statutes, Section 282.01, Subdivisions 1a to 1c, the State of Minnesota, on the 29th day of April, 1994, conveyed to Independent School District #709 a governmental subdivision of the State of Minnesota (hereinafter "Governmental Subdivision"), by state deed numbered 0180954, the real property described below (hereinafter "Property") to be used for an authorized public use, and

WHEREAS, the Governmental Subdivision has either failed to put the Property to the public use for which it was conveyed, or has abandoned the public use for which it was conveyed, and now desires to reconvey the Property under Minnesota Statutes, Section 282.01, Subdivision 1d to the State of Minnesota, to be held in trust according to Minnesota Statutes, Section 281.25,

NOW THEREFORE, the Governmental Subdivision, pursuant to said laws, and pursuant to the duly adopted resolution of its governing body number B-7-13-3113, dated July 16, 2013, does hereby grant and convey the property in the County of St. Louis, described as follows, together with all appurtenances thereunto belonging:

CITY OF DULUTH, LOT 17 AND W 5 FT OF LOT 19, DULUTH PROPER 1ST DIVISION EAST 5TH STREET

to the State of Minnesota, to be held in trust as provided by Minnesota Statutes, Section 281.25, upon like conditions and with like effect as if the Property had not been conveyed to the Governmental Subdivision for a public use.



Independent School District #709
(Division of Governmental Subdivision)

By: [Signature] Title School Board Date
Chair
By: [Signature] Title School Board Date
Clerk

STATE OF MINNESOTA)
County of St. Louis) ss.

On this 16th day of July, 2013,
Tom Krueger and Mike Muenicki respectively
the Chair and the Clerk of the governmental subdivision
named in the foregoing instrument, appeared before me and acknowledged that they executed the same as the free act
and deed of said governmental subdivision pursuant to the statutes in such case made and provided.

[Signature] 7/16/13
Notary Date



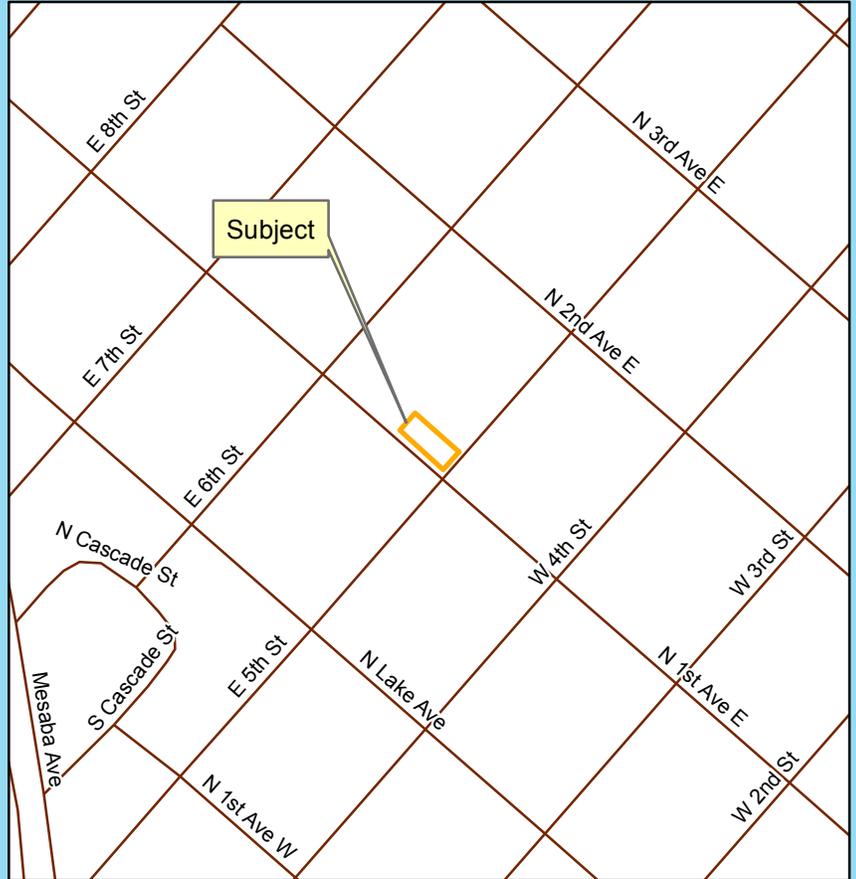
St. Louis County Land and Minerals Department Tax Forfeited Land Sales

Special Sale

Legal : CITY OF DULUTH
LOT 17 AND W 5 FT OF LOT 19
DULUTH PROPER 1ST DIVISION EAST
5TH STREET

Parcel Code : 010-1010-00130

LDKEY : 27357

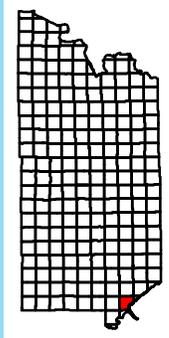


City of Duluth

Sec: 27 Twp: 50 Rng: 14

Commissioner District # 1

-  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**

2014



2003 NAIP Photo

BOARD LETTER NO. 14 - 114

ENVIRONMENT & NATURAL RESOURCES COMMITTEE
CONSENT NO. 7

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Roadway Easement across
State Tax Forfeited Land to
Stuart Swanstrom

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENTAL GOAL:

Performing public services.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a roadway easement across state tax forfeited land in Township 55 North, Range 14 West (Unorganized).

BACKGROUND:

Stuart Swanstrom is requesting an easement 33 feet wide and approximately 225 feet long to provide access to privately owned property. The total area encumbered by the easement is 0.17 acres. The easement is on an existing driveway and there are no practical alternatives to access the private land. Exercising the easement will not cause significant adverse environmental or natural resource management impacts, and will not conflict with public use of the land.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the granting of an access easement across state tax forfeited land to Stuart Swanstrom for the amount of \$197.54 land use fee, \$100 administration fee, and \$46 recording fee; for a total of \$343.54, to be deposited into Fund 240 (Forfeited Tax Fund).

Roadway Easement across State Tax Forfeited Land to Stuart Swanstrom

BY COMMISSIONER _____

WHEREAS, Stuart Swanstrom requested a non-exclusive easement across state tax forfeited land for a driveway; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive easement to Stuart Swanstrom described as follows:

An 33 foot easement for ingress and egress over, under, and across the Northeast Quarter of Section 17, Township 55 North, Range 14 West and the Southeast Quarter of Section 8, Township 55 North, Range 14 West, the centerline of said easement is described as follows: Commencing at the South Quarter corner of Section 9, Township 55 North, Range 14 West; thence on an assigned bearing of South 89 degrees 59 minutes 16 seconds West, along the south line of the southwest quarter of said Section 9, a distance of 2604.88 feet to the Southwest corner of said section 9; thence South 69 degrees 20 minutes 30 seconds West 171.58 feet to the Point of Beginning of said easement, said point being on the northeasterly right of way line of County Road Number 4 as currently constructed; thence North 41 degrees 20 minutes 36 seconds East 105.10 feet; thence North 46 degrees 34 minutes 26 seconds East 49.61 feet; thence North 52 degrees 10 minutes 52 seconds East for a distance of 70 feet, more or less, to the west line of the southwest quarter of said Section 9, and there terminating.

The side lines of said easement are prolonged or shortened to terminate on the northeasterly right of way line of County Road No. 4 and the west line of the southwest quarter of said Section 9.

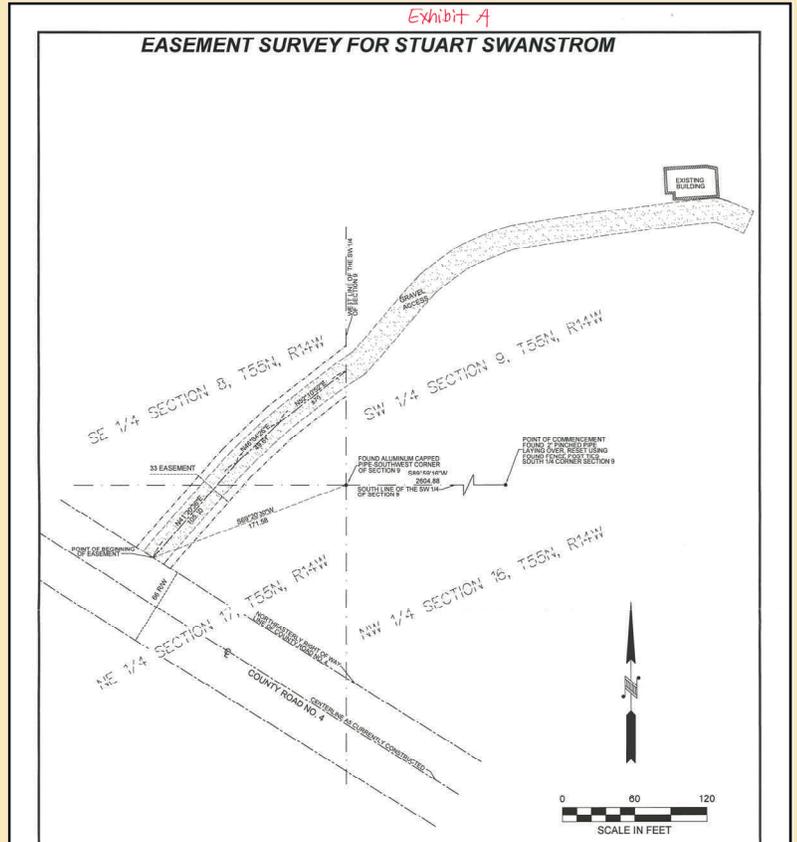
Said easement contains 7,407 square feet or 0.17 acres, more or less.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$197.54 land use fee, \$100 administration fee, and \$46 recording fee; for a total of \$343.54 to be deposited into Fund 240 (Forfeited Tax Fund).



