

CONSENT AGENDA

FOR THE MEETING OF ST. LOUIS COUNTY BOARD OF COMMISSIONERS

December 1, 2015

Aurora Community Center, 15 West 1st Avenue North, Aurora, MN

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:

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

1. Public sale of certain state tax forfeited properties approved for February 11, 2016, at 10:00 a.m. at the Public Safety Building, 2030 N. Arlington Ave., Duluth, MN. *[15-509]*
2. Public sale of relinquished shoreland lease lots at the February 11, 2016, public land auction. *[15-510]*
3. Applications for repurchase of state tax forfeited land by: Mark Jacobs of Yigo, Guam; Kevin and Shirley Burritt of Mt. Iron, MN; and Tom and Sally Schlotec of Duluth, MN. (Resolutions numbered 3a, 3b, and 3c.) *[15-511]*
4. Rescind County Board Resolution No. 15-454, adopted July 28, 2015; the contract holder, Joshua Beyer of Duluth, MN, paid the contract in full. *[15-512]*
5. Utility easement across state tax forfeited land located in the SE ¼ of SE ¼, Section 10, Township 53 North, Range 16 West (Unorganized Township 53-16) to Lake Country Power upon total payment of \$516. *[15-513]*
6. Withdrawal of certain state tax forfeited land from memorial forest status. *[15-514]*

Public Works & Transportation Committee – Commissioner Raukar, Chair

7. Bid awarded to Parsons Electric, Duluth, MN, in the amount of \$391,692 for a mainline dynamic warning system project at seven (7) rural intersections in St. Louis County (CP 0000-187068R, SP 69-070-017R). *[15-515]*
8. Cooperative agreement with the City of Duluth and the City of Hermantown for shared costs to complete a traffic signal timing plan update project (SAP 069-030-041, CP 0000-259405). *[15-516]*
9. Amendment to the professional services agreement with Alliant Engineering, Inc., of Minneapolis, MN, to complete a traffic signal timing plan update project (SAP 069-030-041, CP0000-259405) at a cost of \$90,000 to be funded by the Minnesota Department of Transportation, the cities of Duluth and Hermantown and St. Louis County. *[15-517]*

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10. Agreement authorized with the City of Proctor and the City of Duluth for the pavement rehabilitation on Boundary Avenue (CP 0000-279948) whereby the City of Proctor and the City of Duluth will pay the “City Non-Participating” local share items listed on the plan. *[15-518]*
11. Bids awarded for combined projects: *[15-525R]*
 - a. **Ulland Brothers, Inc.**, of Cloquet, MN, in the amount of **\$2,053,21.34** for tied projects on County State Aid Highway (CSAH) 14, County Road (CR) 982 and CR 483 in the City of Proctor and Townships of Midway, Grand Lake and Canosia , CP 0014-94576 TST, SAP 069-614-016 (Low); CP 0982-248043 TST (Tied); and CP 0483-276987 (Tied);
 - b. **KGM Contractors, Inc.**, of Angora, MN, in the amount of **\$3,357,452.96** for tied projects on CSAH 24 in Portage Township, CP 0024-216090 TST, SAP 069-624-022 (Low); and CP 0024-272429 TST (Tied);
 - c. **Ulland Brothers, Inc.**, of Cloquet, MN, in the amount of **\$823,629.15** for tied projects on CR 447 and CR 452 in Cherry Township, CP 0447-153451 TST (Low); CP 0447-269850 TST (Tied); CP 0452-153452 TST (Tied); and CP 0452-269852 TST (Tied);
 - d. **Redstone Construction, LLC**, of Mora, MN, in the amount of **\$859,352.75** for the replacement of County Bridge 867 located on CR 180 in Leiding Township, CP 0180-213069 TST, Bridge 69A34.
 - e. **KGM Contractors, Inc.**, of Angora, MN, in the amount of **\$457,774.91** for the replacement of County Bridge 645 located on CSAH 82 in Sturgeon Township, CP 0082-215031 TST, SAP 069-682-003, Bridge 69K37.

