OFFICIAL PROCEEDINGS OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. LOUIS, MINNESOTA, HELD ON JUNE 14, 2016

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of June 2016, at 9:34 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Tom Rukavina, Pete Stauber, and Keith Nelson - 5. Absent: Commissioner Dahlberg and Chair Steve Raukar - 2.

Vice-Chair Jewell asked for a moment of silence to honor the men and women who are serving overseas, those who protect us in our own country, the victims in Orlando, and all victims of gun violence, followed by the pledge of allegiance.

Commissioner Stauber noted that Flag Day was established one hundred years ago today by President Woodrow Wilson and asked that people keep in mind what the flag symbolizes. Commissioner Stauber offered his "Words of Wisdom" by reading various quotes relating to hard work and character.

Vice-Chair Jewell then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. Commissioner Dahlberg entered the meeting at 9:40 a.m. Stan Henricksen, of Duluth, discussed ownership issues relating to property located on the McQuade Road.

Commissioner Nelson, supported by Commissioner Boyle, moved to approve the consent agenda without Item #4, Reclassification to non-conservation and special sale of 25 acres of state tax forfeited land located in the SE ¼ of SE ¼, Section 5, and the NE ¼ of NE ¼, Section 8, both in Township 52 North, Range 13 West (Normanna Township) to the St. Louis County Housing and Redevelopment Authority (HRA) *[16-239],* and without Item #5, Special sale of 1.5 acres of state tax forfeited land located in Block 58, Duluth Proper Second Division, to the Duluth Housing and Redevelopment Authority (HRA) *[16-240].* The motion passed; six yeas, zero nays, one absent (Raukar).

Commissioner Boyle, supported by Commissioner Nelson, moved to approve the reclassification to non-conservation and sale of a 25 acre parcel of state tax forfeited land located in the SE ¼ of SE ¼, Section 5, and the NE ¼ of NE ¼, Section 8, both in Township 52 North, Range 13 West (Normanna Township) to the St. Louis County Housing and Redevelopment Authority (HRA) for the appraised value of $42,000 plus costs and fees, for economic development and educational purposes; and further, that the request for approval of the reclassification of the state tax forfeited parcel described above shall be transmitted by the St. Louis County Land and Minerals Department to the Clerk of Normanna Township. St. Louis County Planning and Community Development Director Barb Hayden provided the Board with an overview of the process and discussed related timeframes. Director Hayden indicated that there is a 60 day comment period. If the township disagrees with the reclassification, a public hearing would be required. After further discussion, the motion passed; six yeas, zero nays, one absent (Raukar). Resolution No. 16-378.

Commissioner Boyle, supported by Commissioner Nelson, moved to approve the sale of approximately 1.5 acres of state tax forfeited land located in Block 58, Duluth Proper Second Division, to the Duluth Housing and Redevelopment Authority for $40,000 plus the following fees: 3% assurance fee of $1,200, deed fee of $25, deed tax of $132, and recording fee of $46, for a total of $41,403 to be deposited into Fund 240 (Forfeited Tax Fund); and further, that the St. Louis County Auditor may offer for sale at public auction the state tax forfeited land described here if the Duluth HRA does not purchase the land by December 15, 2016. Center City Housing Corp. Executive Director Rick Klun discussed project financing. Commissioner Dahlberg indicated that he opposed the project and would be voting against the resolution. The motion passed; five yeas, one nay (Dahlberg), one absent (Raukar). Resolution No. 16-379.