Sections 8, 17, T55N R14W
Unorganized

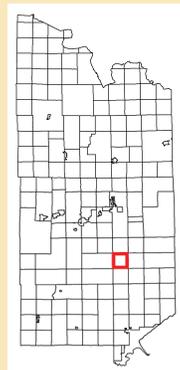
Affects Parcel Codes 641-0010-01280 and
641-0010-02650



4th Commissioner District

- State Tax Forfeited
- Easement
- Township-Range

**St. Louis County
Minnesota**



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**St. Louis County
Land and Minerals
Department**



BOARD LETTER NO. 14 - 115

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 8

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Agreements for 2014
Maintenance Striping (Lake
County and City of Virginia)

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 authorize agreements with Lake County and the City of Virginia for maintenance striping in 2014.

BACKGROUND:

St. Louis County Public Works maintains pavement markings on the county road system by an annual maintenance striping project. The county allows other local agencies to partner with this project to maintain pavement markings on their highway and street system. The project partners for the 2014 maintenance striping project (CP 0000-97112) are Lake County and the City of Virginia.

St. Louis County will prepare the plan and specifications and perform all necessary contract administration from contract award to certification of final payment. The project partners will be responsible to submit their respective quantities to the county and perform all record keeping and construction inspection for their portion of the project. The project partners will pay to St. Louis County the cost of their local share as detailed in the Proposal/Plan Package, Schedule of Prices, and referenced in the agreement.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize agreements with Lake County and the City of Virginia for 2014 maintenance striping. The funds received from project partners will be receipted into Fund 200, Agency 207001.

Agreement with Lake County for 2014 Maintenance Striping

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with Lake County where Lake County will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97112, Maintenance Striping 2014, with the funds to be receipted into Fund 200, Agency 207001, Object 551508.

**COOPERATIVE AGREEMENT
BETWEEN**

**ST. LOUIS COUNTY
AND
LAKE COUNTY**

FOR MAINTENANCE STRIPING

THIS AGREEMENT, hereinafter referred to as the “Agreement,” is between the COUNTY OF LAKE, a duly organized county within the State of Minnesota, hereinafter referred to as “Lake County”, and the COUNTY OF ST. LOUIS, a duly organized county within the State of Minnesota, hereinafter referred to as “St. Louis County”.

WITNESSETH:

WHEREAS, St. Louis County has determined the locations and quantities of striping required on its highways, and wishes to apply traffic paint to stripe centerline and edge line pavement markings on said highways; and

WHEREAS, Lake County has determined the locations and quantities of striping required on its highways, and wishes to apply traffic paint to stripe centerline and edge line pavement markings on said highways; and

WHEREAS, this work shall be completed under the project hereafter identified as “2014 Maintenance of Pavement Markings” (CP 0000-97112).

THEREFORE, IT IS MUTUALLY AGREED AND UNDERSTOOD, with regard to the aforementioned project that the parties hereby agree to the following:

1. St. Louis County shall prepare the Plan, specifications, and engineer’s estimate for said project in accordance with the 2014 Edition of the Minnesota Department of Transportation “Standard Specifications for Construction.”
2. Lake County shall provide St. Louis County with the required locations and quantities for work within Lake County. St. Louis County shall incorporate said information into the Plan and proposal.
3. St. Louis County, acting through the St. Louis County Highway Engineer, shall award

the contract for said project, hereinafter referred to as the “Contract,” to the lowest responsible bidder in accordance with current Minnesota Statutes and specifications.

4. St. Louis County shall perform all necessary Contract administration, and shall administer the terms of the Contract from Contract award to the certification of final payment.
5. St. Louis County shall perform all record keeping and construction inspection for quantities associated with St. Louis County’s portion of the project in accordance with the Plan.
6. Lake County shall perform all record keeping and construction inspection for quantities associated with Lake County’s portion of the project in accordance with the Plan and shall report any observed deficiencies or discrepancies to St. Louis County immediately.
7. St. Louis County’s cost participation shall be 100 percent of St. Louis County’s traffic paint quantity. St. Louis County shall also be responsible for 100 percent of the cost of overrun in traffic paint quantity for St. Louis County’s portion.
8. Lake County’s cost participation shall be 100 percent of Lake County’s traffic paint quantity. There shall not be any overrun of paint quantities allowed for Lake County’s portion of the project.
9. Lake County shall pay to St. Louis County, within 30 days after award of Contract, an amount equal to 95 percent of Lake County’s actual obligation based on the Contract unit prices as contained in the successful Contractor’s bidding documents. Lake County shall pay to St. Louis County, within 30 days of certification of final payment, the remaining balance of Lake County’s obligation. If any funds are received by St. Louis County in excess of the project and administrative costs, they will be returned to Lake County, without interest.
10. Lake County shall pay to St. Louis County, within 30 days of certification of final payment, a flat fee in the amount of \$500.00 for Contract administration services rendered by St. Louis County to Lake County under this Agreement.
11. St. Louis County shall require all Contractors and Subcontractors performing work for said project to name Lake County as an insured party in the amounts listed in the insurance requirements contained in the Contract.
12. Each party shall be liable for its own acts to the extent provided by law, and each party hereby agrees to indemnify, hold harmless and defend the others, their officers and

employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the others, their officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act of omission of the party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this Agreement.

IT IS FURTHER AGREED, that any and all employees of Lake County, while engaged in the performance of any work or service which Lake County is specifically required to perform under this Agreement, shall be considered employees of Lake County only and not of St. Louis County. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act of said employees shall be the sole obligation of Lake County.

IT IS FURTHER AGREED, that any and all employees of St. Louis County, while engaged in the performance of any work or service which St. Louis County is specifically required to perform under this Agreement, shall be considered employees of St. Louis County only and not of Lake County. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act, of said employees, shall be the sole obligation of St. Louis County.

St. Louis County
Lake County
2014 Maintenance Striping
CP 0000-97112

COUNTY OF ST. LOUIS

By _____
County Board Chair

By _____
County Auditor

APPROVED AS TO FORM:

By _____
County Attorney

By _____
Public Works Director/Highway
Engineer

COUNTY OF LAKE

By _____
County Board Chair

By _____
County Auditor

APPROVED AS TO FORM:

By _____
County Attorney

By _____
Public Works Director/Highway
Engineer

Damion No. 2014-8558

*Drafted by: VL
February 28, 2014*

Agreement with the City of Virginia for 2014 Maintenance Striping

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Virginia where the city will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97112, Maintenance Striping 2014, with the funds to be receipted into Fund 200, Agency 207001, Object 551505.

**COOPERATIVE AGREEMENT
BETWEEN**

**ST. LOUIS COUNTY
AND
CITY OF VIRGINIA**

FOR MAINTENANCE STRIPING

THIS AGREEMENT, hereinafter referred to as the “Agreement,” is between the CITY OF VIRGINIA, a duly organized city within the State of Minnesota, hereinafter referred to as “Virginia”, and the COUNTY OF ST. LOUIS, a duly organized county within the State of Minnesota, hereinafter referred to as “St. Louis County”.

WITNESSETH:

WHEREAS, St. Louis County has determined the locations and quantities of striping required on its highways, and wishes to apply traffic paint to stripe centerline and edge line pavement markings on said highways; and

WHEREAS, Virginia has determined the locations and quantities of striping required on its highways, and wishes to apply traffic paint to stripe centerline and edge line pavement markings on said highways; and

WHEREAS, this work shall be completed under the project hereafter identified as “2014 Maintenance of Pavement Markings” (CP 0000-97112).

THEREFORE, IT IS MUTUALLY AGREED AND UNDERSTOOD, with regard to the aforementioned project that the parties hereby agree to the following:

1. St. Louis County shall prepare the Plan, specifications, and engineer’s estimate for said project in accordance with the 2014 Edition of the Minnesota Department of Transportation “Standard Specifications for Construction.”
2. Virginia shall provide St. Louis County with the required locations and quantities for work within Virginia. St. Louis County shall incorporate said information into the Plan and proposal.
3. St. Louis County, acting through the St. Louis County Highway Engineer, shall award

the contract for said project, hereinafter referred to as the “Contract,” to the lowest responsible bidder in accordance with current Minnesota Statutes and specifications.

4. St. Louis County shall perform all necessary Contract administration, and shall administer the terms of the Contract from Contract award to the certification of final payment.
5. St. Louis County shall perform all record keeping and construction inspection for quantities associated with St. Louis County’s portion of the project in accordance with the Plan.
6. Virginia shall perform all record keeping and construction inspection for quantities associated with Virginia’s portion of the project in accordance with the Plan and shall report any observed deficiencies or discrepancies to St. Louis County immediately.
7. St. Louis County’s cost participation shall be 100 percent of St. Louis County’s traffic paint quantity. St. Louis County shall also be responsible for 100 percent of the cost of overrun in traffic paint quantity for St. Louis County’s portion.
8. Virginia’s cost participation shall be 100 percent of Virginia’s traffic paint quantity. There shall not be any overrun of paint quantities allowed for Virginia’s portion of the project.
9. Virginia shall pay to St. Louis County, within 30 days after award of Contract, an amount equal to 95 percent of Virginia’s actual obligation based on the Contract unit prices as contained in the successful Contractor’s bidding documents. Virginia shall pay to St. Louis County, within 30 days of certification of final payment, the remaining balance of Virginia’s obligation. If any funds are received by St. Louis County in excess of the project and administrative costs, they will be returned to Virginia, without interest.
10. Virginia shall pay to St. Louis County, within 30 days of certification of final payment, a flat fee in the amount of \$225.00 for Contract administration services rendered by St. Louis County to Virginia under this Agreement.
11. St. Louis County shall require all Contractors and Subcontractors performing work for said project to name Virginia as an insured party in the amounts listed in the insurance requirements contained in the Contract.
12. Each party shall be liable for its own acts to the extent provided by law, and each party hereby agrees to indemnify, hold harmless and defend the others, their officers and

employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the others, their officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act of omission of the party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this Agreement.

