

## AGENDA

### **REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA**



**Tuesday, June 10, 2014, 9:30 A.M.**

**County Board Room, Second Floor  
St. Louis County Courthouse  
100 N. 5<sup>th</sup> Avenue West  
Duluth, Minnesota**

**MIKE FORSMAN, Chair  
Fourth District**

**FRANK JEWELL  
First District**

**PATRICK BOYLE  
Second District**

**CHRIS DAHLBERG  
Third District**

**PETE STAUBER, Vice-Chair  
Fifth District**

**KEITH NELSON  
Sixth District**

**STEVE RAUKAR  
Seventh District**

County Auditor  
Donald Dicklich

County Administrator  
Kevin Gray

County Attorney  
Mark Rubin

Clerk of the Board  
Phil Chapman

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

**\*\*In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.\*\***

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

**AGENDA**  
**St. Louis County Board**  
**June 10, 2014**  
**Page 2**

9:30 A.M.      Moment of Silence  
                    Pledge of Allegiance  
                    Roll Call

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

9:40 A.M.      PUBLIC HEARING, pursuant to Resolution No. 14-322, adopted May 27, 2014, to consider the issuance of an off-sale intoxicating liquor license to Country Bumpkin Liquor, Inc., d/b/a Trapline Liquor, Embarrass Township. **{14-232}**

9:45 A.M.      PUBLIC HEARING, pursuant to Resolution No. 14-272, adopted May 13, 2014, to receive citizen comments on a proposed Class "B" land exchange. **{14-233}**

**CONSENT AGENDA**

Approval of business submitted on the consent agenda.

**REGULAR AGENDA**

**Finance & Budget Committee – Commissioner Nelson, Chair**

1.      The sale of two (2) non-conforming parcels of county fee land and an access easement across county fee owned property adjacent to County State Aid Highway 3/Becks Road (Midway Township) to Wisconsin Central Ltd. **[Without recommendation.] {14-231}**

**ADJOURNED:**



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

BY COMMISSIONER \_\_\_\_\_

WHEREAS, Country Bumpkin Liquor, Inc. d/b/a Trapline Liquor, Embarrass Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subd. 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, A public hearing was held on June 10, 2014, at 9:40 a.m., in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, Trapline Liquor has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

THEREFORE, BE IT RESOLVED, That Off-Sale Intoxicating Liquor License (License Number OFSL1529) shall be issued to Country Bumpkin Liquor, Inc. d/b/a Trapline Liquor, Embarrass Township, located in Area 2, for an annual fee of \$500.00;

RESOLVED FURTHER, That said liquor license shall be effective July 1, 2014 through June 30, 2015;

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due;

RESOLVED FURTHER, That if named license holder sells the licensed place of business, the County Board may, at its discretion after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fee to the license holder.





**Fee Land Easement and Purchase – Wisconsin Central Ltd.**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, Wisconsin Central Ltd., a Delaware corporation, will be upgrading its railroad facilities in Midway Township; and

WHEREAS, Wisconsin Central Ltd. has requested that the St. Louis County Board approve the sale of two (2) non-conforming parcels of county fee land and an access easement across county fee owned property, described in the attached Exhibits “A” and “B”; and