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

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor/Treasurer, submitting Board Letter No. 16-244, General Obligation Bond Financed Declaration on State Tax Forfeited Land.—60384

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 16-245, Rescind St. Louis County Board Resolution No. 16-171.—60385

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 16-251, Establish a Public Hearing to Consider Tax Abatement for the City of Duluth – the District at Miller Hill.—60386

Kevin Gray, County Administrator, Donald Dicklich, County Auditor/Treasurer, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 16-252, Establish a Public Hearing on an Amendment to the Transportation Sales and Use Tax Transportation Improvement Plan.—60387

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor/Treasurer, submitting Board Letter No. 16-253, Establish Public Hearings on an Amendment to the Capital Improvement Plan and on the Intent to Issue Capital Improvement Bonds to Incorporate the Amended Transportation Improvement Plan.—60388

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor/Treasurer, submitting Board Letter No. 16-250, Minnesota State Auditor's Performance Measurement Program, 2016 Report.—60389

Kevin Gray, County Administrator, submitting Board Letter No. 16-256, Appointment of Commissioners to the Executive ATV Permit Committee as Created by St. Louis County Ordinance No. 64.—60390

On-line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and First Financial Title Agency of Minnesota, Inc., Burnsville, MN.—16-536

Service Contract between the County of St. Louis and Twin Ports Testing, Inc., Superior, WI, to

perform soil boring, soil analysis and testing, and reporting for the Sheriff's South Rescue Squad Large Vehicle Storage Building Construction Project.—16-537

Upon motion by Commissioner Nelson, supported by Commissioner Boyle, resolutions numbered 16-374 through 16-377 and 16-380 through 16-399, 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 June 7, 2016, are hereby approved.

Adopted June 14, 2016. No. 16-374

WHEREAS, The Minnesota Department of Health has made Federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) funds available for 28 counties with at-risk communities most in need of additional evidence-based home visiting services, with St. Louis County having been identified as one; and

WHEREAS, The Carlton-Cook-Lake-St. Louis Community Health Board has applied for and has been awarded funds to be used to support the Nurse-Family Partnership model; and

WHEREAS, County Board Resolution No. 15-766, dated December 15, 2015, included grant funding of $85,905 for the period February 1, 2016 through February 28, 2017; and

WHEREAS, The Community Health Board has now awarded St. Louis County $132,708 for the period of February 1, 2016 through February 28, 2017, an increase of $46,803;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to accept Federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) funds through a contract with the Carlton-Cook-Lake-St. Louis Community Health Board in the amount of $132,708 for the period February 1, 2016 through February 28, 2017, of which $85,905 is already in the 2016 budget, and to increase the 2016 budget in the amount of $46,803 as follows with any remaining unspent funds at the end of 2016 to be included in the 2017 budget:

Fund 230, Agency 233999, Grant 23322, Object 629900, Grant Year 2016	$46,803
Fund 230, Agency 233999, Grant 23322, Object 541222, Grant Year 2016	$46,803

Adopted June 14, 2016. No. 16-375

WHEREAS, St. Louis County purchases Day Training and Habilitation (DT&H) and Semi-Independent Living Services (SILS) for residents with developmental disabilities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute contract documents to purchase Day Training and Habilitation (DT&H) and Semi-Independent Living Services (SILS) for St. Louis County clients;

RESOLVED FURTHER, That rates for DT&H will be set by the State Disability Waiver Rate Management system on a client by client basis while SILS will remain at FY 2016 levels:

Day Training and Habilitation (DT&H) rates for all county-funded persons are individually determined using the Rate Management System established by the Minnesota Department of Human Services for the following providers, to be paid from Fund 230, Agency 232006, Object 604800:

CHOICE, Unlimited - CHOICE
CHOICE, Unlimited – OPTIONS
East Range DAC
Pinewood, Inc.
Range Center, Inc.
UDAC, Inc.