Finance & Budget Committee – Commissioner Nelson, Chair

12. Abatement list for Board approval. *[15-519]*
13. Agreement authorized with Pine Point Lodge & Resort, Inc., d/b/a Pine Point Lodge & Resort, Crane Lake Township, for a violation of St. Louis County Ordinance No. 28, sale to a minor. *[15-520]*
14. Public hearing established for 9:50 a.m., December 15, 2015, in the St. Louis County Courthouse, Duluth, MN, to consider the suspension/revocation of liquor licenses for non-payment of real estate or personal property taxes. *[15-523]*

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15. Application for license to sell tobacco products at retail by The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township, renewal with a past violation and change of officers.
16. Application for license to sell tobacco products at retail by Back Country Bar, Inc., d/b/a Hugo's, Ault Township, renewal.
17. Application for license to sell tobacco products at retail by Oveson KAB-CON, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, renewal with past violation.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

18. Resolution endorsing the revised County Program Aid formula as crafted by the Association of Minnesota Counties (AMC) County Program Aid Work Group and endorse the importance of the proposed state takeover of Indian Child Welfare Act (ICWA) expenses. *[15-526]*

Public Safety & Corrections Committee – Commissioner Dahlberg, Chair

19. Contract authorized with Angie VanDeHey, Advance! Training and Consulting in an amount not to exceed \$70,000 to provide Northeastern Minnesota Enforcement and Safety Information System (NEMESIS) system development and training services during the period January 1, 2016 through December 31, 2016. *[15-521]*
20. Authorize the provision of prosecution resources to assist the City of Duluth and the Program For Aid to Victims of Sexual Assault (PAVSA) in the National Sexual Assault Kit Initiative (SAKI) grant and the receipt of funding from the United States Department of Justice, Bureau of Justice Assistance SAKI grant, through the City of Duluth in the amount of \$263, 766, representing the costs of a half-time senior prosecutor, a part-time victim/witness coordinator and related secretarial support during the grant period of October 1, 2015 – September 30, 2018. *[15-522]*

Public Sale of State Tax Forfeited Lands on February 11, 2016

BY COMMISSIONER: _____

WHEREAS, The St. Louis County Board desires to offer for sale, as recommended by the Land Commissioner, certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, The parcels as described in County Board File No. 60043 have been classified as non-conservation as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, These parcels are not 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; and

WHEREAS, The Commissioner of Natural Resources has approved the sale of these lands, as required by Minn. Stat. Chapter 282;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to offer these lands at public sale for not less than the basic sale price in accordance with terms set forth in the Land and Minerals Department policy and in a manner provided for by law, on Thursday, February 11, 2016, at 10:00 a.m. at the Public Safety Building, 2030 N. Arlington Ave., Duluth, MN. Funds from the auction are to be deposited into Fund 240 (Forfeited Tax Fund).

Public Sale of Shoreland Lease Lots

BY COMMISSIONER: _____

WHEREAS, Minnesota Session Laws, 2012, Chapter 236, Section 28, authorizes St. Louis County to sell state tax forfeited shoreland lots currently under lease; and

WHEREAS, If a leaseholder chooses not to purchase a lot or continue leasing, the county may offer the lands for sale at public auction under the provisions of Minn. Stat. § 282.01, subdivision 3; and

WHEREAS, The parcels described in County Board File No. _____ have not been purchased or leased by leaseholders;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to offer these lands at public sale at not less than the basic sale price in accordance with the provisions in Minnesota Session Laws, 2012, Chapter 236, Section 28. Net proceeds from the auction are to be deposited into Fund 500, Agency 500001 (Environmental Trust Fund).

Repurchase of State Tax Forfeited Land - Jacobs

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owner subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicant, Mark Jacobs of Yigo, Guam, has applied to repurchase state tax forfeited land legally described as:

CITY OF HERMANTOWN
N1/2 OF SW1/4 OF NW1/4 EX PART PLATTED AS RIO VISTA
SECTION 23, TOWNSHIP 50 NORTH, RANGE 15 WEST
Parcel Code: 395-0010-06210; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Mark Jacobs of Yigo, Guam, on file in County Board File No. 60090, subject to payments including total taxes and assessments of \$13,959.74, service fee of \$114, deed tax of \$46.07, deed fee of \$25, and recording fee of \$46, for a total of \$14,190.81 to be deposited into Fund 240 (Forfeited Tax Fund).