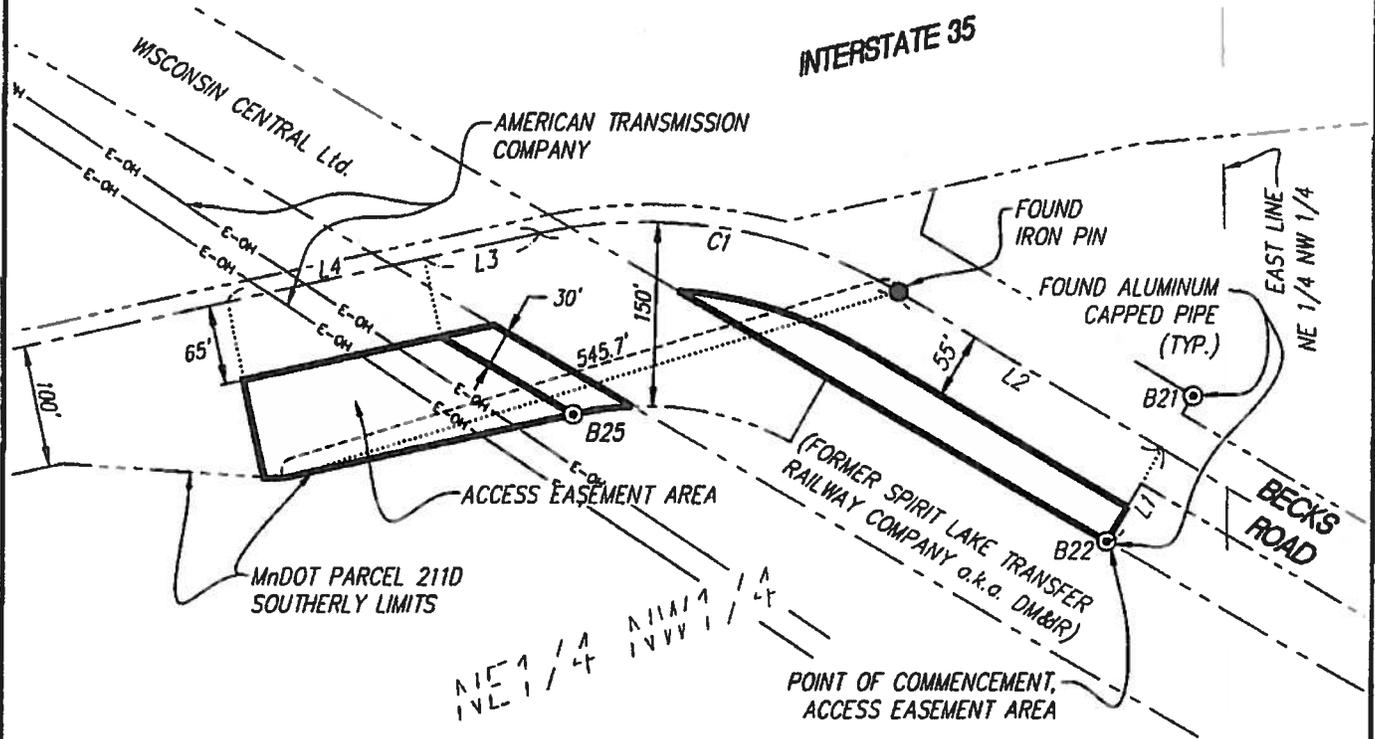
WHEREAS, The property is fee owned highway right of way and the request has been reviewed by the St. Louis County Public Works Department which has no objections to this request;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subd. 1(4), the Chair of the County Board and the County Auditor are authorized to execute a quit claim deed for the two (2) fee owned parcels along with an access easement to Wisconsin Central Ltd., a Delaware corporation, as described in Exhibits A and B, on file in the Property Management Department Office;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$1,725 land use fee, to be deposited in Fund 100, Agency 128014, Object 583202.

# EXHIBIT "A"

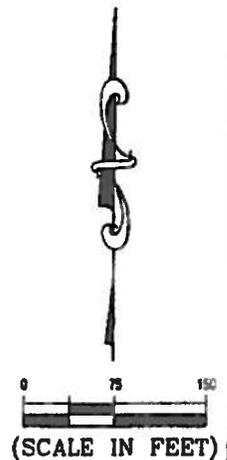
Being part of the NE 1/4 of the NW 1/4 of Section 30, T.49N., R.15W. 4th P.M.



