



AGENDA

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

Tuesday, April 26, 2016, 9:30 A.M.

**McDavitt Town Hall
9042 Zim Road
Zim, Minnesota**

BECAUSE OF CULVERT CONSTRUCTION ON HIGHWAY 52/ARKOLA ROAD, THE FOLLOWING DETOUR WILL TAKE YOU TO THE TOWN HALL:

From South: Highway 53 north to Highway 133 (Meadowlands). Turn left (west) onto Highway 133 and proceed 6 miles, turn right (north) onto Highway 7. Proceed 16 miles to County Highway 27/Zim Road, turn left (west) and proceed 1.7 miles. The McDavitt Town Hall will be on the left.

From North: Highway 53 south to Minnesota 37 (Hibbing). Turn right (west) onto Minnesota 37 and proceed 3.9 miles, turn left (south) onto Highway 7. Proceed 6.62 miles, turn right (west) onto County Highway 27/Zim Road and proceed 1.7 miles. The McDavitt Town Hall will be on the left.

**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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St. Louis County Board
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9:30 A.M. Moment of Silence
 Pledge of Allegiance
 Roll Call

“Words of Wisdom” – Don Dicklich, County Auditor/Treasurer

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 state tax forfeited land located in the City of Eveleth (parcel code: 040-0205-00309) to the List of Forfeited Lands to be withheld from repurchase for one year. **{16-161} [Without recommendation.]**

Public Works & Transportation Committee – Commissioner Stauber, Chair

2. Establish a public hearing for May 10, 2016 at 9:45 a.m., at the St. Louis County Courthouse, Duluth, MN, to receive evidence and testimony regarding proposed “St. Louis County Ordinance No. 64: The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads under the County’s Jurisdiction”. **{16-179} [Has not been to committee; requires consent of the Board to be considered.]**

ADJOURNED:

NOTE: At the conclusion of the County Board meeting, the St. Louis County Housing and Redevelopment Authority (HRA) will convene.

List of Forfeited Lands - Parcel 040-0205-00309 (Eveleth)

BY COMMISSIONER: _____

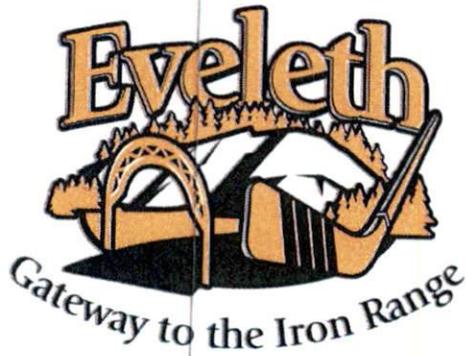
WHEREAS, Minn. Stat. § 282.322 authorizes county boards to file a list of forfeited lands with the county auditor to be withheld from repurchase if the board is of the opinion that such lands may be acquired by the state or any municipal subdivision for public purposes. If no proceeding to acquire such 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 19, 2015, the following described property forfeited to the State of Minnesota for nonpayment of taxes:

CITY OF EVELETH
W 300 FT OF SW1/4 OF NE1/4 LYING N OF A LINE BEG ON W LINE OF FORTY AT INTERSECTION WITH NLY LINE OF ALLEY ALONG NLY LINE OF WELTONS MORNINGSIDE ADD THENCE ELY ALONG NLY LINE OF ALLEY EXTENDED TO A PT 46 FT ELY OF W LINE OF FORTY THENCE SLY PARALLEL TO W LINE OF FORTY TO NW COR OF 1ST DIV EASTVIEW ADD TO EVELETH THENCE ELY AT RT ANGLES TO W LINE TO WLY LINE OF HWY R/W EX SLY 5 FT OF WLY 158 FT, SECTION 32, TOWNSHIP 58 NORTH, RANGE 17 WEST
Parcel Code: 040-0205-00309; and

WHEREAS, The City of Eveleth has expressed an interest in acquiring the property for public purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board shall add parcel 040-0205-00309 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 the City of Eveleth for public purposes.



March 31, 2016

Karen Zeisler
Tax Forfeited Land Coordinator
St. Louis County Land and Minerals Department
320 W. 2nd St., Suite 302
Duluth, MN 55802

Dear Karen,

On behalf of the City of Eveleth, I am requesting that vacant lot 040-0205-00309 be placed on a list of tax forfeited lands to withhold from repurchase for one year. The City would like to acquire this lot from the County.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Jackie Monahan-Junek".