Semi-Independent Living Services (SILS) rates are $27.76 per hour for the following providers of SILS services to be paid from Fund 230, Agency 232006, Object 605200:

Duluth Regional Care Center	$27.76 per hour
Northern Habilitative Services, Inc. of Chisholm	$27.76 per hour
Trillium Services, Inc.	$27.76 per hour
REM Arrowhead, Inc.	$27.76 per hour

Adopted June 14, 2016. No. 16-376

WHEREAS, Arrowhead Economic Opportunity Agency (AEOA) currently provides volunteer driver coordination services to St. Louis County as well as most other Northeast Minnesota counties; and

WHEREAS, St. Louis County Public Health and Human Services Department does not have the resources to replicate, on an ongoing basis, the quality and scope of services that AEOA already offers related to volunteer driver transportation; and

WHEREAS, AEOA has adequate systems and personnel capacity in place to continue providing this service to St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to contract with Arrowhead Economic Opportunity Agency for the provision of volunteer driver coordination services for the period January 1, 2016 through December 31, 2016, at a cost of $3,500 per month, for a total of $42,000, payable from Fund 230, Agency 232005, Object 629900.

Adopted June 14, 2016. No. 16-377

WHEREAS, Ronald W. Williams has requested an access and utility 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 St. Louis 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 Ronald W. Williams across state tax forfeited lands in Unorganized Township 55-21 as described in County Board File No. 60294;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of $986 land use fee, $100 administration fee, and $46 recording fee, for a total of $1,132 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 14, 2016. No. 16-380

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

WHEREAS, The applicant, Brynn Patterson of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF CHERRY
LOT: 0002 BLOCK: 004
REARR/MCQUADE LAKE SUMMER HOMESITES TOWN OF CHERRY
Parcel Code: 290-0030-00160; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Brynn Patterson of Hibbing, MN, on file in County Board File No. 60327, subject to payments including total taxes and assessments of $711.19, service fee of $114, deed tax of $2.35, deed fee of $25, recording fee of $46, and cost of lock $10, for a total of $908.54 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 14, 2016. No. 16-381

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

WHEREAS, The applicant, Bank of America of Anaheim, CA, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT: 0008 BLOCK: 015
KIMBERLEY AND STRYKERS ADDN TO DULUTH
Parcel Code: 010-2660-01920; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Bank of America of Anaheim, CA, on file in County Board File No. 60327, subject to payments including total taxes and assessments of $1,113.09, service fee of $114, deed tax of $3.67, deed fee of $25, and recording fee of $46, for a total of $1,301.76 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 14, 2016. No. 16-382

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

WHEREAS, The applicant, Brian Potter of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
THE SLY 50 FT OF NW1/4 OF NE1/4 LYING BETWEEN THE NLY EXTENSION OF THE W LINE OF LOT 10, BLK 2, AND THE NLY EXTENSION OF THE E LINE OF LOT 10, BLK 2, BROOKLYN
SURFACE ONLY
SECTION 7, TOWNSHIP 57 NORTH, RANGE 20 WEST
Parcel Code: 140-0270-00296; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Brian Potter of Hibbing, MN, on file in County Board File No. 60327, subject to payments including total taxes and assessments of $647.47, service fee of $114, deed tax of $2.14, deed fee of $25, and recording fee of $46, for a total of $834.61 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 14, 2016. No. 16-383

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

WHEREAS, The applicant, Ung S. Howell of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
S 120 FT OF THAT PART OF NW1/4 OF SW1/4 LYING W OF SNOW SHOE LAKE AND EX SLY 30 FEET
SECTION 15, TOWNSHIP 57 NORTH, RANGE 21 WEST
Parcel Code: 141-0050-02060; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Ung S. Howell of Hibbing, MN, on file in County Board File No. 60327, subject to payments including total taxes and assessments of $1,166.89, service fee of $114, deed tax of $3.85, deed fee of $25, and recording fee of $46, for a total of $1,355.74 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 14, 2016. No. 16-384

WHEREAS, The 2012 Special Session of the Minnesota Legislature appropriated funds to the Minnesota Department of Natural Resources (DNR) for grants to local governments to implement flood mitigation measures. The 2014 Legislature amended the original disaster appropriation language to allow uncommitted 2012 mitigation funding to be used for stream restoration in the declared counties; and

