

OFFICIAL PROCEEDINGS
OF THE
BOARD OF COUNTY COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

SEPTEMBER, 2011

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 6, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of September, 2011, at 9:30 a.m., in the County Board Room, Duluth Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar - 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

At 9:35 a.m. a public hearing was held pursuant to Resolution No. 456, adopted August 9, 2011, to consider a liquor law violation at the Gnesen Convenience Store, Gnesen Township. Assistant County Attorney Nephew presented a packet which included the police report, required notices, and a signed agreement by the owner accepting a ten day suspension of the Gnesen Convenience Store Off-sale 3.2 percent Malt Liquor License and \$1,000 fine; nine days and \$1,000 of the fine stayed for one year with no same or similar violation during that period. The date of the suspension is Monday, September 12, 2011. Elizabeth Canete, owner, apologized to the board and said they will be very careful checking identifications. At 9:42 a.m., Commissioner Sweeney, supported by Commissioner Raukar, moved to close the public hearing; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the resolution; seven yeas, zero nays. Resolution No. 472.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda; seven yeas, zero nays.

Commissioner Raukar, supported by Commissioner Jewell, moved to suspend the rules to consider a trespass claim settlement; seven yeas, zero nays.

Commissioner Raukar, supported by Commissioner Sweeney, moved to approve a trespass claim settlement in the amount of \$23,500 to Chester and Robin Cullen for placement of power lines on the Cullen property; seven yeas, zero nays. Resolution No. 473.

Commissioner Nelson noted we are approaching the ten year anniversary of September 11, 2001, when terrorism hit this country.

The following Board and Contract Files were created as a result of documents received at this board meeting:

Kevin Gray, County Administrator, and Mark Rubin, County Attorney, submitting Board

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Letter 11-322, Claim Settlement – Trespass.—59316

State of Minnesota Grant Contract No. 9600000387 between State of Minnesota, Commissioner of Public Safety, Emergency Communication Networks Division and St. Louis County for Allied Radio Matrix for Emergency Response (ARMER) Improvements.—11-609

Home and Community-Based Waiver Services Contract, Contract No. 14705, between the St. Louis County Board of Commissioners and Carrie Sipper d/b/a Crossroads.—11-610

Addendum to Community-Based Waiver Services Contract, Contract No. 14705A, between the St. Louis County Board of Commissioners and Carrie Sipper d/b/a Crossroads.—11-611

Home and Community-Based Waiver Services Contract, Contract No. 14872, between the St. Louis County Board of Commissioners and Vicki Thronson and Paul Thronson.—11-612

Home and Community-Based Waiver Services Contract, Contract No. 14876, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.—11-613

Home and Community-Based Waiver Services Contract, Contract No. 14873, between the St. Louis County Board of Commissioners and Timothy J. Majchrzak and Bobbie Jo Majchrzak d/b/a Hermantown Valley Elder Care.—11-614

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14622B, between the St. Louis County Board of Commissioners and Better Living, LLC.—11-615

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14749A, between the St. Louis County Board of Commissioners and Gerald Carr and Theresa Carr d/b/a Transitus House, LLC.—11-616

Work Order No. 5, Agreement No. 09-FAV-0012, between St. Louis County and Computer Sciences Corporation for Project Implementation Services and Business Intelligence and Dashboard Advanced Training.—11-617

Project Contract No. 4964 between the County of St. Louis and Thelen Heating and Roofing, Inc., for Roof Replacement Government Services Center.—11-618

Agreement for Professional Services between the County of St. Louis and LHB Engineers and Architects for Joint Public Safety Facility- Space Planning and Design.—11-619

Service Contract No. 4965 between the County of St. Louis and Como Lube & Supplies, Inc., for Collection and Disposal of Waste Oil, Used Oil Filters & Used Floor Dry.—11-620

Land Lease No. 99069 between the State of Minnesota, Department of Transportation, and St. Louis County for an Allied Radio Matrix Emergency Response (ARMER) communications tower at the St. Louis County Public Works Brimson facility.—11-621

Project Contract No. 4970-A between the County of St. Louis and Northwoods Forestry, Inc., for Budcapping Application.—11-622

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Project Contract No. 4970-B between the County of St. Louis and Star Forestry for Budcapping Application.—11-623

Professional Services Agreement between the County of St. Louis and Braun Intertec Corporation for Geotechnical Evaluation for Bridge Construction Bridge 714 (CP 117648, SAP 69-675-005).—11-624

State of Minnesota Federal Boating Safety Supplemental Equipment Grant Agreement, Contract No. 30-1434.—11-625

Amendment No. 1 Hibbing Transfer Station Operation and Haulage 2007-4066 between the County of St. Louis and Kangas Excavating, Inc., extending the terms of the agreement for an additional one (1) year effective January 1, 2012 through December 31, 2012.—11-626

Group Residential Housing Rate Agreement, Contract No. 50964, between the St. Louis County Board of Commissioners and L & M Opportunities – Snelling Park.—11-627

Home and Community-Based Waiver Services Contract, Contract No. 14878, between the St. Louis County Board of Commissioners and Northern Trends Building & Design, Inc.—11-628

Home and Community-Based Waiver Services Contract, Contract No. 14775, between the St. Louis County Board of Commissioners and Arlene Sipola.—11-629

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14589A, between the St. Louis County Board of Commissioners and Dallman Adult Foster Home. —11-630

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14691B, between the St. Louis County Public Health and Human Services Department and September House.—11-631

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14519B, between the St. Louis County Board of Commissioners and Accessible Space, Inc.—11-632

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14659C, between the St. Louis County Board of Commissioners and Duluth Regional Care Center, Inc.—11-633

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14540C, between the St. Louis County Board of Commissioners and Range Mental Health Center.—11-634

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14561B, between the St. Louis County Board of Commissioners and Home of Hopes.—11-635

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14542D, between the St. Louis County Public Health and Human Services Department and

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Interim Healthcare of Lake Superior, Inc.—11-636

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14698A, between the St. Louis County Board of Commissioners and Valarie Goodman.—11-637

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14607B, between the St. Louis County Public Health and Human Services Department and The Hummingbird, Inc.—11-638

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC, for SAP 69-598-034, CP 1818 - Approach Grading, Culverts, Guardrail and Bridge No. 69685 on County Road 492 (Anton Rd.) in Sturgeon, MN.—11-639

Contract for County-State Aid Highway Project between the County of St. Louis and Northland Constructors of Duluth, LLC, for SAP 69-648-026, CP 8273 – Reclamation, Grading, Aggregate Base, Plant Mixed Bituminous Base and Surface, Culverts, Curb & Gutter, Storm Sewer, and Sidewalk on County State Aid Highway 48 (Lavaque Rd.) in Hermantown, MN.—11-640

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 465 through 471, as submitted to this Board on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 2, 2011, are hereby approved.
Adopted September 6, 2011. No. 465

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 9, 2011, are hereby approved.
Adopted September 6, 2011. No. 466

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID BLACK SPRUCE TOPS AUCTION, Tracts 1 through 5 (totaling \$53,849.40), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59196, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Adopted September 6, 2011. No. 467

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59197, are hereby approved and the County Auditor shall issue checks in the following amounts:

JULY 2011		
100	General Fund	\$6,058,532.16
149	Personnel Service Fund	90.00
150	Sheriff's Nemesis Fund Group	12,810.86
167	Attorney's Forfeitures	79.71
168	Sheriff's State Forfeitures	1,621.70

