

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

March 3, 2015

County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial 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.

RESOLUTIONS FOR APPROVAL:

Minutes for February 17, 2015.

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

1. County Auditor authorized to grant a utility easement to Lake Country Power across state tax forfeited lands located in Sections 11 and 23, Township 53 North, Range 17 West (Northland Township) upon total payment of \$6,834 land use fee, administration fee and recording fee. *[15-62]*
2. County Auditor authorized to grant an access easement across state tax forfeited lands located in Section 30, Township 61 North, Range 14 West (Unorganized) to access lots in the plat of Little Birch Lake. *[15-63]*
3. County Auditor authorized to grant a non-exclusive access easement to Roger W. Larson, David F. Vincent and Louis C. Collyard, tenants in common, across state tax forfeited lands located in Sections 6 and 7, Township 55 North, Range 21 West (Unorganized) upon total payment of \$2,259 land use fee, administration fee and recording fee. *[15-64]*

Public Works & Transportation Committee – Commissioner Raukar, Chair

4. Agreements authorized with Carlton County for seal coat and fog seal projects and with the City of Duluth for chip seal projects in 2015. (Resolutions numbered 4a and 4b) *[15-65]*
5. Award of bids:
 - a. **KGM Contractors, Inc.**, Angora, MN, in the amount of **\$917,030.39** for a reclaim and overlay project on County State Aid Highway (CSAH) 24 in Beatty Township, CP 0024-216058. *[15-72]*
 - b. **KGM Contractors, Inc.**, Angora, MN, in the amount of **\$1,417,686.54** for tied reclaim and overlay projects on CSAH 68, CP 0068-153312/SAP 069-668-005(low); on County Road 913, CP 0913-238447 TST Tied; and on Unorganized Township 8169/Milroy Road, CP 8169-142843 Tied, located in Unorganized Township 60-18, Sandy and French Townships. *[15-72]*

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Finance & Budget Committee – Commissioner Nelson, Chair

6. Abatement list for Board approval. *[15-66]*
7. Purchase of service contract authorized with Advocates for Family Peace for domestic violence-related services for the period January 1, 2015 through December 31, 2015, at an annual cost not to exceed \$35,000. *[15-67]*
8. Public hearing established for 9:40 a.m., March 24, 2015, at the Comet Theater, 102 South River Street, Cook, MN, to obtain input from the general public on the 2015-2019 Amendment to the Capital Improvement Plan and Intent to Issue Capital Improvement Bonds in an amount not to exceed \$40,000,000 for the purpose of accelerating funding for the road and bridge improvements identified in the St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan. *[15-71]*
9. Application to sell/serve liquor outside the designated serving area of the county liquor license by Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, for March 15, 2015.
10. Applications for permit authorizing the consumption and display of intoxicating liquors, renewals.
11. Workers' compensation report dated February 20, 2015, as submitted by Safety & Risk Management.

Public Safety & Corrections Committee – Commissioner Dahlberg, Chair

12. Ten-year lease agreement with the State of Minnesota authorized for the county to use tower space at the Erie Hill, Line Lake, Sax, Crane, and Molde Allied Radio Matrix for Emergency Response (ARMER) system towers for the county's fire and Emergency Medical Services (EMS) paging system, at a cost of \$500 per year/per site for electricity. *[15-68]*
13. Contract authorized with Churches United in Ministry (CHUM) in the amount of \$19,200 per year for chaplaincy services in the county jail during the period January 1, 2015 through December 31, 2016. *[15-70]*

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 17, 2015, are hereby approved.

**Utility Easement across State Tax Forfeited Land to Lake Country Power
(Northland Township)**

BY COMMISSIONER _____

WHEREAS, Lake Country Power has requested a utility easement across state tax forfeited land in Northland Township to reconstruct and maintain an electric distribution line; and

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

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements across state tax forfeited land for such purposes;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the County Auditor to grant a utility easement to Lake Country Power over, under and across state tax forfeited lands in Northland Township as described in County Board File No. 60012;

RESOLVED FURTHER That granting of this easement is conditioned upon payment of \$6,688 land use fee, \$100 administration fee, and \$46 recording fee, for a total of \$6,834 to be deposited into Fund 240 (Forfeited Tax Fund).

**Easement across State Tax Forfeited Land within the Plat of Little Birch Lake
(Unorganized Township 61 - 14)**

BY COMMISSIONER _____

WHEREAS, Buyers of lots in the Plat of Little Birch Lake must cross state tax forfeited land located in Unorganized Township 61-14; and

WHEREAS, There are no reasonable alternatives to obtain access to the property; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, and Minn. Stat. § 507.47 authorize the County Auditor to impose easements across state tax forfeited land for such purposes;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the County Auditor to impose an easement to access lots in the Plat of Little Birch Lake (Unorganized Township 61-14) across state tax forfeited lands as described in County Board File No. 60012.