WHEREAS, The South St. Louis Soil and Water Conservation District submitted an

application to the DNR for the restoration of Sargent Creek in the Fond du Lac neighborhood of Duluth; and

WHEREAS, The State of Minnesota requires the owners of real interest in property funded for a restoration project (Restricted Property) to sign a General Obligation Bond Financed Declaration to be recorded; and

WHEREAS, The Restricted Property cannot be sold, mortgaged, encumbered or otherwise disposed of without approval of the Commissioner of Minnesota Management and Budget, and the Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in the grant contract. The Restricted Property is subject to the State of Minnesota General Obligation Bond Financed Declaration for 125% of the useful life of the Restricted Property (37 years) or until the Restricted Property is sold; and

WHEREAS, The State in Trust for the Taxing Districts owns 3/8 undivided interest in three (3) parcels within the Sargent Creek Stream Restoration Project area;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to sign a General Obligation Bond Financed Property Declaration encumbering the following described state tax forfeited lands for the purpose of stream restoration:

UND 3/8 N1/2 OF SW1/4, SECTION 32, TOWNSHIP 49 NORTH, RANGE 15 WEST (parcel number 010-2742-05020). The Restricted Property shall be 33 feet on either side of the ordinary high water level of Sargent Creek.

UND 3/8 NW1/4 OF SE1/4 EX RY R OF W AND EX A STRIP OF LAND BETWEEN N P RY AND SPIRIT LAKE TRANSFER RY 10 20/100 AC ALSO EX THAT PART N AND E OF SPIRIT LAKE RY R&W 7A, SECTION 32, TOWNSHIP 49 NORTH, RANGE 15 WEST (parcel number 010-2742-05050). The Restricted Property shall be 33 feet on either side of the ordinary high water level of Sargent Creek.

UND 3/8 SW1/4 OF SE1/4 SECTION 32, TOWNSHIP 49 NORTH, RANGE 15 WEST (parcel number 010-2742-05070). The Restricted Property shall be 33 feet on either side of the ordinary high water level of Sargent Creek.

Adopted June 14, 2016. No. 16-385

WHEREAS, St. Louis County Board Resolution No. 16-171, dated March 22, 2016, canceled a contract with Kyle D. Engelstad for the repurchase of state tax forfeited land; and

WHEREAS, The contract holder has cured the default;

THEREFORE, BE IT RESOLVED, That St. Louis County Board Resolution No. 16-171, dated March 22, 2016, is rescinded.

Adopted June 14, 2016. No. 16-386

WHEREAS, The contract with James Nordlund, Sr. of Hot Springs, AR, for the repurchase of state tax forfeited land is in default for nonpayment of taxes and installments; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

TOWN OF ALANGO
SW 1/4 OF NE 1/4 also SE 1/4 OF NW 1/4 also NW 1/4 OF SE 1/4

Section 31, Township 61 North, Range 19 West
Parcel Codes: 200-0010-04960, 5010, 5080
C22130109; and

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorize the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of the property or by mail;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted June 14, 2016. No. 16-387

WHEREAS, A Supplemental Agreement is proposed in the amount of $192,867.05 on Project CP 0044-300420, under project CP 0038-283104(Low) TST, for an additional reclaim and overlay project on County State Aid Highway (CSAH) 44 in Unorganized Township 54-13 and Pequaywan Township by Ulland Brothers, Inc., of Cloquet, MN; and

WHEREAS, The Supplemental Agreement will be funded with St. Louis County TST funds;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a Supplemental Agreement on Project CP 0038-283104(Low) TST in the amount of $192,867.05 for a reclaim and overlay project on CSAH 44 (County Project CP 0044-300420), payable from Fund 204, Agency 204043, Object 652806.