CURVE TABLE				
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING
C1	409.26'	42°52'48"	306.29'	N48°52'48"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N30°31'12"E	87.56'
L2	N59°28'48"W	251.33'
L3	S77°38'23"W	96.66'
L4	S77°38'23"W	262.30'

ACREAGE TABLE		
	SQUARE FEET	ACRES
ACQUISITION AREA	16,040	0.368
ACCESS EASEMENT AREA	18,020	0.414



Basis of Bearing is Grid North,  
St. Louis County Transverse  
Mercator 96 Coordinate System.

DATE REVISED: 4/14/14
DATE REVISED: 4/2/14
DATE REVISED: 4/1/14
DATE PREPARED: 3/31/14
PROJ NO: 140017
FILE: 140017vSurv.
SHEET 1 of 1 SHEETS



**PERFORMANCE  
DRIVEN DESIGN.**  
LHBcorp.com

21 W. Superior St., Ste. 500 | Duluth, MN 55802 218.727.8448

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44075

Signature:  Date: 4/14/2014

## EXHIBIT "B"

### ACQUISITION AREA:

All that part of the Northeast One-quarter of the Northwest One-quarter (NE1/4 of the NW1/4) of Section 30, Township 49 North, Range 15 West of the Fourth Principal Meridian described as follows:

Northwesterly of the described line in Parcel 211F of Quit Claim Deed by the State of Minnesota to St. Louis County dated June 24, 1986.

Northeasterly of the Wisconsin Central Ltd. (f.k.a. Spirit Lake Transfer Company Railway).

Southerly of a line 55.00 feet southerly of and parallel County State Aid Highway No. 3 (Becks Road) centerline, being the same as described in Parcel 211D of said Quit Claim Deed and further described as follows:

Commencing at a found State of Minnesota Department of Transportation (MnDOT) Right of Way (ROW) Aluminum Capped Pipe Monument "B22" as shown on MnDOT Map File 18-94; thence North 30 degrees 31 minutes 12 seconds East along a line between said monument "B22" and found monument "B21", a distance of 87.56 feet to the centerline of said Becks Road, being the Point of Beginning of the line to be described and the same point of beginning of the described line in said Parcel 211F; thence North 59 degrees 28 minutes 48 seconds West along said centerline, a distance of 251.33 feet (Record 251.2); thence northwesterly 306.29 feet (Record = 306.3) along a 14 degree 00 minute 00 second tangential curve concave to the southwest having a radius of 409.26 feet and a central angle of 42 degrees 52 minutes 48 seconds and said centerline there terminating.

AND

All that part of the Northeast One-quarter of the Northwest One-quarter (NE1/4 of the NW1/4) of Section 30, Township 49 North, Range 15 West of the Fourth Principal Meridian described as follows:

Northwesterly of the southerly limits described in Parcel 211D of Quit Claim Deed by the State of Minnesota to St. Louis County dated June 24, 1986.

Northeasterly of a line 30.00 feet southwesterly of the Wisconsin Central Ltd. (f.k.a. Spirit Lake Transfer Company Railway).

Southerly of a line 65.00 feet southerly of and parallel County State Aid Highway No. 3 (Becks Road) centerline, being the same as described in Parcel 211D of said Quit Claim Deed and further described as follows:

Commencing at a found State of Minnesota Department of Transportation (MnDOT) Right of Way (ROW) Aluminum Capped Pipe Monument "B22" as shown on MnDOT Map File 18-94; thence North 30 degrees 31 minutes 12 seconds East along a line between said monument "B22" and found monument "B21", a distance of 87.56 feet to the centerline of said Becks Road and being the Point of Beginning of the line to be described; thence North 59 degrees 28 minutes 48 seconds West along said centerline, a distance of 251.33 feet (Record 251.2) to a point 26.2 feet northwesterly of the point of

beginning of said parcel 211D as measured along same centerline; thence northwesterly 306.29 feet (Record = 306.3) along a 14 degree 00 minute 00 second tangential curve concave to the southwest having a radius of 409.26 feet and a central angle of 42 degrees 52 minutes 48 seconds; thence South 77 degrees 38 minutes 23 seconds West, a distance of 131.77 feet and said centerline there terminating.

