

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

FEBRUARY, 2012

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 7, 2012

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 7th day of February, 2012, at 9:33 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson – 7. Absent: None.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety and those who protect our freedom, followed by the pledge of allegiance.

Ms. Kim Crawford, Executive Director for Life House, thanked the board for their support. Ms. Crawford said Life House serves over 650 youth, ages 14-20 that are homeless or in need.

Commissioner Sweeney announced there will be a memorial service in Duluth for Ellen Pence, who passed away on January 6, 2012. Ms. Pence was co-founder of Duluth's world-renowned Domestic Abuse Intervention Project, and an advocate for victims of abuse. The memorial service will be held at the new Public Safety Campus, 2030 N. Arlington Avenue, Duluth, Minnesota, on February 15, 2012, from 3:30-5:30 p.m.

Commissioner Forsman, supported by Commissioner Dahlberg, moved to approve the consent agenda. At the request of Commissioner Sweeney, item 19, hazardous fuels reduction grant, was pulled for separate consideration. At the request of Commissioner Jewell, item 17, reallocation of an Investigator position to an Attorney I, was removed for separate consideration. The remainder of the consent agenda was approved; seven yeas, zero nays.

Commissioner Sweeney supported by Commissioner O'Neil, moved to approve a resolution for the acceptance of the 2011 Hazardous Fuels Reduction Grant, with a correct budget code and corrected dates of the grant period. This resolution also rescinds resolution 11-668, dated December 20, 2011; seven yeas, zero nays. Resolution No. 12-069.

Commissioner Jewell, supported by Commissioner O'Neil, moved to approve reallocation of a vacant Investigator position to an Attorney I position. Commissioner Jewell said he pulled this item to get more background on the change. In response to a question from Commissioner Sweeney, Administrator Gray said the position has been open for a while, and the decision to change the position is to provide the best staffing mix to serve the county, noting this came to the board due to the incremental pay increase. In response to a question from Commissioner Raukar, Human Resources Director Jim Gottschald said the pay for an Attorney I is approximately \$15-16,000 more than the Investigator position, however it would be prorated for 2012. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 12-067.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

28

Chair Nelson announced that a closed session would take place in Committee of the Whole at approximately 11:30 a.m. for the purpose of labor negotiations.

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

Mark Monacelli, County Recorder & Registrar of Titles, submitting report of business transacted and monies received during the year 2011.—[59399](#)

Kevin Gray, County Administrator, Tony Mancuso, Property Management Director, and Robert Krepps, Land Commissioner, submitting Board Letter No. 12-24, Reconveyance of State Tax Forfeited Land from St. Louis County Ownership.—[59400](#)

Abatement lists for Board approval submitted during 2012.—[59401](#)

Kevin Gray, County Administrator, and James Gottschald, Director of Human Resources, submitting Board Letter No. 12-35, Sheriff's Supervisory Association Bargaining Agreement 2010/2011.—[59402](#)

Kevin Gray, County Administrator, submitting Board Letter No. 12-19, Renewal of Joint Powers Agreement for the Conservation and Management of Clean Water – Voyageurs National Park.—[59403](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 12-21, Easement Request from Drift-Toppers Snowmobile Club (Rice Lake Township)—[59404](#)

Easements over State Tax Forfeited Lands approved during 2012.—[59405](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 12-27, Agreements with Breitung Township for County Projects 111484, 121198, and 21195.—[59406](#)

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 12-28, Acquisition of Right of Way for County Project 1487 (Fayal Township).—[59407](#)

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 12-32, Correction of 2011 Hazardous Fuels Reduction Grant Resolution.—[59408](#)

Agreement for Professional Services between the County of St. Louis and Robert M. Olen for horticulture education for the period January 3, 2012 through December 31, 2012.—[12-74](#)

Agreement for Professional Services between the County of St. Louis and Kendall Dykhuis for agriculture education for the period January 3, 2012 through December 31, 2012.—[12-75](#)

Agreement for Purchase of Services, contract No. 12-006866, between the County of St. Louis and St. Louis County Promotional Bureau – Camp Esquagama.—[12-76](#)

