

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 22, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22nd day of April 2014, at 9:48 a.m., at the Gilbert City Hall, Gilbert, Minnesota, with the following members present: Commissioners Patrick Boyle, Chris Dahlberg, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Frank Jewell - 1.

Chair Forsman asked for a moment of silence in honor of military personnel serving here and abroad, law enforcement and public safety people, and for all of the innocent victims of conflicts throughout the world.

Commissioner Nelson, supported by Commissioner Boyle, moved to authorize the transfer of the Camp Esquagama Arrowhead Collection to the Bois Forte Heritage Museum. The motion passed; six yeas, zero nays (Jewell absent). Commissioner Nelson discussed circumstances regarding the discovery of the arrowhead collection during renovations at Camp Esquagama. The County Board presented the arrowhead collection to representatives of the Bois Forte Heritage Museum. Rose Berens, Executive Director, thanked the Board for returning the arrowhead collection and stated that the collection will be housed at the Bois Forte Heritage Museum. Kevin Leecy, Tribal Chair Bois Forte Band of Chippewa, discussed the partnership and positive working relationship between the Bois Forte Band and St. Louis County. Resolution No. 14-234.

Chair Forsman then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. Carroll Eckman, Arlene Eckman, and James Suihkonen discussed the closing of the Embarrass River Bridge located on Kaunonen Lake Road. Mr. Eckman gave the Board a petition from St. Louis County residents who oppose closing of the bridge. Camp Esquagama representatives Steve Popowitz and Roy Connaughton provided the Board an update regarding events taking place at Camp Esquagama.

Commissioner Nelson, supported by Commissioner Raukar, moved to approve the consent agenda. The motion passed; six yeas, zero nays (Jewell absent).

Commissioner Dahlberg stated that the Land and Minerals Department would be conducting a tax forfeited oral timber auction on May 15, 2014, in Cotton.

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

Petition and communications submitted by Waasa Township and other St. Louis County residents opposing the closing of Bridge No. 516 located on County Highway 796/Kaunonen Lake Road over the Embarrass River.—59856

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter No. 14-142, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License by Elbow Lake Holdings, Inc., d/b/a Elbow Lake Lodge, Beatty Township.—59857

Kevin Gray, County Administrator, Mark Monacelli, Public Records & Property Valuation Director, and David Sipila, County Assessor, submitting Board Letter No. 14-143, Appointment of 2014 Special Board of Appeal and Equalization.—59858

Title IV-D Cooperative Agreement with the Minnesota Department of Human Services and the St. Louis County Offices of Human Services, County Sheriff, and County Attorney for administration of the Child Support Enforcement Program for the period January 1, 2014 through December 31, 2015.—14-183

Purchase of Service Agreement, Contract No. 15141, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., Virginia, MN, for Adult Mental Health Integrated Fund services during CY 2014.—14-184

Purchase of Service Agreement, Contract No. 15142, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., Virginia, MN, for Assertive Community Treatment (ACT) services during CY 2014.—14-185

Purchase of Service Agreement, Contract No. 15150, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-186

Purchase of Service Agreement, Contract No. 15151, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-187

Purchase of Service Agreement, Contract No. 15152, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-188

Purchase of Service Agreement, Contract No. 15178, between the St. Louis County Board of Commissioners and Gene Vanderscheuren, Proctor, MN, for Chore Services for the period January 1, 2014, to March 31, 2014.—14-189

Purchase of Service Agreement, Contract No. 15164, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for Chore Services for the period January 1, 2014, to March 31, 2014.—14-190

Purchase of Service Agreement, Contract No. 15121, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Adult Mental Health Integrated Fund Services during CY 2014.—14-191

Addendum to Purchase Agreement, Contract No. 15118A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Assertive Community Treatment Team Services.—14-192

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis, Auditor's Office and Frandsen Bank & Trust, Virginia, MN.—14-193

