

CONSENT AGENDA

**FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

November 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 October 27, 2015.

Public Health & Human Services Committee – Commissioner Boyle, Chair

1. County Auditor authorized to advertise county wide for three (3) current vacancies to serve on the Heading Home St. Louis County Leadership Council including: one (1) Rural Housing Coalition Representative, one (1) Homeless Advocate, and one (1) Bois Forte Reservation Representative, presented through the Bois Forte Tribal Council. *[15-466]*
2. Accept the 2016 Parent Support Outreach Program (PSOP) allocation of \$194,136; eliminate a vacant 0.6 FTE Social Service Specialist position; and authorize the Public Health and Human Services Department to adjust its 2016 budget to continue staffing the PSOP at the 3.0 FTE Social Worker level. *[15-476]*

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

3. Special sale of state tax forfeited land described as Lot 15, Block 13, Anderson's 3rd Addition to Virginia, to Bradford Saxhaug of Virginia, MN, upon total payment of \$4,420.88, due to the relocation of his business for the MnDOT Highway 53 project. *[15-468]*

Public Works & Transportation Committee – Commissioner Raukar, Chair

4. Revoke certain County Roads (7th Avenue and Ash Street/CR 832) located within the City of Floodwood and revert the roads to the City of Floodwood as city streets. *[15-470]*
5. Acquisition of necessary right of way through eminent domain proceedings for the reconstruction of a small segment of County Road (CR) 185/Saralampi Road and replacement of County Bridge 261 (State Bridge #93024) located over the Sand River in Toivola Township (CP 0185-243860). *[15-471]*
6. Quit claim deed authorized transferring an abandoned portion of County State Aid Highway (CSAH) 23 located in Sections 2, 3 and 11, Township 64 North, Range 21 West (Unorganized) to Potlatch Minnesota Timberlands, LLC. *[15-472]*

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7. Agreement with LHB Corporation, Duluth, MN, in the amount of \$87,038 for construction administration and inspection services of County Bridge 616 located on CR 668/Sherwood Anderson Road in Great Scott Township (CP 0668-18005). *[15-473]*
8. Bids awarded to: *[15-480]*
 - a. **Ulland Brothers, Inc.**, Cloquet, MN, in the amount of **\$3,453,633.57** for a tied reclaim, overlay and sealcoat project on CSAH 4/Vermilion Trail and on CR 274/Thompson Lake Road, located in Gnesen Township and Unorganized Township 54-14 (CP 0004-216101, SAP 69-604-077[Low] TST, CP 0274-273921);
 - b. **Ulland Brothers, Inc.**, Cloquet, MN, in the amount of **\$352,800.00** for the construction of Bridge 69K38/County Bridge 656 and approaches located on CR 488/Burlness Road over Flint Creek in Field Township (CP 0488-190852 TST).

Finance & Budget Committee – Commissioner Nelson, Chair

9. Abatement list for Board approval. *[15-474]*
10. Public hearing established for 9:40 a.m., December 15, 2015, at the St. Louis County Courthouse, Duluth, MN, to receive citizen comments on a proposed land exchange between St. Louis County and Allete, Inc. *[15-475]*
11. Application for license to sell tobacco products at retail by DG Retail, LLC d/b/a Dollar General Store #15614, City of Aurora, new.
12. Application for license to sell tobacco products at retail by Gnesen Convenience Store, LLC d/b/a Gnesen Convenience Store, LLC, Gnesen Township, renewal.
13. Applications for license to sell tobacco products at retail, renewals with past violations.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

14. Reappoint Diana Werschay, Roger Skraba, and Ramond Svatos to the St. Louis County Planning Commission with terms expiring December 31, 2018, and authorize the County Auditor to advertise and accept applications until December 15, 2015, for one (1) vacant position for a term ending December 31, 2018. *[15-481]*

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 October 27, 2015, are hereby approved.