IT IS FURTHER AGREED, that any and all employees of Virginia, while engaged in the performance of any work or service which Virginia is specifically required to perform under this Agreement, shall be considered employees of Virginia only and not of St. Louis County. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act of said employees shall be the sole obligation of Virginia.

IT IS FURTHER AGREED, that any and all employees of St. Louis County, while engaged in the performance of any work or service which St. Louis County is specifically required to perform under this Agreement, shall be considered employees of St. Louis County only and not of Virginia. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act, of said employees, shall be the sole obligation of St. Louis County.

St. Louis County
City of Virginia
2014 Maintenance Striping
CP 0000-97112

COUNTY OF ST. LOUIS

By _____
County Board Chair

By _____
County Auditor

APPROVED AS TO FORM:

By _____
County Attorney

By _____
Public Works Director/Highway
Engineer

CITY OF VIRGINIA

By _____
City Council Chair

By _____
City Administrator

APPROVED AS TO FORM:

By _____
City Attorney

Damion No. 2014-8559

*Drafted by: VL
February 28, 2014*

BOARD LETTER NO. 14 - 116

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 9

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Agreements for 2014 Crack
Sealing (Babbitt, Biwabik,
Chisholm, Floodwood and Grand
Lake and Rice Lake Townships)

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 authorize agreements with the cities of Babbitt, Biwabik, Chisholm, Floodwood, and Grand Lake and Rice Lake Townships for crack sealing in 2014.

BACKGROUND:

St. Louis County Public Works wishes to perform maintenance in the form of crack sealing on various county roads and has prepared a plan for the project. The named cities and townships also wish to perform crack sealing on roads in their jurisdictions and have provided details for the project. The project is described as SAP 69-030-035, CP 97113, Crack Sealing 2014, St. Louis County and others.

St. Louis County will perform all necessary bidding/contract administration, and will administer the terms of the contract from award to certification of final payment. Each entity will pay to St. Louis County the cost of its local share of crack sealing costs as referenced in the agreement.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize agreements with the cities of Babbitt, Biwabik, Chisholm, Floodwood, and Grand Lake and Rice Lake Townships. The funds received from the various partners will be receipted into Fund 220, Agency 220318.

Agreement with City of Babbitt for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Babbitt where the city will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 55518.

Agreement with City of Biwabik for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Biwabik where the city will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 551540.

Agreement with City of Chisholm for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Chisholm where the city will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 551530.

Agreement with City of Floodwood for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Floodwood where the city will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 551576.

Agreement with Grand Lake Township for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with Grand Lake Township where the township will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 551555.

Agreement with Rice Lake Township for Crack Sealing

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the Rice Lake Township where the township will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-97113, SAP 69-030-035, Crack Sealing 2014, with the funds to be receipted into Fund 220, Agency 220318, Object 551521.

BOARD LETTER NO. 14 - 117

FINANCE & BUDGET COMMITTEE CONSENT NO. 10

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Orr Area Minneonto II, Inc. – Lease Agreement Extension

FROM: Kevin Z. Gray
County Administrator

Mark S. Rubin
County Attorney

RELATED DEPARTMENT GOAL:

To provide efficient, effective government.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an Extension of Lease Agreement between Alice Anderson and Orr Area Minneonto II, Inc.

BACKGROUND:

Prior to 1978, St. Louis and Koochiching Counties jointly participated in the maintenance and improvement of three television translator stations for the benefit of the citizens in the Kabetogama and International Falls area. In 1980, the counties mutually agreed to terminate the relationship due to ongoing issues of financial participation in the maintenance of the translator stations. As a result of this termination, St. Louis County assisted a citizens group in forming Orr Area Minneonto II, to assume the financial and maintenance responsibilities with respect to the television translator station in St. Louis County.

The equipment for the translator station was then donated to Orr Area Minneonto II. The tower and equipment building are located on property leased from Alice Anderson of Roanoke, Virginia. As a condition of continuing that lease, and to facilitate the continuation of the translator station, St. Louis County guaranteed the rental payment (then \$350 per year) and the removal of the equipment and tower if Ore Area Minneonto II failed to perform. Minneonto II has continued to operate, and St. Louis County has continued to guarantee, the rental payment and removal of equipment during each new term of the lease, which have usually been in place for five-year periods.

The last lease expired in April, 2011. Minneonto II and Alice Anderson have again asked the county to guarantee the agreed upon annual rental and the removal of the equipment if Minneonto II discontinues operation. The county previously negotiated an additional term that allows the county to step into the place of Minneonto II for the use of the tower if

Minneonto II fails, based upon input from 911 Emergency Communications personnel that the tower could be useful for communication services to law enforcement.

This proposed Extension of Lease Agreement is for a term of ten years, retroactive to May 1, 2011, plus two additional ten-year terms unless earlier terminated. The rent has been increased to \$2,000 per year and may be renegotiated in good faith between the parties from time to time.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the Chair and Auditor to execute the Extension of Lease Agreement between Alice Anderson and Orr Area Minneonto II, Inc.

Orr Area Minneonto II, Inc. – Lease Agreement Extension

BY COMMISSIONER _____

RESOLVED, That the Chair of the St. Louis County Board and the County Auditor are authorized to execute an Extension of Lease Agreement between Alice Anderson and the Orr Area Minneonto II, Inc., non-profit corporation pertaining to the lease of property near Gheen, Minnesota, for a television translator and communication tower guaranteeing an annual lease payment of \$2,000 and the removal of equipment and tower upon termination of the lease or non-utilization by Minneonto II or St. Louis County.

RESOLVED FURTHER, That the Extension of Lease Agreement is for a term of ten years, retroactive to May 1, 2011, plus two additional ten-year terms unless earlier terminated.

EXTENSION OF LEASE AGREEMENT

This is an extension of that lease agreement (the "Lease") made and entered into as of the 1st day of May, 1980, by and between Alice Anderson of 611 South Jefferson Street, Apartment 704, Roanoke, Virginia 24011 ("Lessor") and Orr Area Minneonto II, Inc., a Minnesota non-profit corporation ("Lessee").

Lessor owns certain real property located in Willow Valley Township, County of St. Louis, State of Minnesota, near Gheen, Minnesota, legally described as follows:

Government Lot One (1) also referred to as the Northeast Quarter of the Northeast Quarter (NE ¼ of NE ¼) of Section One (1), Township Sixty-three (63) North, Range Twenty (20) West, St. Louis County, Minnesota, EXCEPT the south 16 feet thereof.

AND

Government Lot Two (2), Section One (1), Township Sixty-three (63) North, Range Twenty (20) West, St. Louis County, Minnesota.

(the "Property").

Lessee owns and operates a television translator and communications tower that is located on a portion of the Property. The portion of the Property on which the tower is located is described as follows:

the television tower site with dimensions approximately 300' by 300' located on Lot 1, Section 1, Township 63, Range 20.

(the "Premises").

This Lease is hereby extended for an additional term of ten years commencing May 1, 2011. The Lease shall be extended for an additional two ten-year terms unless terminated by either party.

The terms and conditions of the Lease shall continue to govern, with the following modifications:

1. The annual rent shall be increased to a flat rate of Two Thousand Dollars (\$2,000.00) per year, payable on or before May 1 of each year. The parties agree to renegotiate rent in good faith from time to time.
2. No modification to the tower (including any transmitters located thereon) or any building on the Premises shall be done without Lessor's written approval, which approval shall not be unreasonably withheld. Lessee shall have the right to continue maintenance and repair of existing facilities.

3. Lessee shall not have the right to assign the Lease or to sublet the Premises or any part thereof, without the prior written consent of Lessor.

4. Paragraph 7 of the Lease is amended to read as follows:

It is further understood by and between the parties that the County of St. Louis (the "County"), by a separate signature appearing on this Lease, agrees that it will guarantee payment of the above-described annual rent during the term of the Lease. In the event that Lessee fails to make any rental payment when due, Lessor shall notify the County in writing within a reasonable time of Lessee's failure to pay.

The County, upon assuming responsibility of rental payments, shall also acquire the exclusive use of the tower for the remaining term of the Lease.

Notwithstanding any other provision of the Lease, the County will have the right to install communication equipment to be utilized by the County for 911 communications, any public service or internal county communications.

The County will further have exclusive right to all revenues generated by the existing leases for space on the tower to other entities.

In the event that the County assumes responsibility for rental payments under this Lease, it shall have the option of terminating the Lease by giving Lessor ninety (90) days' written notice of its intent to terminate the Lease. Upon termination of the Lease, the County will have no further obligation to make any rental payments that would have been due.

The County further agrees that, upon termination of the Lease, it will remove the television tower on the Premises at no cost to Lessor if Lessee fails to do so.

5. All notices pursuant to this Lease shall be directed in writing to:

Alice Anderson
611 S. Jefferson St., Apt. 704
Roanoke, VA 24011
(612) 825-3268

St. Louis County
Office of the County Administrator
100 North 5th Avenue West
Duluth, MN 55802

Orr Area Minneonto II, Inc.
c/o Curt Glass
Box 323
Orr, MN 55771
(218) 966-0800

All other terms and conditions of the Lease shall remain in effect.

