

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 24, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of June 2014, at 9:36 a.m., at the Semer's Park Pavilion, Ely, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Mike Forsman - 6. Absent: Commissioner Chris Dahlberg - 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.

Chair Forsman then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

Commissioner Dahlberg entered the meeting at 9:39 a.m.

At 9:39 a.m., a public hearing was conducted pursuant to Resolution No. 14-342, adopted June 3, 2014, to consider the issuance of an off-sale intoxicating liquor license to New Scenic Café, Inc. d/b/a New Scenic Café, Inc., Duluth Township. County Attorney Mark Rubin gave the initial presentation and submitted a packet for the record that included documentation of required notices, township approval, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes and required documents for the license. Scott Graden appeared on behalf of New Scenic Café, Inc. Chair Forsman asked if there were any supporters or opponents and no one came forth. At 9:42 a.m., Commissioner Nelson, supported by Commissioner Stauber, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Stauber, supported by Commissioner Nelson, moved to approve granting the off-sale liquor license to New Scenic Café, Inc. d/b/a New Scenic Café, Inc., Duluth Township. The motion passed; seven yeas, zero nays. Resolution No. 14-382.

Commissioner Nelson, supported by Commissioner Dahlberg moved to approve the consent agenda without Item #1, Cancellation of contract for purchase of state forfeited land by Christopher J. Licari of Biwabik, MN. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Dahlberg, moved that the St. Louis County Board hereby opposes the proposed Programmatic Environmental Impact Statement (EIS) being asked of the United States Department of Agriculture (USDA) for the Superior National Forest. The St. Louis County Board implores its elected leaders, including but not limited to Governor Dayton, Senators Klobuchar and Franken, and Congressman Nolan, to demand that the USDA reject the Programmatic Environmental Impact Statement currently under consideration for the Superior National Forest. Chair Forsman then opened the meeting to persons who wanted to address the Board concerning the motion and the following chose to do so:

Gerald Tyler, of Ely, MN, discussed background information relating to the Programmatic EIS.

Reid Carron, of Ely, MN, said that Ely is one of the most prosperous communities in Northeast Minnesota and would like to see the Board adopt a resolution in support of the Boundary Waters Area.

Becky Rom, of Ely, MN, distributed a letter and various maps to the Board. Ms. Rom said that laws need to be followed and the Programmatic EIS would save millions of dollars and would help people make informed decisions based on the scientific data.

Susan Schurke, of Ely, MN, expressed concern about the impacts of pollution and said sulfide mining has never been done safely in the world.

John Flaten, of Ely, MN, said he was opposed to sulfide mining and would like to see an independent study by scientists who are not employed by the mines.

Brad Carlson, of Ely, MN, said it was wrong that the Board opposes law that requires the Programmatic EIS and is concerned that multi-national corporations do not care about the area.

Barbara Garza, of Ely, MN, said that the decision would be bad for future generations.

Chris Chandler, of Ely, MN, spoke about the value of clear air and water and said that decisions should be made based on science and facts.

Lindsey Lang, of Ely, MN, stated that without the tourism the economy would be gone and recommended that the Board not pass the resolution.

Sarah Malick-Wahls, of Ely, MN, objected to this type of sulfide mining. Ms. Malick-Wahls discussed environmental impacts and stated that other environments were more appropriate for this type of mining.

Steve Koschak, of Ely, MN, expressed concerned about the environmental impact and asked that the Board table the resolution.

Carol Orban, of Ely, MN, said the Programmatic EIS should be done and doesn't believe the County Board has the authority to counteract Federal law.

Bob Tammen, Soudan, MN, said we should be skeptical of sulfide mining.

Hans Olsen, of Ely, MN, said he supported copper nickel mining because jobs are important. However, Mr. Olsen felt that it was important to require a Programmatic EIS done to ensure that the mining would be done right.

Kirsten Reichel, of Cook, MN, said she respects people who are opposed; however, the mines have answered the appropriate questions and the permit process should continue.

Bernie Collins, of Virginia, MN, read two quotes and handed out business cards to the Board.