Adopted June 14, 2016. No. 16-388

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

CP 0004-226569 TST/SAP 69-604-075(Low), CSAH 4 (Rice Lake Road) between 386' South of Airpark Boulevard and 89' South of Norton Road;
CP 0004-252401 TST (Tied), CSAH 4 (Rice Lake Road) between 386' South of Airpark Boulevard and 89' South of Norton Road; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on June 2, 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:

LOW BIDDER	ADDRESS	AMOUNT
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	$926,426.55

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:

SAP 69-604-075 (Low)	Fund 220, Agency 220404, Object 652700	$750,000.00
	Fund 204, Agency 204046, Object 652806	$ 39,987.85
CP 0004-252401 TST (Tied)	Fund 204, Agency 204040, Object 652806	$136,438.70

Adopted June 14, 2016. No. 16-389

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

CP 0016-289398 TST (Low), CSAH 16 between Itasca County Line and TH 73;
CP 0005-289397 TST (Tied), CSAH 5 between CR 743 (West Toivola Road) and CR 750 (Oja Road);
CP 0018-289399 TST (Tied), CSAH 18 between Itasca County Road 572 and TH 73;
CP 0133-289400 TST (Tied), CSAH 133 between Itasca County Line and TH 73;
CP 0837-299737 TST (Tied), CR 837 (Laurie Road) between CR 832 (Floodwood Road) and CR 186 (Savanna Road); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on June 2, 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:

LOW BIDDER	ADDRESS	AMOUNT
Northland Constructors	4843 Rice Lake Road Duluth, MN 55803	$2,927,946.11

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 0016-289398 TST (Low)	Fund 204, Agency 204035, Object 652806	$553,609.57
CP 0005-289397 TST (Tied)	Fund 200, Agency 203443, Object 652800	$293,113.50
CP 0018-289399 TST (Tied)	Fund 204, Agency 204036, Object 652806	$652,609.76
CP 0133-289400 TST (Tied)	Fund 204, Agency 204037, Object 652806	$796,176.03
CP 0837-299737 TST (Tied)	Fund 204, Agency 204044, Object 652806	$632,437.25

Adopted June 14, 2016. No. 16-390

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 60288.

Adopted June 14, 2016. No. 16-391

WHEREAS, Minn. Stat. §§ 469.1812 through 469.1815, Abatement Authority, require that a public hearing be conducted prior to approving a tax abatement; and

WHEREAS, The City of Duluth, MN, has requested St. Louis County to consider up to $250,000 in tax abatement to construct the District at Miller Hill project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners will hold a public hearing on Tuesday, July 12, 2016, at 9:40 a.m., at Proctor City Hall in Proctor, MN, to solicit public input prior to considering the proposed tax abatement.

Adopted June 14, 2016. No. 16-392

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA, CALLING FOR A PUBLIC HEARING ON AN AMENDMENT TO THE TRANSPORTATION SALES AND USE TAX TRANSPORTATION IMPROVEMENT PLAN

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 297A.993 (the "Act"), the Board has previously approved Resolution No. 14-665 on December 2, 2014, implementing the Greater Minnesota Transportation Sales and Use Tax and approving the projects to be funded with such sales and use tax as set forth in the transportation improvement plan identified as the "St. Louis County Greater MN Transportation Sales and Use Tax Transportation Plan" dated November 25, 2014, and approved on December 2, 2014 (the "Transportation Improvement Plan").

Section 2. The Board has proposed an amendment to the Transportation Improvement Plan (the "Amendment"). Included within the Amendment are the additional projects to be funded from such sales and use tax and an increase in the estimated cost of the projects to be financed under the Transportation Improvement Plan from $642,000,000 to $894,916,448.

Section 3. Pursuant to the Act and Resolution No. 14-665, the County Board must hold a public hearing before modifying the projects listed in the Transportation Improvement Plan and their estimated costs.

Section 4. The Board shall hold a public hearing at 9:45 a.m. on Tuesday, July 5, 2016, in the County Board Room of the St. Louis County Courthouse, 100 North Fifth Avenue West in Duluth, Minnesota, to provide an opportunity for residents to express their views on the Amendment.

