

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 26, 2016**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26<sup>th</sup> day of January 2016, at 9:39 a.m., at the Fayal Town Hall, Eveleth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Tom Rukavina, Pete Stauber, Keith Nelson, and Chair Steve Raukar - 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops, their families, and for all innocent victims of war and acts of terrorism, followed by the pledge of allegiance.

Commissioner Nelson welcomed the Board to Fayal Township and said that Fayal Township is an example of successful township government.

Commissioner Boyle presented his Words of Wisdom by quoting Walter Frederick "Fritz" Mondale: "If you're sure that you understand everything that's going on, you're hopelessly confused." Commissioner Boyle also quoted Bob Uecker: "The way to catch a knuckleball is to wait until it stops rolling and pick it up."

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

Commissioner Nelson, supported by Commissioner Boyle, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Dahlberg, moved to reappoint Sherry Rodriguez as the St. Louis County Veterans Service Officer for a four year period beginning January 28, 2016 and ending January 28, 2020 at her current biweekly compensation rate of \$2,725.60 (Pay Plan A1, Grade 18, Step 08), with all benefits at her current level and as provided in the St. Louis County Management Compensation Plan. Before entering upon these duties, Ms. Rodriguez will take and subscribe to the oath required of public officials under Minn. Stat. §197.60, Subd. 5. The motion passed; seven yeas, zero nays. Resolution No. 16-83.

St. Louis County Auditor Donald Dicklich administered the Veterans Service Officer Oath of Office to Sherry Rodriguez. Ms. Rodriguez addressed the Board and discussed how the Veterans Service Office helps veterans receive benefits that they have earned.

Commissioner Nelson, supported by Commissioner Rukavina, moved to consider a resolution in support of current and former Teamsters union members in their fight to retain their Central States Pension Fund benefits; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Rukavina, moved that the St. Louis County Board of Commissioners hereby supports the efforts of current and retired Teamsters union members

in their battle to retain their Central States Pension Fund benefits, and wishes to help ensure that other multiemployer pension plans are adequately funded for retirees through passage of the *Keep Our Pension Promises Act, H.R. 2844*, which would repeal the provision in the 2014 federal budget, the Kline-Miller Multiemployer Pension Reform Act, that allowed pension reductions without federal oversight. The St. Louis County's federal legislative delegation shall be provided this resolution as encouragement in the fight to protect the pensions of retired workers throughout the state of Minnesota and the nation. Tom Maki, of Fayal, and Don Childs, of Tower, spoke in favor of the resolution. The resolution was amended to add the following language in the fourth "Whereas" section "Several lawmakers, including Congressman Nolan." After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 16-84.

The following Board and contract files were created resulting from documents received at this Board meeting:

Liquor Licensing Committee Minutes approved during CY 2016.—60293

Easements and Rights of Way (tax forfeited lands) approved during CY 2016.—60294

Appraisal reports for the sale of timber submitted during CY 2016.—60295

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor/Treasurer, submitting Board Letter No. 16-33, Waiver of Ordinance No. 28, Section 11.05 – Billy's (Rice Lake).—60296

Applications for Permit Authorizing the Consumption and Display of Intoxicating Liquors approved during CY 2016.—60297

Job Classifications and reallocations approved during CY 2016.—60298

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 16-37, Committee Vacancy – Appointment to the Planning Commission.—60299

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 16-38, Committee Vacancy – Appointment to the Board of Adjustment.—60300

Kevin Gray, County Administrator, Mark Monacelli, Public Records and Property Valuation Director, Donald Dicklich, County Auditor/Treasurer, and David Sipila, County Assessor, submitting Board Letter No. 16-40, Revised St. Louis County Real Property Tax Abatement Policy and Rescinding Resolutions No. 89-691 and 93-861.—60301

Kevin Gray, County Administrator, and Gary Eckenberg, Deputy County Administrator, submitting Board Letter No. 16-36, County Veterans Service Office Reappointment.—60302

Kevin Gray, County Administrator, submitting Board Letter No. 16-54, Resolution in Support of Current and Retired Teamsters Union Members in their Fight to Retain Central States Pension Fund Benefits.—60303