**Advertising for Applications to the Heading Home
St. Louis County Leadership Council**

BY COMMISSIONER _____

WHEREAS, On June 14, 2011, the St. Louis County Board adopted Resolution No. 11-339 changing the committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness, whereby a Leadership Council was created to serve as the governing body for the local Continuum of Care and the Ten Year Plan; and

WHEREAS, Nine of the fifteen members of the Heading Home St. Louis County Leadership Council are appointed by the St. Louis County Board of Commissioners and six members are appointed by the Duluth City Council; and

WHEREAS, The Heading Home St. Louis County Leadership Council is seeking interested citizens to fill three (3) current vacancies, including one (1) Rural Housing Coalition Representative, one (1) Homeless Advocate, and one (1) Bois Forte Reservation Representative, presented through the Bois Forte Tribal Council;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to advertise county wide for three (3) current vacancies to serve on the Heading Home St. Louis County Leadership Council by notifying county newspapers and posting the application on the county's website;

RESOLVED FURTHER, That the current vacancies include: one (1) Rural Housing Coalition Representative, one (1) Homeless Advocate, and one (1) Bois Forte Reservation Representative, presented through the Bois Forte Tribal Council.

Parent Support Outreach Program Funding and Staffing Adjustment

BY COMMISSIONER _____

WHEREAS, The 2013 Minnesota Legislature appropriated \$4.5 million for the biennium for statewide expansion of the Parent Support Outreach Program (PSOP) beginning July 1, 2013, which focuses on early intervention to prevent child abuse and neglect to keep children safe in their homes; and

WHEREAS, On August 13, 2013, the County Board adopted Resolution No. 13-519 authorizing an allocation of \$132,500 for the second half of 2013 and \$265,000 for calendar year 2014, which funded 3.0 FTE Social Workers added to the Public Health and Human Services Department (PHHS) staffing complement to provide these prevention services to children and their families; and

WHEREAS, Included in Resolution No. 13-519 was language that if the state allocation is discontinued, the positions will be eliminated; and

WHEREAS, The 2015 calendar year program allocation continued at this level and was approved as part of the 2015 budget process; and

WHEREAS, PHHS has been notified that the 2016 allocation has been reduced to \$194,136 which is sufficient to cover only 2.5 FTE Social Workers; and

WHEREAS, PHHS would like to continue to fund this critical early intervention program by eliminating a vacant 0.6 FTE Social Service Specialist position and using the levy funds already budgeted within the Department's 2016 budget for this position to continue funding 3.0 FTE Social Workers through the PSOP;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the 2016 allocation of the Parent Support Outreach Program in the amount of \$194,136 into Fund 230, Agency 232008, Revenue Object 530660;

RESOLVED FURTHER, That a vacant 0.6 FTE Social Service Specialist position (0934-003) is eliminated; and

RESOLVED FURTHER, That PHHS and County Administration are directed to adjust the PHHS 2016 budget to use the \$31,269 which has been budgeted and funded within the budget to continue staffing the PSOP at the 3.0 FTE Social Worker level.

Special Sale to Bradford Saxhaug

BY COMMISSIONER _____

WHEREAS, Pursuant to Laws of Minnesota 2015, Chapter 25, Section 22, St. Louis County may sell by private sale the tax forfeited lands described as:

LOT: 0015 BLOCK: 013, ANDERSONS 3RD ADDITION TO VIRGINIA
Parcel Code: 090-0060-03490
LDKey: 105213; and

WHEREAS, This parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, This parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to Bradford Saxhaug of Virginia, MN for the appraised value of \$3,750 plus the following fees: 3% assurance fee of \$112.50, deed fee of \$25, deed tax of \$12.38, recording fee of \$46, and appraisal fee of \$475, for a total of \$4,420.88, to be deposited into Fund 240 (Forfeited Tax Fund).

**Revocation of 7th Avenue and Ash Street (CR 832) and
Reversion to the City of Floodwood**

BY COMMISSIONER _____

WHEREAS, Authorized representatives of the St. Louis County Public Works Department and the City of Floodwood have met and agreed that the City of Floodwood can and will accept the reversion of certain County Roads, located entirely within the corporate limits of the city, for inclusion in the city's system of streets;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. Chapter 163.11, subdivisions 1 and 5, the St. Louis County Board revokes the following roads as County Roads which shall then become streets of the City of Floodwood:

1. Ash Street (County Road 832, formerly County Road 29) – All of Ash Street as shown and dedicated on the original Plat of Floodwood on file and of record in the office of the St. Louis County Recorder.
2. 7th Avenue (County Road 832, formerly County Road 29) – All that part of 7th Avenue as shown and dedicated on the original Plat of Floodwood on file and of record in the office of the St. Louis County Recorder, beginning at the intersection with Ash Street on said Plat thence easterly terminating at the intersection with now existing Trunk Highway 2;

RESOLVED FURTHER, That the Clerk of the County Board is directed to forward two certified copies of this resolution to the City of Floodwood.