BOARD LETTER NO. 14 - 118

FINANCE & BUDGET COMMITTEE CONSENT NO. 11

BOARD AGENDA NO.

DATE: March 25, 2014

RE: Upgrade of Storage Area Network
Hardware and Software

FROM: Kevin Z. Gray
County Administrator

Linnea Mirsch, Acting Director
Information Technology

RELATED DEPARTMENT GOAL:

Provide a strong county infrastructure.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize purchase of upgraded storage area network components for the primary and backup data centers.

BACKGROUND:

Since 2005, the county has operated a pair of storage area networks at the primary and backup data centers. These systems are comprised of both hardware and management software. The primary system at the main data center is larger in terms of disk capacity and controller speed. The secondary system located at the backup data center allows the county to instantaneously mirror its mission critical files and to provide a backup and recovery capability for all of the county's data storage in the event of a disaster.

The amount of data captured and the need for virtually instantaneous access to electronic information continues to grow. To provide for this growing need, the Information Technology (IT) Department has budgeted for this extra equipment capacity and speed, which was last upgraded in March 2013.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the IT Department to purchase upgraded storage area network hardware from Datalink Corporation, a Minnesota Company under the Western States Contracting Alliance (WSCA) agreement at the quoted price of \$142,191. Funding for this purchase has been budgeted in Fund 100, Agency 117101, Object 665300.

It is further recommended that the County Board authorize the purchase of associated ongoing maintenance and support at a total cost of \$6,820 for the remaining twenty months of the Datalink support contract through December 2015. Funding is available in Fund 100, Agency 117004, Object 634800.

Upgrade of Storage Area Network Hardware and Software

BY COMMISSIONER _____

WHEREAS, The Information Technology Storage Area Network systems occasionally need to be upgraded to adequately support the technology needs of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of upgraded storage area network hardware from Datalink Corporation, a Minnesota company under the Western States Contracting Alliance (WSCA) agreement at the quoted price of \$142,191, payable from Fund 100, Agency 117101, Object 665300;

RESOLVED FURTHER, That the County Board authorizes the purchase of associated ongoing maintenance and support for the remaining twenty months of the Datalink support contract through December 2015 at a total cost of \$6,820, payable from Fund 100, Agency 117004, Object 634800.

Parking Lease – U. S. Coast Guard Duluth Station

BY COMMISSIONER _____

WHEREAS, St. Louis County was contacted by the USCG Duluth Station Commanding Officer requesting four (4) parking spaces in the Duluth Courthouse Ramp and space for four (4) rescue equipment trailers that need longer term parking; and

WHEREAS, The Courthouse Ramp top level space rental rate is \$35 per month per stall for a total of \$140 per month and the trailer parking space rental rate will be \$10 per month per trailer for a total of \$40 per month;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a lease with the USCG, Duluth Station, to park four (4) vehicles in the Duluth Courthouse Ramp on a month to month basis, at a rate of \$140 per month, for a duration not to exceed one (1) year, and a five (5) year lease for trailer parking at the Public Safety Campus at a rate of \$40 per month;

RESOLVED FURTHER, That revenues for the Duluth Courthouse Ramp portion of the lease will be to Fund 100-128010-583103, and revenues for the Public Safety Campus parking will be to Fund 110-128015-583103.

BOARD LETTER NO. 14 – 120

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 13

BOARD AGENDA NO.

DATE: March 25, 2014

RE: Compensation for Services to the
Law Library Board 2014 - 2018

FROM: Kevin Z. Gray
County Administrator

RELATED DEPARTMENT GOAL:

To provide effective, efficient government.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the transfer of funds from the Law Library Fund balance to pay for professional services approved by the Law Library Board as required by Minn. Stat. § 134A.08.

BACKGROUND:

On December 19, 2013, the Law Library Board of Trustees approved a long-term governance solution for the St. Louis County Law Library System by entering into a five-year professional services agreement with Legal Aid Service of Northeastern Minnesota (LASNEM) to operate the St. Louis County Law Libraries in courthouses located in Duluth, Virginia and Hibbing. The contract with LASNEM will provide a greater level of service to professionals and pro se patrons.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the action of the Law Library Board in establishing a professional services agreement with Legal Aid Service of Northeastern Minnesota for 2014-2018, pursuant to Minn. Stat. § 134A.08. It is further recommended the County Board authorize the transfer of funds from the Law Library Fund balance to pay for the approved professional services to be provided by LASNEM in the amount of \$125,000 annually, adjusted by a two percent (2%) increase each year thereafter through 2018, to be paid from Fund 180, Agency 180001, Object 629900.

Compensation for Service to the Law Library Board 2014-2018

BY COMMISSIONER _____

WHEREAS, To provide a greater level of service to professionals and pro se patrons, on December 13, 2013, the Law Library Board of Trustees for the St. Louis County Law Library entered into an agreement with Legal Aid Service of Northeastern Minnesota to operate the St. Louis County Law Libraries in the Duluth, Virginia, and Hibbing Courthouses for 2014-2018; and

WHEREAS, Pursuant to Minn. Stat. § 134A.08, the St. Louis County Board must approve the action of the Law Library Board of Trustees in setting the annual compensation for said services; and

WHEREAS, The Law Library has sufficient funds;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the action of the St. Louis County Law Library Board of Trustees establishing a professional services agreement with Legal Aid Service of Northeastern Minnesota in the amount of \$125,000 annually, adjusted by a two percent (2%) increase each year thereafter through 2018, to be paid from Fund 180, Agency 180001, Object 629900.

RESOLVED FURTHER, That the St. Louis County Board approve transfer from the Law Library Fund Balance, Fund 180, Object 311013, to the Law Library operating budget, Fund 180, Agency 180001, Object 629900, to facilitate the 2014 payments.

BOARD LETTER NO. 14 - 121

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: March 25, 2014 **RE:** Award of Bids for a Reclaim,
Overlay and Bridge Replacement
on CSAH 89 (Duluth and
Hermantown)

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 authorize the award of a project for a reclaim and overlay and bridge replacement on County State Aid Highway (CSAH) 89 in Duluth and Hermantown, MN.

BACKGROUND:

County staff is authorized by Resolution No. 88-381, dated May 24, 1988, to call for bids on projects which are already included in the budget document. Bids were requested for three tied projects on CSAH 89 (Stebner and Getchell Roads, 57th Avenue West and Highland Street) in Duluth and Hermantown funded with Flood Bond and St. Louis County State Aid. A call for bids was received by Public Works on March 20, 2014, for the projects in accordance with the plans and specifications on file in the Office of the County Highway Engineer:

Projects: SAP 69-689-004(Low)/Storm WO 176509
 SAP 69-689-010/Storm WO 183085
 SAP 69-689-011/CP 0089-153306

- A) SAP 69-689-004(Low)/Storm WO 176509
- B) SAP 69-689-010/Storm WO 183085

Location: CSAH 89 (57th Avenue West and Highland Street) from Cody Street to
588' NW of Vinland Street and Skyline Parkway in Duluth, MN, length
1.49 miles (see attached map)

Traffic: 5,409

PQI: 2.2
Construction: Grading, Storm Sewer, Watermain, Sanitary Sewer, Aggregate Base, Curb and Gutter, Bituminous Surface, Sidewalks, Retaining Walls, and State Bridge No. 69A18
Funding: Fund 225, Agency 176509 (Road) Agency 225085 (Bridge), Object 652706

C) SAP 69-689-011/CP 0089-153306

Location: CSAH 89 (Getchell/Stebner Road) from 594' North of Skyline East and CSAH 56 (Morris Thomas Road) in Duluth and Hermantown, MN, length 1.94 miles (see attached map)