Amended Joint Powers Agreement between St. Louis County and Koochiching County for the continuance of the Voyageurs National Park Clean Water Conservation Board.—16-61

Service Contract by and between the County of St. Louis and Waste Management of Minnesota, Inc., Duluth, MN, for disposal services for Class I demolition waste collected at the Regional Landfill and the Aurora, Brookston and Northwoods Transfer Stations during the period January 1, 2016 to December 1, 2018 with three (3) possible one-year extensions.—16-62

Purchase of Service Agreement, Contract No. 15464A, between the St. Louis County Board of Commissioners and Kidspace Mesabi Academy, Inc., Buhl, MN, for Child Residential services during the period December 31, 2015 to January 31, 2016.—16-63

Family Homeless Prevention and Assistance Program Agreement, Contract No. 15535, by and between the St. Louis County Board of Commissioners and the Salvation Army, Duluth, MN, for services during the period July 1, 2015 through June 30, 2017.—16-64

Purchase of Service Agreement, Contract No. 15629, between the St. Louis County Board of Commissioners and Life House, Inc., Duluth, MN, for Assertive Community Treatment (ACT) Services during the period January 1, 2016 to December 31, 2016.—16-65

Purchase of Service Agreement, Contract No. 15632, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., Virginia, MN, for Assertive Community Treatment (ACT) Services during the period January 1, 2016 to December 31, 2016.—16-66

Purchase of Service Agreement, Contract No. 15633, between the St. Louis County Board of Commissioners and Arrowhead Center, Inc., Virginia, MN, for Adult Mental Health ACT SAG funded Employment Services during the period January 1, 2016 to December 31, 2016.—16-67

Snowmobile Safety Enforcement Grant Contract between the State of Minnesota Commissioner of Natural Resources and St. Louis County Sheriff's Office for the period July 1, 2015 through June 30, 2017.—16-68

Letter of Understanding for the 2015 Audit by the State Auditor's Office.—16-69

Fire Protection Services Agreement between the County of St. Louis and the City of Chisholm for services in Unorganized Township 59-21 during CY 2016.—16-70

Fire Protection Services Agreement between the County of St. Louis and the City of Cook for services in Unorganized Townships 62-17 & 63-17 during CY 2016.—16-71

Fire Protection Services Agreement between the County of St. Louis and Greenwood Township Volunteer Fire Department for services in Unorganized Township 63-15 during CY 2016.—16-72

Fire Protection and First Responder Services Agreement between the County of St. Louis and Morse-Fall Lake Rural Protection Association, Ely, MN, for services in Unorganized Townships 64-12, 64-13, 65-13, 63-14 & 65-14 during CY 2016.—16-73

Fire Protection Services Agreement between the County of St. Louis and Northland Volunteer Fire

Department, Inc., Canyon, MN, for services in Unorganized Township 53-16 during CY 2016.—16-74

Fire Protection and First Responder Services Agreement between the County of St. Louis and the Colvin Volunteer Fire Department, Inc., Makinen, MN, for services in Unorganized Township 55-15, identified as Sections 1 through 21, and Sections 29 and 30, during CY 2016.—16-75

Fire Protection Services Agreement between the County of St. Louis and the City of Floodwood for services in Unorganized Township 52-21 during CY 2016.—16-76

Fire Protection and First Responder Services Agreement between the County of St. Louis and the Embarrass Region Volunteer Fire Department, Inc., Embarrass, MN, for services in Unorganized Township 61-14 during CY 2016.—16-77

Fire Protection Services Agreement between the County of St. Louis and the Lakeland Volunteer Fire Department, Inc., Gilbert, MN, for services in Unorganized Township 57-16 during CY 2016.—16-78

Fire Protection Services Agreement between the County of St. Louis and the Makinen Volunteer Fire Department, Inc., Makinen, for services in Unorganized Township 56-16 during CY 2016.—16-79

Service Contract No. 5290 between the County of St. Louis and Kangas Excavating, Inc., Aurora, MN, for the operation of the County's Regional Landfill in Virginia, MN, for a six-year period with two (2) additional two-year extensions possible.—16-80