Agreement for Professional Services between the County of St. Louis and North St. Louis Soil and Water Conservation District for general services from January 1, 2012 through December

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

29

31, 2012.—12-77

Purchase of Service Agreement, Contract No. 14969, between St. Louis County and Saint Louis County Council on Aging for social and recreational services for senior citizens from January 1, 2012 to December 31, 2012.—12-78

Purchase of Service Agreement, Contract No. 14905, between St. Louis County and Lake Superior Community Health Center for social services from January 1, 2012 to December 31, 2012.—12-79

Purchase of Service Agreement, Contract No. 14910, between St. Louis County and Arrowhead Economic Opportunity Agency – Retired and Senior Volunteer Program for social services from January 1, 2012 to December 31, 2012.—12-80

Purchase of Service Agreement, Contract No. 14919, between St. Louis County and Indian Legal Assistance Program for social services from January 1, 2012 to December 31, 2012.—12-81

Purchase of Service Agreement, Contract No. 14909, between St. Louis County and United Way of Greater Duluth for 211 Information and Referral and 211 Disaster Preparedness from January 1, 2012 to December 31, 2012.—12-82

Purchase of Service Agreement, Contract No. 14915, between St. Louis County and First Witness for Forensic Child Interviews and Forensic Interview Training from January 1, 2012 to December 31, 2012.—12-83

Home and Community-Based Waiver Services Contract, Contract No. 14900, between the St. Louis County Board of Commissioners and Adamski Builders, LLC.—12-84

Home and Community-Based Waiver Services Contract, Contract No. 14920, between the St. Louis County Board of Commissioners and Adult In Home Care, Inc.—12-85

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14632B, between the St. Louis County Board of Commissioners and Minnesota State Operated Services d/b/a MSOCS-Northeast (NE).—12-86

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14743A, between the St. Louis County Board of Commissioners and Andrea L. Palmer, RN.—12-87

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14822B, between the St. Louis County Board of Commissioners and Colleen Schnortz and Deb LaRose d/b/a Shady Knoll.—12-88

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14537D, between the St. Louis County Board of Commissioners and TL Care Services, LLC d/b/a Westview Services.—12-89

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14567C, between the St. Louis County Board of Commissioners and Heritage Haven, Inc.—12-90

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14648A, between the St. Louis County Board of Commissioners and J.E. and Associates.—12-91

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

30

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14619F, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc.—[12-92](#)

Group Residential Housing Rate Agreement, Contract No. 50982, between the St. Louis County Board of Commissioners and Stonehaven Assisted Living.—[12-93](#)

Agreement for Professional Services between the County of St. Louis and MacNeil Environmental, Inc., for Duluth Courthouse Second Floor West Carpet Replacement.—[12-94](#)

Safety and Risk Management Services 2012 Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board for consulting, testing, and workers compensation claims administration services.—[12-95](#)

Public Health Emergency Preparedness (PHEP) Grant Project Agreement between the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) and St. Louis County for Funding Period August 19, 2011 – August 9, 2016, and Performance Period 1: August 19, 2011 – December 31, 2012.—[12-96](#)

Project Contract No. 4972-1 between the County of St. Louis and Max Gray Construction for Central Range Maintenance Facility Office Renovations.—[12-97](#)

Memorandum of Understanding between the St. Louis County Sheriff's Office and the City of Virginia for participation in the Toward Zero Death grant.—[12-98](#)

Memorandum of Understanding between the St. Louis County Sheriff's Office and the City of Gilbert for participation in the State of Minnesota Department of Natural Resources Off Highway Enforcement Grant.—[12-99](#)

Purchase of Service Agreement, Contract No. 14916, between St. Louis County and Program for Aid to Victims of Sexual Assault for social services from January 1, 2012, through December 31, 2012.—[12-100](#)

Grant Agreement, Contract No. 20961, between the St. Louis County Board of Commissioners and Occupational Development Center, Inc. (ODC) for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP).—[12-101](#)

