

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

**February 22, 2011**

**Hibbing City Council Chambers, 401 East 21<sup>st</sup> Street, Hibbing, Minnesota**

**RESOLUTIONS FOR APPROVAL:**

1. Approve the withdrawal of state tax forfeited land described as the S ½ of NW ¼ of NW ¼ EX N ½ of SW ¼, Section 32, Township 62 North, Range 18 West (Owens Township), from Memorial Forest Status (Pelican Lake Memorial Forest).
2. Authorize the private sale of a certain tax forfeited parcel located in Section 27, Township 55 North, Range 12 West (Ault Township), to adjoining property owners with funds to be deposited into Fund 240 (Forfeited Tax Fund.)
3. Approve the reclassification to non-conservation and sale of state tax forfeited land described as Lots 25 thru 28, also Lots 29 thru 32, also Lots 33 thru 38, Block 4, Kensington Place Addition, City of Duluth, to Independent School District No. 709 for the appraised value of \$7,000 plus fees, for a total of \$8,500.10, to be deposited into Fund 240 (Forfeited Tax Fund); and further, the County Auditor shall offer for sale at public auction the described land if Independent School District No. 709 does not purchase the land by June 1, 2011.
4. Approve the sale of state tax forfeited lands located in the SW ¼ of SW ¼, Section 29, Township 62 North, Range 18 West; the SW ¼ of NW ¼, Section 21, Township 61 North, Range 18 West; and the NW ¼ of NW ¼, Section 32, Township 62 North, Range 18 West, to the State of Minnesota for the Trunk Highway 53 improvement project, for the appraised value of \$6,112.40 plus fees, for a total of \$6,486.94, to be deposited into Fund 240 (Forfeited Tax Fund).
5. Authorize permanent drainage and temporary highway easements across state tax forfeited lands located in Section 32, Township 62 North, Range 18 West, and Section 21, Township 61 North, Range 18 West, to the State of Minnesota for the Trunk Highway 53 improvement project, upon payment of a total of \$1,533.82, to be deposited into Fund 240 (Forfeited Tax Fund).
6. Approval of a Lawful Gambling Application (Pull-tabs, Pull-tabs with dispensing device) for Hermantown Amateur Hockey Association to operate out of Sunset Lounge, Rice Lake Township, 4483 Martin Road, Duluth, Minnesota, 55803.

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7. Authorize county officials to execute a four-year agreement, with two (2) one-year extensions if desired, for garbage and recycling pick-up and disposal services at locations throughout the county (Bid No. 4925), with various contractors for a total cost of \$46,178.16 per year.
8. Authorize county officials to apply for the 2010 Interoperable Communications Training grant from the State of Minnesota Department of Public Safety in the amount of \$65,412 and authorize the county to act as fiscal agent for the grant on behalf of the Northeast Regional Radio Board; and further, this grant will be accounted for in Fund 100, Agency 129999, Grant 12949, Year 2011.
9. Authorize county officials to apply for and accept the 2010 Homeland Security grant from the State of Minnesota Department of Public Safety in the amount of \$573,711 for interoperable communications equipment and authorize the county to act as fiscal agent for the grant on behalf of the Northeast Regional Radio Board; and further, this grant will be accounted for in Fund 100, Agency 129999, Grant 12940, Year 2011.
10. Bid awarded to Hardrives, Inc., of Rogers, Minnesota, on their low bid of \$1,541,048.76 for SAP 69-604-065/SAP 118-160-022, CP 8294 - Traffic Signals, Striping, Bituminous Surfacing, Concrete Curb & Gutter on Municipal State Aid 160 (Arrowhead Road) and County State Aid Highway 4 (Rice Lake Road) in Duluth, Minnesota, payable from Fund 220, Agency 220240, Object 652700, with additional revenue budgeted for expense from City of Duluth Fund 220, Agency 220240, Rev. Object 551501: \$117,150.30.
11. Agree to support a \$75,000 grant from the Minnesota Department of Natural Resources Federal Recreational Trail Grant Program, if awarded, on behalf of the Chisholm-Hibbing Pathblazers Snowmobile Club for the purchase of a 2011 Prinoth Husky Trail Groomer; and further, agree to act as fiscal agent for the project.
12. Official proceedings of the County Board for the meeting of February 1, 2011.
13. Official proceedings of the County Board for the meeting of February 8, 2011.
14. Workers' Compensation report dated February 11, 2011, as submitted by Safety and Risk Management.
15. Appraisal report for the sale of timber, as submitted by the Land Commissioner.