Project Contract No. 5245C between the County of St. Louis and Max Gray Construction, Inc., Hibbing, MN, for A.P. Cook Building Improvements – Assessor's Office Construction/Building Exterior Upgrades and Roof Replacement.—16-81

Contract for County-State Aid Highway (CSAH) Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for tied projects on CSAH 14, County Road (CR) 982 and DR 483 in the City of Proctor and Midway, Grand Lake, and Canosia Townships, CP 0014-94576TST, SAP 069-614-016(low); CP 0982-248043 TST (tied); and CP 0483-276897 (tied).—16-82

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for approach grading and Bridge No. 69K42 (County Bridge 705) located on CR 540/Ease Olson Road in Field Township, CP 0540-243937 TST.—16-83

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC, Duluth, MN, for approach grading, bituminous paving, guardrail and Bridge No. 69A20 (County Bridge 488) located on CSAH 110 in Field Township.—16-84

FY 2016 & 2017 State of Minnesota Board of Water and Soil Resources Natural Resources Block Grant Agreement in the amount of \$171,468 through December 31, 2018. —16-85

Purchase of Service Agreement, Contract No. 15664, between the St. Louis County Board of Commissioners and George Morrell, Hibbing, MN, for chore services during the period January 1,

2016 to June 30, 2016.—16-86

Purchase of Service Agreement, Contract No. 15665, between the St. Louis County Board of Commissioners and George Morrell, Hibbing, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-87

Purchase of Service Agreement, Contract No. 15666, between the St. Louis County Board of Commissioners and George Morrell, Hibbing, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-88

Purchase of Service Agreement, Contract No. 15672, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-89

Purchase of Service Agreement, Contract No. 15673, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-90

Purchase of Service Agreement, Contract No. 15674, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-91

Purchase of Service Agreement, Contract No. 15677, between the St. Louis County Board of Commissioners and Carol Thomas, Eveleth, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-92

Purchase of Service Agreement, Contract No. 15678, between the St. Louis County Board of Commissioners and Dennis Beaulieu, Babbitt, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-93

Purchase of Service Agreement, Contract No. 15679, between the St. Louis County Board of Commissioners and Dennis Beaulieu, Babbitt, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-94

Purchase of Service Agreement, Contract No. 15707, between the St. Louis County Board of Commissioners and Gene Vanderscheuren, Proctor, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-95

2016 – 2018 Agreement between the University of Minnesota and St. Louis County for Providing Extension Programs Locally and Employing Extension Staff.—16-96

Purchase of Service Agreement, Contract No. 15662, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-97

Purchase of Service Agreement, Contract No. 15663, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016

to June 30, 2016.—16-98

Purchase of Service Agreement, Contract No. 15680, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-99

Purchase of Service Agreement, Contract No. 15681, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-100

Purchase of Service Agreement, Contract No. 15682, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-101

Purchase of Service Agreement, Contract No. 15683, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-102

Purchase of Service Agreement, Contract No. 15684, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-103

Purchase of Service Agreement, Contract No. 15685, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-104

Purchase of Service Agreement, Contract No. 15686, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-105

Purchase of Service Agreement, Contract No. 15687, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-106

Purchase of Service Agreement, Contract No. 15704, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-107

Purchase of Service Agreement, Contract No. 15709, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-108

Purchase of Service Agreement, Contract No. 15710, between the St. Louis County Board of Commissioners and Dan Wiswell, Aurora, MN, for chore services during the period January 1, 2016 to June 30, 2016.—16-109

Amendment No. 1, Original Damion No. 2015-09627, by the County of St. Louis and North Point Geographic Solutions, LLC, Duluth, MN, to develop the Adopt-A-Highway web-based

application.—16-110

Family Homeless Prevention and Assistance Program, Contract No. 15536, by and between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Virginia, MN, for the period July 1, 2015 through June 30, 2017.—16-111

Family Homeless Prevention and Assistance Program, Contract No. 15542, by and between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency, Virginia, MN, for Flex Fund Administration during the period July 1, 2015 through June 30, 2017.—16-112

Group Residential Housing Rate Agreement, Contract No. 53003, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Aspen, Duluth, MN.—16-113