Grant Agreement, Contract No. 21018, between the St. Louis County Board of Commissioners and Center for Alcohol and Drug Treatment, Inc., Duluth, MN, for Sub-acute Detoxification and Hold Services during CY 2014.—14-194

Grant Agreement, Contract No. 21017, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Sub-acute Detoxification and Hold Services during CY 2014.—14-195

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC, Duluth, MN, for reclamation, overlay and bridge replacement on County State Aid Highway (CSAH) 89 in Duluth and Hermantown, SAP 69-689-004(Low)/Storm WO 176509; SAP 69-689-010/Storm WO 183085 and SAP 69-689-011(Tied)/CP 0089-153306.—14-196

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC, Duluth, MN, for reclamation, aggregate base, plant mixed bituminous surface and aggregate shouldering on CSAH 36/Arnold Road (Rice Lake Township), CP 0036-180381.—14-197

Contract for County-State Aid Highway Project between the County of St. Louis and AAA Striping Service, St. Michael, MN, for Ground-in-Wet-Reflective Edgeline and Centerline Markings on various highways within St. Louis County.—14-198

Contract for County-State Aid Highway Project between the County of St. Louis and Asphalt Surface Technologies Corp. aka ASTECH Corp., St. Cloud, MN, for Micro Surfacing on CSAH 3, 6, 13, 48, & 56, CP0000-205954, SAP 069-030-034.—14-199

Cooperative Agreement between St. Louis County and the City of Virginia for 2014 Maintenance Striping, CP 0000-97112.—14-200

Timothy A. Tysdal, Assistant County Attorney, submitting Chris Jensen, LLC Accounts Receivable Payment Agreement between St. Louis County and Chris Jensen, LLC d/b/a Chris Jensen Health and Rehabilitation Center.—14-201

Timothy A. Tysdal, Assistant County Attorney, submitting Asset Purchase Agreement, Bill of Sale, Post-Closing Agreement, Laundry Lease Agreement, Borrower's Statement and Buyer's Certificate, for the Sale of Chris Jensen to Dimensions Properties IX – Chris Jensen, LLC.—14-202

Agreement between St. Louis County and Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, for a liquor law violation dated August 30, 2013, and a letter of apology.—14-203

Contract for County-State Aid Highway Project between the County of St. Louis and A Plus Landscaping, LLC, Saginaw, MN, for storm sewer repair on CSAH 12/60th Avenue East and Superior Street (City of Duluth), Storm WO 201808.—14-204

Agreement between St. Louis County and Wilbert, Inc., d/b/a Wilbert Café & El Toro Lounge, Cotton, MN, for a liquor law violation dated June 18, 2013.—14-205

Purchase of Service Agreement, Contract No. 15138, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., for Adult Mental Health Integrated Fund services during CY 2014.—14-206

Addendum to Purchase of Service Agreement, Contract No. 15121A, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Adult Mental Health Integrated Fund Services.—14-207

Addendum to Purchase of Service Agreement, Contract No. 15114A, between the St. Louis County Board of Commissioners and Life House, Inc., for Assertive Community Treatment Team Services.—14-208

Purchase of Service Agreement, Contract No. 15163, between the St. Louis County Board of Commissioners and Richard Graves, Duluth, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-209

Purchase of Service Agreement, Contract No. 15149, between the St. Louis County Board of Commissioners and Robert Bielejeski, Embarrass, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-210

Purchase of Service Agreement, Contract No. 15162, between the St. Louis County Board of Commissioners and Tim Schmalz, Hibbing, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-211

Purchase of Service Agreement, Contract No. 15172, between the St. Louis County Board of Commissioners and Robert Ketola, Eveleth, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-212

Purchase of Service Agreement, Contract No. 15171, between the St. Louis County Board of Commissioners and Robert Ketola, Eveleth, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-213

Purchase of Service Agreement, Contract No. 15168, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-214

Purchase of Service Agreement, Contract No. 15154, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-215

Purchase of Service Agreement, Contract No. 15155, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-216