Suzanne Bowman, of Hoyt Lakes, MN, said that the project has been delayed long enough and would create necessary jobs for the area.

A recess was taken from 10:53 a.m to 11:04 a.m.

Lori Fedo, of Side Lake, MN, said that requiring a Programmatic EIS would only delay jobs and encouraged the Board to pass the resolution.

Rick Cannata, Mayor of Hibbing, MN, stated that the town of Ley was shrinking just as Hibbing did when the mines closed and recommended that the Board pass the resolution.

Charlie Baribeau, of Virginia, MN, said that the mining process involves reverse osmosis and would create cleaner water going out than went into the process. Mr. Baribeau submitted certified resolutions passed by the Virginia City Council.

Joe Scherer, of Embarrass, MN, said he welcomes the mines and discussed the decline in Babbit graduating classes relating to the decline in mining.

Nancy Norr, Director of Regional Development for Minnesota Power, said that the Programmatic EIS is redundant and endorses the resolution.

Ted Spaulding, of Ely, MN, questioned the County Attorney as to the validity of the resolution.

A recess was taken from 11:26 a.m. to 11:31 a.m.

After further Commissioner discussion, a roll-call vote was taken and the motion passed:

Yeas: Commissioners Boyle, Dahlberg, Stauber, Nelson, Raukar, and Chair Forsman - 6

Nays: None - 0

Abstention: Commissioner Jewell – 1

Resolution No. 14-383.

A recess was taken from 12:15 p.m. to 1:46 p.m.

Commissioner Nelson, supported by Commissioner Dahlberg, moved that the St. Louis County Board accepts, subject to negotiation of an agreement with the Department of Natural Resources, the designation as Local Government Unit for the proposed Lake Superior Wetland Bank project; that the appropriate county officials are authorized to negotiate and execute all required agreements and documents in accepting this designation; and that the County Board adopts the proposed policy for Wetland Replacement and Wetland Banking. Planning & Community Development Director Barb Hayden discussed the agreement. The motion passed; seven yeas, zero nays. Resolution No. 14-384.

At 1:53 p.m., June 24, 2014, Commissioner Nelson, supported by Commissioner Stauber, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 14-236, Classification of December 2, 2013 Forfeitures (conservation).—59892

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 14-237, Classification of December 2, 2013 Forfeitures (non-conservation).—59893

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 14-242, Acceptance of DNR Designation as the LGU for a Proposed Lake Superior Wetland Bank and Adopt County Policy for Wetland Replacement and Wetland Banking.—59894

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 14-241, Application and Acceptance of 2013 Operation Stonegarden Homeland Security Grant.—59895

Kevin Gray, County Administrator, submitting Board Letter No. 14-228, Resolution Opposing a Programmatic Environmental Impact Statement in the Superior National Forest, and documents distributed by Becky Rom of Ely, MN, Commissioner Frank Jewell, Bernard J. (Bernie) Collins, President/CEO Laurentian Chamber of Commerce, and Charlie Baribeau, City Councilperson, City of Virginia, MN.—59896

Amendment No. 1 to Professional Services Agreement by and between St. Louis County and Duluth Archaeology Center, LLC, extending the term of service to September 30, 2014.—14-381

Third Amendment to the Northeast Regional Project to End Long-term Homelessness Agreement by and between St. Louis County and Hearth Connection for continued fiscal agent services and to receive additional funds in the amount of \$210,000.—14-382

Property Lease Agreement by and between County of St. Louis and United States Steel Corporation for access and use of an easement area for the construction of the relocated County State Aid Highway (CSAH) 102.—14-383

Group Residential Housing Rate Agreement, Contract No. 52100, by and between the St. Louis County Board of Commissioners and Colonial Homes I, Brookston, MN.—14-384

Group Residential Housing Rate Agreement, Contract No. 52101, by and between the St. Louis County Board of Commissioners and Colonial Homes II, Brookston, MN.—14-385