**Acquisition of Right of Way by Condemnation Proceedings –
Replacement of County Bridge 261**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of County Road 185/Saralampi Road and replace County Bridge 261 (State Bridge #93024) spanning the Sand River in Toivola Township; and

WHEREAS, The following described parcel of needed right of way has not been acquired by negotiation and direct purchase:

Parcel 1

Owners and Interests:

Alejandro J. Koffmann fee owner, married to Jamie M. Koffmann.
7125 Centennial Drive
Parker, Colorado 80138

Property Legal Description:

The Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4),
Section 11, Township 54, Range 20.

(abstract property)
(P.I.N. 550-0020-01690)

Property Physical Address:

9248 Saralampi Road, Toivola, Mn 55765

Rights to be acquired:

A PERMANENT EASEMENT for highway purposes over, under and across all that part of the above described property which lies west of a line 50.00 feet east of, and parallel with, the following described line:

Commencing at the North quarter corner of Section 11, Township 54 North, Range 20 West of the Fourth Principal Meridian; thence South 89 degrees 41 minutes 33 seconds West, a distance of 6.95 feet to the centerline of County Road 185 and the point of beginning of the line to be described; thence South 00 degrees 35 minutes 25 seconds West a distance of 19.85 feet; thence South 01 degrees 11 minutes 35 seconds West a distance of 550.00 feet and there terminating.

The sidelines of described easement are prolonged or shortened to terminate on the north line of said NW 1/4 of NE 1/4.

Described permanent easement area contains approximately 0.57 acres, of which, 0.35 acres is existing roadway and 0.22 acres is new highway right of way.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et.al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02 et. al., to acquire the remaining necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

**Transfer Abandoned Portion of CSAH 23 to Potlatch
(Unorganized Township 64-21)**

BY COMMISSIONER _____

WHEREAS, The county reconstructed and realigned a segment of County State Aid Highway (CSAH) 23 in Unorganized Township 64-21 in 1965 and 1966 and when the new alignment was opened, the county ceased all use and maintenance of the old alignment and has made no claim to this abandoned segment of road for approximately 50 years; and

WHEREAS, The abandoned segment of road at issue is located in Sections 2, 3, and 11, Township 64 North, Range 21 West, and to the county's knowledge the abandoned road is not used by any private property owners to access CSAH 23 or any other public road in the area; and

WHEREAS, Potlatch Minnesota Timberlands, LLC, owns and is in the process of selling the property on which the abandoned segment of road is located and the title company involved in the transaction will not provide title insurance without a formal disposition of the county's interest, if any, in the abandoned road; and

WHEREAS, The requested property affected by the abandoned CSAH 23 is described as follows:

Any interest in the abandoned alignment of CSAH 23 lying outside of the easement area granted to St. Louis County by recorded Document 109962 over the following property:

The Southwest Quarter (SW $\frac{1}{4}$) of Section 2 and the Northeast One Quarter of the Northwest One Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 11, all in Township 64 North, Range 21 West;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a quit claim deed conveying any interest in the abandoned segment of old CSAH 23 in the above described property to Potlatch Minnesota Timberlands, LLC.

**Agreement with LHB for Construction Administration and Inspection
Services – Bridge 616 (Great Scott Township)**

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments authorized by the County Attorney, with LHB Corporation of Duluth, MN, for construction administration and inspection services of County Bridge 616, CP 0668-187005 (TST). The total cost of these services is \$87,038, payable from Fund 204, Agency 204027, Object 626600.