Home and Community-Based Waiver Services Contract, Contract No. 14921, between the St. Louis County Board of Commissioners and Stonehaven Assisted Living, Inc.—[12-102](#)

Home and Community-Based Waiver Services Contract, Contract No. 14922, between the St. Louis County Board of Commissioners and J Walker Builders, Inc.—[12-103](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14579B, between St. Louis County Board of Commissioners and Winter Homes, Inc.—[12-104](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14639E, between the St. Louis County Board of Commissioners and Residential Services of NE MN, Inc.—[12-105](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14614C,

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

31

between the St. Louis County Board of Commissioners and Edgewood Hermantown I Senior Living, LLC.—[12-106](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14615C, between the St. Louis County Board of Commissioners and Edgewood Hermantown II Senior Living, LLC.—[12-107](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14616C, between the St. Louis County Board of Commissioners and Edgewood Virginia I Senior Living, LLC.—[12-108](#)

Agreement for Professional Services between St. Louis County and American Engineering Testing, Inc., for Construction Materials Testing and Special Inspections Services – St. Louis County Virginia Courthouse Remodel.—[12-109](#)

Upon motion by Commissioner Forsman, supported by Commissioner Dahlberg, resolutions numbered 12-048 through 12-066, and 12-068 and 12-070, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER FORSMAN:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 24, 2012, are hereby approved.
Adopted February 7, 2012. [No. 12-048](#)

WHEREAS, detoxification and hold services in St. Louis County protect individuals and the community by (1) safely withdrawing people from mood-altering substances; (2) protecting clients and others in the community; (3) improving their level of functioning; (4) providing assessment services, medical care, interventive counseling, and appropriate referrals; and (5) supporting their ability to protect and provide for themselves; and

WHEREAS, St. Louis County has purchased detoxification and hold services from the Center for Alcohol and Drug Treatment in Duluth and Range Mental Health Center in Virginia with county funds for over ten years.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into agreements with the following providers of detoxification and hold services for the period January 1, 2012, through December 31, 2012, payable from Fund 230-232006-606000:

<u>Provider</u>	<u>Annual Amount</u>
Center for Alcohol and Drug Treatment	\$1,393,366.00
Range Mental Health Center	\$ 376,342.00

Adopted February 7, 2012. [No. 12-049](#)

WHEREAS, clients of St. Louis County Public Health and Human Services (PHHS) are sometimes ordered by the court to submit to drug testing; and

WHEREAS, it is in the interest of St. Louis County to cooperate with court orders that require clients to undergo drug testing; and

WHEREAS, there is a need to add drug testing for synthetic drugs, including spice, bath salts, and legal alternatives to marijuana, as an additional service under this contract.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a purchase of service agreement with Duluth Bethel Society for drug testing services for the period January 1, 2012, through December 31, 2012, for the following services and rates (Expense Budget: Fund 230-232008-602000):

Level 1 screening	\$11.00 per unit
Level 2 screening	\$16.00 per unit

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

32

Full screen	\$26.00 per unit
Synthetic drugs	\$47.00 per unit

RESOLVED FURTHER, that should the full amount of \$100,000 be used, the County Board authorizes an amendment to the contract, with the dollar amount to be brought to the Board for approval at that time.

Adopted February 7, 2012. No. 12-050

WHEREAS, the St. Louis County Board believes it is in the public interest to protect the environment; and

WHEREAS, St. Louis County is a member of the Namakan Basin Joint Powers Board that is currently developing a preliminary engineering report for wastewater treatment systems in the Namakan Basin area which is in and adjacent to Voyageurs National Park; and

WHEREAS, Koochiching County is currently developing a wastewater treatment study for the property in Koochiching County found within and adjacent to Voyageurs National Park; and

WHEREAS, the St. Louis County Board supports renewal of a Joint Powers Agreement with Koochiching County to seek federal, state, and other financial assistance to plan, develop, construct and manage a comprehensive wastewater treatment system for the property within and adjacent to the Voyageurs National Park in both Koochiching County and St. Louis County; and

WHEREAS, the Koochiching County Board approved the agreement at its December 20, 2011, meeting.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves renewal of the Joint Powers Agreement with Koochiching County to seek federal, state, and other available funding and financial assistance to plan, develop, construct, and manage wastewater treatment for property within and adjacent to Voyageurs National Park, located within both Koochiching County and St. Louis County.