Jackie Monahan-Junek
City Administrator



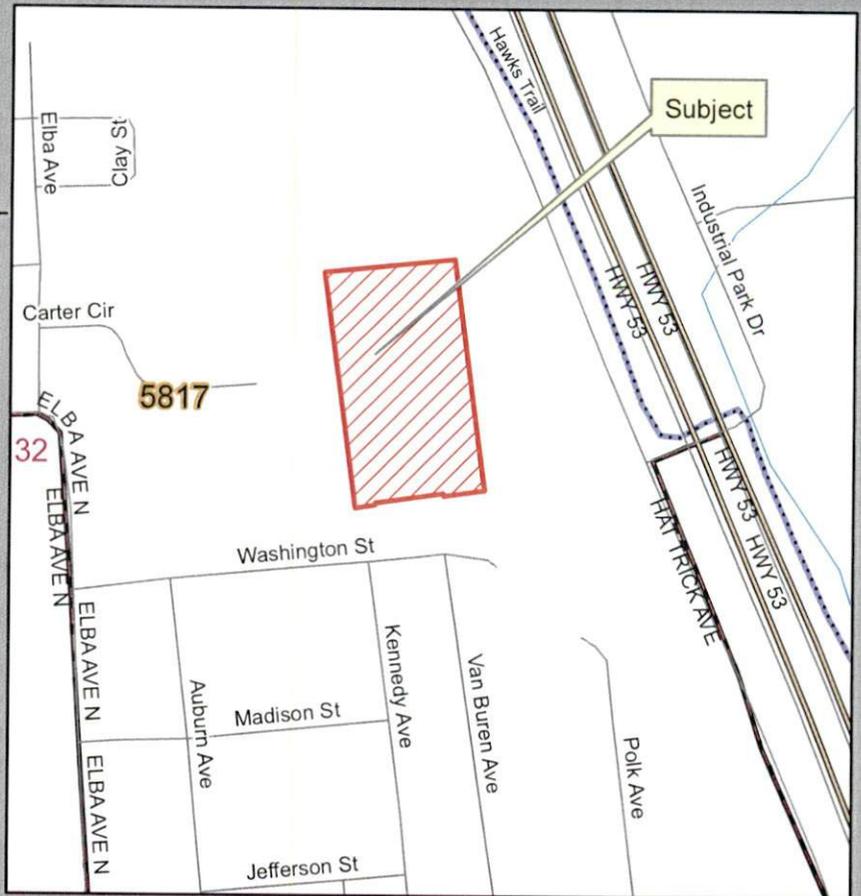


Legal : CITY OF EVELETH
 W 300 FT OF SW1/4 OF NE1/4 LYING N OF
 A LINE BEG ON W LINE OF FORTY AT
 INTERSECTION WITH NLY LINE OF ALLEY
 ALONG NLY LINE OF WELTONS MORNING-
 SIDE ADD THENCE ELY ALONG NLY LINE
 OF ALLEY EXTENDED TO A PT 46 FT ELY
 OF W LINE OF FORTY THENCE SLY
 PARALLEL TO W LINE OF FORTY TO NW
 COR OF 1ST DIV EASTVIEW ADD TO
 EVELETH THENCE ELY AT RT ANGLES
 TO W LINE TO WLY LINE OF HWY R/W
 EX SLY 5 FT OF WLY 158 FT
 Sec 32 Twp 58 Rge 17

Parcel Code : 040-0205-00309

LDKEY : 122052

Acres: 3.56

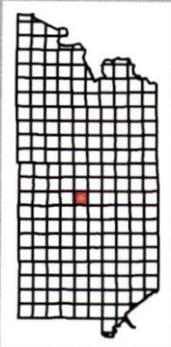


City of Eveleth

Sec: 32 Twp: 58 Rng: 17

Commissioner District # 6

-  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
 March 2016



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, Steven Carlson, 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 EVELETH, W 300 FT OF SW1/4 OF NE1/4 LYING N OF A LINE BEG ON W LINE OF FORTY AT INTERSECTION WITH NLY LINE OF ALLEY ALONG NLY LINE OF WELTONS MORNINGSIDE ADD THENCE ELY ALONG NLY LINE OF ALLEY EXTENDED TO A PT 46 FT ELY OF W LINE OF FORTY THENCE SLY PARALLEL TO W LINE OF FORTY TO NW COR OF 1ST DIV EASTVIEW ADD TO EVELETH THENCE ELY AT RT ANGLES TO W LINE TO WLY LINE OF HWY R/W EX SLY 5 FT OF WLY 158 FT, Sec 32 Twp 58 Rge 17

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 \$4,782.32 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.