Group Residential Housing Rate Agreement, Contract No. 52085, by and between the St. Louis County Board of Commissioners and HOMES, Inc. – Hibbing I, Hibbing, MN.—14-386

Group Residential Housing Rate Agreement, Contract No. 52086, by and between the St. Louis County Board of Commissioners and HOMES, Inc. – Hibbing II, Hibbing, MN.—14-387

Group Residential Housing Rate Agreement, Contract No. 52087, by and between the St. Louis County Board of Commissioners and HOMES, Inc. – Virginia I, Virginia, MN.—14-388

Group Residential Housing Rate Agreement, Contract No. 52088, by and between the St. Louis County Board of Commissioners and HOMES, Inc. – Virginia II, Virginia, MN.—14-389

Group Residential Housing Rate Agreement, Contract No. 52104, by and between the St. Louis County Board of Commissioners and Aspen Grove Alternate Senior Living, Hibbing, MN.—14-390

Group Residential Housing Rate Agreement, Contract No. 52105, by and between the St. Louis County Board of Commissioners and Aspen Grove Assisted Living #1, Chisholm, MN.—14-391

Group Residential Housing Rate Agreement, Contract No. 52106, by and between the St. Louis County Board of Commissioners and Aspen Grove Assisted Living #2, Chisholm, MN.—14-392

Group Residential Housing Rate Agreement, Contract No. 52107, by and between the St. Louis County Board of Commissioners and Aspen Grove Assisted Living #3, Chisholm, MN.—14-393

Group Residential Housing Rate Agreement, Contract No. 52108, by and between the St. Louis County Board of Commissioners and Barbara Bernsdorf (Norman Adult Foster Care), Meadowlands, MN.—14-394

Group Residential Housing Rate Agreement, Contract No. 52055, by and between the St. Louis County Board of Commissioners and Bayle Koop, Duluth, MN.—14-395

Group Residential Housing Rate Agreement, Contract No. 52095, by and between the St. Louis County Board of Commissioners and Roxanne McMillen and Jeffrey McMillen, Mt. Iron, MN.—14-396

Group Residential Housing Rate Agreement, Contract No. 52048, by and between the St. Louis County Board of Commissioners and Holly Macor and Joseph Macor (Comfort Living AFC Homes), Duluth, MN.—14-397

Group Residential Housing Rate Agreement, Contract No. 52098, by and between the St. Louis County Board of Commissioners and Ruth Polling, Proctor, MN.—14-398

Group Residential Housing Rate Agreement, Contract No. 52096, by and between the St. Louis County Board of Commissioners and Rita Vidal and Jose Vidal, Orr, MN.—14-399

Group Residential Housing Rate Agreement, Contract No. 52056, by and between the St. Louis County Board of Commissioners and Shannon Martin d/b/a Martin Home for Seniors, Cook, MN.—14-400

Group Residential Housing Rate Agreement, Contract No. 52092, by and between the St. Louis County Board of Commissioners and New San Marco – Portage Wing, Duluth, MN.—14-401

Group Residential Housing Rate Agreement, Contract No. 52102, by and between the St. Louis County Board of Commissioners and Autio Homes, Floodwood, MN.—14-402

Group Residential Housing Rate Agreement, Contract No. 52103, by and between the St. Louis County Board of Commissioners and Autio Homes – Fir Street, Floodwood, MN.—14-403

Group Residential Housing Rate Agreement, Contract No. 52090, by and between the St. Louis County Board of Commissioners and Maria Allen, Duluth, MN.—14-404

Group Residential Housing Rate Agreement, Contract No. 52091, by and between the St. Louis County Board of Commissioners and Maria Allen, Duluth, MN.—14-405

Group Residential Housing Rate Agreement, Contract No. 52093, by and between the St. Louis County Board of Commissioners and Interim-Vent Care Residence, Duluth, MN.—14-406

Group Residential Housing Rate Agreement, Contract No. 52094, by and between the St. Louis County Board of Commissioners and Interim-Grove Residence, Proctor, MN.—14-407