Adopted February 7, 2012. No. 12-051

WHEREAS, St. Louis County requires the addition of a new transfer trailer for waste haulage from transfer stations to the Regional Landfill and other locations within and outside of the county; and

WHEREAS, the purchase of a new trailer was competitively quoted in December 2011, with three quotes received.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the purchase of a new 2012 model #45119SCG0TW walking floor trailer from Wilkins Industries, Inc., of Morris, MN, for the total quoted price of \$73,844.97, payable from Fund 600, Agency 604001.

Adopted February 7, 2012. No. 12-052

WHEREAS, Drift-Toppers Snowmobile Club has requested a non-exclusive easement across state tax forfeited land; and

WHEREAS, exercising this easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, to grant two non-exclusive easements to Drift-Toppers Snowmobile Club described as follows:

Exhibit A:

A 20.00 foot wide easement for trail purposes lying over, under and across that part of the South 132.00 feet of the West One Half of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 27, Township 51 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota. The centerline is described as follows:

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

33

Commencing at the West quarter corner of said Section 27; thence North 00 degrees, 27 minutes, 40 seconds West, along the west line of said Section 27, a distance of 68.44 feet to the point of beginning of the centerline to be described; thence North 88 degrees, 31 minutes, 13 seconds East, a distance of 328.13 feet to the East line of said South 132.00 feet of the West One Half of the Southwest Quarter of the Southwest of the Northwest Quarter and there terminating. The sidelines of said trail easement shall be prolonged or shortened to terminate on said West line of Section 27 and said East line of the South 132.00 feet of the West One Half of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter.

Exhibit B:

A 20.00 foot wide easement for trail purposes lying over, under and across that part of the East One Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 27, Township 51 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota. The centerline is described as follows:

Commencing at the Center Quarter corner of said Section 27; thence North 00 degrees, 27 minutes, 21 seconds West, along the East line of said Northwest Quarter, a distance of 69.98 feet to the point of beginning of the centerline to be described; thence North 88 degrees, 29 minutes, 28 seconds West, a distance of 328.27 feet to the West line of said East One Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter and there terminating. The sidelines of said trail easement shall be prolonged or shortened to terminate on said East line of the Northwest Quarter and said West line of the East One Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$130 land use fee, \$50 administration fee, and \$46 recording fee; for a total of \$226, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 7, 2012. No. 12-053

WHEREAS, Great River Energy will be constructing a 69kV transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County; and

WHEREAS, Great River Energy and Lake Country Power have requested a transmission line utility easement across state tax forfeited land; and

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

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the St. Louis County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Auditor to grant a transmission line utility easement to Great River Energy and Lake Country Power described as follows:

All that part of the Grantor's property lying within fifty (50) feet on each side of the following described centerline:

Commencing at the southeast corner of the Southeast Quarter of the Southwest Quarter of Section 10, Township 62 North, Range 18 West; thence North 00 degrees, 45 minutes, 48 seconds West, on an assumed bearing, along the east line of said Southeast Quarter of the Southwest Quarter a distance of 66.7 feet to the point of beginning of the centerline to be described; thence South 89 degrees, 22 minutes, 55 seconds West, a distance of 1322.0 feet to a point of ending on the west line of said Southeast Quarter of the Southwest Quarter, 72.4 feet northerly of the southwest corner, as measured along said west line. The sidelines of said easement shall be shortened or extended so as to begin and terminate at the property lines.