Purchase of Service Agreement, Contract No. 15156, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services for the period January 1, 2014 to March 31, 2014.—14-217

Group Residential Housing Rate Agreement, Contract No. 52031, between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes 421.—14-218

Group Residential Housing Rate Agreement, Contract No. 52032, between the St. Louis County Board of Commissioners and Northland Village – Hoyt Lakes 423.—14-219

Group Residential Housing Rate Agreement, Contract No. 52029, between the St. Louis County Board of Commissioners and Northland Village – Buhl 500.—14-220

Group Residential Housing Rate Agreement, Contract No. 52030, between the St. Louis County Board of Commissioners and Northland Village – Buhl 502.—14-221

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and RedVision Systems, Inc., Gainesville, FL.—14-222

Upon motion by Commissioner Nelson, supported by Commissioner Raukar, resolutions numbered 14-221 through 14-233, as submitted on the Consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 1, 2014, are hereby approved.

Adopted April 22, 2014. No. 14-221

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 8, 2014, are hereby approved.

Adopted April 22, 2014. No. 14-222

WHEREAS, Northview Bank has requested a non-exclusive easement to use state tax forfeited parcels for access to a parcel they own; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant an easement to Northview Bank across state tax forfeited lands described as follows:

A 40-foot-wide easement for ingress, egress and utility over, under and across portions of the Southwest Quarter of the Southwest Quarter, Northwest Quarter of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter, Section 24, Township 63 North, Range 12 West of the Fourth Principal Meridian, St. Louis County, Minnesota, lying 15.00 feet to the Westerly and Northerly AND 25.00 feet Easterly and Southerly of the following described line:

Assuming the East line of said Southwest Quarter of the Southwest Quarter to bear South 00° 06' 07" West and from the Northeast Corner of said Southwest Quarter of the Southwest Quarter run South 00° 06' 07" West along said East line, a distance of 465.00 feet to the POINT OF BEGINNING;

Thence North 28° 37' 59" West a distance of 310.00 feet; thence North 37° 17' 34" West a distance of 188.00 feet; thence North 54° 50' 21" East, a distance of 590.00 feet to a tangential curve concave to the Northwest; thence Northeasterly along said tangential, central angle of 60° 09' 38", radius of 800.00 feet, a distance of 480.00 feet to the centerline of County Road Number 781, and there terminate;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$2,452 easement fee, \$50 administration fee, and \$46 recording fee; for a total of \$2,548.00, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 22, 2014. No. 14-223

WHEREAS, Minn. Stat. § 282.01, Subd. 7, requires that a state tax forfeited land sale must continue until the county board orders a reappraisal or withdraws any or all parcels from sale; and

WHEREAS, The Land and Minerals Department has determined that the timber on the state tax forfeited parcel described below is suitable for forest management:

LOT 3
SECTION 1, TOWNSHIP 53 NORTH, RANGE 17 WEST
PARCEL CODE: 490-0010-00050
TOWN OF NORTHLAND

THEREFORE, BE IT RESOLVED, That the St. Louis County Board withdraws from sale state tax forfeited parcel:

LOT 3
SECTION 1, TOWNSHIP 53 NORTH, RANGE 17 WEST
PARCEL CODE: 490-0010-00050
TOWN OF NORTHLAND

Adopted April 22, 2014. No. 14-224

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, Dale Schall of Cook, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF MORCOM
LOT 2
SECTION 18, TOWNSHIP 61 NORTH, RANGE 21 WEST
PARCEL CODE: 460-0010-02930 and;

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, Approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Dale Schall of Cook, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$3,463.07, service fee of \$114, deed tax of \$11.43, deed fee of \$25, and recording fee of \$46; for a total of \$3,659.50, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 22, 2014. No. 14-225

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

TOWN OF LAKEWOOD
E ½ of E ½ of SW ¼ OF SE ¼
SECTION 9, TOWNSHIP 51 NORTH, RANGE 13 WEST
PARCEL CODE: 415-0010-02800 and;