Group Residential Housing Rate Agreement, Contract No. 52044, by and between the St. Louis County Board of Commissioners and Michelle Fairbanks d/b/a Home Sweet Home Adult Foster Care, Hibbing, MN.—14-408

Group Residential Housing Rate Agreement, Contract No. 52097, by and between the St. Louis County Board of Commissioners and Donna Tracy (Tracy Adult Foster Home), Meadowlands, MN.—14-409

Group Residential Housing Rate Agreement, Contract No. 52047, by and between the St. Louis County Board of Commissioners and Golden Horizons – Tower, Tower, MN.—14-410

Group Residential Housing Rate Agreement, Contract No. 52067, by and between the St. Louis County Board of Commissioners and Mary Gargano, Hibbing, MN.—14-411

Group Residential Housing Rate Agreement, Contract No. 52089, by and between the St. Louis County Board of Commissioners and Peggy Johnson and Jack Johnson – Alternatives in Motion, Proctor, MN.—14-412

Group Residential Housing Rate Agreement, Contract No. 52188, by and between the St. Louis County Board of Commissioners and Arleen Zapp and Jeffrey Zapp, Hermantown, MN.—14-413

Group Residential Housing Rate Agreement, Contract No. 52111, by and between the St. Louis County Board of Commissioners and Capstone Services, LLC – Kingswood, St. Paul, MN.—14-414

Group Residential Housing Rate Agreement, Contract No. 52206 by and between the St. Louis County Board of Commissioners and Shane Clemens Adult Foster Home, Saginaw, MN.—14-415

Group Residential Housing Rate Agreement, Contract No. 52180, by and between the St. Louis County Board of Commissioners and Garden House Estates II, Duluth, MN.—14-416

Group Residential Housing Rate Agreement, Contract No. 52186, by and between the St. Louis County Board of Commissioners and Golden Oaks, Hermantown, MN.—14-417

Group Residential Housing Rate Agreement, Contract No. 52187, by and between the St. Louis County Board of Commissioners and Golden Oaks Proctor, Proctor, MN.—14-418

Group Residential Housing Rate Agreement, Contract No. 51968, by and between the St. Louis County Board of Commissioners and Tracy Vallie d/b/a Vallie Adult Foster Care Home, Duluth, MN.—14-419

Group Residential Housing Rate Agreement, Contract No. 52051, by and between the St. Louis County Board of Commissioners and Perpich Apartments, Hibbing, MN.—14-420

Group Residential Housing Rate Agreement, Contract No. 52210, by and between the St. Louis County Board of Commissioners and Summit Manor, Duluth, MN.—14-421

Group Residential Housing Rate Agreement, Contract No. 52099, by and between the St. Louis County Board of Commissioners and MN Teen Challenge Northland Campus, Duluth, MN.—14-422

Group Residential Housing Rate Agreement, Contract No. 52195, by and between the St. Louis County Board of Commissioners and Focus on Living – 402, Duluth, MN.—14-423

Group Residential Housing Rate Agreement, Contract No. 52196, by and between the St. Louis County Board of Commissioners and Focus on Living – 404, Duluth, MN.—14-424

Group Residential Housing Rate Agreement, Contract No. 52197, by and between the St. Louis County Board of Commissioners and Focus on Living – Proctor House, Proctor, MN.—14-425

Group Residential Housing Rate Agreement, Contract No. 52198, by and between the St. Louis County Board of Commissioners and Focus on Living – Rose House, Duluth, MN.—14-426

Group Residential Housing Rate Agreement, Contract No. 52199, by and between the St. Louis County Board of Commissioners and Focus on Living – West, Duluth, MN.—14-427

Group Residential Housing Rate Agreement, Contract No. 52200, by and between the St. Louis County Board of Commissioners and Hillside Homes I, Duluth, MN.—14-428

Group Residential Housing Rate Agreement, Contract No. 52201, by and between the St. Louis County Board of Commissioners and Hillside Homes II, Duluth, MN.—14-429

Group Residential Housing Rate Agreement, Contract No. 52294, by and between the St. Louis County Board of Commissioners and Lifestone Health Care, Inc., Duluth, MN.—14-430