Section 5. The County Auditor shall publish a notice of public hearing on the amendment to the Transportation Improvement Plan in substantially the form attached hereto as Exhibit A on a date which is not less than 10 days before the hearing in the official newspaper of the County.

EXHIBIT A

NOTICE OF PUBLIC HEARING ON AN AMENDMENT TO THE TRANSPORTATION SALES AND USE TAX TRANSPORTATION IMPROVEMENT PLAN OF ST. LOUIS COUNTY, MINNESOTA

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota, will conduct a public hearing on Tuesday, July 5, 2016, at 9:45 a.m. in the County Board Room of the St. Louis County Courthouse, 100 North Fifth Avenue West in Duluth, Minnesota, to provide an opportunity for the public to express their views concerning an amendment to the St. Louis County Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014, and approved on December 2, 2014.

All persons interested may appear and be heard at the time and place set forth above.

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

Donald Dicklich, County Auditor

Adopted June 14, 2016. No. 16-393

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA, CALLING FOR PUBLIC HEARINGS ON AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS UNDER MINNESOTA STATUTES, SECTION 373.40

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board has previously approved a Capital Improvement Plan with annual amendments, including the years 2016 through 2020 (the "Plan").

Section 2. The Board has proposed an additional amendment to the Plan for the years 2016 through 2020 (the "Amendment"). Included within the Amendment are the proposed improvements to roads and bridges throughout the County as set forth in the St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan dated November 25, 2014, and approved on December 2, 2014, as amended, with estimated costs of $894,916,448.

Section 3. Further, the Board is considering the issuance of capital improvement bonds under Minnesota Statutes, Section 373.40 and Chapter 475 in an amount not to exceed $25,000,000 (the "Bonds") for the purpose of providing funds for the following capital improvements under the Plan, as amended by the Amendment:

Road and Bridge Improvements – a portion of the road and bridge improvements identified in the "St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan" dated November 25, 2014, and approved on December 2, 2014, as amended, which is a part of the County's Capital Improvement Plan, as amended (the "Project").

Section 4. The Board shall hold public hearings at 9:50 a.m. on Tuesday, July 5, 2016, in the County Board Room of the St. Louis County Courthouse, 100 North Fifth Avenue West in Duluth, Minnesota, to provide an opportunity for residents to express their views on the Amendment and on the issuance of the Bonds for the Project.

Section 5. The County Auditor shall publish a notice of public hearings on the capital improvement plan and on the intent to issue the Bonds in substantially the form attached hereto as Exhibit A on a date which is not less than 14 days nor more than 28 days before the hearing in the official newspaper of the County.

EXHIBIT A

NOTICE OF PUBLIC HEARINGS ON THE ANNUAL AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS BY ST. LOUIS COUNTY, MINNESOTA, UNDER MINNESOTA STATUTES, SECTION 373.40

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota, will conduct public hearings on Tuesday, July 5, 2016, at 9:50 a.m. in the County Board Room of the St. Louis County Courthouse, 100 North Fifth Avenue West in Duluth, Minnesota, to provide an opportunity for the public to express their views concerning (i) an amendment to the County's Capital Improvement Plan for the years 2016 through 2020; and (ii) the County's intent to issue general obligation bonds in an amount not to exceed $25,000,000 (the "Bonds"), pursuant to the Capital Improvement Plan as amended and approved by the Board of County Commissioners.

The proceeds of the Bonds shall be used by the County to construct the following improvements, and to pay costs of issuance of and capitalized interest, if any, on the Bonds:

Road and Bridge Improvements – a portion of the road and bridge improvements identified in the "St. Louis County Greater MN Transportation Sales and Use Tax Transportation Improvement Plan" dated November 25, 2014, and approved on December 2, 2014, as amended, which is a part of the County's Capital Improvement Plan, as amended.

The Bonds and the interest thereon shall constitute general obligations of the County secured by the full faith and credit of the County. All persons interested may appear and be heard at the time and place set forth above.