**BY COMMISSIONER** \_\_\_\_\_

**1.**

**WHEREAS**, 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; and

**WHEREAS**, the state tax forfeited parcel described above is more suitable for purposes other than forest management.

**NOW, THEREFORE, BE IT RESOLVED**, that the state tax forfeited parcel, currently included in an established Memorial Forest described below, shall be withdrawn from Pelican Lake Memorial Forest.

S1/2 OF NW1/4 OF NW1/4 EX N1/2 OF SW1/4, SECTION 32, T62N, R18W

**WHEREAS**, St. Louis County desires to offer for sale a certain parcel of tax forfeited land described as:

LOT 2 EX THE FOLLOWING COMM AT NW COR OF LOT 2 THENCE S 628.04 FT THENCE ELY 33 FT TO PT OF BEG THENCE AT AN ANGLE OF 102 DEG 19 MIN IN A SELY DIRECTION A DISTANCE OF 660 FT THENCE SLY AT AN ANGLE OF 90 DEG A DISTANCE OF 12 FT TO SHORE OF STONE LAKE THENCE SWLY ALONG LAKE SHORE TO W LINE OF LOT 2 THENCE NLY 177 FT THENCE ELY 33 FT THENCE NLY TO PT OF BEG ALSO EX N 560 FT AND EX 1 AC AT SE CORNER; SECTION 27, TOWNSHIP 55 NORTH, RANGE 12 WEST

**WHEREAS**, the parcel is 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 parcel of land cannot be improved because it is 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 land to the tax rolls; and

**WHEREAS**, the parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the sale of the described parcel and the County Auditor is authorized to offer the parcel 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.

**WHEREAS**, Independent School District No. 709 has requested to purchase the following described state tax forfeited land for the appraised value of \$7,000, plus fees, for the purpose of assembling with the adjacent property:

Legal: Lots 25 Thru 28 also Lots 29 Thru 32 also Lots 33 Thru 38, Block 4,  
Kensington Place Addition  
City of Duluth  
Parcel Code: 10-2620-1690, 1730, 1770  
1.06 Acres  
LDKEYS: 57219, 57220, 30008

**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**, all parcels of land becoming the property of the State of Minnesota in Trust, through forfeiture for nonpayment of real estate taxes, shall be classified or reclassified as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd.1; and

**WHEREAS**, these parcels of land may be 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 these parcels 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**, the Land Commissioner recommends that these parcels 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**, 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the reclassification and sale of the state tax forfeited land, as described, to Independent School District No. 709 for the appraised value of \$7,000 plus the following fees: 3% assurance fee of \$210, deed fee of \$25, deed tax of \$23.10, recording fee of \$92, and administration fee of \$1,150; for a total of \$8,500.10, to be deposited into Fund

240 (Forfeited Tax Fund).

**RESOLVED FURTHER**, that the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described here if Independent School District No. 709 does not purchase the land by June 1, 2011.

**WHEREAS**, the State of Minnesota has requested to purchase the following described state tax forfeited parcels for the improvement of Trunk Highway 53:

1. That part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 62 North, Range 18 West, beginning at a point on the South line of said forty 150 feet East of the center line of Highway No. 53; thence North 42 feet; thence East 95 feet; thence South 42 feet; thence West 95 feet to the point of beginning except part used for County Highway No. 528; containing .02 acres, more or less.  
Parcel: 495-0010-03962
2. That part of the Southwest Quarter of the Northwest Quarter of Section 21, Township 61 North, Range 18 West, shown as Parcel 45 on Minnesota Department of Transportation Right of Way Plat Numbered 69-115 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; containing 7.08 acres, more or less, of which 2.04 acres is encumbered by an existing highway easement.  
Parcel: 215-0010-03611
3. That part of the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, shown as Parcel 96 on Minnesota Department of Transportation Right of Way Plat Numbered 69-125 as the same is on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; containing 0.25 acre, more or less, which is encumbered in its entirety by an existing highway easement.  
Parcel: 495-0010-04435