Group Residential Housing Rate Agreement, Contract No. 53004, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Basswood, Duluth, MN.—16-114

Group Residential Housing Rate Agreement, Contract No. 53005, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Birch, Duluth, MN.—16-115

Group Residential Housing Rate Agreement, Contract No. 53006, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Bishop Woods, Hermantown, MN.—16-116

Group Residential Housing Rate Agreement, Contract No. 53007, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Chestnut, Duluth, MN.—16-117

Group Residential Housing Rate Agreement, Contract No. 53008, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Crystal, Duluth, MN.—16-118

Group Residential Housing Rate Agreement, Contract No. 53009, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Daniels, Duluth, MN.—16-119

Group Residential Housing Rate Agreement, Contract No. 53010, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Fairview, Duluth, MN.—16-120

Group Residential Housing Rate Agreement, Contract No. 53011, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Galere, Duluth, MN.—16-121

Group Residential Housing Rate Agreement, Contract No. 53012, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Glendale, Duluth, MN.—16-122

Group Residential Housing Rate Agreement, Contract No. 53013, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Jitney, Duluth, MN.—16-123

Group Residential Housing Rate Agreement, Contract No. 53014, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Juniper, Duluth, MN.—16-124

Group Residential Housing Rate Agreement, Contract No. 53015, by and between the St. Louis

County Board of Commissioners and DRCC, Inc. – Lambert, Virginia, MN.—16-125

Group Residential Housing Rate Agreement, Contract No. 53016, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Mankato, Duluth, MN.—16-126

Group Residential Housing Rate Agreement, Contract No. 53017, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Maple, Hermantown, MN.—16-127

Group Residential Housing Rate Agreement, Contract No. 53018, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Melrose, Duluth, MN.—16-128

Group Residential Housing Rate Agreement, Contract No. 53019, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Merritt, Duluth, MN.—16-129

Group Residential Housing Rate Agreement, Contract No. 53020, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Midway, Virginia, MN.—16-130

Group Residential Housing Rate Agreement, Contract No. 53021, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Northside, Virginia, MN.—16-131

Group Residential Housing Rate Agreement, Contract No. 53022, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Noumenon, Duluth, MN.—16-132

Group Residential Housing Rate Agreement, Contract No. 53023, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Oak, Duluth, MN.—16-133

Group Residential Housing Rate Agreement, Contract No. 53024, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Piedmont, Duluth, MN.—16-134

Group Residential Housing Rate Agreement, Contract No. 53025, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Riverside, Duluth, MN.—16-135

Group Residential Housing Rate Agreement, Contract No. 53026, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Rockridge, Duluth, MN.—16-136

Group Residential Housing Rate Agreement, Contract No. 53027, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – South Grove, Mt. Iron, MN.—16-137

Group Residential Housing Rate Agreement, Contract No. 53028, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Spruce, Duluth, MN.—16-138

Group Residential Housing Rate Agreement, Contract No. 53029, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Triggs, Duluth, MN.—16-139

Group Residential Housing Rate Agreement, Contract No. 53030, by and between the St. Louis County Board of Commissioners and DRCC, Inc. (Triplex, Apartment 1), Duluth, MN.—16-140

Group Residential Housing Rate Agreement, Contract No. 53031, by and between the St. Louis

County Board of Commissioners and DRCC, Inc. (Triplex, Apartment 2), Duluth, MN.—16-141

Group Residential Housing Rate Agreement, Contract No. 53032, by and between the St. Louis County Board of Commissioners and DRCC, Inc. (Triplex, Apartment 3), Duluth, MN.—16-142

Group Residential Housing Rate Agreement, Contract No. 53033, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Willow, Hermantown, MN.—16-143

Group Residential Housing Rate Agreement, Contract No. 53034, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Winona, Duluth, MN.—16-144

Group Residential Housing Rate Agreement, Contract No. 53035, by and between the St. Louis County Board of Commissioners and DRCC, Inc. – Woodland, Duluth, MN.—16-145

Upon motion by Commissioner Nelson, supported by Commissioner Boyle, resolutions numbered 16-65 through 16-82, 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 January 5, 2016, are hereby approved.