Repurchase of State Tax Forfeited Land - Burritt

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicants, Kevin & Shirley Burritt of Mt. Iron, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF VIRGINIA
LOTS 20 AND 21, BLOCK 28
VIRGINIA
Parcel Code: 090-0010-06690; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Kevin & Shirley Burritt of Mt. Iron, MN, on file in County Board File No. 60090, subject to payments including total taxes and assessments of \$5,044.04, service fee of \$114, deed tax of \$16.65, deed fee of \$25, and recording fee of \$46, for a total of \$5,245.69 to be deposited into Fund 240 (Forfeited Tax Fund).

Repurchase of State Tax Forfeited Land - Schlotec

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicants, Tom & Sally Schlotec of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOTS 25, 26 & 27 INC PART OF VAC ALLEY ADJ, BLOCK 32
GARY FIRST DIVISION DULUTH
Parcel Code: 010-1800-07970; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Tom & Sally Schlotec of Duluth, MN, on file in County Board File No. 60090, subject to payments including total taxes and assessments of \$3,482.17, service fee of \$114, deed tax of \$11.49, deed fee of \$25, and recording fee of \$46, for a total of \$3,678.66 to be deposited into Fund 240 (Forfeited Tax Fund).

Rescind St. Louis County Board Resolution No. 15-454

BY COMMISSIONER _____

WHEREAS, St. Louis County Board Resolution No. 15-454, dated July 28, 2015, canceled a contract with Joshua Beyer for the repurchase of state tax forfeited land; and

WHEREAS, The contract holder has cured the default;

THEREFORE, BE IT RESOLVED, That St. Louis County Board Resolution No. 15-454, dated July 28, 2015 is rescinded.

**Utility Easement across State Tax Forfeited Land to Lake Country Power
(Unorganized Township 53-16)**

BY COMMISSIONER _____

WHEREAS, Lake Country Power has requested a utility easement across state tax forfeited land to install a permanent underground electrical 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 St. Louis County Auditor to grant a utility easement to Lake Country Power over, under and across state tax forfeited lands as described in County Board File No. 60012;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$320 land use fee, \$100 administration fee, \$50 timber damages, and \$46 recording fee, for a total of \$516 to be deposited into Fund 240 (Forfeited Tax Fund).

Withdrawal of State Tax Forfeited Land from Memorial Forest Status

BY COMMISSIONER _____

WHEREAS, The state tax forfeited parcels described here are currently included in an established memorial forest; and

WHEREAS, Pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established memorial forest and found more suitable for other purposes may, by resolution of the County Board, be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

WHEREAS, The state tax forfeited parcels described here are more suitable for purposes other than forest management;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 60043 shall be withdrawn from Central Lakes, Lake Upham, Pelican Lake, and Whiteface Memorial Forests.

Award of Bids: Mainline Dynamic Warning Systems Project

BY COMMISSIONER _____

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

CP 0000-187068R, SP 69-070-017R located on seven (7) rural intersections in St. Louis County; 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>
Parsons Electric	4615 Grand Avenue Duluth, MN 55807	\$391,692

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 220366, Object 652700.

With additional revenue budgeted for expense:

State of Minnesota (MnDOT) Fund 220, Agency 220366, Rev. Obj. 532304 \$75,000

**Cooperative Agreement with the Cities of Duluth and Hermantown –
Shared Costs of Traffic Signal Timing Plan Update Project**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department began a project to study the implementation of adaptive signal control technology to traffic signals within the Miller Hill area of Duluth and Hermantown; and

WHEREAS, The outcome of this study recommended the need to update the traffic signal timing plans; and

WHEREAS, The project team was led by St. Louis County and included representation from the Minnesota Department of Transportation, City of Duluth and City of Hermantown; and

WHEREAS, The project team recommended including additional traffic signals on the US-53/Miller Trunk Highway and MN Trunk Highway 194/Central Entrance corridors in this project identified as SAP 069-030-041, CP 0000-259405; and

WHEREAS, The project costs estimated at \$90,000 will be shared by the Minnesota Department of Transportation, St. Louis County, City of Duluth and City of Hermantown and a cooperative agreement between the cities is required; and

WHEREAS, St. Louis County will process a separate work order to the standing Master Agreement between St. Louis County and the Minnesota Department of Transportation to account for the Minnesota Department of Transportation's 40 percent cost share;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a cooperative agreement with the City of Duluth and the City of Hermantown to complete the traffic signal timing plan update project, with the county's portion of the cost payable from Fund 220, Agency 220368.