Group Residential Housing Rate Agreement, Contract No. 52110, by and between the St. Louis County Board of Commissioners and Virginia Tuominen (Tuominen Adult Foster Home), Saginaw, MN.—14-431

Group Residential Housing Rate Agreement, Contract No. 52112, by and between the St. Louis County Board of Commissioners and Brooke Manor, Brookston, MN.—14-432

Group Residential Housing Rate Agreement, Contract No. 52193, by and between the St. Louis County Board of Commissioners and Janis Arola and David Arola, Autumn Adult Foster Care, Angora, MN.—14-433

Group Residential Housing Rate Agreement, Contract No. 52226, by and between the St. Louis County Board of Commissioners and Wesley Residence of Duluth, Inc., Duluth, MN.—14-434

Group Residential Housing Rate Agreement, Contract No. 52227, by and between the St. Louis County Board of Commissioners and At Home Living – Brainerd House, Duluth, MN.—14-435

Group Residential Housing Rate Agreement, Contract No. 52228, by and between the St. Louis County Board of Commissioners and At Home Living – College, Duluth, MN.—14-436

Group Residential Housing Rate Agreement, Contract No. 52229, by and between the St. Louis County Board of Commissioners and At Home Living – Hermantown, Hermantown, MN.—14-437

Group Residential Housing Rate Agreement, Contract No. 52230, by and between the St. Louis County Board of Commissioners and At Home Living – Old Howard Mill, Duluth, MN.—14-438

Group Residential Housing Rate Agreement, Contract No. 52231, by and between the St. Louis County Board of Commissioners and At Home Living – Pike Lake, Duluth, MN.—14-439

Group Residential Housing Rate Agreement, Contract No. 52232, by and between the St. Louis County Board of Commissioners and At Home Living – Rustic Ranch, Duluth, MN.—14-440

Group Residential Housing Rate Agreement, Contract No. 52233, by and between the St. Louis County Board of Commissioners and At Home Living – Seville, Saginaw, MN.—14-441

Group Residential Housing Rate Agreement, Contract No. 52234, by and between the St. Louis County Board of Commissioners and At Home Living – Woodland, Duluth, MN.—14-442

Group Residential Housing Rate Agreement, Contract No. 52183, by and between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown IV, MN.—14-443

Group Residential Housing Rate Agreement, Contract No. 52184, by and between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown V, MN.—14-444

Group Residential Housing Rate Agreement, Contract No. 52185, by and between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown VI, MN.—14-445

Group Residential Housing Rate Agreement, Contract No. 52072, by and between the St. Louis County Board of Commissioners and Northland AFC – Almac, Proctor, MN.—14-446

Group Residential Housing Rate Agreement, Contract No. 52073, by and between the St. Louis County Board of Commissioners and Northland AFC – Arrowhead, Cloquet, MN.—14-447

Group Residential Housing Rate Agreement, Contract No. 52074, by and between the St. Louis County Board of Commissioners and Northland AFC – Celia, Duluth, MN.—14-448

Group Residential Housing Rate Agreement, Contract No. 52075, by and between the St. Louis County Board of Commissioners and Northland AFC – Decker, Duluth, MN.—14-449

Group Residential Housing Rate Agreement, Contract No. 52076, by and between the St. Louis County Board of Commissioners and Northland AFC – East, Duluth, MN.—14-450

Group Residential Housing Rate Agreement, Contract No. 52077, by and between the St. Louis County Board of Commissioners and Northland AFC – Midway, Hermantown, MN.—14-451

Group Residential Housing Rate Agreement, Contract No. 52078, by and between the St. Louis County Board of Commissioners and Northland AFC – Saginaw, Saginaw, MN.—14-452

Group Residential Housing Rate Agreement, Contract No. 52079, by and between the St. Louis County Board of Commissioners and Northland AFC – Solway, Saginaw, MN.—14-453