Adopted January 26, 2016. No. 16-65

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 12 2016, are hereby approved.

Adopted January 26, 2016. No. 16-66

WHEREAS, James R. and Vicki L. St. George, David F. Fulda, Jr. and Terry L. Fulda, Jerome and Catherine Ziells, and George and Louise A. Hatecke have requested an access easement across state tax forfeited land; 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 St. Louis County Auditor to grant a non-exclusive access easement to James R. and Vicki L. St. George, David F. Fulda, Jr. and Terry L. Fulda, Jerome and Catherine Ziells, and George and Louise A. Hatecke, across state tax forfeited lands as described in County Board File No. 60294;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$44 land use fee, \$50 administration fee, and \$46 recording fee, for a total of \$140 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted January 26, 2016. No. 16-67

WHEREAS, Buyers of lots in the Plat of Wolf West must cross state tax forfeited land; 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. §§ 507.47 and 282.04, Subd. 4, 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 St. Louis County Auditor to impose an easement across state tax forfeited lands to access lots in the Plat of Wolf West as described in County Board File No. 60294.

Adopted January 26, 2016. No. 16-68

WHEREAS, Buyers of lots in the Plat of Wolf West must cross state tax forfeited land to access a public road; 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. §§ 507.47 and 282.04, Subd. 4, 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 St. Louis County Auditor to impose an easement across state tax forfeited lands for access to the Plat of Wolf West for the benefit of the State of Minnesota in Trust for the Taxing Districts and for the public, as described in County Board File No. 60294.

Adopted January 26, 2016. No. 16-69

RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC SEALED BID TIMBER AUCTION, Tracts 1 through 27 (totaling \$773,116.29), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 60295, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 26, 2016. No. 16-70

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a portion of County State Aid Highway 4 (Rice Lake Road) within the City of Duluth; and

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

**Project Parcel-(2)**

**Owners and Interests:**

Barry F. Power and Joanne Power,  
                  husband and wife, fee owner  
1331 Rice Lake Road  
Duluth, MN 55811

**Property Legal Description:**

That part of the NW ¼ of SW ¼ of NW ¼, Section 22, Township 50 North, Range 14 West of the Fourth Principal Meridian, described as follows:

Beginning at the NW corner of said NW ¼ of SW ¼ of NW ¼, thence E'ly along the north line of said NW ¼ of SW ¼ of NW ¼ a distance of 89.96 feet to the W'ly right of way line of Rice Lake Road; thence deflect 30 degrees 59 minutes 00 seconds to the right in a SE'ly

direction, along said right of way line, a distance of 96.32 feet; thence E'ly and S'ly a distance of 48.08 feet along a tangential curve concave to the SW having a radius of 785.51 feet and a central angle of 3 degrees 30 minutes 26 seconds; thence deflect 109 degrees 20 minutes 57 seconds to the right, in a SW'ly direction, from the chord of said curve a distance of 144.79 feet; thence deflect 65 degrees 38 minutes 20 seconds to the right in a NW'ly direction a distance of 57.92 feet; thence deflect 11 degrees 38 minutes 14 seconds to the right in a NW'ly direction a distance of 62.70 feet to the West line of said NW ¼ of SW ¼ of NW ¼; thence deflect 51 degrees 13 minutes 36 seconds to the right in a N'ly direction a distance of 97.85 feet to the point of beginning, containing 0.518 acres, more or less.  
Torrens Property-Certificate Number 309873

**Rights to be acquired:**

A PERMANENT EASEMENT for highway purposes over, under, and across the above described property, said permanent easement lies easterly of a line drawn 40.00 feet westerly of the following described line: Commencing at the Northwest corner of Section 22, Township 50 North, Range 14 West; thence South 00°08'49" West a distance of 2646.29 feet to the west 1/4 corner of said section; thence North 11°31'54" East a distance of 1277.87 feet; thence North 50°48'48" West a distance of 31.62 feet to a point on the project centerline and the point of beginning of the line to be described; thence continuing at said bearing a distance of 88.13 feet said line there terminating.

AND

Together with A TEMPORARY EASEMENT for highway purposes over, under, and across the above described property, said temporary easement lies adjacent to and 10 feet westerly of the previously described Permanent Easement.