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169	Attorney Trust Accounts-VW	2,730.30
170	Boundary Waters-Forfeiture	5,188.46
173	Emergency Shelter Grant	98,227.18
179	Enhanced 9-1-1	41,657.37
180	Law Library	1,598.95
183	City/County Communications	342.35
184	Extension Service	112,242.09
200	Public Works	2,762,914.52
210	Road Maint – Unorg Townships	64,440.18
220	State Road Aid	1,123,958.82
230	Public Health & Human Services	5,743,613.93
240	Forfeited Tax	548,209.48
260	CDBG Grant	134,693.08
270	Home Grant	56,745.80
280	Federal Septic Loan – EPA Fund	2,550.47
290	Forest Resources	43,828.41
400	County Facility	272,664.15
402	Depreciation Reserve Fund	56,957.00
405	Public Works Building Const	14,570.00
421	Northland Office Bldg Improv.	209.67
438	2008B Capital Improvement Bond	254,993.11
439	2010A Capital Improvement Bond	3,139.55
600	Environmental Services	475,612.38
616	On-Site Waste Water Division	36,307.36
700	Printing	353.45
705	Postage Office Supplies	31,651.91
715	County Garage	274,440.01
720	Property Casualty Liability	6,300.99
730	Workers Compensation	426,255.61
770	Retired Employees Health Ins	1,294.80
826	Taconite Production Tax	2,282,698.00
900	State of Minnesota	804,865.49
902	Courts	249,170.90
908	Cities and Towns Taxes	16,687,114.14
909	Tax Refunds	49,930.82
910	School Districts Taxes	795,491.80
911	Taxes and Penalties	540,567.27
925	Arrowhead Regional Corrections	1,853,515.40
955	Community Health Board	155,809.07
985	Collective Local Collaborative	53,309.62
989	Regional Railroad Authority	178,630.67
990	Northern Cities Land Use	733.14
992	Permits to Carry-Firearms	2,955.00
994	Sheriff Forfeits/Evidence	191.11
998	MPL-DUL Train Alliance	<u>64,303.56</u>
		\$42,390,111.80

Adopted September 6, 2011. No. 468

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the County Liquor License, as per applications on file in the office

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of the County Auditor, identified as County Board File No. 59214:

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township
68-19, September 20, 2011;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township
68-19, November 12, 2011.

Adopted September 6, 2011. No. 469

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated August 12, 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.

Adopted September 6, 2011. No. 470

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated August 26, 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.

Adopted September 6, 2011. No. 471

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Liquor Licensing Committee met on August 2, 2011, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation on May 2, 2011, against Gnesen Convenience Store, LLC d/b/a Gnesen Convenience Store, Gnesen Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on September 6, 2011, at 9:40 a.m. in the Courthouse, Duluth, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Off-Sale 3.2 Percent Malt Liquor License No. B1165, issued to Gnesen Convenience Store, LLC d/b/a Gnesen Convenience Store, Gnesen Township, is suspended for ten (10) days and a \$1,000 civil penalty is due, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year, with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor license will be September 12, 2011.

RESOLVED FURTHER, that a new violation within the next year (ending September 6, 2012), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Adopted September 6, 2011. No. 472

BY COMMISSIONER RAUKAR:

WHEREAS, Chester and Robin Cullen have brought a claim against St. Louis County and Lake Country Power alleging a trespass associated with the location of a power line; and

WHEREAS, the Cullens have agreed to release their claims for damages against St. Louis County and provide a power line easement to Lake Country Power in exchange for consideration in the amount of \$23,500.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County pay to Chester and Robin Cullen the amount of \$23,500, payable from the Tort Liability Fund, Fund No. 720, upon

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receipt of a Release signed by Plaintiffs and approved by the County Attorney's Office.
Adopted September 6, 2011. No. 473

At 9:45 a.m., Commissioner Jewell, supported by Commissioner Sweeney, moved to
adjourn; seven yeas, zero nays.

Steve O'Neil, Chair of the County Board
of Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 13, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 13th day of September, 2011, at 9:35 a.m., in the County Board Room, Duluth Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Keith Nelson - 6. Absent: Commissioner Steve Raukar - 1.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Chair O'Neil opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and the following chose to do so:

Jerry Miklavcich, Hibbing, brought forth concerns on the need for County Road 16 improvements and distributed a handout which included a signed petition.

Clyde Nelson, Duluth, said the county board is the trustee of public assets and asked the board not to sell property at bargain prices. Mr. Nelson also suggested that the board get out of the summer camp business and change employees 7.5 hour days to four ten-hour days.

Joseph Lendacky, Hibbing, agreed with Mr. Miklavcich's concerns regarding County Road 16 and brought forth additional concerns about the need for bridge repair.

Commissioner Forsman said he spoke to Public Works Director Jim Foldesi and a public meeting on the county road concerns will be held in Hibbing.

Nona Lendacky, Hibbing, also brought forth concerns on the bad condition of County Road 16, adding there are a lot of kids in the area.

Commissioner Sweeney, supported by Commissioner Jewell, moved to approve the consent agenda. At the request of Commissioner Dahlberg, item two, acceptance of a grant for Northeast Minnesota Project to End Long-term Homelessness, was removed for separate consideration. The remainder of the consent agenda passed; six yeas, zero nays.

Administrator Gray said the county board must adopt a proposed 2012 budget and maximum property tax levy and certify to the county auditor by September 15, 2011. Administrator Gray presented the 2012 Budget, reviewed county objectives, impacts of reduction in state funding, and investment in gravel roads. The overall preliminary budget is \$306 million and the recommendation for the 2012 maximum property tax levy is \$110,018,889, or a 1.8% increase. Administrator Gray said there is still some uncertainty with the Arrowhead Regional Corrections budget, and a unique situation facing property tax payers with a change on the state level from homestead credit to market value exclusion, which will increase property taxes. Commissioner Nelson, supported by Commissioner Forsman, moved to approve the 2012 preliminary budget and maximum property tax levy as presented.

A member of the public, John Lukan, asked for clarification on the property tax impact on the change from homestead credit to market value exclusion. Administrator Gray said we

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don't have current assessments, however based on last years values a home in Duluth valued at \$150,000 would see an increase of approximately \$62 per year.

After further discussion, Commissioner Dahlberg, supported by Commissioner Forsman, moved to amend the 2012 maximum property tax levy to \$108,073,565. Commissioner Dahlberg said he would like to see a zero percent increase as many people are living on the edge and this may push them over. After further discussion, Commissioner Dahlberg withdrew his motion to amend. After lengthy discussion, the motion passed; five yeas, one nay, Commissioner Dahlberg. Resolution No. 502.

Commissioner Jewell, supported by Commissioner Nelson, moved to refer back to committee a special sale of state tax forfeited land to the Duluth Housing and Redevelopment Authority (HRA), 1915 East 5th Street, Duluth; six yeas, zero nays.

Commissioner Jewell, supported by Commissioner Sweeney, moved to approve a special sale of state tax forfeited land to the Duluth HRA, 2711 West 8th Street. Pastor James Hagen and Daryl Yankee, both from Habitat for Humanity, encouraged the board to approve, adding labor and materials are donated for rehabilitating the house. In response to a question from Commission Nelson, Mr. Yankee said Habitat for Humanity has no budget to purchase the property, they rely solely on donations. After further discussion Commissioner Jewell withdrew his motion and moved to refer the matter back to committee, supported by Commissioner Sweeney. Commissioner Nelson requested a friendly amendment to remove the final further resolved in the resolution, which included a contingency to convey the property to Habitat for Humanity, and the makers agreed; six yeas, zero nays.

Commissioner Jewell, supported by Commissioner Sweeney, moved to approve sale of state tax forfeited land to the Duluth HRA for conveyance to the Spirit Valley Land Company. In response to a question from Commissioner Sweeney, Keith Hamre, City of Duluth Community Development Manager, said the Spirit Valley Land Company is a for-profit development business in Duluth, run by Brad Johnson; six yeas, zero nays. Resolution No. 503.

Commissioner Dahlberg, supported by Commissioner Jewell, moved to accept a grant for Northeast Minnesota Project to End Long-Term Homelessness from July 1, 2011, to June 30, 2013, in the amount of \$1,448,926; six yeas, zero nays. Resolution No. 475.