Group Residential Housing Rate Agreement, Contract No. 52080, by and between the St. Louis County Board of Commissioners and Northland AFC – Springvale, Duluth, MN.—14-454

Group Residential Housing Rate Agreement, Contract No. 52081, by and between the St. Louis County Board of Commissioners and Northland AFC – Ugstad, Hermantown, MN.—14-455

Group Residential Housing Rate Agreement, Contract No. 52082, by and between the St. Louis County Board of Commissioners and Northland AFC – West, Duluth, MN.—14-456

Group Residential Housing Rate Agreement, Contract No. 52083, by and between the St. Louis County Board of Commissioners and Northland AFC – Woodbridge, Hermantown, MN.—14-457

Addendum to Purchase Agreement, Contract No. 20996A, by and between the St. Louis County Board of Commissioners and Salvation Army Duluth for Family Homeless Prevention and Assistance Program (FHPAP) Services.—14-458

Addendum to Purchase of Service Agreement, Contract No. 15219A, by and between the St. Louis County Board of Commissioners and JBN, Inc., Mountain Iron, MN, for Chore Services.—14-459

Purchase of Service Agreement, Contract No. 15205, by and between the St. Louis County Board of Commissioners and Lowell Erickson, Babbitt, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—14-460

Agreement for Professional Services by and between the County of St. Louisa and Gausman & Moore, Duluth, MN, for Heating, Ventilation and Air Conditioning (HVAC) Controls Upgrade at the Ely Government Services Center.—14-461

Agreement for Professional Services between the County of St. Louis and Soil & Water – Environmental Consulting, Duluth, MN, for Engineering Services for Wetland Boundary Delineation for the period July 1, 2014 through June 30, 2015.—14-462

Agreement for Professional Services by and between the County of St. Louis and Northland Consulting Engineers, LLP, Duluth, MN, for structural and existing conditions investigation and analysis for the Virginia Courthouse – Lower Level Floor Cracking Damage Investigation project.—14-463

Agreement for Professional Services by and between the County of St. Louis and Barr Engineering Company, Hibbing, MN, for investigation, design, planning, bid specification, construction management, soil boring/testing, and construction materials testing for the Hibbing Annex North Parking Lot Replacement/Repairs project.—14-464

State of Minnesota Work Order Under Master Partnership Contract, MnDOT Agreement No. 02466, Work Order #4, State Project (SP) 6904-51, Trunk Highway 1, Project Identification: State Shutdown Claim for City of Tower Project (SP 69-596-005, CP 0000-3723).—14-465

Agreement for Professional Services by and between the County of St. Louis and Unique Security, Inc., Montgomery, AL, for 2014 Jail Security System Service and Maintenance Support for a one-year period.—14-466

Upon motion by Commissioner Nelson, supported by Commissioner Dahlberg, resolutions numbered 14-368 through 14-381, 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 June 10, 2014, are hereby approved.

Adopted June 24, 2014. No. 14-368

WHEREAS, The contract with Christopher J. Licari of Biwabik, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes and installments; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF BIWABIK

THAT PART OF SW ¼ OF NW ¼ BEG AT SE CORNER; THENCE NORTH 1 DEG 25 MIN E 475 FT; THENCE N 88 DEG 35 MIN W 73 FT TO PT OF BEG; THENCE N 57 DEG W 190 FT THENCE S 33 DEG W 167 58/100 FT; THENCE SOUTH 13 DEG W 87 71/100 FT; THENCE S 57 DEG E 160 FT; THENCE N 33 DEG E 250 FT TO POINT OF BEGINNING

SECTION 2, TOWNSHIP 58 NORTH, RANGE 16 WEST

Parcel Code: 015-0060-00181

C22090069; and

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of the property or by mail;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

RESOLVED FURTHER, That the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted June 24, 2014. No. 14-369

WHEREAS, The parcels described here forfeited to the State of Minnesota on December 2, 2013, for nonpayment of real estate taxes; 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 parcels be classified as '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 parcels may be 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 parcels 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 clerks of the municipalities or towns in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 59892 as 'conservation', and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted June 24, 2014. No. 14-370