Traffic: 5,409

PQI: 2.9

Construction: Reclamation, Milling, Bituminous Surfacing and Aggregate Shoulders

Funding: Fund 220, Agency 220312, Object 652700

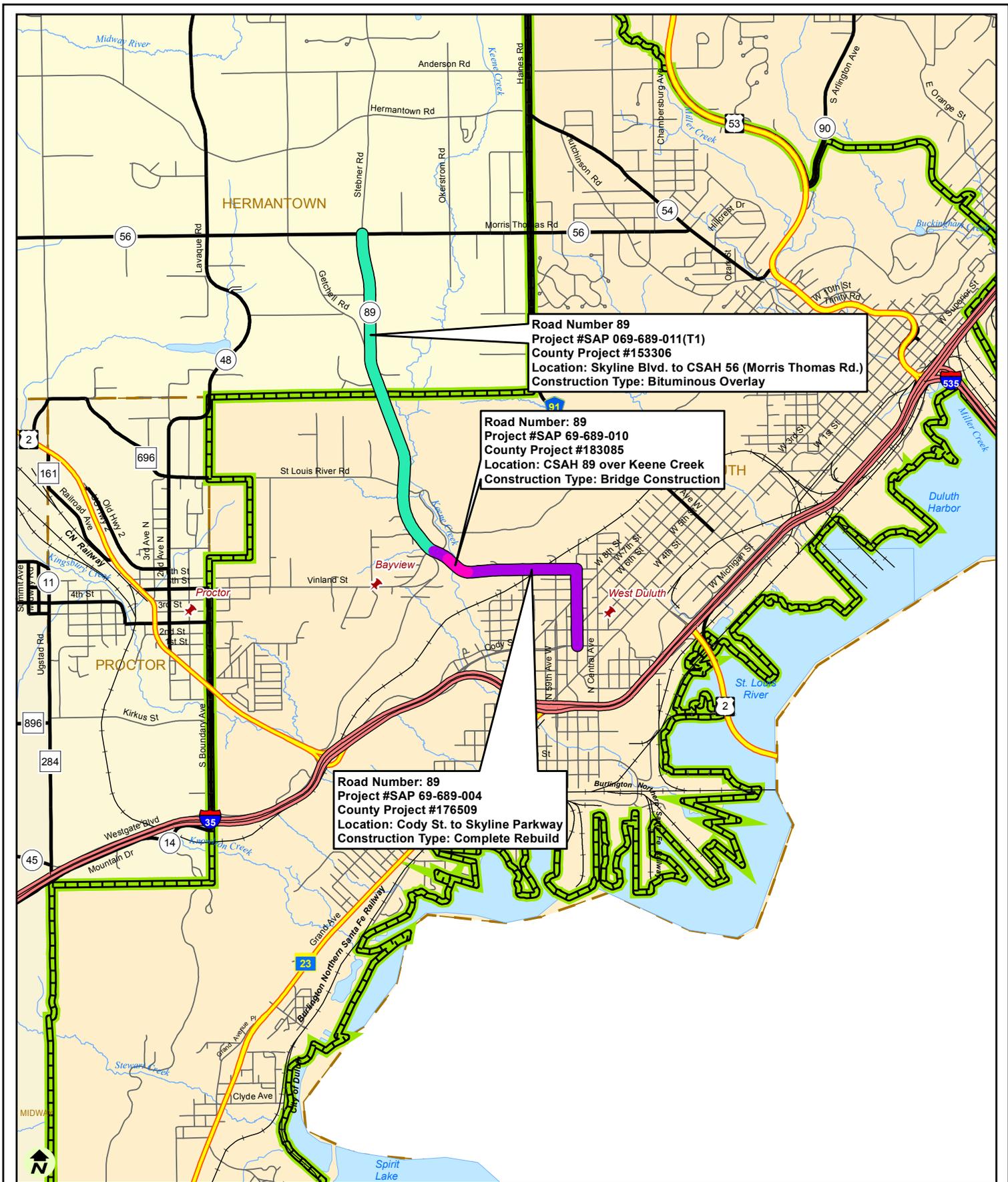
Anticipated Start Date: May 5, 2014

Anticipated Completion Date: October 17, 2014

Engineer's Estimate: To be provided after bid opened

RECOMMENDATION:

The bid was opened on March 20, 2014. The County Board will be provided bid results and a recommendation for consideration at the March 25 Committee of the Whole meeting.

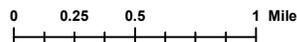


Road Number 89
Project #SAP 069-689-011(T1)
County Project #153306
Location: Skyline Blvd. to CSAH 56 (Morris Thomas Rd.)
Construction Type: Bituminous Overlay

Road Number: 89
Project #SAP 69-689-010
County Project #183085
Location: CSAH 89 over Keene Creek
Construction Type: Bridge Construction

Road Number: 89
Project #SAP 69-689-004
County Project #176509
Location: Cody St. to Skyline Parkway
Construction Type: Complete Rebuild

St. Louis County 2014 Road & Bridge Construction



Map Components		
2014 Road & Bridge Construction	County Road - Paved	Township Boundary
Bituminous Overlay	County Road - Gravel	City/Town
Bridge Construction	Local Road/City Street	Lake
Complete Rebuild	Railroad	River/Stream
Interstate Highway	Commissioner District	
U.S./State Highway		

BOARD LETTER NO. 14 - 122

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 2

BOARD AGENDA NO.

DATE: March 25, 2014

RE: Award of Bids – Crack Seal and Repairs, Edgeline and Centerline Markings and Reclaim and Overlay Projects (Various Cities and Townships and Lake County)

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 authorize the award of sealing projects planned in various cities, townships and Lake County.

BACKGROUND:

County staff is authorized under Resolution No. 88-381, dated May 24, 1988, to call for bids on projects which are already included in the budget document. Bids were requested for a combination crack seal, crack repair special, chip seal, seal coat and fog seal project in the cities of Proctor, Duluth, Hermantown, and Brevator and Solway townships; a chip sealing and fog sealing project in Lake County; and reclaim and overlay projects in Rice Lake and Midway Townships.

A call for bids was received by Public Works on March 13, 2014, for the following projects in accordance with the plans and specifications on file in the office of the County Highway Engineer:

- 1. Project:** A. SAP 69-030-033(Low), CP 0000-205963, Crack Seal, Crack Repair Special, Seal Coat and Fog Seal
- Location:** A1) CSAH 48 (Lavaque Road) from 5th Street (Proctor) to TH 53, length 6.60 miles.
A2) CSAH 56 (Morris Thomas Road) from TH 33 to CSAH 98 (Canosia Road), length 4.00 miles.
A3) CSAH 98 (Canosia Road) from Carlton County line to TH 2, length 2.67 miles
A4) CSAH 91 (40th Avenue West) from TH 23 (Grand Avenue) to DMIR/CN RR Tracks, length 0.40 miles

Traffic: A1) 2,826; A2) 646; A3) 1,766; A4) 6,577
PQI: 3.1
Construction: Crack seal, crack repair special, seal coat and fog seal
Funding: Fund 220, Agency 220309, Object 652700

Location: B. SAP 69-606-023, CP 0006-189121, Chip Sealing and Fog Sealing
CSAH 6 (Maple Grove Road) from TH 33 to TH 2, length 3.40 miles

Traffic: 395
PQI: 3.3
Construction: Chip sealing and fog sealing
Funding: Fund 220, Agency 220297, Object 652700

Location: C. SAP 38-610-006(Low), Lake County Chip Sealing and Fog Sealing
CSAH 10, 11, 12 in Lake County, combined length 11.25 miles
Traffic: 540, 1500, 760
PQI: N.A.
Construction: Chip sealing and fog sealing
Funding: Fund 220, Agency 220310, Object 652700

Anticipated Start Date: June 16, 2014
Anticipated Completion Date: August 9, 2014
Engineer's Estimate: \$1,560,056.07

BIDS:
Fahrner Asphalt Sealers, LLC **\$978,639.33 (\$581,416.74, -37.27%)**
Eau Claire, WI
Asphalt Surface Technologies Corporation \$1,075,590.22
aka ASTECH Corp., St. Cloud, MN
Scott Construction, Inc., Lake Delton, WI \$2,119,946.37

2. **Project:** SAP 69-030-028, CP 0000-187072 Ground In Wet Reflective Edgeline and Centerline Markings
Location: Various County State Aid Highways within St. Louis County, combined length 14.98 miles
Traffic: Variable
PQI: N.A.
Construction: Ground In Wet Reflective Edgeline and Centerline Markings
Funding: Fund 220, Agency 220311, Object 652700

Anticipated Start Date: June 2, 2014
Anticipated Completion Date: September 26, 2014
Engineer's Estimate: \$180,488.40

BIDS:
AAA Striping Service, St. Michael, MN **\$146,513.30 (-\$33,975.10, -18.82%)**
Century Fence Company, Forest Lake, MN \$163,420.55
Traffic Marking Service, Maple Lake, MN \$227,843.57

3. **Project:** CP 0036-180381
Location: CSAH 36 (Arnold Road) from CSAH 9 (Martin Road) to CSAH 43, (Lismore Road) in Rice Lake Township, length 4.99 mi.
Traffic: 1,560
PQI: 1.1
Construction: Reclamation, Bituminous Surface, Aggregate Base and Aggregate Shouldering
Funding: Fund 200, Agency 203317, Object 652800
Anticipated Start Date: August 15, 2014
Anticipated Completion Date: October 15, 2014
Engineer's Estimate: \$1,444,549.38
- BIDS:**
- | | |
|--|--|
| Northland Constructors of Duluth, LLC
Duluth, MN | \$1,218,612.64 (-\$225,936.74, -15.64%) |
| Ulland Brothers, Inc., Cloquet, MN | \$1,281,875.62 |
| KGM Contractors, Inc., Angora, MN | \$1,297,151.80 |
| Hawkinson Construction Co. Inc.
Grand Rapids, MN | \$1,389,897.51 |
4. **Project:** CP 0898-94662
Location: CR 898 (Lindahl Road) from CSAH 73 (Old Hwy 61) to CSAH 19, (St. Louis River Road) in Midway Township, length 3.45 mi.
Traffic: 313
PQI: 0.8
Construction: Reclamation, Bituminous Surface, Aggregate Base and Aggregate Shouldering
Funding: Fund 200, Agency 203318, Object 652800
Anticipated Start Date: June 2, 2014 or August 15, 2014
Anticipated Completion Date: July 11, 2014 or October 15, 2014
Engineer's Estimate: \$914,459.88
- BIDS:**
- | | |
|---|--|
| Ulland Brothers, Inc., Cloquet, MN | \$813,610.18 (-\$100,849.70, -11.03%) |
| Hawkinson Construction Co. Inc.
Grand Rapids, MN | \$843,736.57 |
| KGM Contractors, Inc., Angora, MN | \$876,455.29 |
| Northland Constructors of Duluth, LLC
Duluth, MN | \$924,747.47 |

RECOMMENDATION:

It is recommended the St. Louis County Board award the above described projects as follows:

SAP 069-030-033, CP 0000-205963 (Low); SAP 069-606-023, CP 0006-189121 (Tied); SAP 38-610-006 (which includes SAP 38-611-016 and SAP 38-612-016) to Fahrner Asphalt Sealers, LLC in the amount of \$978,639.33 payable from:
Fund 220, Agency 220309, Object 652700 - \$458,391.40
Fund 220, Agency 220297, Object 652700 - \$224,900.27
Fund 220, Agency 220310, Object 652700 - \$295,347.66

SAP 069-030-028, CP 0000-187072 to AAA Striping Service in the amount of \$146,513.30 payable from Fund 220, Agency 220311, Object 652700

CP 0036-180381 to Northland Constructors of Duluth, LLC in the amount of \$1,218,612.64 payable from Fund 200, Agency 203317, Object 652800

CP 0898-94662 to Ulland Brothers, Inc. in the amount of \$813,610.18 payable from Fund 200, Agency 203318, Object 652800

**Award of Bids – Crack Seal and Repairs and Fog Seal Projects
(Various Cities and Townships and Lake County)**

BY COMMISSIONER _____

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for the following project:

SAP 069-030-033, CP 0000-205963 (Low) located on:

A1) CSAH 48 (Lavaque Road) from 5th Street (Proctor) to TH 53, length 6.60 miles.