The following Board and Contract files were created as a result of documents received at this board meeting:

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter 11-325, Amend Comprehensive Land Use Plan, Ordinance 27, and Zoning Ordinance 46.—59317

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 11-334, Agreement with City of Tower for Paving CSAH 126.—59318

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 11-346, Award of Bid – Gasohol, Fuel Oil and Diesel Fuel.—59319

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Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 11-349, Request of Congress to Extend Federal Transportation Authorization Legislation at Current Funding Levels.—59320

Kevin Gray, County Administrator, and Barbara Hayden, Planning & Development Director, submitting Board Letter 11-352, HRA 2012 Proposed Levy.—59321

2012 Proposed Budget & Levy information.—59322

Kevin Gray, County Administrator, and James Gottschald, Employee Relations Director, submitting Board Letter 11-341, Jail Corrections Officers/Communications Bargaining Agreement – 2010/2011.—59323

Jerry Miklavcich, Hibbing, MN, submitting handout & petition regarding County State Aid Highway 16.—59324

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter 11-333, Vacation of a Segment of County Road 929 (Greenwood Township).—59325

Service Contract No. 4925-7 between the County of St. Louis and Waste Management of Minnesota, Inc., for garbage and recycling pick-up and disposal services at the Jean Duluth Toolhouse and Motor Pool South.—11-641

Supply Contract No. 4954 between the County of St. Louis and Industrial Fluid Technologies, LLC, for lubricating oils, greases, coolants and fluids.—11-642

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., for MP 697-97043, Culvert Replacement, Mill Bituminous Surface, Bituminous Pavement Reclamation, Plant Mixed Bituminous Surface, Aggregate Base & Aggregate Shouldering on County Road 697 (Tower-Soudan).—11-643

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., for MP 558-1296, Bituminous Pavement Reclamation, Bituminous Surfacing and Aggregate Shouldering on County Road 558 (Embarrass).—11-644

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14520A, between the St. Louis County Board of Commissioners and Peter Ackerman, RN.—11-645

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14699C, between the St. Louis County Board of Commissioners and Maria Allen.—11-646

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14523A, between the St. Louis County Board of Commissioners and Alpine Medical Alert, Inc.—11-647

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14780B, between the St. Louis County Board of Commissioners and Mary S. Atwood.—11-648

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14584B, between the St. Louis County Board of Commissioners and Balmer Adult Foster Home (Amity House).—11-649

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14706B, between the St. Louis County Board of Commissioners and Barbara Bernsdorf.—11-650

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14733A, between the St. Louis County Board of Commissioners and Lisa A. Brekke, RN.—11-651

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14695B, between the St. Louis County Board of Commissioners and Kathryn B. Brevik and Louis J. Brevik.—11-652

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14810B, between the St. Louis County Board of Commissioners and Kathy J. Carlson d/b/a Carlson's Home Plus.—11-653

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14587B, between the St. Louis County Board of Commissioners and Comfort Living AFC Homes.—11-654

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14722A, between the St. Louis County Board of Commissioners and Joyce Dixon and William Dixon.—11-655

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14728A, between the St. Louis County Board of Commissioners and Renee Eckstrom and Dennis Eckstrom.—11-656

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14744A, between the St. Louis County Board of Commissioners and Helen Giesen.—11-657

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14588B, between the St. Louis County Board of Commissioners and Barbara Gross Adult Foster Home. —11-658

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14718B, between the St. Louis County Board of Commissioners and Nancy Hintz d/b/a Hintz Adult Foster Care, LLC.—11-659

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14723A, between the St. Louis County Board of Commissioners and Mary Hughley and Arnold Hughley.—11-660

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14709B, between the St. Louis County Board of Commissioners and Susan Scufsa d/b/a The Pines.—11-661

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14726B, between the St. Louis County Board of Commissioners and Patricia Rongstad.—11-662

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14595C, between the St. Louis County Board of Commissioners and Nora Renne Adult Foster Home. —11-663

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14806B, between the St. Louis County Board of Commissioners and “R” Home Adult Foster Care.—11-664

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14730A, between the St. Louis County Board of Commissioners and Melvina Pringle.—11-665

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14724A, between the St. Louis County Board of Commissioners and Jeffrey Pringle and Laura Pringle.—11-666

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14748A, between the St. Louis County Board of Commissioners and Cheryl Nordeen.—11-667

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14704B, between the St. Louis County Board of Commissioners and Roxanne McMillen and Jeffrey McMillen.—11-668

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14710B, between the St. Louis County Board of Commissioners and Shannon Martin.—11-669

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14828A, between the St. Louis County Board of Commissioners and Vicki L. Lull, RN.—11-670

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14593B, between the St. Louis County Board of Commissioners and Claudette Lentz Adult Foster Home. —11-671

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14739A, between the St. Louis County Board of Commissioners and Theresa M. Krajewski, RN.—11-672

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14740A, between the St. Louis County Board of Commissioners and Natasha M. Klemer Tassone, RN.—11-673

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14738A, between the St. Louis County Board of Commissioners and Karen D. Johnson, RN.—11-674

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14702B, between the St. Louis County Board of Commissioners and Theresa St. Germain.—11-675

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14708B, between the St. Louis County Board of Commissioners and Cheryl Stauty d/b/a Cotton Country Manor.—11-676

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14596B, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home. —11-677

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14597B, between the St. Louis County Board of Commissioners and Tuominen Adult Foster Home. —11-678

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14717B, between the St. Louis County Board of Commissioners and Rita Vidal and José Vidal. —11-679

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14600B, between the St. Louis County Board of Commissioners and Welter Adult Foster Home. —11-680

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14570C, between the St. Louis County Board of Commissioners and Wesley Residence, Inc. —11-681

Upon motion by Commissioner Sweeney, supported by Commissioner Jewell, resolutions numbered 474 and 476 through 501, as submitted on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, the 2011 Minnesota Legislature authorized the Commissioner of Human Services to spend any unused supported work funds earned under the American Recovery and Reinvestment Act; and

WHEREAS, the Legislature appropriated funds to counties and tribes for Minnesota Family Investment Program (MFIP) Supported Work activities; and

WHEREAS, St. Louis County has been allocated additional MFIP Supported Work funding in the amount of \$259,792 for State Fiscal Year 2012.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the Minnesota Family Investment Program Supported Work allocation in the amount of \$129,896, to be placed in budget expenditures Fund 230, Agency 232020, Object 603800, Grant 23214, Project 99999999, Year 2011, and budgeted revenues in Fund 230, Agency 232020, Object 540213, Grant 23214, Project 99999999, Year 2011, for the period July 1, 2011, through December 31, 2011.

RESOLVED FURTHER, that the Public Health and Human Services Department will work with County Administration to place the balance of \$129,896, for the period of January 1, 2012, through June 30, 2012, in the Department's proposed 2012 budget.

Adopted September 13, 2011. No. 474

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WHEREAS, the St. Louis County Planning Commission, on March 10, 2011, initiated amendments to the Comprehensive Land Use Plan, Ordinance 27, and Zoning Ordinance 46; and

WHEREAS, the Planning Commission solicited comments for 90 days and held a public hearing on July 14, 2011, and recommends approval of the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board amends Ordinance 27, the Comprehensive Land Use Plan, and Zoning Ordinance 46 as follows:

Repeal Ordinance 27, Article II, Section 2, Town of Stuntz

Repeal Ordinance 27, Article II, Section 20, St. Louis County Water Plan 2000

Repeal Ordinance 46, Article VI, Section 11

Amend Ordinance 46, Article VI, Sections 12-27 to reflect the removal of Section 11

Remove Ordinance 46, Article IX, Section 8

Amend Ordinance 46, Article VIII, Section 1.01, as follows:

1.01 This ordinance shall be administered by the St. Louis County Planning Director, who shall provide assistance to any applicant in preparing ~~his~~ an application; advise the applicant as to the provisions of this ordinance; and shall conduct an inspection program. The planning director or designee shall review and make decisions on wetland replacement plans, banking plans, exemptions, no-loss and wetland boundary and type determinations shall also serve as county wetland coordinator and is responsible for administering the Minnesota Wetland Conservation Act.