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

Donald Dicklich, County Auditor

Adopted June 14, 2016. No. 16-394

WHEREAS, The Virginia area is the final phase of the county's office building master plan which began in 1998 and provides for consolidated public services, security/safety upgrades, renewal of life cycles for facilities, maintenance/repair reduction, and high efficiency operations of the buildings; and

WHEREAS, The county's asset management program rates the Northland Office Center building to be in very poor condition and the cost of building system repairs and replacements are very high relative to the replacement value of the building; and

WHEREAS, Based on a complete facility condition analysis of the Northland Office Center, the building is not restorable to meet current/future building codes, standards and mandates, and is approximately 40% too large for the county's current and projected future space needs; and

WHEREAS, The location of this new facility and plaza will be in the parking lot property presently owned by the county adjacent to the Northland Office Center building, creating a Civic

Center model for downtown Virginia in that the U.S. Post Office, Virginia City Hall, the new Government Services Center, and County Courthouse are all within a two city block area; and

WHEREAS, The County Purchasing Division solicited proposals for qualified architectural and engineering services, with DSGW Architects Incorporated of Virginia and Duluth, MN, providing the best overall proposal, presentation and price;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a professional services contract with DSGW Architects Incorporated of Virginia and Duluth, MN, and any amendments approved by the County Attorney's Office, for the planning, design, construction and bid documents, project administration, and project close out for the Government Services Center-Virginia construction project in an amount of $854,515, payable from Capital Project Fund, Fund 400, Agency 400023.

Adopted June 14, 2016. No. 16-395

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted for the following applications to sell/serve intoxicating liquor outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 60311:

Frygard, LLC d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17, for July 2-5, 2016;

Frygard, LLC d/b/a Timber's Edge Grill & Bar, Unorganized Township 56-17, for July 260-27, 2016.

Adopted June 14, 2016. No. 16-396

WHEREAS, The Information Technology (IT) Department is currently working on a plan to migrate mail sorting and routing duties to the various county departments within the Government Services Center; and

WHEREAS, IT and Public Health and Human Services (PHHS) have agreed on a plan to transfer one (1) IT Service Worker position (position code 0939-001) from the IT department to the PHHS department to perform mail sorting and delivery for the PHHS department; and

WHEREAS, The transfer of this position into PHHS was determined to be the best decision based on the large percentage of the mail sorting and routing required for PHHS within the Government Services Center-Duluth; and

WHEREAS, Human Resources has reviewed the duties and has agreed to reallocate this position to an Information Specialist I;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the transfer of one (1) Service Worker position (Civil Service Basic, Pay Grade B01) from the Information Technology Department to the Public Health and Human Services Department and re-allocate the position to Information Specialist I (Merit System, Pay Grade B04). Funding for the position is available in Public Health and Human Services budget (Fund 230, Agency 230014).

Adopted June 14, 2016. No. 16-397

WHEREAS, Benefits to St. Louis County for participation in the Minnesota Council on Local Results and Innovation comprehensive performance measurement program are outlined in Minn. Stat. § 6.91 and include eligibility for a reimbursement as set by state statute; and

WHEREAS, Any city/county participating in the comprehensive performance measurement

program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The St. Louis County Board has adopted and implemented ten of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports continued participation in the Minnesota State Auditor's Performance Measurement Program;

RESOLVED FURTHER, That St. Louis County will continue to report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the city's/county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed;

RESOLVED FURTHER, That the St. Louis County Board approves submission of the 2016 St. Louis County Performance Measures Report found in County Board File No. 60389.