Professional Services Agreement Amendment with Alliant Engineering, Inc.

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department began a project to study the implementation of adaptive signal control technology to traffic signals within the Miller Hill area of Duluth and Hermantown; and

WHEREAS, The outcome of this study recommended the need to update the traffic signal timing plans; and

WHEREAS, The project team was led by St. Louis County and included representation from the Minnesota Department of Transportation, City of Duluth and City of Hermantown; and

WHEREAS, The project team also recommended including additional traffic signals on the US-53/Miller Trunk Highway and MN Trunk Highway 194/Central Entrance corridors in this project, identified as SAP 069-030-041, CP 0000-259405; and

WHEREAS, The project cost will be shared by the Minnesota Department of Transportation, St. Louis County, City of Duluth and City of Hermantown;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials enter into an amendment to the professional services agreement with Alliant Engineering, Inc., of Minneapolis, MN, to perform the traffic signal timing plan update project;

RESOLVED FURTHER, That the project cost of \$90,000 is to be paid by the Minnesota Department of Transportation, Cities of Duluth and Hermantown and St. Louis County as outlined in the agreement, with the county portion to be paid from Fund 220, Agency 220368.

**Agreement with the Cities of Proctor and Duluth –
Pavement Rehabilitation of Boundary Avenue**

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney, with the City of Proctor and City of Duluth for the pavement rehabilitation on Boundary Avenue, CP 0000-279948, whereby the City of Proctor and City of Duluth will pay the “City Non-Participating” local share items listed in the plan. The funds from the City of Proctor and City of Duluth will be receipted into:

Fund 200, Object 551502 (Proctor revenue) and Object 551501 (Duluth revenue)

**Award of Bid: Tied Projects on CSAH 14, CR 982 and CR 483
(City of Proctor and Midway, Grand Lake and Canosia Townships)**

BY COMMISSIONER _____

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

CP 0014-94576 TST, SAP 069-614-016 (Low); CSAH 14 (Thompson Hill Road) from 532' WSW of CR 898 to CSAH 14 (West Skyline Parkway);

CP 0982-248043 TST (Tied) CR 982 (Old Miller Trunk) from CSAH 13 (Midway Road) to CSAH 15 (Munger Shaw Road);

CP 0483-276897 (Tied) CR 483 (South Pike Lake Road) from East Junction CR 982 (Old Miller Trunk) to West Junction CR 982 (Old Miller Trunk); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on November 19, 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	\$2,053,219.34

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:

CP 0014-94576 TST, SAP 069-614-016 (Low)	Fund 444, Agency 444045, Object 652806	\$ 579,126.07
CP 0982-248043 TST (Tied)	Fund 444, Agency 444029, Object 652806	\$1,327,198.63
CP 0483-276897 (Tied)	Fund 200, Agency 203399, Object 652800	\$ 146,894.64

Award of Bid: Tied Projects on CSAH 24 (Portage Township)

BY COMMISSIONER _____

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

CP 0024-216090 TST, SAP 069-624-022 (Low): CSAH 24 (Crane Lake Road) from CSAH 23 (Orr Buyck Road) to Crane Lake;

CP 0024-272429 TST (Tied) CSAH 24 (Crane Lake Road) from CSAH 23 (Orr Buyck Road) to Crane Lake; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on November 19, 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	\$3,357,452.96

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:

CP 0024-216090 TST, SAP 069-624-022 (Low)	Fund 444, Agency 444052, Object 652806	\$2,991,723.92
CP 0024-272429 TST (Tied)	Fund 444, Agency 444046, Object 652806	\$ 365,729.04