I own the Land and building next door and it wouldn't be good to have someone else own the land so close to it. I went through a divorce & my rental business folded.

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): Steve Carlson

Are you currently in active military service? no

If you have been discharged within the last 6 months, provide discharge date NA 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: Feb 19 2016

By: Steve Carlson (Signature)

Address: 701 Hat Trick Ave
City: Eveleth State: MN Zip: 55734
Phone: 218 290 2116

BOARD LETTER NO. 16 – 179

PUBLIC WORKS & TRANSPORTATION COMMITTEE

APRIL 26, 2016 BOARD AGENDA NO. 2

DATE: April 26, 2016

RE: Establish an Additional Public Hearing for Proposed “St. Louis County Ordinance No. 64: The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads under the County’s Jurisdiction”

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

To provide a safe, well-maintained road and bridge system.

ACTION REQUESTED:

It is requested that the St. Louis County Board set an additional public hearing to receive evidence and testimony regarding the proposed St. Louis County Ordinance No. 64: The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads under the County's Jurisdiction” (ATV Ordinance).

BACKGROUND:

Upon direction from the County Board and County Administration, in early 2016 members of the Public Works Department met with representatives of several political subdivisions and held a number of public meetings to gather information and have discussions regarding a proposed ordinance for the regulation of all-terrain vehicle operation on county roads.

From the information gathered, the Public Works Department drafted a proposed ATV Ordinance that was released to the public for a 45-day comment period commencing on April 8, 2016. By resolution dated April 12, 2016, the County Board established a public hearing on the ATV Ordinance to occur on Tuesday, May 24, 2016 at 9:40 a.m. in the Hibbing City Hall, Hibbing, MN.

After the county's release of the ATV Ordinance for public comment, the Duluth City Council passed a resolution requesting that the County Board hold an additional public

hearing on the ATV Ordinance in the city of Duluth. If passed, this resolution will set an additional public hearing on the ATV Ordinance to occur on Tuesday, May 10, 2016, at 9:45 a.m. in the St. Louis County Courthouse, Duluth, MN. The public hearing on the ATV Ordinance will then be continued to the already-established time and date of Tuesday, May 24, 2016, at 9:40 a.m. in the Hibbing City Hall, Hibbing, MN.

RECOMMENDATION:

It is recommended that the St. Louis County Board set an additional public hearing on the ATV Ordinance to occur on Tuesday, May 10, 2016, at 9:45 a.m. at the St. Louis County Courthouse, Duluth, MN.

Establish an Additional Public Hearing for Proposed “St. Louis County Ordinance No. 64: The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads under the County's Jurisdiction”

BY COMMISSIONER _____

WHEREAS, Throughout early 2016, the St. Louis County Public Works Department gathered information from and had discussions with representatives of political subdivisions and members of the public regarding a proposed county ordinance regulating all-terrain vehicle operation on county roads; and

WHEREAS, From the information gathered, the Public Works Department has drafted the proposed “St. Louis County Ordinance No. 64: The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads under the County's Jurisdiction” (ATV Ordinance); and

WHEREAS, The Public Works Department released the draft ATV Ordinance for a 45-day public comment period commencing on April 8, 2016; and

WHEREAS, By resolution dated April 12, 2016, the County Board established a public hearing on the ATV Ordinance to occur on Tuesday, May 24, 2016 at 9:40 a.m. in the Hibbing City Hall, Hibbing, MN; and

WHEREAS, After the county's release of the ATV Ordinance for public comment, the Duluth City Council passed a resolution requesting that an additional public hearing on the ATV Ordinance be held in the city of Duluth;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners hereby sets an additional public hearing on the proposed ATV Ordinance to occur on Tuesday, May 10, 2016, at 9:45 a.m. at the St. Louis County Courthouse, Duluth, MN. The public hearing on the ATV Ordinance will then be continued to the already-established time and date of Tuesday, May 24, 2016, at 9:40 a.m. in the Hibbing City Hall, Hibbing, MN.