WHEREAS, The parcels described here forfeited to the State of Minnesota on December 2, 2013, for nonpayment of real estate taxes; 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 parcels 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 parcels may be 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 parcels 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 clerks of the municipalities or towns in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 59893 as 'non-conservation', and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted June 24, 2014. No. 14-371

RESOLVED, That the appraisal reports for the sale of timber to be offered at SEALED BID BLACK SPRUCE TOPS AUCTION, Tracts 1 through 6 (totaling \$78,972.00), 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 June 24, 2014. No. 14-372

WHEREAS, The Public Works Department's 2014 equipment budget includes the purchase of three (3) salt brine production systems; and

WHEREAS, Varitech Industries of Alexandria, MN, provided State of Minnesota contract prices of acceptable and standard brine production equipment in the amount of \$70,500 to complete the countywide brine infrastructure investment;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of three (3) salt brine production systems through available State of Minnesota contracts from Varitech Industries of Alexandria, MN, at a cost of \$70,500, payable from Fund 441, Agency 441001, Object 665900.

Adopted June 24, 2014. No. 14-373

WHEREAS, The Public Works Department's 2014 equipment budget includes the replacement of four (4), six-wheel-drive motor graders; and

WHEREAS, The Public Works Department presented specifications to the Purchasing Department for a request of State of Minnesota contract pricing from two area vendors selling motor graders meeting specifications; and

WHEREAS, Nortrax Equipment Company of Duluth, MN, provided State of Minnesota Contract pricing in the amount of \$852,468, with trade-in;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of four (4) motor graders from Nortrax Equipment Company of Duluth, MN, at the State of Minnesota contract price of \$852,468, payable from Fund 441, Agency 441001, Object 666400.

Adopted June 24, 2014. No. 14-374

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

CP 0028-186991/SAP 069-628-001 located on County State Aid Highway (CSAH) 28 between County Road 584 and CSAH 7 in McDavitt, MN; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on June 5, 2014, and the low responsible bid determined;

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$217,273.97

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 220322, Object 652700.

Adopted June 24, 2014. No. 14-375

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

CP 0048-207545/SAP 069-648-029 located on County State Aid Highway (CSAH) 48/Lavaque Bypass between TH 53 and CSAH 9/Martin Road in Hermantown, MN;
and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on June 5, 2014, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on 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	\$1,189,401.56

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 220323, Object 652700.

Adopted June 24, 2014. No. 14-376

WHEREAS, Great River Energy, a Minnesota cooperative corporation, will be upgrading a transmission line in Floodwood Township to upgrade the electrical delivery system in this township and surrounding communities; and

WHEREAS, Great River Energy has requested that the St. Louis County Board grant a transmission line utility easement across St. Louis County fee owned property; and

WHEREAS, Minn. Stat. § 373.01, Subd. 1(4), authorizes the County Auditor and the Chair of the St. Louis County Board to sell, lease, and convey real estate owned by the county;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subd. 1(4), the St. Louis County Board authorizes the appropriate county officials to execute a transmission line utility easement to Great River Energy as described in Easement No. LC-CS-012, Exhibits A and B, on file in the Property Management Department Office, subject to Hingley Road right of way;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$1,560 land use fee, to be deposited in Fund 100, Agency 128014, Object 583202.

Adopted June 24, 2014. No. 14-377

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is

hereby granted to Murmac, LLC d/b/a Riverside Inn, French Township, to sell/serve liquor outside the designated serving area of the County Liquor License for the date of July 24, 2014, as per application on file in the office of the County Auditor, identified as County Board File No. 59788.

Adopted June 24, 2014. No. 14-378

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59788:

Bear River Fair Committee, Morcom Township, Temporary On-Sale Intoxicating Liquor License No. TL1416, for August 15, 16, & 17, 2014.

Adopted June 24, 2014. No. 14-379

RESOLVED, That the St. Louis County Board adjusts its 2014 Board Meeting Schedule to substitute the meeting location of its July 22nd meeting from the Mt. Iron City Hall to the Virginia Courthouse Conference Room.