Award of Bid: Tied Projects on CR 447 and 452 (Cherry Township)

BY COMMISSIONER _____

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

CP 0447-153451 TST (Low); CR 447 (Tamminen Road) from TH 37 to CR 452 (Iron Junction Road);

CP 0447-269850 TST (Tied) CR 447 (Tamminen Road) from TH 37 to CR 452 (Iron Junction Road);

CP 0452-153452 TST (Tied) CR 452 (Iron Junction Road) from CSAH 25 (Hwy 25) to CSAH 137 (Spirit Lake Road);

CP 0452-269852 TST (Tied) CR 452 (Iron Junction Road) from CSAH 25 (Hwy 25) to CSAH 137 (Spirit Lake Road); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on November 19, 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	\$823,629.15

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:

CP 0447-153451 TST (Low)	Fund 444, Agency 444048, Object 652806	\$253,085.70
CP 0447-269850 TST (Tied)	Fund 444, Agency 444049, Object 652806	\$ 35,146.70
CP 0452-153452 TST (Tied)	Fund 444, Agency 444050, Object 652806	\$472,272.70
CP 0452-269852 TST (Tied)	Fund 444, Agency 444051, Object 652806	\$ 63,124.05

Award of Bid: Replacement of County Bridge 867 on CR 180 (Leiding Township)

BY COMMISSIONER _____

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

CP 0180-213069 TST, Bridge 69A34 on CR 180 between TH 53 and CR 601;
and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on November 19, 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>
Redstone Construction, LLC	2183 Hwy. 65 N. Mora, MN 55051	\$859,352.75

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 444047, Object 652806.

**Award of Bid: Replacement of County Bridge 645 on CSAH 82
(Sturgeon Township)**

BY COMMISSIONER _____

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

CP 0082-215031 TST, SAP 069-682-003, Bridge 69K37 on CSAH 82 (Heino Road) between TH 73 and CR 491 (Roini Road) over Gilmore Creek; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on November 19, 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	\$457,774.91

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 444053, 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.

**Violation of St. Louis County Ordinance No. 28 – Pine Point Lodge & Resort, Inc.
(Crane Lake Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on November 3, 2015, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on September 26, 2015, against Pine Point Lodge & Resort, Inc., d/b/a Pine Point Lodge & Resort, Crane Lake Township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one year with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to Pine Point Lodge & Resort, Inc.; and

WHEREAS, Pine Point Lodge & Resort, Inc., has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the On/Off-Sale 3.2 Percent Malt Liquor License No. 16-CT3.2CMBN-00077 issued to Pine Point Lodge & Resort, Inc., d/b/a Pine Point Lodge & Resort, Crane Lake Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be December 7, 2015;

RESOLVED FURTHER, That a new violation within the next year (ending December 1, 2016) will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Establish Public Hearing for Suspension/Revocation of Liquor Licenses for
Property Tax Non-Payment**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:50 a.m. on Tuesday, December 15, 2015, in the St. Louis County Courthouse, Duluth, MN, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

**Application for License to Sell Tobacco Products at Retail –
Renewal with Violation and Change of Officers**

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 establishment listed below.

The following license holder was issued a tobacco violation citation on the date as stated:

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Alborn Township,
November 8, 2014, renewal and change of officers;

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.

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:

Back Country Bar, Inc., d/b/a Hugo's, Ault 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 licenses 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 with Violation**

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 establishment listed below.

The following license holder was issued a tobacco violation citation on the date as stated:

Oveson KAB-CON, Inc., d/b/a Kettle Falls Hotel, Unorganized Township
70-18, August 14, 2015;

RESOLVED FURTHER, That if named license holders sell 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.