AND

Together with A TEMPORARY EASEMENT for highway purposes over, under, and across the above described property, said temporary easement lies easterly of a line drawn 50.00 feet westerly of the following described line: from the point of termination of the previously described permanent easement to the point of beginning of the line to be described; thence continuing at a bearing of North 50°48'48" West a distance of 42.35 feet said line there terminating.

AND

Together with A TEMPORARY EASEMENT for highway purposes over, under, and across the above described property, said temporary easement lies easterly of a line drawn 55.00 feet westerly of the following described line: from the point of termination of the last described temporary easement to the point of beginning of the line to be described; thence continuing at a bearing of North 50°48'48" West a distance of 18.69 feet said line there terminating.

Said Temporary Easements contain 0 square feet of existing right of way and 1280 square

feet of new right of way. Said Temporary Easements shall expire on December 31, 2018.

Said Permanent Easement contains 0 square feet of existing right of way and 600 square feet of new 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 eminent domain proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

Adopted January 26, 2016. No. 16-71

WHEREAS, St. Louis County, in partnership with Aitkin, Carlton, Itasca and Lake Counties, was awarded funding through the Highway Safety Improvement Program to install 6-inch wide wet reflective epoxy edgeline on county highways in 2016; and

WHEREAS, The St. Louis County Public Works Department will prepare the plan, specifications, and perform all necessary contract administration from contract award to certification of final payment; and

WHEREAS, Each participating county will pay to St. Louis County the cost of its share as detailed in the proposal/plan package, schedule of prices and as referenced in the cooperative agreement;

THEREFORE, BE IT 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's Office, with Aitkin, Carlton, Itasca and Lake Counties where each county will pay its local share for items listed in the schedule of prices in the proposal/plan package and plan described as SP 088-070-045, CP 0000-225072, 2016 District 1, 6-inch Wet Reflective Epoxy Edgeline Project, with the funds to be receipted into Fund 220, Agency 220385.

Adopted January 26, 2016. No. 16-72

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

CP 0185-243860 TST: Approach Grading and Bridge No. 69A38 (County Bridge 261);

and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on January 7, 2016, and the low responsible bid determined;

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Redstone Construction, LLC	2183 Hwy. 65 North Mora, MN 55051	523,111.80

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 444013, Object 652806.

Adopted January 26, 2016. No. 16-73

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

CP 0002-244409 TST (Low): CSAH 2 (West Tischer Road) from CSAH 4 to CSAH 34;  
 CP 0002-261283 TST (Tied): CSAH 2 (West Tischer Road) from CSAH 34 to CR 246;  
 CP 0259-153437 TST (Tied): CR 259 (West Beyer Road) from CSAH 4 to CSAH 34;  
 CP 0280-153456 TST (Tied): CR 280 (Riley Road) from CR 289 to CR 245;  
 CP 0289-153458 TST (Tied): CR 289 (Woodland Avenue) from CSAH 10 to CSAH 2; and  
 WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works  
 Complex, Duluth, MN, on January 7, 2016, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award of  
 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	\$2,712,795.42

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 0002-244409 TST (Low)	Fund 444, Agency 444054, Object 652806	\$629,867.89
CP 0002-261283 TST (Tied)	Fund 444, Agency 444055, Object 652806	\$730,288.75
CP 0259-153437 TST (Tied)	Fund 444, Agency 444056, Object 652806	\$415,704.87
CP 0280-153456 TST (Tied)	Fund 444, Agency 444057, Object 652806	\$655,198.19
CP 0289-153458 TST (Tied)	Fund 444, Agency 444058, Object 652806	\$281,735.72

Adopted January 26, 2016. No. 16-74

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.02,  
 prohibits sales of alcohol after 1:00 a.m. on Monday through Saturday and Section 11.05 requires  
 patrons to vacate licensed premises within twenty (20) minutes after sales are ceased by law; and

WHEREAS, Ragnar Properties, Inc., d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a  
 licensed liquor establishment, has requested a waiver to remain open from 1:00 a.m. to 8:00 a.m., on  
 February 3, 2016, to provide facilities and food to mushers and race officials of the John Beargrease  
 Sled Dog Marathon; and