A2) CSAH 56 (Morris Thomas Road) from TH 33 to CSAH 98 (Canosia Road), length 4.00 miles.

A3) CSAH 98 (Canosia Road) from Carlton County line to TH 2, length 2.67 miles

A4) CSAH 91 (40th Avenue West) from TH 23 (Grand Avenue) to DMIR/CN RR Tracks, length 0.40 miles

SAP 069-606-023, CP 0006-189121 (Tied) located on CSAH 6 (Maple Grove Road) from TH 33 to TH 2, length 3.40 miles

SAP 38-610-006, SAP 38-611-016, SAP 38-612-016 located on CSAH 10, 11, 12 in Lake County, combined length 11.25 miles

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 13, 2014, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the award of the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, LLC	6615 US Hwy 12 W. Eau Claire, WI 54703	\$978,639.33

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

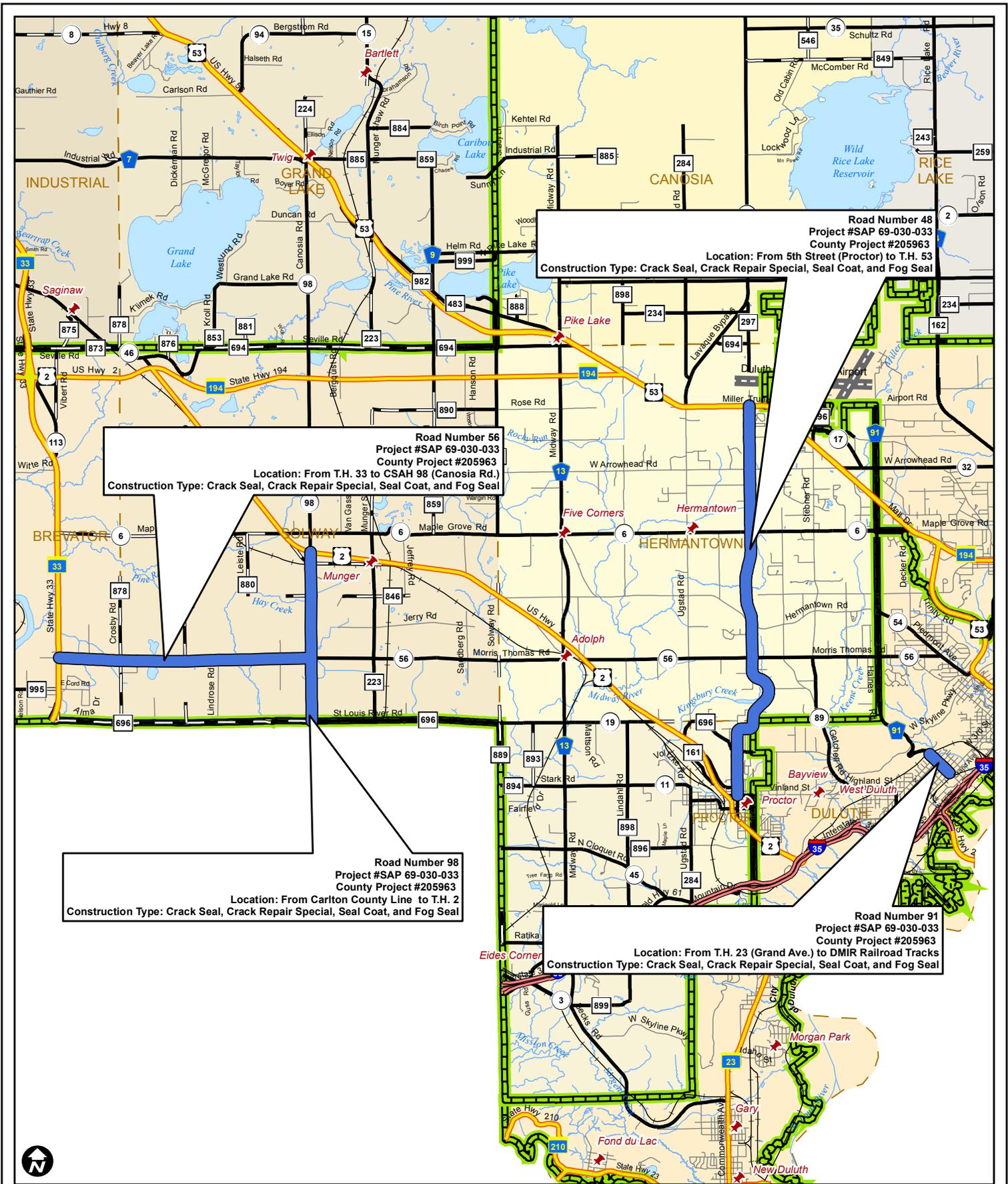
Fund 220, Agency 220309, Object 652700 - \$458,391.40

Fund 220, Agency 220297, Object 652700 - \$224,900.27

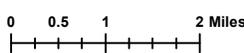
Fund 220, Agency 220310, Object 652700 - \$295,347.66

With additional revenue budgeted for expense:

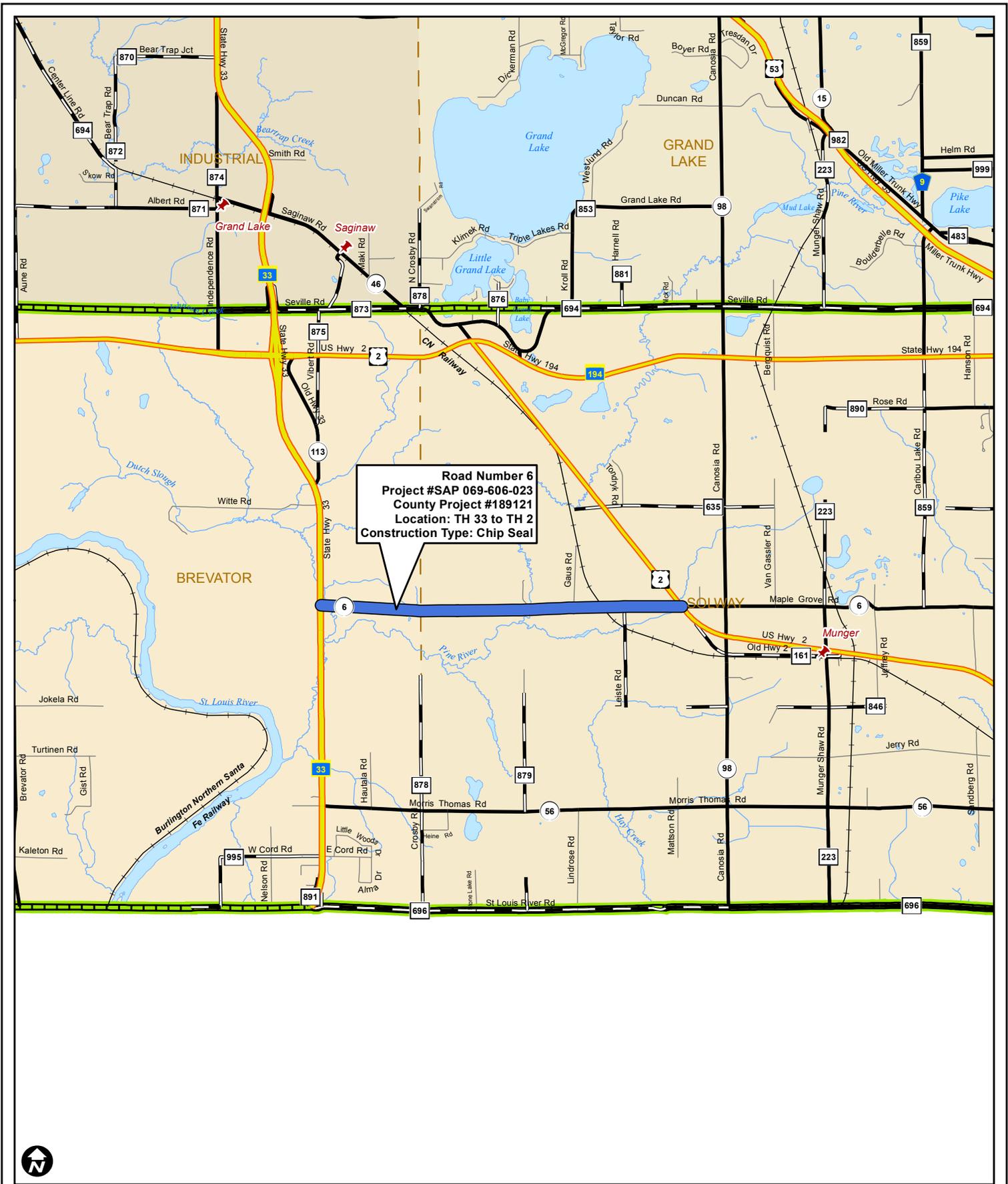
Lake County: Fund 220, Agency 220310, Rev. Obj. 551508 - \$295,347.66