Adopted June 14, 2016. No. 16-398

WHEREAS, The new ATV Ordinance Number 64: THE MANAGEMENT AND PERMITTING OF ALL-TERRAIN VEHICLES WITHIN THE PUBLIC RIGHT-OF-WAY OF ROADS UNDER THE COUNTY'S JURISDICTION calls for the creation of an "Executive ATV Permit Committee" that will develop policies and procedures for the acceptance, review, approval and issuance of the permits and will handle appeals of permit decisions; and

WHEREAS, The "Executive ATV Permit Committee" is to be composed of the St. Louis County Public Works Director (or designee), the St. Louis County Land Commissioner (or designee), the St. Louis County Sheriff (or designee) and two (2) members of the St. Louis County Board of Commissioners; and

WHEREAS, One (1) of these appointees should be the chair of the County Board's Public Works and Transportation Committee; and

WHEREAS, The County Board believes that an alternate Commissioner should also be appointed to ensure that two (2) Commissioners will always be available for the important work anticipated for this committee;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby appoints the following two (2) County Commissioners to serve as members of the "Executive ATV Permit Committee," created under Ordinance Number 64: THE MANAGEMENT AND PERMITTING OF ALL-TERRAIN VEHICLES WITHIN THE PUBLIC RIGHT-OF-WAY OF ROADS UNDER THE COUNTY'S JURISDICTION, through December 31, 2016, with subsequent appointments made annually at the organizational meeting of the County Board:

Commissioner Stauber, Public Works and Transportation Committee Chair
Commissioner Rukavina, Member
Commissioner Nelson, Alternate

Adopted June 14, 2016. No. 16-399

BY COMMISSIONER BOYLE:

WHEREAS, The St. Louis County Housing and Redevelopment Authority (HRA) has requested to purchase the following described 25 acre parcel of state tax forfeited land for the appraised value of $42,000, plus fees, for economic development and educational purposes:

That portion of the SE1/4 of the SE1/4, Section 5, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road,

AND

the north 330 feet of the NE1/4 of the NE1/4, Section 8, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1a (b), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, This parcel of land has not been 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, This parcel of land has been classified as conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, The Land Commissioner recommends that this parcel be reclassified as non-conservation and offered for sale having considered, among other things, the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, The parcel of land is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of this parcel will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

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

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcel described above is more suitable for purposes other than forest management and shall be withdrawn from Island Lake Memorial Forest;

RESOLVED FURTHER, That the St. Louis County Board approves the reclassification to non-conservation and sale of a 25 acre parcel of state tax forfeited land, as described, to the St. Louis County HRA for the appraised value of $42,000 plus appraisal and survey costs and other fees, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the request for approval of the reclassification of the state tax forfeited parcel described above shall be transmitted by the St. Louis County Land and Minerals Department to the Clerk of Normanna Township.

Unanimously adopted June 14,2016. No. 16-378

BY COMMISSIONER BOYLE:

WHEREAS, The Duluth Housing and Redevelopment Authority (HRA) has requested to purchase state tax forfeited lands in the City of Duluth for the price of $40,000, plus fees, for the purpose of a low income housing development, as described in County Board File No. 60319; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, These parcels of land have not been 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, These parcels of land have been classified as non-conservation land pursuant to Minnesota Stat. § 282.01; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1a(d), allows for non-conservation tax forfeited land to be sold to a governmental subdivision for less than market value if a reduced price is necessary to provide an incentive to correct blighted conditions or will lead to the development of affordable housing;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of approximately 1.5 acres of state tax forfeited land, as described in County Board File No. 60319, to the Duluth Housing and Redevelopment Authority for $40,000 plus the following fees: 3% assurance fee of $1,200, deed fee of $25, deed tax of $132, and recording fee of $46, for a total of $41,403 to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax forfeited land described here if the Duluth HRA does not purchase the land by December 15, 2016.

Yeas – Commissioners Boyle, Rukavina, Stauber, Nelson and Vice-Chair Jewell – 5
Nays – Commissioner Dahlberg – 1
Absent – Chair Raukar – 1
Adopted June 14, 2016. No. 16-379

At 10:30 a.m., June 14, 2016, Commissioner Boyle, supported by Commissioner Nelson, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Raukar).

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)