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File #:	16-0286R	Name:	
Type:	Resolution	Status:	Passed
File created:	4/7/2016	In control:	Purchasing and Licensing
On agenda:	4/11/2016	Final action:	4/11/2016
Title:	RESOLUTION REQUESTING THAT THE ST. LOUIS COUNTY BOARD OF COMMISSIONERS HOLD AN ADDITIONAL PUBLIC HEARING IN THE CITY OF DULUTH ON ALLOWING ALL-TERRAIN VEHICLES ON PUBLIC RIGHT-OF-WAYS OF ROADS UNDER COUNTY JURISDICTION.		
Sponsors:	Noah Hobbs		

[History \(1\)](#)
[Text](#)

Title

RESOLUTION REQUESTING THAT THE ST. LOUIS COUNTY BOARD OF COMMISSIONERS HOLD AN ADDITIONAL PUBLIC HEARING IN THE CITY OF DULUTH ON ALLOWING ALL-TERRAIN VEHICLES ON PUBLIC RIGHT-OF-WAYS OF ROADS UNDER COUNTY JURISDICTION.

Body

BY COUNCILOR HOBBS:

WHEREAS, the St. Louis County Board of Commissioners is considering passage of a county ordinance allowing all-terrain vehicles to operate within the public right of way of roads under county jurisdiction; and

WHEREAS, currently only one public hearing on the topic of all-terrain vehicles on county roads is scheduled to be held and that hearing is to be held on May 24, 2016, in the city of Hibbing, Minnesota; and

WHEREAS, certain of the roads within the city of Duluth are county roads and therefore would be within county jurisdiction; and

WHEREAS, Section 45-6.3 of the Duluth City Code, 1959, as amended, prohibits the use of all-terrain vehicles on streets within the city; and

WHEREAS, given the population and traffic density within the city of Duluth, residents of the city have unique safety concerns regarding the use of all-terrain vehicles within the city limits; and

WHEREAS, the city council believes that city of Duluth residents have a strong interest in attending a public hearing for the purpose of being informed on this proposal and expressing their views regarding the desirability thereof; and.

WHEREAS, If the only hearing to be held on this proposal is held in Hibbing it will make it difficult for many interested Duluth residents to attend and participate.

NOW, THEREFORE, BE IT RESOLVED, that the city council respectfully requests that the St. Louis County Board of Commissioner schedule an additional public hearing in the city of Duluth on allowing all-terrain vehicles on public right-of-ways of roads under county jurisdiction.

Statement of Purpose

STATEMENT OF PURPOSE: The purpose of this resolution is to request that the St. Louis County Board of Commissioners hold an ad...

[Click here for full text](#)

**NOTICE OF PUBLIC HEARING ORDINANCE 64
THE MANAGEMENT AND PERMITTING OF ALL-TERRAIN VEHICLES
WITHIN THE PUBLIC RIGHT-OF-WAY OF ROADS UNDER THE COUNTY'S
JURISDICTION**

Notice is hereby given that the St. Louis County Board of Commissioners will conduct a public hearing on Tuesday, May 10, 2016 at 9:45 a.m., in the St. Louis County Courthouse, Duluth, MN, and continuing to Tuesday, May 24, 2016, at 9:40 a.m., in the Hibbing City Hall, Hibbing, MN, to receive citizen comments on proposed Ordinance 64, with intent to enact the ordinance following the public hearing. The purpose of Ordinance 64 is to establish regulations allowing expanded use by all-terrain vehicles of public road right-of-way of roads under the county's jurisdiction.

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

DONALD DICKLICH, COUNTY AUDITOR
BY: Phil Chapman, Clerk of County Board

Legal Ad – publish one time only

**NOTICE OF INTENT TO ENACT ORDINANCE 64
THE MANAGEMENT AND PERMITTING OF ALL-TERRAIN VEHICLES
WITHIN THE PUBLIC RIGHT-OF-WAY OF ROADS UNDER THE COUNTY'S
JURISDICTION**

Notice is hereby given of the St. Louis County Board of Commissioners intention to enact Ordinance 64, following a public hearing to be held on Tuesday, May 10, 2016, at 9:45 a.m., in the St. Louis County Courthouse, Duluth, MN and continuing to Tuesday, May 24, 2016, at 9:40 a.m., in the Hibbing City Hall, Hibbing, MN. The purpose of Ordinance 64 is to establish regulations allowing expanded use by all-terrain vehicles of public road right-of-way of roads under the county's jurisdiction.

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

DONALD DICKLICH, COUNTY AUDITOR
BY: Phil Chapman, Clerk of County Board

Legal Ad – publish one time only.