



AGENDA

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA

Tuesday, March 8, 2016, 9:30 A.M.

**Babbitt City Hall
71 South Drive
Babbitt, Minnesota**

**STEVE RAUKAR, Chair
Seventh District**

**FRANK JEWELL, Vice-Chair
First District**

**PATRICK BOYLE
Second District**

**CHRIS DAHLBERG
Third District**

**TOM RUKAVINA
Fourth District**

**PETE STAUBER
Fifth District**

**KEITH NELSON
Sixth District**

County Auditor
Donald Dicklich

County Administrator
Kevin Gray

County Attorney
Mark Rubin

Clerk of the Board
Phil Chapman

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.****

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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9:30 A.M. Moment of Silence
 Pledge of Allegiance
 Roll Call

“Words of Wisdom” – Commissioner Raukar, Seventh District

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

CONSENT AGENDA

Approval of business submitted on the consent agenda.

REGULAR AGENDA

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

1. Add a parcel of tax forfeited land described as Pastoret Terrace, Lots 29 and 31, Duluth Proper 1st Division East 1st Street, to a list of tax forfeited lands to be withheld from repurchase for one year. **{16-102} [Without recommendation.]**

Finance & Budget Committee – Commissioner Nelson, Chair

2. Professional services contract with LHB, Inc., of Duluth, MN, for architect and engineering design services for the Arrowhead Economic Opportunity Agency (AEOA) and Range Mental Health Center (RMHC) facility construction project in Virginia, MN. **{16-106} [Without recommendation.]**

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

3. Designate Unorganized Precinct 24 as a mail ballot precinct for all future state and county elections. **{16-99} [Without recommendation.]**

ADJOURNED:

quotes for a licensed engineer to report on the structural condition and integrity of the building.

The Land and Minerals Department received a signed application to repurchase the property from the former owner on February 1, 2016. The repurchase application is attached.

RECOMMENDATION:

It is recommended that the St. Louis County Board add Pastoret Terrace to a list of tax forfeited lands to be filed with the County Auditor to be withheld from repurchase to allow time for DEDA and the City of Duluth to acquire the property for demolition and redevelopment purposes.

List of Forfeited Lands – 127-129 East First Street (Duluth, MN)

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.322 authorizes county boards to file a list of tax-forfeited lands with the county auditor to be withheld from repurchase if the board is of the opinion that such lands may be acquired by the state or any municipal subdivision for public purposes. If no proceeding to acquire such lands by the state or a municipal subdivision is started within one year after filing the list, the county board shall withdraw the list and the previous owner shall have one year in which to repurchase; and

WHEREAS, On November 30, 2015, the following described property forfeited to the State of Minnesota for nonpayment of taxes:

Pastoret Terrace
Lots 29 and 31
Duluth Proper 1st Division East 1st Street
Parcel 010-0930-00270; and

WHEREAS, The former owner of Pastoret Terrace did not comply with an Abatement Order issued by the City of Duluth in 2015 ordering the submission of a report by a licensed engineer on the structural condition of the building; and

WHEREAS, The Duluth Economic Development Authority, working with the City of Duluth, has expressed an interest in acquiring the property for redevelopment purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board shall add parcel 010-0930-00270, also known as Pastoret Terrace, to a list of tax forfeited lands to be filed with the County Auditor to be withheld from repurchase for one year because the County Board is of the opinion that the property may be acquired by a municipal subdivision for redevelopment purposes.



City of Duluth
Construction Services & Inspections Division

411 West First Street • Room 210 • Duluth, Minnesota • 55802-1194
218-730-5300 • Fax: 218-730-5901 • www.duluthmn.gov/onestop/

An Equal Opportunity Employer

January 29, 2015

ABATEMENT ORDER

Attn: Temple Corporation
Eric Ringsred
701 West Arrowhead Rd.
Duluth, MN. 55811

Copasetic, Inc.
Paul King
441 Kenilworth Ave
Duluth, MN 55803

Re: Pastoret Terrace
Parcel ID: 010-0930-00270

Dear Property Owner,

A recent site inspection by this office has revealed that the building at the above listed address is in an unsafe and unsanitary condition.