**Award of Bid: Tied Reclaim and Overlay on CSAH 4 and CR 274
(Gnesen and Unorganized Township 54-14)**

BY COMMISSIONER _____

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

CP 0004-216101, SAP 69-604-077(Low) TST: CSAH 4 (Vermilion Trail) from CR 274 (Thompson Lake Road) to 1,000' South of Marshall Truck Trail, length 11.24 miles;

CP 0274-273921 Tied: CR 274 (Thompson Lake Road) from CSAH 4 (Vermilion Trail) to TR 2616 (Tracy Road), length 0.87 miles; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on October 22, 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> |
|-----------------------|-----------------------------------|----------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$3,453,633.57 |

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:

SAP 069-604-077(Low) TST: Fund 444, Agency 444043, Object 652806 \$3,318,911.59,
CP 0274-273921 Tied: Fund 200, Agency 203397, Object 652800 \$ 134,721.98

Award of Bid: Bridge on CR 488 (Field Township)

BY COMMISSIONER _____

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

CP 0488-190852 TST, Bridge 69K38, located on CR 488 between TH 53 and CR 540 over Flint Creek, length 0.114 miles; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on October 22, 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> |
|-----------------------|-----------------------------------|---------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$352,800.00 |

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 444, Agency 444044, Object 652806.

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.

**Establish Public Hearing for Proposed Land Exchange between
St. Louis County and Allete, Inc.**

BY COMMISSIONER _____

WHEREAS, St. Louis County is proposing a land exchange with Allete, Inc., in order to acquire the lands necessary to allow St. Louis County to transfer ownership of the Hoyt Lakes Landfill to the Minnesota Pollution Control Agency; and

WHEREAS, Minn. Stat. § 373.01, Subd. 1(5)e, requires that the County Board hold a public hearing on the proposed exchange and post notice in the auditor's office and in the official newspaper of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a hearing on a land exchange involving county fee owned land on Tuesday, December 15, 2015, beginning at 9:40 a.m. at the St. Louis County Courthouse, County Board Room, Duluth, MN, for the purpose of receiving citizen input on a proposed exchange of county fee owned land.

**Application for License to Sell Tobacco Products at Retail – New
(City of Aurora)**

BY COMMISSIONER _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 60058, is hereby approved and the County Auditor is authorized to issue the license to the following establishment:

DG Retail, LLC d/b/a Dollar General Store #15614, City of Aurora, new;

RESOLVED FURTHER, That if named license holder sells their licensed 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.

Application for License to Sell Tobacco Products at Retail - Renewal

BY COMMISSIONER _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 60058, is hereby approved and the County Auditor is authorized to issue the license to the following establishment:

Gnesen Convenience Store, LLC d/b/a Gnesen Convenience Store, LLC,
Gnesen Township;

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

**Applications for License to Sell Tobacco Products at Retail –
Renewals with Violations**

BY COMMISSIONER _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 60058, are hereby approved and the County Auditor is authorized to issue the licenses to the establishments listed below.

The following license holders were issued a tobacco violation citation on the dates as stated:

Susan Chalstrom/John Chalstrom d/b/a Chalstrom's Bait, Rice Lake Township, December 31, 2002; December 22, 2004; and November 22, 2008;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #85, City of Proctor, October 25, 2015;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #184, White Township, December 14, 2011;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #409, Canosia Township, October 5, 2013;

Proctor Milk House, Inc., d/b/a Proctor Milk House, Inc., City of Proctor, September 30, 1998; December 22, 2000; July 12, 2011; and October 17, 2013;

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

Citizen Appointments to the St. Louis County Planning Commission

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board appoints citizens to serve on the St. Louis County Planning Commission; and

WHEREAS, Three current members, Dianna Werschay, Roger Skraba, and Raymond Svatos, wish to be reappointed for a three-year term; and

WHEREAS, There is one additional vacancy on this commission to be filled through an advertised application process;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reappoints Diana Werschay, Roger Skraba, and Raymond Svatos to the St. Louis County Planning Commission with terms expiring December 31, 2018;

RESOLVED FURTHER, That the County Auditor is authorized to advertise and accept applications until December 15, 2015 for one (1) vacant position on the St. Louis County Planning Commission for a term ending December 31, 2018.