The above described easement contains 2.6 acres, more or less.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

34

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$3,640 land use fee and \$46 recording fee; for a total of \$3,686, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 7, 2012. No. 12-054

WHEREAS, the Land and Minerals Department has reviewed a request from Rice Lake Township for a non-exclusive easement across state tax forfeited land for a road grader and snowplow turnaround; and

WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, is authorized to grant a non-exclusive easement to Rice Lake Township described as follows:

The West 40.00 feet of the East 223.55 feet of the North 80.00 feet of the East Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 27, Township 51 North, Range 14 West of the Fourth Principal Meridian.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$140 land use fee, \$50 administrative fee, and \$46 recording fee; for a total of \$236, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 7, 2012. No. 12-055

WHEREAS, the Minnesota Department of Revenue has issued conditional use deeds to St. Louis County conveying state tax forfeited land free of charge for gravel resources and other public uses since the 1940s; and

WHEREAS, the Land and Minerals Director has a fiduciary responsibility to determine if these lands are being used, in whole or in part, for the authorized public use for which they were conveyed; and

WHEREAS, the Land and Minerals and Property Management Departments have determined that the authorized public use has been abandoned on the state tax forfeited parcels described here; and

WHEREAS, pursuant to Minn. Stat. § 282.01, Subd. 1d, the governing body of a governmental subdivision must voluntarily direct its officers to reconvey property to the state when a whole parcel or part of a parcel of state tax forfeited land is not being used for the authorized public use for which it was conveyed.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board, as the governing body for St. Louis County, approves the reconveyance of the state tax forfeited parcels described in County Board File No. 59400 because the parcels are no longer being used for the authorized public use for which they were conveyed.

Adopted February 7, 2012. No. 12-056

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the owner at the time of forfeiture, or the owner's heirs, representatives, or mortgagees, subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, the applicant, the Byron R. Hiiivala Trust of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF VIRGINIA
PART OF LOT 13 LYING WLY OF A LINE RUNNING FROM A PT ON N LINE
14.5 FT E OF NW COR TO A PT ON S LINE 18.85 FT E OF SW COR & ALL OF
LOTS 14 THRU 16 Parcel Code: 090-0010-08865

WHEREAS, the applicant was the owner, the owner's heir, representative or mortgagee at the time of forfeiture and is eligible to repurchase the property; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

35

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

NOW, THEREFORE, BE IT RESOLVED, that the St Louis County Board approves the repurchase application by the Byron R. Hiiivala Trust of Duluth, MN, on file in County Board File No. 59398, subject to payments including total taxes and assessments of \$12,593.58, service fee of \$114, deed tax of \$41.56, deed fee of \$25 and recording fee of \$46; for a total of \$12,820.14, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 7, 2012. No. 12-057

WHEREAS, St. Louis County is committed to providing comprehensive waste management services including land disposal to its residents; and

WHEREAS, St. Louis County continues to expand and develop its Regional Landfill in Virginia to provide land disposal services to residents of its solid waste service area and continued use of the Regional Landfill will require construction of Phase 6 in 2012; and

WHEREAS, the county requires the assistance of an engineer to provide Regional Landfill Phase 6 bidding assistance, construction management and certification services; and

WHEREAS, Liesch Associates, Inc., is qualified to provide engineering and/or architectural services as required by the Agreement and is duly registered to provide these services; and

WHEREAS, St. Louis County requested that Liesch Associates, Inc., provide a proposal for Phase 6 engineering services for the Regional Landfill; and

WHEREAS, St. Louis County has reviewed and evaluated the proposal submitted by Liesch Associates, Inc., and found it acceptable and meeting the county's needs; and

WHEREAS, funds not to exceed \$108,662 have been appropriated for said engineering services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Liesch Associates, Inc., to provide bidding, construction management and certification services for Regional Landfill Phase 6 construction at a cost not to exceed \$108,662, payable from Fund 600, Agency 607001(Landfill).

Adopted February 7, 2012. No. 12-058

WHEREAS, Minn. Stat. § 282.341, Subd. 1, states that after cancellation of a contract and before the parcel is resold, the former contract holder may request to have the contract reinstated; and

WHEREAS, a significant amount of staff time is required to reinstate a cancelled contract; and

WHEREAS, the Land Commissioner recommends that the former contract holder be responsible for costs associated with administering a reinstatement contract; and

WHEREAS, it is costly to withdraw a parcel from the published tax forfeited land sale listing if a cancelled contract is reinstated after the County Board approves the sale of the property; and

WHEREAS, the Land Commissioner recommends that once the County Board approves the sale of a tax forfeited parcel, a request to reinstate the parcel will not be considered.

