

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

May 10, 2016

County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL:

Minutes for May 3, 2016.

Health & Human Services Committee – Commissioner Boyle, Chair

1. Professional Services Agreements with Arrowhead Psychological Clinic, Dr. Jonathan Beyer, Duluth Psychological Clinic, Nystrom & Associates, Ltd., and Range Mental Health Center for Specialized Children in Need of Protection or Services (CHIPS) Psychological Evaluations during CY 2016 and rescind County Board Resolution No. 15-592, dated October 6, 2015. *[16-192]*

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

2. Sale of certain state tax forfeited lands through a private adjoining owner sale. *[16-193]*
3. Temporary easement across state tax forfeited lands located in the NE ¼ of SE ¼, Section 15, and in Government Lot 7, Section 19, both in Township 62 North, Range 14 West (Eagles Nest Township) to Minnesota Department of Transportation for a total of \$4,628 for improvements to State Highway 1. *[16-194]*

Public Works & Transportation Committee – Commissioner Stauber, Chair

4. Rescind County Board Resolution No. 15-384, dated June 23, 2015, titled Supplemental Agreement on County Project (CP) 0021-243053/SAP 69-021-035 for Chip Sealing on County State Aid Highway (CSAH) 102 in Mt. Iron with Asphalt Surface Tech Corp - ASTECH Corporation, St. Paul, MN, because the newly constructed road was not completed and in an acceptable condition for a chip seal project to be completed. *[16-195]*
5. Acquisition of right of way and temporary construction easements across state tax forfeited lands authorized for construction of a new sidewalk and reconstruction of an existing sidewalk along the east side of CSAH 90/Arlington Avenue in Duluth between Central Entrance and Willow Street (CP 0090-257713). *[16-196]*

ST. LOUIS COUNTY BOARD

Consent Agenda

May 10, 2016

Page 2

6. Bids awarded to: *[16-200R]*
 - a. **Century Fence**, Forest Lake, MN, in the amount of **\$384,721.69** for Centerline and Edgeline Pavement Marking on various highways in St. Louis and Lake Counties (CP 0000-187079/SAP 69-030-030 Low and SAP 38-030-003, Lake County Project).
 - b. **Northland Constructors**, Duluth, MN, in the amount of **\$1,687,56.86** for a combined project: Approach Grading and Bridge 69A37 (County Bridge 361) located on CSAH 24 (CP 0024-229056 TST Low) and Approach Grading and Bridge 69A43 (County Bridge 344) located on UT 8121(CP 8121-247641/SAP 69-599-040 TST Tied) in Unorganized Township 64-17.

Finance & Budget Committee – Commissioner Nelson, Chair

7. 2016 first quarter budget changes. *[16-197]*
8. Application for On/Off-Sale 3.2 Percent Malt Liquor License by Ely Golf Club Corporation d/b/a Ely Golf Club Corporation, Morse Township, change of officers.
9. Application for Club On-Sale and Club Sunday On-Sale Intoxicating Liquor Licenses by Eshquaguma Club, Inc., d/b/a Eshquaguma Club, Biwabik Township, change of board members.
10. Application for Seasonal On-Sale and Seasonal Sunday On-Sale Intoxicating Liquor Licenses by Vermilion Fairways, Inc., d/b/a Vermilion Fairways, Beatty Township, change of board members.
11. Workers' compensation report dated April 29, 2016.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

12. Reallocation of the Workers' Compensation Administrator position to a Loss Control Manager position in the Safety and Risk Management Division of Administration. *[16-198]*
13. Reappoint Jim Takala and Richard Pierce to serve on the St. Louis County Cooperative Extension Committee for three-year terms expiring December 31, 2018. *[16-201]*

Public Safety & Corrections Committee – Commissioner Dahlberg, Chair

14. New maintenance agreement with Tiburon, Inc., San Ramon, CA, for an upgraded Computer Aided Dispatch (CAD) System in the amount of \$77,140 with all CAD partners (Carlton, Cook, Lake, Pine and St. Louis counties) to be billed for their share of the services; and further, rescind County Board Resolution No. 15-186, dated April 7, 2015. *[16-199]*

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 3, 2016, are hereby approved.