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, Approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Kathleen Twight of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$13,784.75, service fee of \$114, deed tax of \$45.49, deed fee of \$25, recording fee of \$46 and well fee of \$50; for a total of \$14,065.24, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted April 22, 2014. No. 14-226

RESOLVED, that the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 26 (totaling \$490,634.52), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59811, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted April 22, 2014. No. 14-227

WHEREAS, The Public Works Department budget includes rental of four (4) belly dump trailers for gravel hauling operations; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested pricing for the equipment based on department needs; and

WHEREAS, NUSS Truck and Equipment of Roseville, MN, responded with the State Contract price for four belly dump trailers in the amount of \$51,000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the rental of four (4) belly dump trailers from NUSS Truck and Equipment of Roseville, MN, for a total cost of \$51,000, payable from Fund 202, Agency 202002, Object 634100.

Adopted April 22, 2014. No. 14-228

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59797.

Adopted April 22, 2014. No. 14-229

RESOLVED, That a public hearing will be held at 9:40 a.m. on May 6, 2014, in the St. Louis County Courthouse, Duluth, MN, for the purpose of considering the granting of an Off-Sale Intoxicating Liquor License to Elbow Lake Holdings, LLC d/b/a Elbow Lake Lodge, Beatty Township.

Adopted April 22, 2014. No. 14-230

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated February 9, 2014, on file in the office of the County Auditor, identified as County Board File No. 59787, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted April 22, 2014. No. 14-231

WHEREAS, Minn. Stat. § 274.13 requires that county commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

WHEREAS, The statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

WHEREAS, The St. Louis County Board, having reviewed the matter, determines it is in the public interest to appoint said Special Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2014:

- John Heino, Duluth Commissioner District #1
- John Doberstein, Duluth Commissioner District #2
- Kevin O'Brien, Duluth Commissioner District #3
- Leonard Cersine, Ely Commissioner District #4
- Tim Peterson, Hermantown Commissioner District #5
- Dawn Cole, Town of Fayal Commissioner District #6
- Frank Bigelow, City of Hibbing Commissioner District #7

RESOLVED FURTHER, That the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization;
- To report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board;
- Directed to hold at least one meeting day in the St. Louis County Courthouse, Duluth, and one day at the Northland Office Center, in Virginia, Minnesota;

- To be compensated at the rate of \$200 per meeting day (payable from Assessor's Department Fund 100, Agency 118001, Object 635300 - Non-employee fees) and be reimbursed for mileage and expenses at the current county rate (from Assessor's Department Object 635500 - Non-employee travel);
- Directed to convene at 10:00 AM, June 17, 2014, in the Commissioner's Conference Room, St. Louis County Courthouse, Duluth, MN.

Adopted April 22, 2014. No 14-232

WHEREAS, The Sheriff's Office has decommissioned Vehicle No. 765, a 2005 Chevrolet Impala, as part of an upgrade and this vehicle is no longer needed by the county; and

WHEREAS, Arrowhead Juvenile Center is in need of a vehicle to support its staff;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Sheriff's Office to transfer ownership of a 2005 Chevrolet Impala, VIN # 2G1WF55K959308807, to Arrowhead Juvenile Center in the amount of \$3,500, with funds to be deposited into Fund 100, Agency 129001, Revenue 583208 (Sheriff) from Fund 925, Agency 945001, Object 642900 (AJC).

Adopted April 22, 2014. No. 14-233

BY COMMISSIONER NELSON:

RESOLVED, That the St. Louis County Board hereby transfers the arrowhead collection from Camp Esquagama to the Bois Forte Heritage Museum.

Unanimously adopted April 22, 2014. No. 14-234

At 10:30 a.m., April 22, 2014, Commissioner Raukar, supported by Commissioner Dahlberg, moved to adjourn the meeting. The motion passed; six yeas, zero nays (Jewell absent).


 Mike Forsman, Chair of the Board
 of County Commissioners

Attest:


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

(Seal of the County Auditor)