**Access Easement across State Tax Forfeited Land to
Roger W. Larson, David F. Vincent and Louis C. Collyard, as Tenants in Common
(Unorganized Township 55-21)**

BY COMMISSIONER _____

WHEREAS, Roger W. Larson, David F. Vincent and Louis C. Collyard, as tenants in common, have requested an access easement across state tax forfeited land located in Unorganized Township 55-21; and

WHEREAS, There are no reasonable alternatives to obtain access to the property; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

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

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive access easement to Roger W. Larson, David F. Vincent and Louis C. Collyard, as tenants in common, across state tax forfeited lands described in County Board File No. 60012;

RESOLVED FURTHER That granting of this easement is conditioned upon payment of \$2,163 land use fee, \$50 administration fee, and \$46 recording fee, for a total of \$2,259, to be deposited into Fund 240 (Forfeited Tax Fund).

Agreement with Carlton County for Seal Coat and Fog Seal Projects

BY COMMISSIONER _____

RESOLVED That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with Carlton County where Carlton County will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-246052(Low), Seal Coat and Fog Seal 2015, with the funds to be receipted into Fund 220, Agency 220345, Object 551506.

Agreement with City of Duluth for Chip Seal Projects

BY COMMISSIONER _____

RESOLVED That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Duluth where the city will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as CP 0000-246198 Chip Seal 2015, with the funds to be receipted into Fund 220, Agency 220347, Object 551501.

Award of Bid: Overlay Project on CSAH 24 (Beatty Township)

BY COMMISSIONER _____

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

CP 0024-216058 located on CSAH 24 between CR 431 (Vermilion Lake Road) and TR 4517 (Rapps Road), length 3.54 miles; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on February 12, 2015, 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	\$917,030.39

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 203341, Object 652800.

**Award of Bid: Tied Projects on CSAH 68, CR 913 and UT 8169
(Unorganized Township 60-18, Sandy and French Townships)**

BY COMMISSIONER _____

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

CP 0068-153312, SAP 069-668-005 (Low) CSAH 68 from CSAH 106 to 1,150' E of CR 616, Length 3.56 miles;
 CP 0913-238447 TST Tied CR 913 from CR 915 to End of Bituminous, Length 1.54 miles;
 CP 8169-142843 Tied UT 8169 (Milroy Road) from CSAH 68 to End, Length 0.72 miles; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on February 12, 2015, and the low responsible bid determined;

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$1,417,686.54

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 projects payable from:

CP 0068-153312 SAP 069-668-005 (Low)	Fund 220, Agency 220339, Object 652700	\$876,652.58
CP 0913-238447 TST (Tied)	Fund 204, Agency 204002, Object 652806	\$372,193.06
CP 8169-142843 (Tied)	Fund 210, Agency 210054, Object 652800	\$168,840.90

Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 60032.

Purchase of Service Contract with Advocates for Family Peace

BY COMMISSIONER _____

WHEREAS, Advocates for Family Peace provides services that are considered critical to victims of domestic violence; and

WHEREAS, The need for these services still exists, and it is the best interest of the citizens of St. Louis County to renew the current contract at a rate of \$35,000 annually;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the appropriate county officials to enter into a purchase of service contract with Advocates for Family Peace for domestic violence related services from January 1, 2015 to December 31, 2015, at an annual cost not to exceed \$35,000, payable from Fund 100, Agency 113002, Object 629900.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, CALLING FOR PUBLIC HEARINGS
ON AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN
AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS
UNDER MINNESOTA STATUTES, SECTION 373.40**

BE IT RESOLVED, by the Board of County Commissioners (the “Board”) of St. Louis County, Minnesota (the “County”), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board has previously approved a Capital Improvement Plan with annual amendments, including the years 2014 through 2018 (the “Plan”).

Section 2. The Board has proposed an amendment to the Plan for the years 2015 through 2019 (the “Amendment”). Included within the Amendment are the proposed improvements to roads and bridges throughout the County as set forth in the St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014, with estimated costs of approximately \$642,000,000.

Section 3. Further, the Board is considering the issuance of capital improvement bonds under Minnesota Statutes, Section 373.40 and Chapter 475 in an amount not to exceed \$40,000,000 (the “Bonds”) for the purpose of providing funds for the following capital improvements under the Plan, as amended by the Amendment:

■ Road and Bridge Improvements – a portion of the road and bridge improvements identified in the “St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014,” which is a part of the County’s Capital Improvement Plan, as amended (the “Project”).