WHEREAS, The Liquor Licensing Committee has recommended approval of the waiver  
 application, pursuant to Section 11.05 of Ordinance No. 28;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the  
 application (on file in County Board File No. 60296) submitted by the below listed establishment for  
 a waiver of Section 11.05, which requires patrons to vacate the licensed premises by 1:20 a.m.:

Ragnar Properties, Inc., d/b/a Billy's  
 3502 West Tischer Road  
 Duluth, MN 55803

RESOLVED FURTHER, That the waiver shall be effective February 3, 2016, from 1:00 a.m.  
 to 8:00 a.m. and no alcohol shall be served or consumed on the licensed premises during the waiver  
 period, although Billy's will be allowed to serve food to mushers and race officials of the John  
 Beargrease Sled Dog Marathon during said waiver period.

Adopted January 26, 2016. No. 16-75

RESOLVED, That the workers' compensation report of claims by employees for work-  
 related injuries, dated January 8, 2016, on file in the office of the County Auditor, identified as  
 County Board File No. 60274, is hereby received and ratified as payable from Fund 730, Agency

730001.

Adopted January 26, 2016. No. 16-76

RESOLVED, That pursuant to the provisions of Minnesota Statutes, Section 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 permit authorizing the consumption and display of intoxicating liquors is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60297:

Thirsty Moose Bar and Grill, Inc., d/b/a Thirsty Moose Bar & Grill, Cherry Township, renewal.

Adopted January 26, 2016. No. 16-77

WHEREAS, A sustained increase in Risk Management workload necessitates creation of a new Loss Control Manager class and reassignment of higher level management responsibilities; and

WHEREAS, Human Resources, in collaboration with the Safety and Risk Management Division, has determined that reallocation of one (1) Loss Control Specialist Senior position to Loss Control Manager will assist in this sustained increase in higher level workload; and

WHEREAS, The Loss Control Manager job class, Grade 29: \$61,425 - \$86,872 (annual steps and longevities through twenty-four years of service) in the Civil Service Supervisory Unit Pay Plan, was approved by the Civil Service Commission on December 7, 2015; and

WHEREAS, The St. Louis County Employee Association has accepted the salary grade recommended for the class; and

WHEREAS, County Fiscal Policies specify that any position change greater than three (3) pay grades must go to the County Board for approval;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves creation of the Loss Control Manager job class, Grade 29: \$61,425 - \$86,872 (annual steps and longevities through twenty-four years of service) in the Civil Service Supervisory Unit Pay Plan, as approved by the Civil Service Commission on December 7, 2015;

RESOLVED FURTHER, That the County Board approves reallocation of 1.0 FTE Loss Control Specialist Senior (Pay Grade B25) position to the new Loss Control Manager class (Pay Grade E29) in the Safety and Risk Management Division of Administration. The reallocation will result in an approximate annual cost increase of \$9,808, with funding available in Fund 100, Agency 139001.

Adopted January 26, 2016. No. 16-78

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

WHEREAS, One individual, Richard Cartier, of Duluth, MN, has applied for the vacancy on the Planning Commission;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints Richard Cartier, Duluth, MN, to the Planning Commission for a term expiring December 31, 2018.

Adopted January 26, 2016. No. 16-79

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

WHEREAS, Two individuals have applied for the vacancy on the Board of Adjustment;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following individual to the Board of Adjustment for a term ending December 31, 2016: Roger Skraba, Ely, MN.

Adopted January 26, 2016. No. 16-80

WHEREAS, It is necessary that the St. Louis County Board of Commissioners appoint election judges for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board;

THEREFORE, BE IT RESOLVED, That the following eligible voters are appointed as election judges during 2016 to process applications and ballots in the Duluth Courthouse for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board; effective through December 31, 2016:

Judge/Staff – Lisa Sweet, 100 N. 5th Ave. W. #214, Duluth, MN 55802

Judge/Staff – Amy Gundersen, 100 N. 5th Ave. W. #214, Duluth, MN 55802

RESOLVED FURTHER, That the County Auditor and/or Clerk of the County Board may make election judge appointments to fill vacancies should they occur.