St. Louis County 2014 Road & Bridge Construction



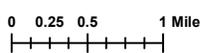
Map Components	
2014 Road & Bridge Construction	County/Unorg. Twp. Road - Paved
Crack Seal, Chip Seal, & Micro Surfacing	County/Unorg. Twp. Road - Gravel
Interstate Highway	Local Road/City Street
U.S./State Highway	Railroad
	Commissioner District
	Township Boundary
	City/Town
	Lake
	River/Stream



Road Number 6
Project #SAP 069-606-023
County Project #189121
Location: TH 33 to TH 2
Construction Type: Chip Seal



St. Louis County 2014 Road & Bridge Construction



Map Components	
2014 Road & Bridge Construction	County/Unorg. Twp. Road - Paved
Crack Seal, Chip Seal, & Micro Surfacing	County/Unorg. Twp. Road - Gravel
Interstate Highway	Local Road/City Street
U.S./State Highway	Railroad
	Commissioner District
	Township Boundary
	City/Town
	Lake
	River/Stream

**Award of Bids: Ground in Wet Reflective Edgeline and
Centerline Markings**

BY COMMISSIONER _____

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for the following project:

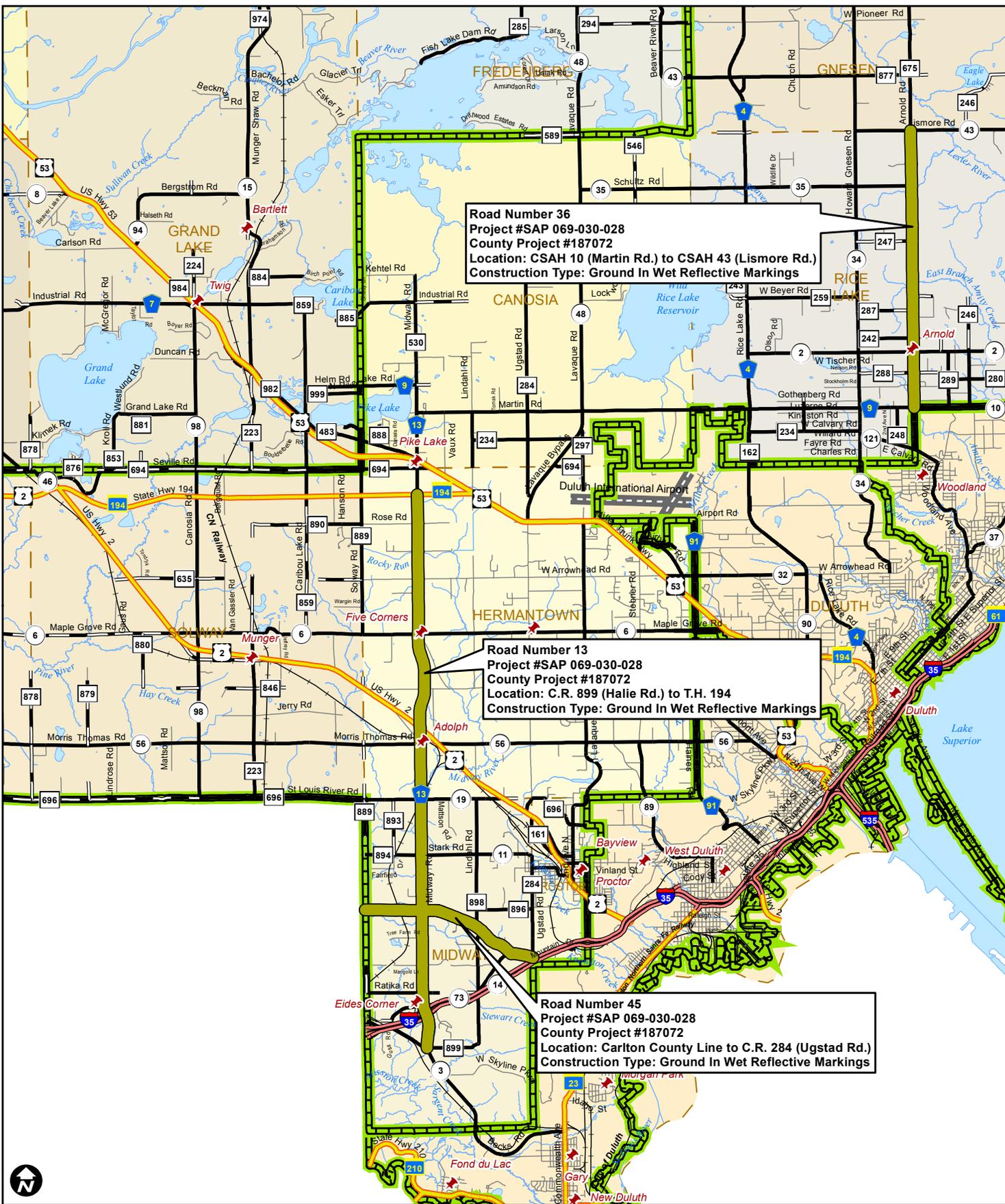
SAP 069-030-028, CP 0000-187072 located on Various County State Aid Highways within St. Louis County, combined length 14.98 miles

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 13, 2014, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the award of the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
AAA Striping Service	12220 43 rd St. NE St. Michael, MN 55376	\$146,513.30

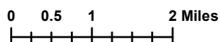
RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220311, Object 652700.



St. Louis County 2014 Road & Bridge Construction

Map Components

2014 Road & Bridge Construction	County/Unorg. Twp. Road - Paved	Township Boundary
Ground In Wet Reflective (GIWR) Markings	County/Unorg. Twp. Road - Gravel	City/Town
Interstate Highway	Local Road/City/Street	Lake
U.S./State Highway	Railroad	River/Stream
	Commissioner District	



**Award of Bids: Reclamation and Bituminous Surfacing
(Rice Lake Township)**

BY COMMISSIONER _____

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for the following project:

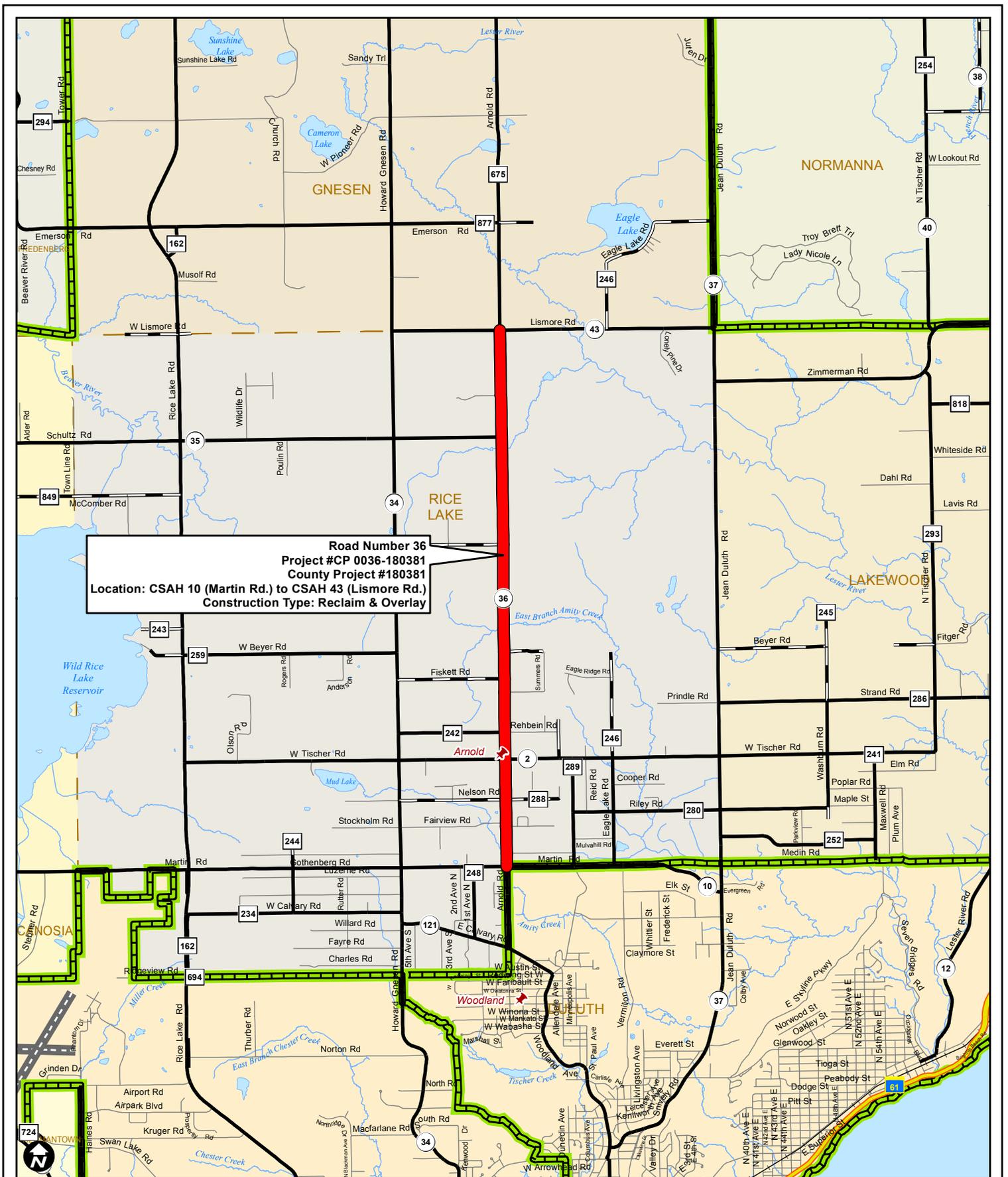
CP 0036-180381 located on CSAH 36 (Arnold Road) from CSAH 9 (Martin Road) to CSAH 43, (Lismore Road) in Rice Lake Township, length 4.99 miles

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 13, 2014, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the award of the above project to the low bidder:

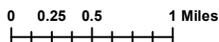
<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$1,218,612.64

RESOLVED FURTHER, That the appropriate county officials 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 203317, Object 652800.