**CY 2016 Specialized CHIPS Psychological Evaluations
and Rescind County Board Resolution No. 15-592**

BY COMMISSIONER _____

WHEREAS, The Public Health and Human Services Department (PHHS) has an existing contract for the purchase of court-ordered forensic psychology evaluations; and

WHEREAS, PHHS initiated a comprehensive review of these court-ordered evaluations and found there is a need for more service providers to accommodate the Court's timelines and capacity; and

WHEREAS, These court-ordered psychology evaluations provide information to the judicial system in order to better determine the parent or caretakers' ability to safely and effectively parent the children; and

WHEREAS, PHHS issued a Request for Proposals for Specialized Children in Need of Protection or Services (CHIPS) Psychological Evaluations and has evaluated the responses; and

WHEREAS, Arrowhead Psychological Clinic, Dr. Jonathan Beyer, Duluth Psychological Clinic, Nystrom & Associates, Ltd., and Range Mental Health Center are able and willing to provide these services;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes Professional Service Agreements with Arrowhead Psychological Clinic, Dr. Jonathan Beyer, Duluth Psychological Clinic, Nystrom & Associates, Ltd., and Range Mental Health Center for Specialized CHIPS Psychological Evaluations for the period January 1, 2016 through December 31, 2016 at a fixed cost basis, a variety of services that may be needed during CY 2016, to include \$800 per psychological evaluation, \$125 for one (1) feedback session, a forensic rate of \$200 per hour for related court testimony for psychologists, up to a contract maximum for the five (5) providers combined of \$65,000, payable from Fund 230 (Social Services), Agency 232008 (Children's Services), Expense Object 602000 (Other Children's Services);

RESOLVED FURTHER, That Resolution No. 15-592, dated October 6, 2015, is hereby rescinded.

Adjoining Owner Sales

BY COMMISSIONER _____

WHEREAS, St. Louis County desires to offer for sale certain parcels of state tax forfeited land; and

WHEREAS, The 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 parcels of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, The County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, The parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the parcels described in County Board File No. 60349, and the County Auditor is authorized to offer the parcels at private sale to the adjacent property owners to encourage return of the parcel to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the Land Commissioner shall give at least 30 days' notice of its sales to all adjoining owners.

**Roadway Easement across State Tax Forfeited Land to
Minnesota Department of Transportation (Eagles Nest Township)**

BY COMMISSIONER _____

WHEREAS, Minnesota Department of Transportation has requested temporary easements across state tax forfeited land to improve State Highway 1; 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. § 282.017 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 County Auditor to grant a roadway easement to Minnesota Department of Transportation 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 \$4,432 land use fee, \$150 administration fee, and \$46 recording fee, for a total of \$4,628 to be deposited into Fund 240 (Forfeited Tax Fund).

**Roadway Easement across State Tax Forfeited Land to
Minnesota Department of Transportation (Eagles Nest Township)**

A temporary easement for highway purposes described as that part of Government Lot 7, Section 19, Township 62 North, Range 14 West, shown as T.E. PAR. 1 on Minnesota Department of Transportation Right of Way Plat Numbered 69-133 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

ALSO

A temporary easement for highway purposes described as that part of the NE1/4 of the SE1/4, Section 15, Township 62 North, Range 14 West, shown as T.E. PAR. 11 on Minnesota Department of Transportation Right of Way Plat Numbered 69-165 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

**Rescind County Board Resolution No. 15-384 – Supplemental Agreement for
Chip Sealing of Newly Constructed CSAH 102 (Mt. Iron)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board authorized a Supplemental Agreement with Asphalt Surface Tech Corp. – ASTECH Corporation of St. Cloud, MN, in the amount of \$85,000 on CP 0021-243053, SAP 69-021-035 for chip sealing the newly re-located County State Aid Highway (CSAH) 102 in Mt. Iron; and

WHEREAS, The newly constructed road was not completed and in an acceptable condition for a chip seal project in time to be completed with this project, and did not occur;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby rescinds County Board Resolution No. 15-384, dated June 23, 2015.

**Acquisition of Right of Way – Sidewalk Project on CSAH 90/Arlington Avenue
(Duluth)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department plans to construct a new sidewalk and re-construct an existing sidewalk along the east side of County State Aid Highway (CSAH) 90/Arlington Avenue in Duluth between Central Entrance and Willow Street (County Project CP 0090-257713); and

WHEREAS, In addition to the existing road right of way, certain lands are required for said construction, together with temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001;

RESOLVED FURTHER, That pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant highway easements across tax forfeited lands for the necessary permanent highway easements and temporary construction easements for the project.

**Award of Bid: Center and Edgeline Pavement Marking
(St. Louis and Lake Counties)**

BY COMMISSIONER _____

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

CP 0000-187079/SAP 69-030-030(Low) and SAP 38-030-003, Lake County, Project Centerline and Edgeline Pavement Markings; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on April 28, 2016, 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>
Century Fence	14839 Lake Drive NE Forest Lake, MN 55025	\$384,721.69

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 220378, Object 652700.