**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**, the parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

**WHEREAS**, the 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the sale of the state tax forfeited parcels described above to the State of Minnesota for the appraised value of \$6,112.40 plus the following fees: administrative fee of \$100, 3% assurance fee of \$183.37, deed fee of \$25, deed tax of \$20.17, and recording fee of \$46; for a total of \$6,486.94, to be deposited into Fund 240 (Forfeited Tax Fund).

**WHEREAS**, the Land Department has reviewed a request from the State of Minnesota for the following described easements across state tax forfeited land for the Trunk Highway 53 improvement project:

1. A drainage easement in perpetuity in the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-125 as to said parcel 96 and designated as a drainage easement; containing 0.36 acre, more or less.
2. A temporary easement for highway purposes in the Northwest Quarter of the Northwest Quarter of Section 32, Township 62 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-125, as to said Parcel 96 by the temporary easement symbol, said easement shall cease on December 1, 2016, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.
3. A temporary easement for highway purposes in the Southwest Quarter of the Northwest Quarter of Section 21, Township 61 North, Range 18 West, as shown on Minnesota Department of Transportation Right of Way Plat Numbered 69-115, as to said parcel 45 by the temporary easement symbol, said easement shall cease on December 1, 2016, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

**WHEREAS**, exercising the easements will not conflict with public use of the land;  
and

**WHEREAS**, Minn. Stat. § 282.04, Subd. 4 allows for the granting of easements across state tax forfeited land for such purposes.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the County Auditor to grant permanent and temporary easements for highway purposes as described above to the State of Minnesota.

**RESOLVED FURTHER**, that the granting of these easements is conditioned upon payment of \$1,487.82 land use fee and \$46 recording fee; for a total of \$1,533.82, to be deposited into Fund 240 (Forfeited Tax Fund).

**BY COMMISSIONER \_\_\_\_\_**

**6.**

**RESOLVED**, that pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (Pull-tabs, Pull-tabs with dispensing device) on file in the office of the County Auditor, identified as County Board File No. \_\_\_\_\_, for the following organization:

Hermantown Amateur Hockey Association to operate out of Sunset Lounge, Rice Lake Township, 4483 Martin Road, Duluth, Minnesota, 55803

**WHEREAS**, St. Louis County is committed to a clean and healthy environment for its employees and customers; and

**WHEREAS**, the county requires the services of contractors with the proper qualifications to provide the garbage and recycling pick-up and disposal service; and

**WHEREAS**, bids were solicited for this service with award recommended to the lowest bid by site; and

**WHEREAS**, one vendor is unable to service every location.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board authorizes the appropriate county officials to execute a four-year agreement, with two one-year extensions if desired, with various contractors at the listed locations throughout St. Louis County at a total cost of \$46,178.16 per year.

Location (A): Division 7 Toolhouse; 305 Railroad Street; Floodwood, MN 55736  
Fund 200 Public Works, Agency 202002 Hibbing, Object 625500 Garbage Collection  
**Crist Garbage Service, Inc. .... \$ 449.28/yr**

Location (B): Division 7 Toolhouse; 9967 Hwy 133; Meadowlands, MN 55765  
Fund 200 Public Works, Agency 202002 Hibbing, Object 625500 Garbage Collection  
**NorLand Sanitary Service..... \$ 962.40/year**

Location (C): Division 6 Toolhouse; 7628 Arkola Road; Cotton, MN 55724  
Fund 200 Public Works, Agency 202002 Virginia, Object 625500 Garbage Collection  
**A-1 Disposal, Saginaw, MN ..... \$ 930.72/year**