Minnesota State Building Code (MSBC) Section 1311.0107 requires that all buildings, structures, systems, devices and safeguards and all parts thereof be maintained in a safe and sanitary condition in conformance with applicable codes. Further, MSBC Section 1300.0180 requires that the unsafe building and building appendages be abated by repair, rehabilitation, demolition, or removal, according to Minnesota statutes, sections 463.15 to 463.26.

You are hereby ordered to comply with MSBC 1311.0107 and MSBC 1300.0180 by repairing, rehabilitating, demolishing, or removing the building. In order to establish the scope of required repairs, you are ordered to submit a complete report of the structural condition of the building prepared by a Minnesota licensed structural engineer as well as a report on the condition of the building's ability to resist infiltration of water. The report shall include a description of the current condition and a plan to repair the roof, floors, exterior walls, and foundation to comply at a minimum with the standards required by the building code or for the demolition and removal of the structure.

In order to prevent further deterioration of the structure and eliminate the blighted condition of the property, within 90 days of the date of this letter the report and plans described above and applicable permit applications must be submitted to Construction Services or a demolition permit shall be obtained and the building demolished. If the building is not demolished, all work required to achieve code compliance shall be completed by December 31, 2015.

Please feel free to contact me with any questions.

Respectfully,

Dan Nelson
City of Duluth Building Official

C: Michael Conlan, Pastoret Partners

NOTICE OF APPEAL RIGHTS

You have a right to appeal an order, decision or determination issued by the building official about the Minnesota State Building Code (MSBC) by appealing to the State Building Code Appeals Board in accordance with MSBC 1300.0230. You have a right to appeal an order, decision or determination about Duluth City Code Chapter 10 within 15 days, by submitting application for appeal and payment of the appeal fee (\$120) in accordance with Duluth City Code Section 10-5. An application for appeal to an order by the building official shall be based on a claim that the true intent of the code or the rules has been incorrectly interpreted, the provisions of the building code do not fully apply or an equally good or better form of compliance is proposed. The board has no authority to waive requirements of the building code.



December 23, 2015

Kevin Gray, County Administrator
St. Louis County Courthouse
100 N 5th Ave W
Duluth MN 55802

Dear Mr. Gray:

The Duluth Economic Development Authority (DEDA) is very interested in working with St. Louis County and city of Duluth administration to identify appropriate options and resources that could seed the redevelopment of the Pastoret Terrace/100 E First Street Block within the city's core downtown business district. I look forward to working with you and your staff in hopes of achieving long overdue reinvestment within that immediate area.

Perhaps just after the start of the New Year, we may meet to discuss next steps with appropriate parties. If you would like my assistance in the scheduling of such a meeting, I would be happy to assist by connecting us with Dave Montgomery and Mayor- Elect Emily Larson's schedulers.

Sincerely,

Heather Rand
Executive Director, DEDA
218-428-2206 cell

Cc: Barb Hayden via email

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Copasetic Inc, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF DULUTH, LOTS 29 AND 31, DULUTH PROPER 1ST DIVISION EAST 1ST STREET

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2011 and remained delinquent and unpaid for the subsequent years of: 2012, 2013, 2014, 2015

That pursuant to Minnesota Statutes, the total cost of repurchase \$31,376.66 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that: applicant to state reasons why taxes were not paid.

Confusion due to change of secretaries.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Temple Corp. Inc

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date _____ and documentation. Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: January 20th 2016

By: Paul A. G. (Signature)

Address: 106 Vassar St
City: Duluth State: MN Zip: 55811
Phone: 218-391-3446



St. Louis County Land & Minerals Department Tax Forfeited Lands

Legal :