Amend Ordinance 46, Article VIII, Section 1.03, as follows:

- C. Decisions by the Planning Director or designee on wetland replacement plans, banking plans, exemptions, no-loss, boundary and type determinations are final unless appealed to the board of adjustment by written notice, within 30 days of the date on which notification was mailed. Appeal hearings will be conducted in conformance with the standards for Variance hearings set forth in Article VIII, Section 5.
- D. Any person wishing to appeal the decision of the board of adjustment may appeal to district court in the manner described in Section ~~6-03~~ 5.03 of this article. Wetland decisions are final unless appealed to the Board of Water and Soil Resources within 30 days of the date on which notification of the decision was mailed.

RESOLVED FURTHER, that the effective date will be November 1, 2011.

Adopted September 13, 2011. No. 476

WHEREAS, the contract with Ted William Baumchen of Hibbing, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for land legally described as:

CITY OF HIBBING
SE 1/4 OF NE 1/4 EX S 1/2 AND EX N 330 FT
SEC 21 TWP 57 RGE 20
Parcel Code: 141-0020-02610
C22100085

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes 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

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by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the repurchase 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 County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted September 13, 2011. No. 477

WHEREAS, the contract with William R. & Debra L. Brouse of Duluth, MN, for the purchase of state tax forfeited land is in default for failure to provide proof of insurance; and WHEREAS, the purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

CITY OF DULUTH
LOT: 0030 BLOCK: 052
GARY FIRST DIVISION DULUTH
Parcel Code: 010-1800-13960
C22020023

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

WHEREAS, the previous owners of the property will be notified by posting of property or by mail.

NOW, 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 County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted September 13, 2011. No. 478

WHEREAS, under the provisions of Minn. Stat. § 282.341, Subd. 1, a contract for deed to repurchase state tax forfeited land previously cancelled may be reinstated by the previous contract holder subject to payment of installments, taxes, assessments, penalties, costs, and interest; and

WHEREAS, less than 50% of the basic sale price was paid prior to cancellation; therefore, County Board approval is required for reinstatement; and

WHEREAS, Judy Bechtold, Mt. Iron, MN, has requested to reinstate Contract C22100086, having been cancelled on 6/14/2011, under new Contract C22110089 for property legally described as:

CITY OF MT IRON
LOT: 0013 BLOCK: 004
MERRITTS 1ST ADDITION TO MOUNTAIN IRON
Parcel Code: 175-0020-00560

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110089 with Judy Bechtold of Mt. Iron, MN, in the amount \$1,850.29, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 13, 2011. No. 479

WHEREAS, the Duluth Housing and Redevelopment Authority has requested to purchase the following described state tax forfeited land for the reduced price of \$1,750, plus fees, for razing and future development purposes;

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Legal: W 1/2, Lot 91
DULUTH PROPER 1ST DIVISION EAST 6TH STREET
City of Duluth
Parcel Code: 010-1030-00730
0.08 Acres
LDKEY: 70345

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, non-conservation tax-forfeited land may be sold by the county board to an organized or incorporated governmental subdivision of the state for less than its market value if the county board determines that sale at a reduced price is in the public interest to provide an incentive to correct the blighted conditions that make the land undesirable in the open market, or the reduced price will lead to the development of affordable housing; 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.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of the state tax forfeited land, as described, to the Duluth Housing and Redevelopment Authority for \$1,750 plus the following fees: 3% assurance fee of \$52.50, deed fee of \$25, deed tax of \$5.78, recording fee of \$46, administration fee of \$150, and expense reimbursement of \$1159.75; for a total of \$3,189.03, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted September 13, 2011. No. 480

WHEREAS, in July 2011 the St. Louis County Public Works Department completed the realigned and reconstructed portion of County State Aid Highway (CSAH) 77 and County Road 929 (SAP 69-677-08/CP 9276) and a segment of the original alignment of County Road 929 is no longer needed and can be vacated as a public road; and

WHEREAS, the owners of the land adjoining this segment have requested that St. Louis County vacate the portions of County Road 929 as agreed upon now that the road work has been completed and the new road is open for travel.

The affected property is listed as follows:

Lot Four (4), Section Three (3), Township Sixty-Two (62), Range Sixteen (16), excepting that part lying South of the Angus Road, containing 2.97 acres, more or less, and excepting that portion of Lot Four (4), over which was platted the subdivision known as "Arrowhead Point", and excepting that part of Government Lot Four (4), Section Three (3), Township Sixty-Two (62), Range Sixteen (16) described as follows: From the SW corner of Government Lot Four (4), Section Three (3), Township Sixty-Two (62), Range Sixteen (16), go North along the West boundary line thereof for a distance of 1044.6 feet; thence angle 114 degrees to the right and go South 66 degrees to the Easterly right-of-way limits of the Wadman Road, a distance of 105 feet, more or less, to the point of beginning; thence continue South 66 degrees East for a distance of 407 feet; thence South 15 degrees West for a distance of 60 feet; thence South 60 degrees West for a distance of 195 feet, more or less, to the Easterly right-of-way limits of the Wadman Rd; thence NWLY along said right-of-way limits to the point of beginning, a distance of 345 feet, more or less, containing 1.0 acre, more or less, and except part of Lot 4 beginning at SE corner of Lot 22, Arrowhead Point, go SELY continuing from SLY boundary line of said Lot 22 100 ft; thence at a 90 degree angle NELY to lake shore, NWLY along shore to NELY corner of said Lot 22, SLY along ELY line of Lot 22 to point of beginning. (CVT 387-0010-00330) - Patrick & Ellen Trancheff, 4293 Arrowhead Point Road, Tower, MN 55790.

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NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 163.11, Subdivision 4, the St. Louis County Board vacates the portion of the original alignment of County Road 929 lying outside of the easement granted to St. Louis County by Patrick M. Trancheff and Ellen J. Trancheff recorded in the Office of the County Recorder on 05/01/2009 as Document Number 1106593. This vacation shall reserve easement for existing utilities within the vacated portion of the above described affected property as shown on the attached exhibit (Board File No. 59325).
Adopted September 13, 2011. No. 481

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and any amendments approved by the County Attorney's office, with the City of Tower for paving North 2nd Street on County State Aid Highway 126 in Tower, MN, whereby the county will pay for the bituminous wearing course mixture at the contract price of the material at a cost not to exceed \$25,000, payable from Fund 200, Agency 203240, Object 652800.
Adopted September 13, 2011. No. 482

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project SAP 69-598-034, State Bridge 69685 on County Road 492 in Sturgeon, MN; and
WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and
WHEREAS, the amount of the grant is anticipated to be \$560,458.00 by reason of the low responsible bid of \$789,737.60, submitted by Northland Constructors.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat., Section 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The appropriate county officials are authorized to execute grant agreement No. 98071 with the Minnesota Commissioner of Transportation concerning the above-referenced grant.

Roadway:	\$229,279.60	SLC Local funds
Bridge:	\$560,458.00	Fund 29 (Grant)
Total Project:	\$789,737.60	SAP 69-598-034

Adopted September 13, 2011. No. 483

WHEREAS, St. Louis County and the City of Hermantown entered into a Cooperative Agreement for the construction of Loberg Road within the City of Hermantown, dated May, 2009; and
WHEREAS, St. Louis County designated the new segment of Loberg Road, along with a portion of Mall Drive, within the City limits of Hermantown, as County Road 479; and
WHEREAS, County Road 479 (Loberg Road) is described as follows: Beginning at County State Aid Highway 6 (Maple Grove Road), constructed generally northerly along the 16th line between the Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼), and the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼), Section 13, Township 50 North, Range 15 West, a distance of approximately 0.80 mile and there terminating at State Trunk Highway No. 53; and
WHEREAS, County Road 479 (Loberg Road) was intended as a temporary County Road designation; and
WHEREAS, per Cooperative Agreement No. 005023, upon completion and final acceptance of the project described within the Agreement, the City of Hermantown has agreed to accept

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jurisdiction of all road and utilities located within the City of Hermantown that are constructed or improved as part of the Cooperative Agreement; and
WHEREAS, per Cooperative Agreement No. 005023, the City of Hermantown accepts all related right of way easements, all future maintenance costs and responsibilities, and all future reconstruction costs.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minn. Stat. § 163.11, Subdivision 9, the St. Louis County Board revokes or turns back the above described Loberg Road to the City of Hermantown.