Location (D): NERCC; 6102 Abrahamson Rd; Saginaw, MN 55779  
Fund 925 Admin N.R.C. Center, Agency 940001 Admin N.R.C. Center, Object 625500 Garbage Collection  
**A-1 Disposal, Saginaw, MN: ..... \$8,949.36/year**

Location (E): Land Dept.; 5713 Old Miller Trunk Hwy; Duluth, MN 55811  
Fund 240 Land Admin., Agency 241008 Pike Lake, Object 625500 Garbage Collection  
**A-1 Disposal, Saginaw, MN: ..... \$1,011.96/year**

Location (F): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55803  
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500 Garbage Collection  
**Waste Management, Duluth, MN:..... \$1,868.04/year**

Location (G): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804  
Scenic C-SAH 61 (North Shore) April 10 to October 31, each year  
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500  
Garbage Collection  
**North Shore Sanitary, Duluth, MN: ..... \$4,437.00/year**

Location (H): Division 2 Toolhouse; 5595 Jean Duluth Road; Duluth, MN 55804  
North End Van Road and East End Island Lake Bridge  
Fund 200 Public Works, Agency 202002 Jean Duluth, Object 625500  
Garbage Collection  
**Paul's Sanitary ..... \$ 515.28/year**

Location (I): Public Safety Building, 2030 North Arlington Avenue, Duluth, MN 55811  
Fund 100 Emergency Management, Agency 135001 Emergency  
Management, Object 625500 Garbage Collection  
**A-1 Disposal, Saginaw, MN ..... \$1,021.92/year**

Location (J): Division 5 Toolhouse; 4739 Midway Road; Duluth, MN 55811  
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500  
Garbage Collection  
**A-1 Disposal, Saginaw, MN: ..... \$2,278.80/year**

Location (K): Richard H. Hansen Transportation Complex, 4787 Midway Road, Duluth,  
MN 55811  
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500  
Garbage Collection  
**Hartel's/DBJ Disposal Co., Proctor, MN:..... \$3,048.00/year**

Location (L): Division 5 Toolhouse; 4831 Hwy 31; Brookston, MN 55711  
Fund 200 Public Works, Agency 202002 Pike Lake, Object 625500  
Garbage Collection  
**A-1 Disposal, Saginaw, MN: ..... \$1,185.72/year**

Location (M): County Jail; 4334 Haines Road; Duluth, MN 55811  
Fund 100 Jail, Agency 137002 Jail Operations, Object 625500 Garbage  
Collection  
**Hartel's/DBJ Disposal Co., Proctor, MN:..... \$8,040.00/year**

Location (N): Emergency Mgmt; 5735 Old Miller Trunk Hwy; Duluth, MN 55812  
Fund 100 Emergency Management, Agency 132001 Emergency  
Management, Object 625500 Garbage Collection  
**A-1 Disposal, Saginaw, MN ..... \$ 951.12/year**

Location (O): Arrowhead Juvenile Ctr; 1918 Arlington Ave No; Duluth, MN 55811  
Fund 925 Admin. AJC, Agency 945001 Arrowhead Juvenile Center,  
Object 625500 Garbage Collection  
**Waste Management, Duluth, MN:..... \$1,602.36/year**

Location (P): Court House Bldg Services; 100 No 5th Ave W; Duluth, MN 55802  
Fund 100 Building Services, Agency 128002 Duluth Courthouse, Object  
625500 Garbage Collection  
**Waste Management, Duluth, MN:..... \$8,177.76/year**

Location (Q): Motor Pool South; 401 West 2nd Street; Duluth, MN 55802  
Fund 715 County Garage, Agency 715001 Duluth Garage, Object 625500  
Garbage Collection  
**Waste Management, Duluth, MN:..... \$ 748.44/year**

**BY COMMISSIONER:** \_\_\_\_\_

**8.**

**WHEREAS**, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$65,412 in funding from the Interoperable Communications grant program for Interoperable Communications training for the Northeast Regional Radio Board; and

**WHEREAS**, the St. Louis County Sheriff's Office and the Northeast Regional Radio Board will be able to provide needed interoperable communications training as a result of this funding.