NOW, THEREFORE, BE IT RESOLVED, that a request to reinstate a contract after cancellation for the purchase or repurchase of state tax forfeited land will be considered only if it is received prior to the date the County Board approves the sale of the property.

RESOLVED FURTHER, that the former contract holder will be responsible for costs associated with the administration of a reinstatement contract, with a \$100 minimum fee per contract.

Adopted February 7, 2012. No. 12-059

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

36

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Breitung Township, and any amendments approved by the County Attorney, for SAP 69-600-040, County Project 111484, TR 4598 (Stuntz Bay Road), whereby the township will pay its share of any funding not covered by State Park Road Account Funding, and other costs including any expenses billed to the county by an outside entity. Funds from the State Park Road Account will be receipted into Fund 220, Agency 220267, Object 521607.

Adopted February 7, 2012. No. 12-060

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Breitung Township, and any amendments approved by the County Attorney, for SAP 69-600-041, County Project 121198, TR 4616 (Old TH 169), whereby the township will pay its share of any funding not covered by State Park Road Account Funding, and other costs including any expenses billed to the county by an outside entity. Funds from the State Park Road Account will be receipted into Fund 220, Agency 220254, Object 521607.

Adopted February 7, 2012. No. 12-061

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Breitung Township and any amendments approved by the County Attorney, for SAP 69-600-042, County Project 121195, TR 4596 (McKinley Park Access Road)/TR 4610 (Miettunen Plats Road), whereby the township will pay its share of any funding not covered by State Park Road Account Funding, and other costs including any expenses billed to the county by an outside entity. Funds from the State Park Road Account will be receipted into Fund 220, Agency 220255, Object 521607.

Adopted February 7, 2012. No. 12-062

WHEREAS, the St. Louis County Public Works Department plans to rehabilitate 2.0 miles of County Highway (CR) No. 629 (County Project 1487, MP 629-1487) within Fayal Township from CSAH 132 (Miller Trunk Road) northeasterly to the Fayal Township boundary line; and WHEREAS, these improvements consist of bituminous surface reclamation, replacement of drainage structures, and bituminous resurfacing as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, in addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements.

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

Adopted February 7, 2012. No. 12-063

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. 59401.

Adopted February 7, 2012. No. 12-064

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated January 27, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 7, 2012. No. 12-065

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

37

WHEREAS, as of July 8, 2008, the State Public Defender's Office does not accept court appointments on Child in Need of Protective Services, Long Term Foster Care, and Termination of Parental Rights cases; and

WHEREAS, after review of the number of cases and the options of various costs, St. Louis County contracted with five attorneys to accept court appointments for representation of parents in these cases; and

WHEREAS, these contracts were renewed in 2009 and 2010 and the current contracts expired on December 31, 2011; and

WHEREAS, the need for these services still exists, and it is in the best interest of the citizens of St. Louis County to renew the current contracts at a rate of \$26,200 (Iron Range) and \$31,200 (Duluth), due to caseload trends, and to include reimbursement for approved Criminal Justice Institute training or other approved training, with the five current providers.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to renew the legal services contracts (three in Duluth and two on the Iron Range) for the Child in Need of Protective Services, Long Term Foster Care, and Termination of Parental Rights for January 1, 2012, to December 31, 2012, at an annualized cost not to exceed \$155,000, payable from Fund 100, Agency 113002, Object 626100.

Adopted February 7, 2012. No. 12-066

RESOLVED, that the 2010/2011 Sheriff's Supervisory Association collective bargaining agreement 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. 59402.

Adopted February 7, 2012. No. 12-068

WHEREAS, the State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has again made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2011 Homeland Security Operation Stonegarden grant, not to exceed \$104,190, to be accounted for in Fund 100, Agency 129999, Grant 12931, Year 2011.

RESOLVED FURTHER, that the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2011 Homeland Security Operation Stonegarden grant as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for the grant through the Sheriff's Office.