Adopted September 13, 2011. No. 484

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

SP 69-597-005, CP 3700, State Project No. HPPH-STPH 160(001), located on Kirkus Street from Ugstad Road to Boundary Avenue in Proctor.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., August 15, 2011, and the low responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project as follows:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$4,989,250.00

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 220196, Object 652700.

With additional revenue budgeted for expense:

SLC - Fund 220, Agency 220001, Rev. Object 540702	\$3,331,801.64
City of Proctor - Fund 220, Agency 220001, Rev. Object 551502	\$1,657,448.36

Adopted September 13, 2011. No. 485

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

MP 8127-38652, CP 38652, located on UT 8127 (Hannon Rd.) 0.9 mi. East of CSAH 5 NW of Chisholm, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., August 29, 2011, and the low responsible bidder determined.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above project as follows:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$258,200.00

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 210, Agency 210037, Object 652800.

Adopted September 13, 2011. No. 486

WHEREAS, the Purchasing Division solicits bids annually for the purchase of fuels for use throughout the county; and

WHEREAS, the county reserves the right to test fuel to make sure the fuel meets the requirements of the contract and that the mixture of number one and number two diesel fuels meets requirements; and

WHEREAS, the Purchasing Division received bids from eight different vendors; and

WHEREAS, each location and fuel type is treated as a separate bid award providing the county with the lowest cost.

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NOW, THEREFORE, BE IT RESOLVED, the St. Louis County Board authorizes the Purchasing Division to purchase fuels from the vendor with the lowest net cost as indicated on the attached Bid Tabulation filed in County Board File No. 59319.

Adopted September 13, 2011. No. 487

WHEREAS, St. Louis County has been awarded \$400,000 in General Obligation Bond funds through the Minnesota Department of Management and Budget (MMB) for the construction of the Depot roof repair project, SP 69-595-006, CP 3761, at the St. Louis County Heritage and Arts Center in Duluth, MN; and

WHEREAS, the Commissioner of MMB has given notice that funding for this project is available; and

WHEREAS, the amount of the grant is anticipated to be \$400,000 by reason of the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Statutes, and will pay any additional amount by which the cost exceeds the estimate and available federal funding and bond proceeds.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute the grant agreement with the Minnesota Commissioner of Management and Budget concerning the above-referenced grant.

Adopted September 13, 2011. No. 488

WHEREAS, the 2011-2014 State Transportation Improvement Plan has been approved by the Federal Highway Administration; and

WHEREAS, the City of Duluth has an approved project SP 118-198-003, sequence number 39, in Federal Fiscal Year 2011; and

WHEREAS, the federal funded portion of this project is \$1,218,000; and

WHEREAS, St. Louis County has an approved project SP 69-613-032, sequence number A2154, in Federal Fiscal Year 2011; and

WHEREAS, the federal funded portion of this project is \$2,200,076.57; and

WHEREAS, the St. Louis County project SP 69-613-032 initially had insufficient federal funds towards meeting eighty percent (80%) federal participation; and

WHEREAS, it would be mutually beneficial for both the City of Duluth and St. Louis County to allow the transfer of federal funds from the City of Duluth project SP 118-198-003 to St. Louis County project SP 69-613-032; and

WHEREAS, St. Louis County would allow the transfer from its Regular State Aid Construction account in an amount equal to the transfer of City of Duluth federal funds to St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board agrees to the following:

1. The City of Duluth shall transfer by State Transportation Improvement Plan amendment \$1,218,000 in 2011 State Transportation Program federal funds from project SP 118-198-003 to St. Louis County project SP 69-613-032.
2. St. Louis County shall transfer from its 2011 Regular State Aid Construction account \$1,218,000 to the City of Duluth.
3. The City of Duluth shall use the St. Louis County Regular State Aid Construction funds for construction of SP 118-198-003.

Adopted September 13, 2011. No. 489

WHEREAS, transportation infrastructure investment is a core government responsibility and as the economy struggles to recover, now is the time to renew these foundational

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commitments, not scale them back; and

WHEREAS, addressing transportation challenges is critical to economic growth and output, this nation cannot get back on its feet economically if it cannot move people and goods efficiently; and

WHEREAS, Minnesota relies on federal funds for about 45% of the transportation spending and in the wake of the state government shutdown that idled close to 100 construction projects, the state cannot afford to lose any federal transportation funds or have a delay in the receipt of dollars needed for Minnesota projects; and

WHEREAS, the 35% cut from current funding as laid out in the House budget will be devastating to Minnesota, resulting in a cut of \$220 million every year for highways and \$54 million each year for transit; and

WHEREAS, the current extension of the surface transportation authorization act known as SAFETEA-LU, as well as authorization to collect the user fees that are deposited into the Highway Trust Fund, will expire on September 30, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board urges the members of the Minnesota Congressional Delegation to support the passage of legislation by September 30, 2011, that will maintain current levels of federal funding for surface transportation including the federal highway and transit programs.

Adopted September 13, 2011. No. 490

WHEREAS, the St. Louis County Board is authorized to act on behalf of Unorganized Townships for purposes of furnishing fire protection and first responder services, pursuant to Minnesota Statutes, Section 365.243; and

WHEREAS, the following legally organized corporations under the State of Minnesota have notified St. Louis County of their intent to provide fire protection and/or first responder services in said townships for the year 2012.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor is authorized to spread local levies for the furnishing of fire protection and/or first responder services in unorganized townships within St. Louis County beginning January 1, 2012, and to enter into agreements with the listed corporations for the provision of these services as follows:

City of Babbitt

Unorganized Townships 61-12 & 61-13 \$54,600

City of Chisholm

Unorganized Township 59-21 (part of) \$15,448

City of Cook

Unorganized Township 62-17 \$1,575

Unorganized Township 63-17 \$5,775

City of Floodwood

Unorganized Township 52-21 \$12,818

City of Orr

Unorganized Township 63-19 \$2,891

Unorganized Township 66-20 \$6,986

Bearville

Unorganized Township 62-21 \$3,960

Central Lakes

Unorganized Township 56-17 \$32,550

Colvin

Unorganized Township 55-15 (part of) \$8,467

Ellsburg

Unorganized Township 55-15 (part of) \$4,763

Embarrass

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Unorganized Township 61-14	\$5,565
<u>Evergreen</u>	
Unorganized Townships 60-19 & 60-20	\$23,100
<u>French</u>	
Unorganized Township 59-21 (part of)	\$1,026
<u>Gnesen</u>	
Unorganized Township 53-15	\$16,275
<u>Greenwood</u>	
Unorganized Township 63-15	\$6,825
<u>Lake Kabetogama</u>	
Unorganized Townships 58-19, 69-19, 67-20, 68-20, 67-21 & 68-21	\$29,610
<u>Lakeland</u>	
Unorganized Township 57-16	\$55,301
<u>Makinen</u>	
Unorganized Township 56-16	\$48,300
<u>Morse-Fall Lake</u>	
Unorganized Townships 64-12 & 64-13	\$6,930
<u>Northland</u>	
Unorganized Township 53-16	\$18,900
<u>Pequaywan Lake</u>	
Unorganized Township 54-13	\$3,255
<u>Pike-Sandy-Britt Region</u>	
Unorganized Township 59-16	\$7,126
Unorganized Township 60-18	\$37,068
<u>Silica</u>	
Unorganized Township 55-21	\$47,250
Adopted September 13, 2011. <u>No. 491</u>	

RESOLVED, that pursuant to Minn. Stat. § 49.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (raffle) on file in the office of the County Auditor, identified as County Board File No. 59219, for the following organization:

Gnesen Volunteer Fire Department, 4504 Datka Road, Duluth, MN, 55803, to conduct off-site gambling on October 22, 2011, raffle, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN, 55803, Gnesen Township.