**NOW, THEREFORE BE IT RESOLVED**, the St. Louis County Board authorizes the appropriate county officials to apply for the 2010 Interoperable Communications grant in the amount of \$65,412 for an Interoperable Communications Training grant and authorizes the county to act as the fiscal agent for the grant on behalf of Northeast Regional Radio Board.

**RESOLVED FURTHER**, that this grant will be accounted for in Fund 100, Agency 129999, Grant 12949, Year 2011.

**BY COMMISSIONER:** \_\_\_\_\_

**9.**

**WHEREAS**, the State of Minnesota Department of Public Safety through the Division of Emergency Communication Networks has made available \$573,711 in funding from the Homeland Security grant program for interoperable communications equipment for the Northeast Regional Radio Board; and

**WHEREAS**, the St. Louis County will be able to purchase needed interoperable communications equipment for the Northeast Regional Radio Board as a result of this funding.

**NOW, THEREFORE BE IT RESOLVED**, the St. Louis County Board authorizes the appropriate county officials to apply for and accept the 2010 Homeland Security grant in the amount of \$573,711 for interoperable communications equipment and authorizes the county to act as the fiscal agent for the grant on behalf of Northeast Regional Radio Board.

**RESOLVED FURTHER**, that this grant will be accounted for in Fund 100, Agency 129999, Grant 12940, Year 2011.

**BY COMMISSIONER \_\_\_\_\_**

**10.**

**WHEREAS**, bids have been received by the County Auditor for the following project:

SAP 69-604-065/SAP 118-160-022, CP 8294 located on MSA 160 (Arrowhead Rd) from CSAH 4 (Rice Lake Rd) to CSAH 4 in Duluth, MN, and on CSAH. This is a joint project with the City of Duluth.

**WHEREAS**, bids were opened in the County Board Room at 10:00 a.m., February 7, 2011, and the lowest responsible bidder determined.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Louis County Board approves the award on the above project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hardrives, Inc.	14475 Quiram Dr. Rogers, MN 55374	\$1,541,048.76

**RESOLVED FURTHER**, that the Chairman of the County Board, the County Auditor, and the County Attorney 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 220240, Object 652700.

With additional revenue budgeted for expense:

City of Duluth Fund 220, Agency 220240, Rev. Object 551501	\$117,150.30
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**WHEREAS**, St. Louis County supports the grant application of \$75,000 made by the Chisholm-Hibbing Pathblazers Snowmobile Club to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program; and

**WHEREAS**, the grant application is to be used toward the purchase of one 2011 Prinoth Husky Trail Groomer (expected to cost in excess of \$150,000), to be used by the club for regular maintenance and trail grooming; and

**WHEREAS**, St. Louis County recognizes that there is percent match requirement for the Federal Recreational Trail grant program which will be secured by the Chisholm-Hibbing Pathblazers Snowmobile Club.

**NOW, THEREFORE, BE IT RESOLVED**, that if St. Louis County is awarded a grant by the Minnesota Department of Natural Resources, the county agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project, and will comply with all applicable laws, environmental requirements, and regulations as stated in the grant agreement.

**RESOLVED FURTHER**, that the St. Louis County Board authorizes the County Auditor to act as the fiscal agent for the project and authorizes the appropriate county officials to sign all necessary documents.

BY COMMISSIONER \_\_\_\_\_

12.

**RESOLVED**, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 1, 2011, are hereby approved.

BY COMMISSIONER \_\_\_\_\_

13.

**RESOLVED**, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 8, 2011, are hereby approved.

BY COMMISSIONER \_\_\_\_\_

14.

**RESOLVED**, that the workers' compensation report of claims by employees for work-related injuries, dated February 11, 2011, on file in the office of the County Auditor, identified as County Board File No. 59188, is hereby received and ratified as payable from Fund 730, Agency 730001.

BY COMMISSIONER \_\_\_\_\_

15.

**RESOLVED**, that the appraisal report for sale of timber, numbered Tracts 1 and 2 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59196, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.