Containing 16,040 Sq. Feet or 0.368 Acres, more or less.

**ACCESS EASEMENT AREA:**

All that part of the Northeast One-quarter of the Northwest One-quarter (NE1/4 of the NW1/4) of Section 30, Township 49 North, Range 15 West of the Fourth Principal Meridian described as follows:

Northwesterly of the southerly limits described in Parcel 211D of Quit Claim Deed by the State of Minnesota to St. Louis County dated June 24, 1986.

Southwesterly of a line 30.00 feet southwesterly of the Wisconsin Central Ltd. (f.k.a. Spirit Lake Transfer Company Railway).

Southeasterly of a line 65.00 feet southerly of and parallel County State Aid Highway No. 3 (Becks Road) centerline, being the same as described in Parcel 211D of said Quit Claim Deed and further described as follows:

Commencing at a found State of Minnesota Department of Transportation (MnDOT) Right of Way (ROW) Aluminum Capped Pipe Monument "B22" as shown on MnDOT Map File 18-94; thence North 30 degrees 31 minutes 12 seconds East along a line between said monument "B22" and found monument "B21", a distance of 87.56 feet to the centerline of said Becks Road and being the Point of Beginning of the line to be described; thence North 59 degrees 28 minutes 48 seconds West along said centerline, a distance of 251.33 feet (Record 251.2) to a point 26.2 feet northwesterly of the point of beginning of said parcel 211D as measured along same centerline; thence northwesterly 306.29 feet (Record = 306.3) along a 14 degree 00 minute 00 second tangential curve concave to the southwest having a radius of 409.26 feet and a central angle of 42 degrees 52 minutes 48 seconds; thence South 77 degrees 38 minutes 23 seconds West, a distance of 260.30 feet and said centerline there terminating.

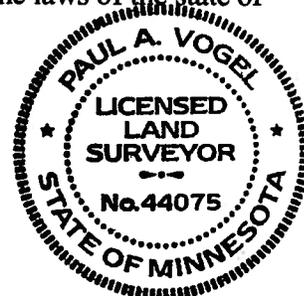
Containing 18,020 Sq. Feet or 0.414 Acres, more or less.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Paul A. Vogel