Section 4. The Board shall hold public hearings at 9:40 a.m. on Tuesday, March 24, 2015, at the Comet Theater in Cook, Minnesota, to provide an opportunity for residents to express their views on the Amendment and on the issuance of the Bonds for the Project.

Section 5. The County Auditor shall publish a notice of public hearings on the capital improvement plan and on the intent to issue the Bonds in substantially the form attached hereto as Exhibit A on a date which is not less than 14 days nor more than 28 days before the hearing in the official newspaper of the County.

Adopted: March 3, 2015.

EXHIBIT A

NOTICE OF PUBLIC HEARINGS ON THE ANNUAL AMENDMENT TO THE
CAPITAL IMPROVEMENT PLAN AND ON THE INTENT TO ISSUE
CAPITAL IMPROVEMENT BONDS BY ST. LOUIS COUNTY, MINNESOTA,
UNDER MINNESOTA STATUTES, SECTION 373.40

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota will conduct public hearings on Tuesday, March 24, 2015, at 9:40 a.m. in the Comet Theater, located in Cook, Minnesota, to provide an opportunity for the public to express their views concerning (i) the County's Capital Improvement Plan for the years 2015 through 2019; and (ii) the County's intent to issue general obligation bonds in an amount not to exceed \$40,000,000 (the "Bonds"), pursuant to the Capital Improvement Plan as amended and approved by the Board of County Commissioners.

The proceeds of the Bonds shall be used by the County to construct the following improvements, and to pay costs of issuance of and capitalized interest, if any, on the Bonds:

- Road and Bridge Improvements – a portion of the road and bridge improvements identified in the "St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014," which is a part of the County's Capital Improvement Plan, as amended.

The Bonds and the interest thereon shall constitute general obligations of the County secured by the full faith and credit of the County. All persons interested may appear and be heard at the time and place set forth above.

BY ORDER OF THE BOARD OF COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

Donald Dicklich, County Auditor

**Application to Sell/Serve Liquor Outside the Designated Serving Area
(Camp 5 Township)**

BY COMMISSIONER _____

RESOLVED That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve intoxicating liquor outside the designated serving area of the County Liquor License for the date of March 15, 2015, as per application on file in the office of the County Auditor, identified as County Board File No. _____.

**Applications for Permit Authorizing the Consumption and Display
of Intoxicating Liquors (Renewals)**

BY COMMISSIONER _____

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 applications for permit authorizing the consumption and display of intoxicating liquors are hereby approved, on file in the office of the County Auditor, identified as County Board File No. _____:

Ely Nordic Ski Club d/b/a Hidden Valley Chalet, Morse Township, Permit No. S1626 (Set-Up), renewal;

James Saugestad d/b/a Melrude Pub, Ellsburg Township, Permit No. S1614 (Set-Up), renewal;

Wilkins Pine Aire Resort, Inc., d/b/a Pine Aire Resort, Kabetogama Township, Permit No. S1615 (Set-Up), renewal;

Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar and Grill, Cherry Township, Permit No. S1619 (Set-Up), renewal.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED That the workers' compensation report of claims by employees for work-related injuries, dated February 20, 2015, on file in the office of the County Auditor, identified as County Board File No. 60026, is hereby received and ratified as payable from Fund 730, Agency 730001.

Tower Space Leases at Various ARMER Communication Sites

BY COMMISSIONER _____

WHEREAS, The State of Minnesota and St. Louis County have agreed to build and operate a public safety communications system called Allied Radio Matrix for Emergency Response (ARMER); and

WHEREAS, The State of Minnesota has determined that the ARMER communications sites at Erie Hill, Line Lake, Sax, Crane and Molde have excess capacity and space; and

WHEREAS, The State of Minnesota is willing and able to provide space on the towers; and

WHEREAS, St. Louis County is in need of space on these towers for its fire and Emergency Medical Services paging system;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes a ten-year agreement with the State of Minnesota for the use of space at Erie Hill, Line Lake, Sax, Crane, and Molde Towers for \$500 per year/per site for electricity, for a total of \$2,500 per year, payable from Fund 100, Agency 136001, Object 634200 Radio Maintenance;

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

Contract with CHUM for Jail Chaplaincy Services

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 2911.3100 requires St. Louis County to provide religious services at the county jail; and

WHEREAS, The Churches United in Ministry (CHUM) has the ability to assist St. Louis County in providing these state-mandated religious services;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the appropriate county officials to sign a contract with Churches United in Ministry (CHUM) for chaplaincy services in the county jail for the period of January 1, 2015 through December 31, 2016 in the amount of \$19,200 per year, for a total of \$38,400, payable from Fund 100, Agency 137002, Object 629900.