Adopted September 13, 2011. No. 492

WHEREAS, St. Louis County has been leasing space to the Northern Communities Credit Union (NCCU) on the first floor of the county's Government Services Center (GSC) in Duluth, comprised of 35 square feet. The lease expired on May 31, 2010; and

WHEREAS, remodeling of the first floor of the GSC required the NCCU space to be relocated and a new secured space of 80 square feet was constructed; and

WHEREAS, after discussions between the St. Louis County Property Management Department and NCCU, it was agreed the former annual rental rate of \$468.65 would continue for the period ending December 31, 2011, and effective January 1, 2012, the rate for the 80 square foot space will be \$880 annually (\$11.00/sq. ft.); and

WHEREAS, St. Louis County and NCCU wish to enter into a new 5-year lease agreement with option to renew annually pending renegotiations and approval of both parties after the initial 5-year term.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the

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appropriate county officials to enter into a 5-year lease with Northern Communities Credit Union retro-active to June 1, 2010, and through May 31, 2015, and with mutual agreement, parties shall have the option to renew annually thereafter, with revenues payable to Fund 100, Agency 128003.

Adopted September 13, 2011. No. 493

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. 59185.

Adopted September 13, 2011. No. 494

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes St. Louis County to pool unorganized town road levies pursuant to Minn. Stat. §163.06.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, acting on behalf of unorganized townships for the purpose of road and bridge maintenance and construction, adopts and certifies a maximum levy of \$730,000 for the year 2012 to be levied only in such unorganized townships.

Adopted September 13, 2011. No. 495

WHEREAS, the St. Louis County Housing and Redevelopment Authority (HRA) must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 15, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board certifies the HRA maximum property tax levy for 2012 in the amount of \$206,872.

Adopted September 13, 2011. No. 496

WHEREAS, the Virginia courthouse is overcrowded, has critical security issues, obsolete HVAC and mechanical infrastructure, energy inefficient shell and windows, and has no energy management system; and

WHEREAS, the Virginia courthouse remodel will complete the building's long term master plan and bring the facility up to date for building safety, building code, and current efficiency standards; and

WHEREAS, the 2010A bond project package includes the remodeling, energy upgrades, window replacement, and new addition project for the Virginia courthouse (October 5, 2010, Board Resolution No. 10-480); and

WHEREAS, two of the existing storage buildings and the maintenance shop are being eliminated and/or re-purposed, resulting in required replacement; and

WHEREAS, the St. Louis County Purchasing Division issued a Request for Quotes, resulting in a competitive selection process for the maintenance shop building construction with Northwoods Construction of Virginia, Minnesota, providing the lowest responsible quote.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a professional construction contract with Northwoods Construction of Virginia, Minnesota, in an amount of \$52,500 to construct a maintenance shop as the first phase of the Virginia courthouse upgrade and addition project, payable from Fund 439, Agency 439001 – 2010A bond sale proceeds.

Adopted September 13, 2011. No. 497

WHEREAS, St. Louis County has operated the High Line human resources and payroll software application for over six years; and

WHEREAS, there have been ongoing operating and technical computer system performance challenges which have prevented implementation of added service modules; and

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WHEREAS, the Auditor and Employee Relations Director have investigated the performance issues and believe the High Line hosting option will improve system operation to an acceptable level.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an addendum computer software hosting agreement with High Line, Inc., for a fee of \$57,381 per year for three years, payable in 2011 from Fund 100, Agency 115001, Object 634800.

RESOLVED FURTHER, that for future years in which the High Line human resources and payroll software is used, the County Board authorizes the appropriate county officials to contract for annual software hosting.

Adopted September 13, 2011. No. 498

WHEREAS, Minn. Stat. § 275.065 requires that counties establish a public meeting date for the purpose of receiving comments from the public on the proposed property tax levy and operating budget for the year 2012 prior to adopting a final levy and budget.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board establishes the following schedule for public meetings to gather comment on the proposed property tax levy and operating budget for year 2012:

First public meeting:

Thursday, December 1, 2011, 7:00 p.m., St. Louis County Courthouse, Virginia, MN.

Second public meeting:

Thursday, December 8, 2011, 7:00 p.m., St. Louis County Courthouse, Duluth, MN.

Adopted September 13, 2011. No. 499

RESOLVED, that the 2010/2011 Jail Corrections Officers/Communications Unit contract is approved and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59323.

Adopted September 13, 2011. No. 500

WHEREAS, the Minnesota Internet Crimes Against Children Task Force is established to coordinate efforts to apprehend and prosecute offenders who use digital technology, and target offenses that relate to the production, distribution and possession of child pornography; and

WHEREAS, the St. Louis County Sheriff's Office desires to continue participation as a member of the Minnesota Internet Crimes Against Children Task Force.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes renewal of a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension, Minnesota Internet Crimes Against Children Task Force, and authorizes the appropriate county officials to sign the Agreement.

Adopted September 13, 2011. No. 501

BY COMMISSIONER NELSON:

WHEREAS, the St. Louis County Board must establish a maximum proposed property tax levy and have this amount certified to the County Auditor by the St. Louis County Board by September 15, 2011.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board certifies the maximum property tax levy for 2012 in the amount of \$110,018,889.

Yeas – Commissioners Jewell, Forsman, Sweeney, Nelson, and O'Neil – 5

Nays – Commissioner Dahlberg – 1

Adopted September 13, 2011. No. 502

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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BY COMMISSIONER JEWELL:

WHEREAS, the Duluth Housing and Redevelopment Authority has requested to purchase state tax forfeited land for the appraised value of \$180,000, plus fees, for conveyance to Spirit Valley Land Company; 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, 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, 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 such 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 all parcels classified as conservation in County Board File No. 59218 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.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of state tax forfeited land described in County Board File No. 59218 to the Duluth Housing and Redevelopment Authority for \$180,000 plus the following fees: 3% assurance fee of \$5,400, deed fee of \$25, deed tax of \$594, recording fee of \$672, administration fee of \$250, and appraisal reimbursement of \$3,500; for a total of \$190,441, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the request for approval of the reclassification and sale of state tax forfeited land will be transmitted by the St. Louis County Land Department to the Clerk of the City of Duluth.

RESOLVED FURTHER, that the St. Louis County Auditor shall offer for sale, at public auction, the state tax forfeited land described here if the Duluth HRA does not purchase the land by December 31, 2011.

Unanimously adopted September 13, 2011. No. 503

BY COMMISSIONER DAHLBERG:

WHEREAS, the State of Minnesota has appropriated money to fund supportive services in the housing programs that serve individuals, unaccompanied youth, and families experiencing homelessness; and

WHEREAS, a regional proposal submitted by Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, and St. Louis counties, and the Bois Forte, Fond du Lac, and Grand Portage Bands of the Minnesota Chippewa Tribe was awarded grant funds to provide services to end long-term homelessness; and

WHEREAS, the State of Minnesota wishes to contract with St. Louis County to serve as fiscal agent for the Northeast Minnesota Project to End Long-Term Homelessness; and

WHEREAS, Hearth Connection wishes to contract with St. Louis County to manage and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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administer the Northeast Minnesota Project to End Long-Term Homelessness.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Public Health and Human Services Department (PHHS) to contract with the State of Minnesota to receive \$1,448,926 for the Northeast Minnesota Project to End Long-Term Homelessness from July 1, 2011, to June 30, 2013, with funds to be deposited into Fund 230, Agency 232001, Object 607200, Grant 23205, Project 99999999, Grant Year 2011, in the amount of \$362,231.

RESOLVED FURTHER, that PHHS will work with County Administration to place \$724,463, for the period of January 1, 2012, through December 31, 2012, in the Department's 2012 budget.

RESOLVED FURTHER, that PHHS will work with County Administration to place \$362,232, for the period of January 1, 2013, through June 30, 2013, in the Department's 2013 budget.