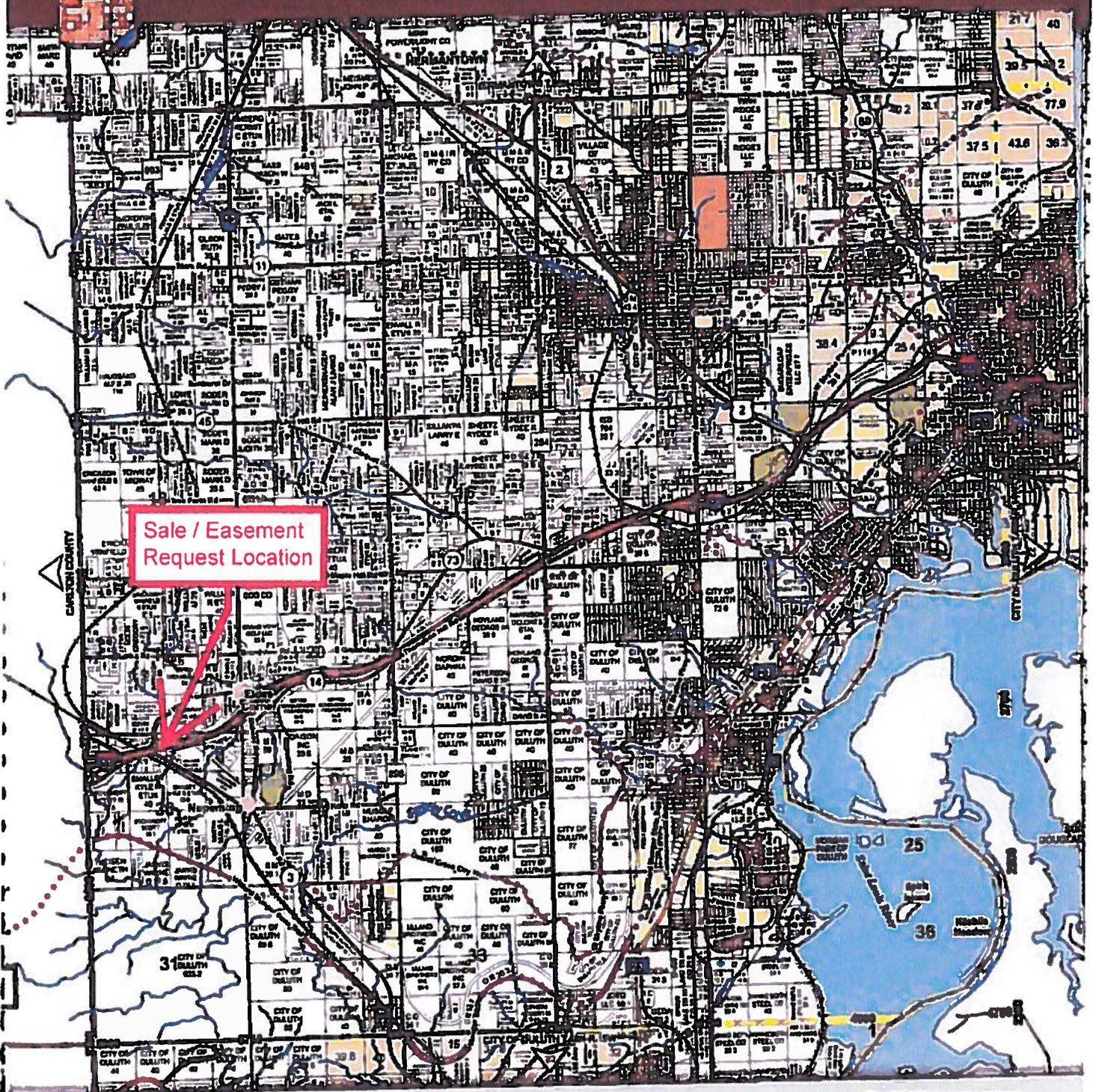
Signed

Date 4/14/2014 License No. 44075



# CITY OF DULUTH, PROCTOR, MIDWAY (49-15)

T.49N-R.15W



**Sale / Easement  
Request Location**

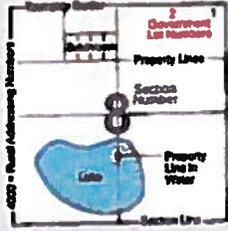
## LEGEND

- |                    |                            |                                    |
|--------------------|----------------------------|------------------------------------|
| CITY               | USA                        | LAKE                               |
| INTERSTATE HIGHWAY | STATE OF MINNESOTA         | PIT LAKE                           |
| US HIGHWAY         | STATE'S OF MIN TAX FORFEIT | DRY LAKE BED                       |
| MINNESOTA HIGHWAY  | ST. LOUIS COUNTY           | RIVER/STREAM                       |
| COUNTY ROADS       | PRIVATE                    | VOLUNTEERS NATIONAL PARK           |
| LOCAL ROADS        | SUBDIVISION                | RESERVATION                        |
| RAILROADS          | TOWNSHIP                   | NATIONAL FOREST                    |
| STATE TRAILS       | SECTION                    | STATE FOREST                       |
| CARRY-IN           | COUNTY                     | STATE PARK                         |
| BOAT LAUNCH        | MUNICIPALITY               | BOUNDARY WILDS CANCAREA WILDERNESS |



0 0.5 1 MILES  
ONE SECTION = ONE MILE (APPROXIMATE)