With additional revenue budgeted for expense:

Lake County	Fund 220, Agency 220378, Rev. Obj. 551508	\$ 61,694.41
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**Award of Bid: Tied Bridge Project on CSAH 24 and UT 8121
(Unorganized Township 64-17)**

BY COMMISSIONER _____

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

CP 0024-229056 TST (Low), Approach Grading and Bridge 69A37 (County Bridge 361);
CP 8121-247641/SAP 69-599-040 TST (Tied), Approach Grading and Bridge 69A43 (County Bridge 344); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on April 28, 2016, 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>
Northland Constructors	4843 Rice Lake Road Duluth, MN 55803	\$ 1,687,568.86

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 0024-229056 TST (Low)		
Fund 444, Agency 444015, Object 652806		\$679,960.56
CP 8121-247641/SAP 69-599-040 TST (Tied),		
Fund 220, Agency 220396, Object 652700		\$997,608.30
Fund 444, Agency 444008, Object 652806		\$ 10,000.00

2016 First Quarter Budget Changes

BY COMMISSIONER: _____

WHEREAS, All increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, Departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, Proposed budget adjustments are levy neutral;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the following budget changes:

1. Increase Planning Natural Resource Block Grant revenue and expense budget to match actual revenue received (Resolution No. 15-766) (\$403.00).
2. Use of Information Technology assigned fund balance for discovery phase of the Accounts Payable payment voucher workflow project (\$30,438.00).
3. Increase Sheriff's Office revenue and expense budget to reflect trade-in value of sonar equipment (\$58,000.00).
4. Increase Sheriff's Office revenue and expense budget to account for additional State Boat & Water Grant funds received (Resolution No. 15-766) (\$2,989.00).
5. Transfer Recorder's technology fund balance to capital projects fund to help pay for fire suppression system for the Microfilm rooms (\$16,910.00) and audiovisual equipment (\$30,425.00) at the A.P. Cook Building.
6. Increase Public Works budget estimates for 2016 Transportation Sales Tax, based on 2015 results and updated projections (\$4,000,000.00).
7. Increase Public Health & Human Services revenue and expense budget for Supplemental Nutrition Assistance Program (SNAP) Employment and Training allocation from the MN Department of Human Services (\$91,919.75).
8. Decrease Public Health & Human Services revenue and expense budget for the Family Support Program due to a revised allocation from the MN Department of Human Services (\$33,500.00).
9. Increase Public Health & Human Services revenue and expense budget for semi-independent living services funds, which are passed through to clients (\$44,822.00).
10. Increase Public Health & Human Services revenue and expense budget for the updated Minnesota Family Investment Program allocation from the Minnesota Department of Human Services (\$21,115.00).
11. Transfer Public Health & Human Services building remodel assigned fund balance to Property Management to cover costs associated with the WIC office remodel (\$40,000.00).

12. Use of Septic Loan fund balance to cover write-off expense of bad debt
(Resolution No. 16-104) (\$16,176.00).

13. Decrease Natural Resources Block Grant budget to reflect actual amount
received (Resolution No. 13-671) (\$543.00).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	109999	530102	10902	2016				(403.00)		
	100	109999	610000	10902	2016	403.00					
2	100	999999	311139								(30,438.00)
	100	117051	629900			30,438.00					
3	100	129001	591000						(58,000.00)		
	100	129003	665900			58,000.00					
4	100	130999	610300	13001	2016	2,989.00					
	100	130999	530801	13001	2016				(2,989.00)		
5	100	121002	697600				47,335.00				
	100	999999	311014								(47,335.00)
	400	400036	663100			16,910.00					
	400	400036	664700			30,425.00					
	400	400036	590100							(47,335.00)	
6	200	204001	505800						(4,000,000.00)		
	200	204001	652806			4,000,000.00					
7	230	231007	628200			91,919.75					
	230	231007	540101						(91,919.75)		
8	230	232006	606400			(33,500.00)					
	230	232006	530621						33,500.00		
9	230	232006	605200			44,822.00					
	230	232006	530629						(31,375.00)		
	230	232006	530663						(13,447.00)		
10	230	232020	603800			21,115.00					
	230	232020	530623						(21,115.00)		
11	230	999999	311404								(40,000.00)
	230	230011	697600				40,000.00				
	100	128003	590100							(40,000.00)	
	100	128003	632900			40,000.00					
12	280	280001	629900			16,716.00					
	280	999999	311202								(16,716.00)
13	616	616999	530102	61602	2014				543.00		
	616	616999	629900	61602	2014	(543.00)					

**Application for On/Off-Sale 3.2 Percent Malt Liquor License
(Morse Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to the provisions of Minn. Stat. § 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 3.2 percent malt liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60275;

FURTHER RESOLVED, That said license is approved contingent upon the license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, That if named license holder sells the licensed place of 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;

FURTHER RESOLVED, That said license shall be effective July 1, 2016 through June 30, 2017:

Ely Golf Club Corporation d/b/a Ely Golf Club Corporation, Morse Township, On/Off-Sale 3.2 Percent Malt Liquor License, change of officers.