RESOLVED FURTHER, that the appropriate St. Louis County officials are authorized to contract with Hearth Connection to manage and administer the Northeast Minnesota Project to End Long-Term Homelessness, and the county will pay Hearth Connection based on invoices submitted for services performed from July 1, 2011, to June 30, 2013, to be paid from Fund 230, Agency 232001, Object 607200, Grant 23205, Project 99999999, Grant year 2011.

Unanimously adopted September 13, 2011. No. 475

At 12:26 p.m., September 13, 2011, Commissioner Jewell, supported by Commissioner Sweeney, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, Chair of the County Board
of Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 27, 2011**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of September, 2011, at 9:36 a.m., in the Ely Recreation Center, Ely, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Keith Nelson, and Steve Raukar - 7. Absent: None.

Chair O'Neil asked for a moment of silence to honor U.S. troops serving throughout the world and their families as well as all persons adversely affected by war.

Commissioner Forsman recognized the Dream Machine Motor Club for excellence in the arts and sciences. Commissioner Forsman read an article from the Mesabi Daily News which described how the Dream Machine Motor Club helped a car show participant when her car broke down and distributed a handout on the club's history and mission. A video was shown of the Dream Machine Car Club activities.

At 9:53 a.m., Chair O'Neil called for a recess for pictures and to view some of the vintage cars that were brought in by the members of the Dream Machine Car Club.

At 10:14 a.m., the county board reconvened with all members present.

Chair O'Neil opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and no one chose to do so.

Commissioner Sweeney, supported by Commissioner Raukar, moved to approve the consent agenda. In response to a question from Commissioner Raukar regarding item seven on the consent agenda, Administrator Gray said he will send a note to the board on the county's fiscal responsibility for the Joint Powers Agreement with the 6th Judicial Court. The consent agenda passed; seven yeas, zero nays.

Commissioner Forsman recognized the Mayor of Orr, Dale Long, who was in attendance at the meeting.

Commissioner Sweeney, supported by Commissioner Nelson, moved to suspend the rules to consider the purchase of office furniture for the Sheriff's Office.

Commissioner Sweeney, supported by Commissioner Jewell, moved to approve the purchase of furniture for the Sheriff's Office first floor remodeling project in the Duluth Courthouse. Administrator Kevin Gray said the remodeling project is on schedule and office furniture is needed for the newly remodeled space. Administrator Gray said this furniture is on state contract and will be purchased from Northern Business Products in Duluth, MN, using Sheriff's budget savings. Commissioner Sweeney said the old furniture was surplus and purchased 10 years ago, adding it does not fit the new space. In response to a question from Commissioner Nelson, Administrator Gray said the policy is that each department is responsible for furniture and fixtures, and he will provide a summary of expenditures to date. Commissioner Dahlberg said he would like to see a breakdown of the itemized furniture expenditure. The motion passed, seven yeas, zero nays. Resolution No. 513.

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Commissioner Raukar acknowledged the communication from Representatives Tom Rukavina and Carly Melin, and Senator Tomassoni regarding their objection to closing the 911 Call Center in Virginia, noting they were doing their job, just as the county has to do our job redesigning the way we do business.

The following Board and Contract files were created as a result of documents received at this Board meeting:

Commissioner Forsman submitting information on Dream Machines Motor Club.—[59326](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 11-355, Designation of Sheep Ranch Road – Unorganized Township Road 8197.—[59327](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 11-356, Acquisition of Right of Way – County Project 98840.—[59328](#)

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers LLP for Duluth Courthouse Cornice Repair Design and Specifications and Project Administration.—[11-682](#)

Agreement for Professional Services between the County of St. Louis and Foster, Jacobs & Johnson, Inc., for Government Services Center – Facility Power Quality Study.—[11-683](#)

Minnesota Department of Public Safety Option Notice to extend Lease PS0207 between St. Louis County and the State of Minnesota, Department of Administration, for the St. Louis County Service Center, 320 Miners Drive East, Ely, MN, for the period August 1, 2011, through July 31, 2013.—[11-684](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14775A, between the St. Louis County Board of Commissioners and Arlene Sipola.—[11-685](#)

State of Minnesota Federal Boating Safety Supplemental Equipment Grant Agreement, Contract No. 30-1434, between the State of Minnesota, Commissioner of Natural Resources, and the St. Louis County Sheriff's Department.—[11-686](#)

Memorandum of Understanding between Lake County and St. Louis County for 2010 State Homeland Security Grant for ARMER Integration.—[11-687](#)

Memorandum of Understanding between Carlton County and St. Louis County for 2010 State Homeland Security Grant for ARMER Integration.—[11-688](#)

Agreement for Professional Services between St. Louis County and Duluth Archaeology Center, LLC, for Phase 1 Archaeology Survey on County State Aid Highway 7 at County Bridge No. 808 (SAP 069-607-047, CP 98840).—[11-689](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14853A, between the St. Louis County Board of Commissioners and Randi Almquist and Ruth Polling.—[11-690](#)

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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14812A, between the St. Louis County Board of Commissioners and Aspen Grove Alternative Senior Living.—11-691

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14732A, between the St. Louis County Board of Commissioners and Laura Bodin, LPN.—11-692

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14663A, between the St. Louis County Board of Commissioners and Terri JoAnne Bouchie.—11-693

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14589B, between the St. Louis County Board of Commissioners and Dallmann Adult Foster Home.—11-694

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14694A, between the St. Louis County Board of Commissioners and Employment Links, LLC.—11-695

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14784B, between the St. Louis County Board of Commissioners and Mary Gargano d/b/a Gargano Adult Foster Care.—11-696

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14592B, between the St. Louis County Board of Commissioners and William and Terry Johnson Foster Home. —11-697

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14721C, between the St. Louis County Board of Commissioners and Ryan Kesselhon and Lora Kesselhon.—11-698

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14753B, between the St. Louis County Board of Commissioners and Shannon Lustila and Lelyn Lustila d/b/a Alternative Senior Living.—11-699

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14759B, between the St. Louis County Board of Commissioners and Mark D. Nelson and Mona K. Nelson d/b/a Bayside Adult Foster Home. —11-700

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14661A, between the St. Louis County Board of Commissioners and Mary Jane Wentland.—11-701

Home and Community-Based Waiver Services Contract, Contract No. 14875, between the St. Louis County Board of Commissioners and DRN Enterprises, Inc., d/b/a Arrow Lift Accessibility.—11-702

Home and Community-Based Waiver Services Contract, Contract No. 14880, between the St. Louis County Board of Commissioners and Nicholas J. Schunk Construction, LLC.—11-703

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14631B, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Homes.—11-704

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14719B, between the St. Louis County Board of Commissioners and Donna Rowan and Ernest Rowan.—11-705

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14606C, between the St. Louis County Board of Commissioners and St. Ann's Residence.—11-706

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14609A, between the St. Louis County Board of Commissioners and Lifeline Systems Company d/b/a Philips Lifeline.—11-707

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14703B, between the St. Louis County Board of Commissioners and Jean Truman d/b/a Quilt Haven.—11-708

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14752A, between the St. Louis County Board of Commissioners and Freddie M. Davis and Patricia S. Davis.—11-709

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14650A, between the St. Louis County Board of Commissioners and ARC Northland.—11-710

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14746A, between the St. Louis County Board of Commissioners and SMDC Health System d/b/a Midwest Medical Equipment and Supplies, Inc.—11-711

Addendum to Contract No. 20941A, between the St. Louis County Public Health and Human Services Department and Northeast Minnesota Office of Job Training for Statewide.—11-712

Group Residential Housing Rate Agreement, Contract No. 50968, between the St. Louis County Board of Commissioners and Trillium Services – Decker.—11-713

Grant Agreement, Contract No. 20952, between the St. Louis County Board of Commissioners and Lutheran Social Services for Family Group Decision Making (FGDM).—11-714

Fire Protection and First Responder Services Agreement between the County of St. Louis and Embarrass Regional Volunteer Fire Department, Inc., for services in Unorganized Township 61-14 during 2012.—11-715