Road Number 36
Project #CP 0036-180381
County Project #180381
Location: CSAH 10 (Martin Rd.) to CSAH 43 (Lismore Rd.)
Construction Type: Reclaim & Overlay

St. Louis County 2014 Road & Bridge Construction



Map Components

- 2014 Road & Bridge Construction**
- █ Reclaim & Overlay
- Interstate Highway
- U.S./State Highway

- County/Unorg. Twp. Road - Paved
- County/Unorg. Twp. Road - Gravel
- Railroad
- Commissioner District

- Township Boundary
- ★ City/Town
- █ Lake
- ~ River/Stream

**Award of Bids: Reclamation and Bituminous Surfacing
(Midway Township)**

BY COMMISSIONER _____

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for the following project:

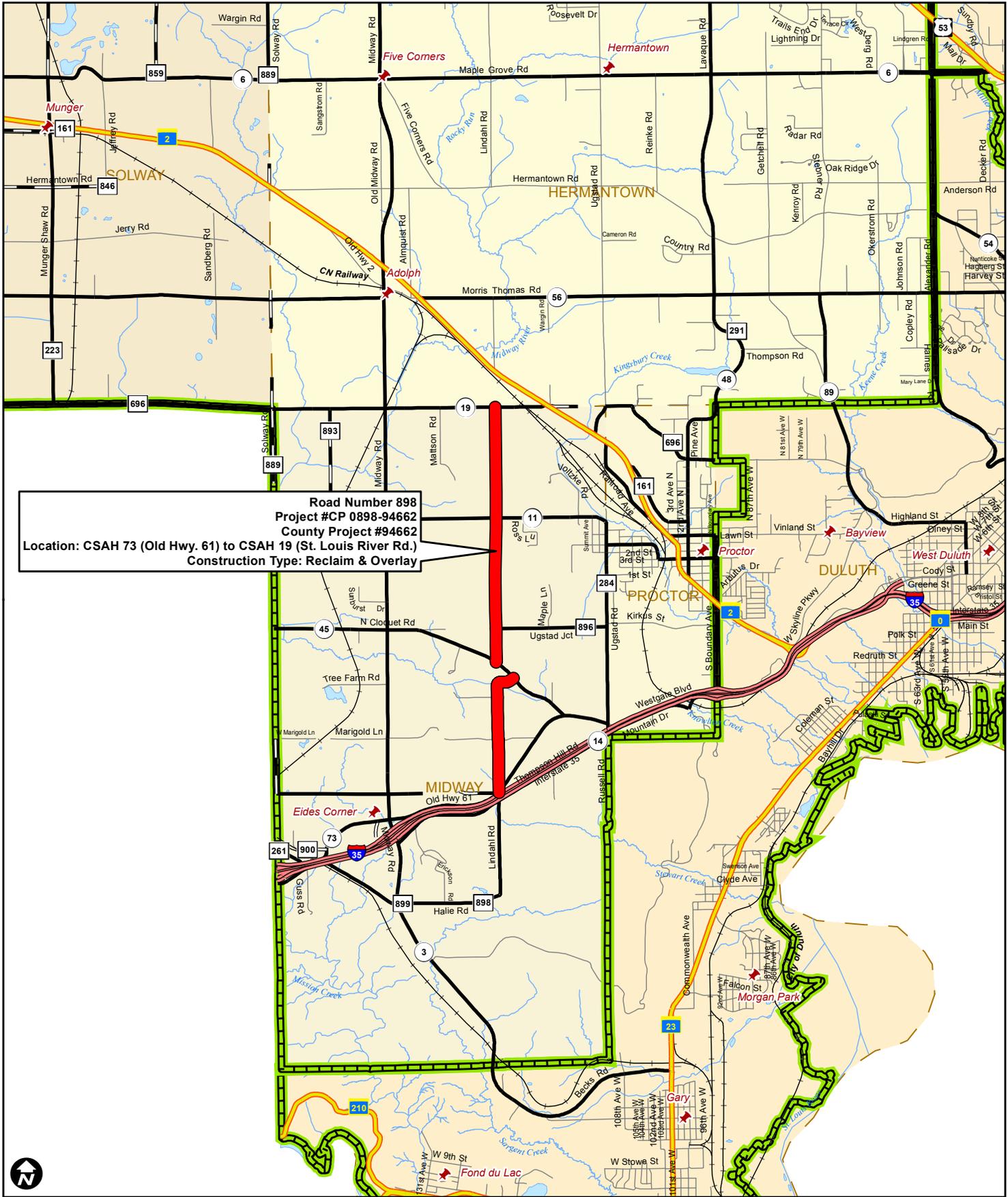
CP 0898-94662 located on CR 898 (Lindahl Road) from CSAH 73 (Old Hwy 61) to CSAH 19, (St. Louis River Road) in Midway Township, length 3.45 mi.

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 13, 2014, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the award of the above project to the low bidder.

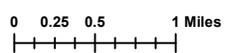
<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	PO Box 340 Cloquet, MN 55720	\$813,610.18

RESOLVED FURTHER, That the appropriate county officials 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 203318, Object 652800.



Road Number 898
Project #CP 0898-94662
County Project #94662
Location: CSAH 73 (Old Hwy. 61) to CSAH 19 (St. Louis River Rd.)
Construction Type: Reclaim & Overlay

St. Louis County 2014 Road & Bridge Construction



Map Components	
2014 Road & Bridge Construction	County/Unorg. Twp. Road - Paved
Reclaim & Overlay	County/Unorg. Twp. Road - Gravel
Interstate Highway	Railroad
U.S./State Highway	Commissioner District
Township Boundary	City/Town
	Lake
	River/Stream

BOARD LETTER NO. 14 - 123

FINANCE & BUDGET COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: March 25, 2014

RE: Government Services Center
Remodel – Contract for Planning,
Design and Coordinating Swing
Space Moves

FROM: Kevin Z. Gray
County Administrator

Tony Mancuso, Director
Property Management

RELATED DEPARTMENT GOALS:

To perform building construction projects, deferred building maintenance, to bring facilities up to current building and life safety codes, to extend life cycle of facilities, and to increase building operational efficiency.

ACTION REQUESTED:

The St. Louis County Board is requested to approve an agreement with Suit LLC of Duluth, MN for the planning, design, temporary furniture layout/inventory, coordination with departments, contractors, and Property Management for the Government Services Center (GSC) remodeling project.

BACKGROUND:

The Duluth GSC remodeling project requires moving hundreds of employees many times, in several combinations. Accommodating departmental needs requires continual design and redesign of swing spaces as the project proceeds. The construction contractor started on the 6th & 7th floors, which required relocation to temporary space and Suit LLC of Duluth, MN competed for and provided these initial services and now has intimate knowledge of the project and the departments. The 6th & 7th floors will be completed by the end of May and additional staff relocation is now necessary. The contract with Suit LLC will include all of the above services for the duration of the project.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve a contract for the planning, design, and coordination of the GSC remodeling project swing space moves with Suit LLC of Duluth, MN in an amount of \$59,574, payable from 2013 Bond Fund proceeds, Fund 440, Agency 440001.

Government Services Center Remodel – Contract for Planning, Design and Coordinating Swing Space Moves

BY COMMISSIONER _____

WHEREAS, The Duluth Government Services Center (GSC) remodeling project requires moving hundreds of employees several times, involving continual design and redesign of swing spaces; and

WHEREAS, Suit LLC of Duluth, MN provided these services for the first two floors of the project gaining intimate knowledge of the project and the user departments;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes a contract with Suit LLC of Duluth, MN for the planning, design, and coordination of the GSC remodeling project swing space moves for the duration of the project in the amount of \$59,574. Funding is available from 2013 Bond Fund proceeds, Fund 440, Agency 440001.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement for construction services with Kaski, Incorporated of Duluth, MN in an amount of \$94,900 for the Duluth Courthouse Law Library relocation project, payable from Fund 400, Agency 400004.

Law Library Relocation Construction Services Agreement – Duluth Courthouse

BY COMMISSIONER _____

WHEREAS, The St. Louis County Attorney's Office identified security concerns with the current location of the Law Library in the Duluth St. Louis County Courthouse; and

WHEREAS, The relocation of the Law Library to the Property Management office space on the ground floor will satisfy additional office space needs of the Attorney's Office; and

WHEREAS, Planning, design, and funding sources have been identified for the Property Management Department offices relocating to accommodate the Law Library relocation to the first floor of the Duluth Courthouse; and

WHEREAS, The Purchasing Division solicited bids for project construction services which were opened on March 13, 2014 with Kaski, Incorporated of Duluth, MN providing the low qualified bid;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement for construction services with Kaski, Incorporated of Duluth, MN in the amount of \$94,900 for the Duluth Courthouse Law Library relocation project, payable from Fund 400, Agency 400004.