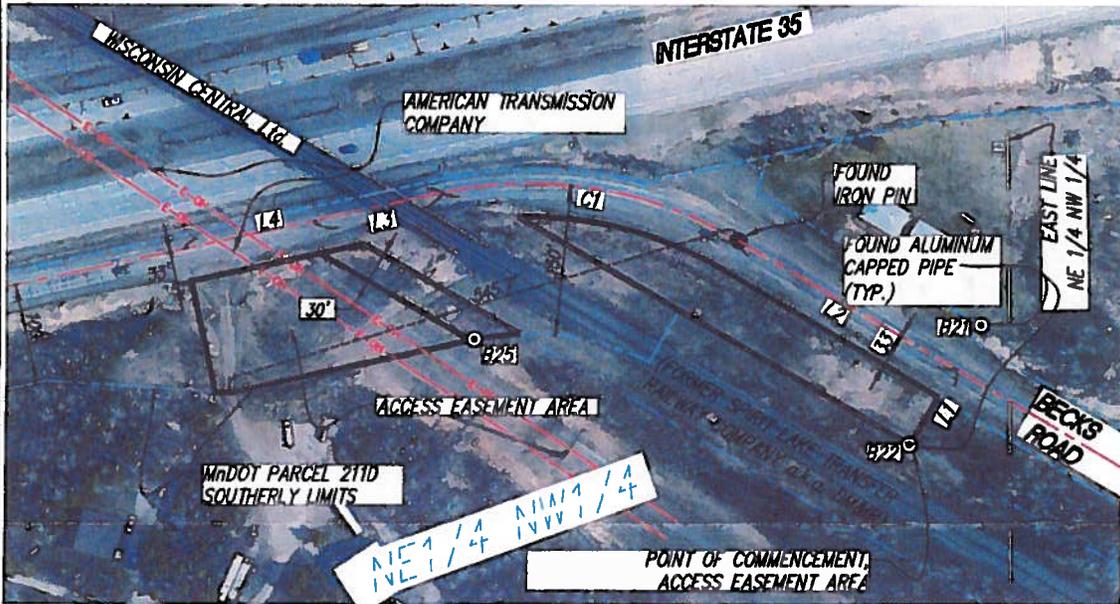
- OWNERSHIP ABBREVIATIONS**  
 EDA - ESTATE  
 STR - STRAIT  
 STR - AND HARBOR  
 WITH - RIGHTS OF
- ROAD NAME ABBREVIATIONS**  
 AVE - AVENUE  
 BLVD - BLVD  
 CIRCLE  
 C - COURT  
 DR - DRIVE  
 LN - LOOP
- TRAIL ABBREVIATIONS**  
 TR - TRAIL  
 TR - TRAIL  
 REV - REVOCABLE TRUST  
 REV - TR - REVOCABLE TRUST
- STREET ABBREVIATIONS**  
 ST - STREET  
 HWY - HIGHWAY  
 LN - LAKE  
 PLY - PLACE  
 RD - ROAD



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# EXHIBIT

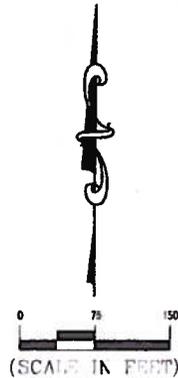
Being part of the NE1/4 of the NW1/4 of Section 30, T.49N., R.15W. 4th P.M.



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L4	S77°38'23"W	262.30'

ACREAGE TABLE		
	SQUARE FEET	ACRES
ACQUISITION AREA	27,130	0.623
ACCESS EASEMENT AREA	27,760	0.637



Basis of Bearing is Grid North,  
St. Louis County Transverse  
Mercator 96 Coordinate System.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44075

Signature: \_\_\_\_\_ Date: 4/2/2014

DATE PREPARED: 4/2/14

DATE REVISED: 4/1/14

DATE PREPARED: 3/31/14

PROJ NO: 140017

FILE: 140017vSurv.

SHEET 1 of 1 SHEETS



**PERFORMANCE  
DESIGN.**

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