Agreement for Professional Services between St. Louis County and Ramsland & Vigen, Inc., for appraisal services for right of way acquisition for reconstruction of CSAH 91, Haines Road, Cities of Hermantown and Duluth (SAP 69-691-020, CP 8269).—11-716

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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Upon motion by Commissioner Sweeney, supported by Commissioner Raukar, resolutions numbered 504 through 512, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 6, 2011, are hereby approved.
Adopted September 27, 2011. No. 504

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 13, 2011, are hereby approved.
Adopted September 27, 2011. No. 505

WHEREAS, the St. Louis County Board designated an official system of unorganized township roads by Resolution No. 71-637, dated October 26, 1971; and

WHEREAS, the location of Unorganized Town Road 8002, also known as the Sheep Ranch Road, was described as being in Sections 19, 20, 21, and 22 of Township 67 North, Range 20 West; and

WHEREAS, Unorganized Town Road 8002, also known as the Sheep Ranch Road, was re-designated as Unorganized Town Road 8197 by Resolution No. 09-491, dated November 3, 2009; and

WHEREAS, at the time of its original designation through the present day, Unorganized Town Road 8002, known now as Unorganized Town Road 8197, was also located in Section 15, Township 67 North, Range 20 West.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board establishes the location of Unorganized Town Road 8197 to include the portion of road located in Section 15, Township 67 North, Range 20 West, the centerline of which is described as follows: Commencing at the east $\frac{1}{4}$ corner of Section 15, Township 67 North, Range 20 West, thence Southerly along the east line of said section on an assumed bearing of South 01 degrees 26 minutes 05 seconds West, a distance of 2169.11 feet to the point of beginning of the centerline to be described; thence North 42 degrees 25 minutes 14 seconds West, a distance of 1020.236 feet; thence South 63 degrees 04 minutes 28 seconds West, a distance of 2270.99 feet to the approximate south line of said section there terminating.

Adopted September 27, 2011. No. 506

WHEREAS, the St. Louis County Public Works Department plans to replace County Bridge No. 808 and to reconstruct approximately 1800 feet of the adjacent County State Aid Highway 7 (Industrial Road) located approximately 1.6 miles west of State Aid Highway 33 in Industrial Township (T51N-R17W); and

WHEREAS, these improvements consist of bridge replacement and realignment, widening and reconstruction of the roadway as determined necessary for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, additional land is required for this construction (together with temporary construction easements).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the acquisition of the necessary land and temporary easements for this project, payable from Fund 200, Agency 203001, Objects 636500 and 636600.

RESOLVED FURTHER, that the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across State of Minnesota Trust lands located in the Southeast Quarter of Section 16, Township 51 North, Range 17 West of the

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Fourth Principal Meridian, more or less, over the course of the existing County State Aid Highway 7. A complete description of the easement area will be provided to the State of Minnesota when the survey of same is completed, prior to formal easement application. Adopted September 27, 2011. No. 507

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. 59185. Adopted September 27, 2011. No. 508

WHEREAS, as part of the St. Louis County master space plan, the county purchased the Government Services Center (GSC) from the State of Minnesota in 2002; and WHEREAS, there presently is vacant office space in the GSC affording the opportunity to begin a phased approach to implementing the master space plan; and WHEREAS, the GSC first floor remodeling project included centralized intake for Public Health & Human Services, secure interview rooms, shared reception spaces, HVAC upgrades, security upgrades/improvements, and general remodeling upgrades to meet current building codes and improve departmental operational efficiency and security needs; and WHEREAS, Meyer Group Architects' supplemental agreement for the project was in the amount of \$23,560, and additional services for remodeling the Initial Intervention Unit, unaccounted for printing costs, and project schedule delays required an additional \$14,877, resulting in a total professional service agreement of \$38,437. NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to amend a contract with Meyer Group Architects, Duluth, Minnesota, in the amount of \$14,877 for a contract total of \$38,437, for the additional design, specifications, and project management services for the first floor remodeling of the Government Services Center in Duluth, payable from Fund 400, Agency 400006. Adopted September 27, 2011. No. 509

RESOLVED, that the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 59197, are hereby approved and the County Auditor shall issue checks in the following amounts:

AUGUST 2011		
100	General Fund	\$5,364,016.25
149	Personnel Service Fund	557.00
150	Sheriff's Nemesis Fund Group	11,687.73
160	MN Trail Assistance	10,478.96
167	Attorney's Forfeitures	5,079.71
168	Sheriff's State Forfeitures	2,202.44
169	Attorney Trust Accounts-VW	353.63
170	Boundary Waters-Forfeiture	999.00
173	Emergency Shelter Grant	32,910.16
179	Enhanced 9-1-1	15,282.17
180	Law Library	38,906.38
183	City/County Communication	2,030.19
184	Extension Service	43,942.50
200	Public Works	4,409,287.60
210	Road Maint – Unorg Townships	59,278.56
220	State Road Aid	4,449,275.59
230	Public Health & Human Services	5,953,691.20

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
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240	Forfeited Tax	411,368.65
250	St. Louis County HRA	154,050.00
260	CDBG Grant	75,885.91
261	CDBG Program Income	2,805.98
270	Home Grant	26,448.45
290	Forest Resources	40,414.30
400	County Facility	128,606.06
405	Public Works Building Const	7,289.00
407	Public Works Equipment	35.94
437	2008A Capital Equipment Note	293,624.00
438	2008B Capital Improvement Bond	232,973.26
439	2010A Capital Improvement Bond	249,729.75
600	Environmental Services	510,917.91
616	On-Site Waste Water Division	35,052.63
640	Plat Books	11,872.50
705	Postage Office Supplies	28,957.37
715	County Garage	176,666.02
720	Property Casualty Liability	189,036.99
730	Workers Compensation	188,834.72
770	Retired Employees Health Ins	296.70
825	Taconite Relief/Other	30,438.00
826	Taconite Production Tax	5,775,846.00
900	State of Minnesota	1,348,590.32
902	Courts	248,322.49
908	Cities and Towns Taxes	76,116.37
909	Tax Refunds	72,910.27
910	School Districts Taxes	157,370.22
925	Arrowhead Regional Corrections	1,765,869.72
955	Community Health Board	270,183.53
985	Collective Local Collaborative	35,631.89
989	Regional Railroad Authority	217,743.89
994	Sheriff Forfeits/Evidence	121.05
995	Region 3 Adult Mental Health I	265,819.00
998	MPL-DUL Train Alliance	<u>23,579.87</u>
		\$33,453,387.83

Adopted September 28, 2011. No. 510

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated September 9, 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.

Adopted September 27, 2011. No. 511

WHEREAS, the State of Minnesota acting through the 6th Judicial District Court, occasionally requests the Sheriff's Office to conduct criminal histories on name change applicants, pursuant to Minnesota Stat. § 259.11(b); and

WHEREAS, the Federal Bureau of Investigations Criminal Justice Information System Security Policy requires the Sheriff's Office and the 6th Judicial District Court to have an agreement in place to perform this service; and

WHEREAS, the St. Louis County Sheriff's Office wishes to continue this service for the Court.

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Sheriff to enter into a Joint Powers Agreement with the 6th Judicial District Court for the purpose of conducting criminal histories on name change applicants, and authorizes the appropriate county officials to sign any associated agreement documents.

Adopted September 27, 2011. No. 512

BY COMMISSIONER SWEENEY:

WHEREAS, with the near completion of the Sheriff's first floor remodel project in the Duluth Courthouse, furniture for the Sheriff's offices needs to be purchased; and

WHEREAS, Northern Business Products is able to supply and install furniture through Herman Miller, a vendor on the state contract price system, at a total cost of \$111,744.37.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a contract with Northern Business Products for Sheriff's office furniture in the amount of \$111,744.37, to be accounted for in Fund 100, Agency 129003, Object 640300.

Unanimously adopted September 27, 2011. No. 513

At 10:32 a.m., September 27, 2011, Commissioner Sweeney, supported by Commissioner Raukar, moved to adjourn; seven yeas, zero nays.

Steve O'Neil, Chair of the County Board
of Commissioners

Attest:

Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)