**Application for Club On-Sale and
Club Sunday On-Sale Intoxicating Liquor Licenses
(Biwabik Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to the provisions of Minn. Stat. § 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 intoxicating liquor licenses is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60311;

FURTHER RESOLVED, That said licenses are approved contingent upon license holder paying real estate or personal property taxes when due;

FURTHER RESOLVED, That if named license holder sells their licensed place of 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 fees to the license holder;

FURTHER RESOLVED, That said licenses shall be effective July 1, 2016 through June 30, 2017:

Eshquaguma Club, Inc. d/b/a Eshquaguma Club, Biwabik Township, Club On-Sale and Club Sunday On-Sale Intoxicating Liquor License, change of board members.

**Application for Seasonal On-Sale and
Seasonal Sunday On-Sale Intoxicating Liquor Licenses
(Beatty Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to the provisions of Minn. Stat. § 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 seasonal intoxicating liquor licenses is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60311;

RESOLVED FURTHER, That said licenses are approved contingent upon license holder paying real estate or personal property taxes when due;

RESOLVED FURTHER, That if named license holder sells their licensed place of 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 fees to the license holder;

FURTHER RESOLVED, That said licenses shall be effective through October 31, 2016:

Vermilion Fairways, Inc. d/b/a Vermilion Fairways, Beatty Township,
Seasonal On-Sale and Seasonal Sunday On-Sale Intoxicating Liquor
License, change of board members.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated April 29, 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.

**Position Reallocation of Workers' Compensation Administrator
to Loss Control Manager**

BY COMMISSIONER _____

WHEREAS, Whenever a vacancy occurs a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Department and the customers it serves; and

WHEREAS, Human Resources, in collaboration with the Safety and Risk Management Division of County Administration, has determined that reallocation of the Workers' Compensation Administrator to Loss Control Manager will assist with the sustained increase in management responsibilities in the Division and enhance recruitment opportunities; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of the Workers' Compensation Administrator (Pay Grade E24) position to a Loss Control Manager (Pay Grade E29) in the Safety and Risk Management Division of Administration. The reallocation will result in an approximate annual cost increase of \$10,704 with funding available in Fund 730, Agency 730001.

Reappointments to the St. Louis County Cooperative Extension Committee

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board appoints citizens to serve on the St. Louis County Cooperative Extension Committee; and

WHEREAS, The Cooperative Extension Committee has two (2) individuals, Jim Takala and Richard Pierce, whose terms expired December 31, 2015, but are eligible for reappointment and are interested in continuing to serve;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reappointments of Jim Takala and Richard Pierce for second 3-year terms expiring December, 31, 2018.

Correction of Tiburon, Inc., Contract for Upgraded CAD System

BY COMMISSIONER _____

WHEREAS, Tiburon, Inc., has been providing Computer Aided Dispatch (CAD) services to St. Louis County since 2006; and

WHEREAS, Tiburon's Computer Aided Dispatch 2.5 platform is obsolete and requires St. Louis County to upgrade to its 2.9 platform; and

WHEREAS, St. Louis County will pay the total cost of the upgrade in the amount of \$77,140; and

WHEREAS, The Sheriff's Office will invoice Carlton County \$10,912.74, Cook County \$7,554.97, Lake County \$7,554.97 and Pine County \$15,949.38 for their share of these services with funds being deposited into Fund 179, Agency 179001;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a new maintenance agreement with Tiburon, Inc., of San Ramon, CA, for an upgraded Computer Aided Dispatch System in the amount of \$77,140 to be accounted for in Fund 179, Agency 179001, Object 629900;

RESOLVED FURTHER, That the Sheriff's Office will invoice Carlton County \$10,912.74, Cook County \$7,554.97, Lake County \$7,554.97 and Pine County \$15,949.38 for their share of these services with funds being deposited into Fund 179, Agency 179001;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the upgrades to Computer Aided Dispatch as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for NEMESIS through the Sheriff's Office;

RESOLVED FURTHER, that County Board Resolution No. 15-186, dated April 7, 2015, is hereby rescinded.