Adopted January 26, 2016. No. 16-81

WHEREAS, On August 15, 1989, the St. Louis County Board, by Resolution No. 89-691, adopted a policy concerning disaster credits; and

WHEREAS, On November 30, 1993, the St. Louis County Board, by Resolution No. 93-861, adopted a policy concerning the abatement of ad valorem taxes; and

WHEREAS, These policies have become outdated due to statutory and procedural changes;

THEREFORE, BE IT RESOLVED, That County Board Resolution No. 89-691, dated August 15, 1989, and County Board Resolution No. 93-861, dated November 30, 1993, are rescinded and the authority to abate penalties due on current year taxes is delegated to the County Auditor. The County Board also authorizes the County Auditor to abate penalties of up to \$20.00 that are assessed for late payment of homestead taxes pursuant to the policy;

RESOLVED FURTHER, That the St. Louis County Board adopts the Real Property Tax Abatement Policy in County Board File No. 60301 with respect to standards and procedures for the abatement of ad valorem taxes and abatement of penalties and interest assessed on delinquent or past due taxes and costs.

Adopted January 26, 2016. No. 16-82

**BY COMMISSIONER JEWELL:**

RESOLVED, That the St. Louis County Board reappoints Sherry Rodriguez as the St. Louis County Veterans Service Officer for a four year period beginning January 28, 2016 and ending January 28, 2020 at her current biweekly compensation rate of \$2,725.60 (Pay Plan A1, Grade 18, Step 08), with all benefits at her current level and as provided in the St. Louis County Management Compensation Plan;

RESOLVED FURTHER, That before entering upon these duties, Ms. Rodriguez will take and subscribe to the oath required of public officials under Minn. Stat. §197.60, Subd. 5.

Unanimously adopted January 26, 2016. No. 16-83

**BY COMMISSIONER NELSON:**

WHEREAS, The St. Louis County Board has been requested to support current and retired Teamsters union members in their fight to retain their Central States Pension Fund benefits; and

WHEREAS, These retirees are among more than 400,000 across 38 states who received letters in October notifying them that their pension fund is in trouble and their monthly checks will be reduced – some by up to 60%; and

WHEREAS, Hundreds of current and retired Teamsters union members have lived and worked in St. Louis County for much of their lives, and do not deserve, now in their 60s and 70s, to have the pensions promised to them and paid for with their hard-earned wages, reduced without recourse; and

WHEREAS, Several lawmakers, including Congressman Nolan, opposing the cuts have introduced the *Keep Our Pension Promises Act, H.R. 2844*, which would repeal the provision in the 2014 federal budget – the Kline-Miller Multiemployer Pension Reform Act - that enabled the cuts to occur without the intervention of the Federal Pension Benefit Guarantee Corp.; and

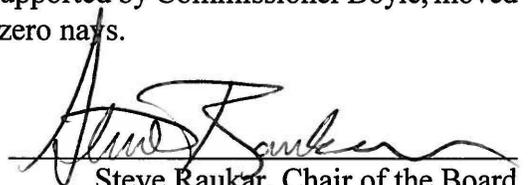
WHEREAS, This bill could protect the pensions of not just the Teamsters under the Central States Pension plan, but also some 1.5 million workers in about 200 different multiemployer pension plans that are also underfunded;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners hereby supports the efforts of current and retired Teamsters union members in their battle to retain their Central States Pension Fund benefits, and wishes to help ensure that other multiemployer pension plans are adequately funded for retirees through passage of the *Keep Our Pension Promises Act, H.R. 2844*, which would repeal the provision in the 2014 federal budget, the Kline-Miller Multiemployer Pension Reform Act, that allowed pension reductions without federal oversight;

RESOLVED FURTHER, That St. Louis County's federal legislative delegation shall be provided this resolution as encouragement in the fight to protect the pensions of retired workers throughout the state of Minnesota and the nation.

Unanimously adopted January 26, 2016. No. 16-84

At 10:38 a.m., January 26, 2016, Commissioner Nelson, supported by Commissioner Boyle, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

  
Steve Raukar, 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)