**Endorsement of Revised AMC County Program Aid Formula
and ICWA State Takeover**

BY COMMISSIONER _____

WHEREAS, Minnesota's counties are mandated by the state to provide essential services in many program areas including human services, public safety, and transportation; and

WHEREAS, Counties depend on County Program Aid (CPA) for the financial sustainability of these state-mandated, county-administered services; and

WHEREAS, The current structure of the CPA formula, pursuant to Minn. Stat. MS Chapter 447A.0124, creates considerable volatility in the fund's distribution, interfering with counties' abilities to accurately budget for essential services; and

WHEREAS, The current formula's inadequacies have also resulted in the dramatic reduction of funding for one-third of Minnesota counties that have lost at least 50 percent of their funding since 2005; and

WHEREAS, Despite fluctuations over the past ten years, the state appropriation to the 2015 CPA is equal to the 2005 appropriation making it greatly depressed in terms of inflation; and

WHEREAS, A revised CPA formula in conjunction with additional funding will enable counties to continue to provide quality services that may also translate into reductions in county levies, decreasing the tax burden of Minnesota residents; and

WHEREAS, In October 2014, the Association of Minnesota Counties (AMC) assembled the CPA Work Group including leadership from twenty counties and representatives from the Metropolitan Inter-County Association and the Minnesota Rural Counties Caucus to analyze and develop a CPA formula that reflects the pressing needs of Minnesota's counties; and

WHEREAS, The CPA Work Group unanimously approved a revised CPA formula that benefits all Minnesota counties by reducing volatility and ensuring a fair distribution of CPA; and

WHEREAS, St. Louis County also endorses \$17 million in new state funding for a state takeover of the county costs associated with funding the non-federal share of the Indian Child Welfare Act (ICWA); and

WHEREAS, The Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support the

proposed CPA formula revisions;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners endorses the revised County Program Aid formula as crafted by the AMC County Program Aid Work Group with the following revisions to the Minnesota County Program Aid formula:

- A funding increase of \$40 million;
- The creation of a funding floor that guarantees each county \$350,000 in tax base equalization aid ("TBEA");
- Adjustments to the TBEA formula factors to slow down counties loss of TBEA funding, including: an increase of the per capita factor to \$190 and a decrease of the county adjusted net tax capacity (ANTC) factor to 9 percent;
- The elimination of special funds and transition aid; and
- The creation of a 5% cap on annual CPA losses ensuring no county will lose more than 5% of its funding each year;

RESOLVED FURTHER, That the St. Louis County Board of Commissioners, consistent with the provisions above, also endorses \$17 million in new state funding for a state takeover of the county costs associated with funding the non-federal share of the Indian Child Welfare Act.

NEMESIS System Development and Training Services

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board supports the sharing of criminal justice information and systems throughout the region and in sharing the costs of providing those systems among the subscribing agencies in the region; and

WHEREAS, The Northeastern Minnesota Enforcement and Safety Information System (NEMESIS) continues to be developed and implemented in support of these efforts; and

WHEREAS, Ms. Angie VanDeHey, Advance! Training and Consulting, is able to provide the training and development services needed as the NEMESIS system evolves;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Angie VanDeHey, Advance! Training and Consulting, for the period January 1, 2016 through December 31, 2016, not to exceed \$70,000, payable from NEMESIS Subscriber fees – Fund 150, Agency 150001, Object 629900.

National Sexual Assault Kit Initiative Grant

BY COMMISSIONER _____

WHEREAS, The United States Department of Justice, Bureau of Justice Assistance (BJA), awards grant funds as part of the National Sexual Assault Kit Initiative (SAKI); and

WHEREAS, The City of Duluth has received funding from the BJA to create a coordinated community response to ensure just resolution to unsubmitted sexual assault kit cases, whenever possible, through a victim-centered approach; and

WHEREAS, The St. Louis County Attorney's Office's continuing efforts to improve community response to sexual assault, and participation with the City of Duluth and the Program for Victims of Sexual Assault (PAVSA) to accomplish the goals of the grant, is essential;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the provision of prosecution resources to assist the City of Duluth and PAVSA in the National Sexual Assault Kit Initiative and the receipt of funding from the SAKI grant, through the City of Duluth in the amount of \$263,766, representing the costs of a half-time senior prosecutor, a part-time victim/witness coordinator and related secretarial support over the life of the October 1, 2015 – September 30, 2018 grant;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute the required agreements, and any amendments approved by the County Attorney, to provide services and receive funds which shall be deposited into Fund 100, Agency 113002, Object 550001.