Adopted February 7, 2012. No. 12-070

BY COMMISSIONER JEWELL:

WHEREAS, the County Attorney has determined current Investigator staffing is sufficient and that a vacant Investigator position will not be filled; and

WHEREAS, the County Attorney is committed to cross-training as part of succession planning strategies and desires to realign the office's human resources goals and priorities; and

WHEREAS, the County Attorney has reviewed the proposal to request reallocation of the Investigator position to an Attorney I position with County Administration and has identified sufficient personnel savings to fund the change.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the reallocation of the vacant Investigator position to an Attorney I position.

RESOLVED FURTHER, that the appropriate county officials are authorized to make the associated budgetary changes effective February 11, 2012.

Unanimously adopted February 7, 2012. No. 12-067

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

38

BY COMMISSIONER SWEENEY:

WHEREAS, the Hazardous Fuels Reduction Grant of 2011 provided \$721,600 to the Superior National Forest, which specifically includes \$242,000 for reducing the threat of wildfires in high-risk areas as identified in the St. Louis County Community Wildfire Protection Plan; and WHEREAS, on August 12, 2008, by Resolution No. 08-443, the County Board approved the St. Louis County Community Wildfire Protection Plan, and this funding is a mechanism to carry out the plan.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2011 Hazardous Fuels Reduction Grant funding on behalf of the Superior National Forest in the amount of \$242,000 for the period September, 2011, through August 31, 2014.

RESOLVED FURTHER, that St. Louis County will serve as fiscal agent, with funds to be accounted for in Fund 290, Agency 290999, Grant 29003, Year 2011.

RESOLVED FURTHER, that County Board Resolution No. 11-668, dated December 20, 2011 is hereby rescinded.

Unanimously adopted February 7, 2012. No. 12-069

At 9:55 a.m., February 7, 2012, Commissioner Dahlberg, supported by Commissioner Sweeney, moved to adjourn the County Board meeting; seven yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

39

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 14, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of February, 2012, at 9:30 a.m., in the County Board Room, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, and Chair Keith Nelson – 6. Absent: Commissioner Steve Raukar – 1.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety and those who protect our freedom, followed by the pledge of allegiance.

Chair Nelson opened the meeting to citizens who wished to address the board and none chose to do so.

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

Commissioner Sweeney requested that families of those that serve to be included in the moment of silence at the beginning of the meeting.

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

Final Plat Approvals submitted during 2012.—[59409](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 12-42, State Tax Forfeited Land Lease Agreement – John and Suzanne McKinney.—[59410](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 12-47, Request for Free Conveyance of State Tax Forfeited Land to the Town of Alborn.—[59411](#)

Award of Highway Bids approved during 2012.—[59412](#)

Sale of County Fee Land during 2012.—[59413](#)

Kevin Gray, County Administrator, and Don Dicklich, County Auditor, submitting Board Letter No. 12-50, Letter of Understanding with State Auditor's Office for 2011 Financial Audit.—[59414](#)

Kevin Gray, County Administrator, and Mark Monacelli, Director of Public Records and Property Valuation, submitting Board Letter No. 12-52, Contract for Development and Implementation of Electronic Recording (e-Recording) Module for Real Estate Documents.—[59415](#)

Assessors of Minnesota Cities and Townships handout regarding the St. Louis County Blue Ribbon Panel Findings.—[59416](#)

Agreement for Professional Services, Damion No. 2012-6858, between the County of St.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

40

Louis and The Law Office of Amy E. Lukasavitz, LLC, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) for the period January 1, 2012, through December 31, 2012.—[12-110](#)

Agreement for Professional Services, Damion No. 2012-6865, between the County of St. Louis and Jaclyn Corradi, Attorney at Law, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) for the period January 1, 2012, through December 31, 2012.—[12-111](#)

Agreement for Professional Services, Damion No. 2012-6786, between the County of St. Louis and Keith G. Shaw, Attorney at Law, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) for the period January 1, 2012, through December 31, 2012.—[12-112](#)