Lots 29 and 31

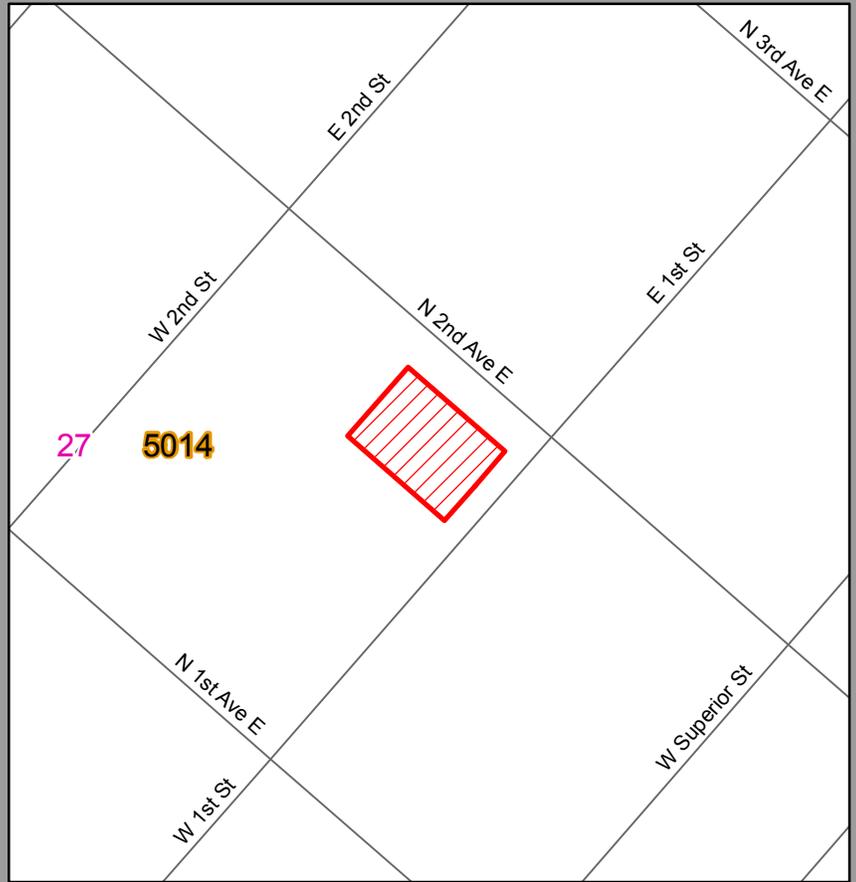
Duluth Proper 1st Division East 1st Street

Parcel Code:010-0930-00270

Address: 109, 113 N 2 Ave E

127, 129 E 1 St

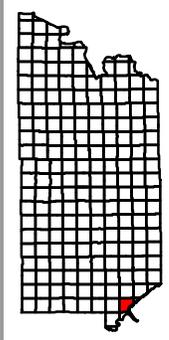
Duluth, MN 55803



City of Duluth

Commissioner District # 1

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land & Minerals
Department**



2003 NAIP Photo

county has reserved the right in the Architect and Engineer services contract to renegotiate LHB's Phase II and Phase III fees based on the planning and design outcomes of Phase I and Phase II. Further, the county has reserved the right to delay or discontinue Phase III Construction Administration services contingent on successful construction funding for this project from both governmental and non-governmental sources.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a professional services contract with LHB Engineers & Architects of Duluth, MN, for the AEOA/RMHC new facility construction project in Virginia, MN, in an amount not to exceed \$1,234,817, payable from Fund 400, Agency 400040, Grant 40040, Year 2015.

**Architect and Engineer Design Services – AEOA/Range Mental
Health Center (Virginia)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Purchasing Division requested bids on December 23, 2015 (RFP 5225A) for Architect/Engineer Services for the St. Louis County – Arrowhead Economic Opportunity Agency/Range Mental Health Center Office Building Project in Virginia, MN; and

WHEREAS, LHB, Inc., of Duluth, MN, submitted the winning technical and cost proposal of \$1,234,817 for these services; and

WHEREAS, St. Louis County reserves the right to renegotiate LHB's professional service fees for Phases II and III based on the planning/design outcomes of Phases I and II; and

WHEREAS, The county also reserves the right to delay or discontinue Phase III Construction Administration of this contract contingent on successful construction funding of the project from both governmental and non-governmental sources; and

WHEREAS, The county is eligible for reimbursement for all predesign and design services under this contract from a \$3,000,000 2014 State of Minnesota Capital Appropriations Grant;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials enter into a professional services contract with LHB, Inc., of Duluth, MN, in an amount not to exceed \$1,234,817, payable from Fund 400, Agency 400040, Grant 40040, Year 2015.

Designating Unorganized Precinct 24 as a Mail Ballot Precinct

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board hereby designates Unorganized Precinct 24 as a mail ballot precinct for all future state and county elections pursuant to Minn. Stat. § 204B.45.