Adopted June 24, 2014. No. 14-380

WHEREAS, The State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application and acceptance of the 2013 Homeland Security Operation Stonegarden grant not to exceed \$131,089, to be accounted for in Fund 100, Agency 129999, Grant 12931, Year 2013;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2013 Homeland Security Operation Stonegarden grant as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for the grant through the Sheriff's Office.

Adopted June 24, 2014. No. 14-381

BY COMMISSIONER STAUBER:

WHEREAS, New Scenic Café, Inc. d/b/a New Scenic Café, Inc., Duluth 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 24, 2014, at 9:40 a.m., in the Semer's Park Pavilion, Ely, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, New Scenic Café, Inc., 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 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 CMB15161) shall be issued to New Scenic Café, Inc. d/b/a New Scenic Café, Inc., Duluth Township, in Area 1, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500;

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.

Unanimously adopted June 24, 2014. No. 14-382

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Board of Commissioners understands that the United States Department of Agriculture (USDA) is being asked to conduct a duplicative Programmatic Environmental Impact Statement (PEIS) for the Superior National Forest (SNF) that would cause unnecessary delays and could affect not only future mining opportunities, but current mining and associated operations; and

WHEREAS, Proposed nonferrous mining projects and other mines within the SNF are already subject to rigorous and responsible environmental oversight by the Minnesota Department of Natural Resources and relevant federal agencies; and

WHEREAS, The St. Louis County Board has declared its support for the existing open, transparent, and comprehensive environmental review and permitting process in place for the various nonferrous mining initiatives planned for development on the Iron Range, and supports the success of these projects contingent upon approval of all state and federal permits necessary; and

WHEREAS, None of these strategic metals mining projects will achieve permits to mine without approval from the Minnesota Department of Natural Resources and relevant federal agencies; and

WHEREAS, The Iron Range legislative delegation is opposed to the proposed PEIS because of its unnecessary cost, redundancy and negative effect on mining and related jobs in the region; and

WHEREAS, The Iron Range legislative delegation has asked the USDA not to accept or move forward with the dilatory PEIS; and

WHEREAS, U.S. Congressman Rick Nolan has met with high level United States Forest Service representatives and has expressed his strong opposition to a PEIS; and

WHEREAS, Minnesota's and the Iron Range economy cannot afford further unnecessary or duplicative delays in mining permitting;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby opposes the proposed Programmatic Environmental Impact Statement being asked of the United States Department of Agriculture for the Superior National Forest;

RESOLVED FURTHER, That the St. Louis County Board implores its elected leaders, including but not limited to Governor Dayton, Senators Klobuchar and Franken, and Congressman Nolan, to demand that the USDA reject the Programmatic Environmental Impact Statement currently under consideration for the Superior National Forest.

Yeas – Commissioners Boyle, Dahlberg, Stauber, Nelson, Raukar and Chair Forsman – 6
Nays – None – 0
Abstained – Commissioner Jewell – 1
Adopted June 24, 2014. No. 14-383

BY COMMISSIONER NELSON:

WHEREAS, Ecosystem Investment Partnership Credit Company, LLC (EIP) has proposed a unique and large scale wetland bank in St. Louis County and the Minnesota Department of Natural Resources has requested that St. Louis County serve as the Local Government Unit; and

WHEREAS, The county does not have a policy in place to review and administer Wetland Replacement and Wetland Banking;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts, subject to negotiation of an agreement with the Department of Natural Resources, the designation as Local Government Unit for the proposed Lake Superior Wetland Bank project;

RESOLVED FURTHER, That the appropriate county officials are authorized to negotiate and execute all required agreements and documents in accepting this designation;

RESOLVED FURTHER, That the County Board adopt the proposed policy for Wetland Replacement and Wetland Banking (Board File No. 59894).

Unanimously adopted June 24, 2014. No. 14-384

At 1:53 p.m., June 24, 2014, Commissioner Nelson, supported by Commissioner Stauber, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.


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)