Agreement for Professional Services, Damion No. 2012-6867, between the County of St. Louis and Kimberly J. Corradi, Attorney at Law, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) for the period January 1, 2012, through December 31, 2012.—[12-113](#)

Agreement for Professional Services, Damion No. 2012-6848, between the County of St. Louis and Terri Port Wright, Ph.D., J.D. Attorney at Law, for representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) for the period January 1, 2012, through December 31, 2012.—[12-114](#)

Agreement between the County of St. Louis and the Historic Union Depot, Inc., for operation, marketing, and management of the St. Louis County Heritage & Arts Center (the Depot), for the period January 1, 2012, through June 30, 2012.—[12-115](#)

Agreement for Purchase of Services, Damion No. 2011-006835, between the County of St. Louis and Duluth Seaway Port Authority for economic development activities for the period January 1, 2012, through December 31, 2012.—[12-116](#)

Agreement for Professional Services between the County of St. Louis and Lockridge, Grindal, Nauen, P.L.L.P. to assist with Federal Government Relation Services and administrative matters for the period January 1, 2012, through December 31, 2012.—[12-117](#)

Agreement for Services, Contract No. 14977, between the County of St. Louis and Lake Superior Community Health Center, for diagnosis and treatment of sexually transmitted diseases for the period January 1, 2012, through December 31, 2012.—[12-118](#)

Purchase of Service Agreement, Contract No. 14906, between St. Louis County and Lutheran Social Service Bethany Crisis Nursery, for social services for the period January 1, 2012, through December 31, 2012.—[12-119](#)

Purchase of Service Agreement, Contract No. 14913, between St. Louis County and Range Women's Advocates for social services for the period January 1, 2012, through December 31, 2012.—[11-120](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

41

Agreement between the St. Louis County Board of Commissioners and Steven C. Fecker, Attorney at Law, of Johnson, Killen & Seiler Attorneys, Damion No. 2012-6884, for Labor Relations Services for the 2012-2013 labor contract negotiations.—11-121

Amendment to Business Subsidy Agreement between St. Louis County and Cirrus Design Corporation.—11-122

Grant Agreement, Contract No. 20964, between the St. Louis County Board of Commissioners and Northeast Minnesota Office of Job Training to provide Minnesota Innovation Fund 2012 Transportation, for the period January 1, 2012, through December 31, 2012.—11-123

State of Minnesota Income Contract, Contract No. 40750, between the State of Minnesota, Department of Natural Resources, and St. Louis County, St. Louis County Sheriff's Office, for law enforcement personnel at or near the international Canadian border for Stonegarden 2010.—11-124

Contract for County-State Aid Highway Project between the County of St. Louis and RJS Construction Group, LLC, for SAP 69-643-014, CP 8214, grading, aggregate base, plant mixed bituminous base & surface, culverts, curb & gutter, and storm sewer on County State Aid Highway (CSAH) 43 from County Road 294 (Pioneer Road) to CSAH 4 (Rice Lake Road).—11-125

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 12-071 through 12-092, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, on December 20, 2011, the St. Louis County Board adopted Resolution No. 11-640 establishing 2012 rates for a number of contracts for Children and Family Services, including a per diem rate of \$224.33 for Northwood Children's Services Diagnostic and Assessment services; and

WHEREAS, Northwood Children's Services has since notified the Public Health and Human Services Department of a clerical error and the application should have reflected a "Requested Rate" of \$229.94 per day.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board amends County Board Resolution No. 11-640 to change the Northwood Children's Services Diagnostic and Assessment Center Services rate of \$224.33 per day to a rate of \$229.94 per day for the period January 1, 2012, through December 31, 2012.

BUDGET REFERENCE:

FUND	230	Social Services
AGENCY	232008	Children's Services
EXPENSE OBJECT	601200	Out-Home Placement Costs
	601600	Children's Mental Health Services

Adopted February 14, 2012. No. 12-071

WHEREAS, the Range Mental Health Center (RMHC) helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, the Department of Public Health and Human Services has contracted with RMHC to provide needed community mental health services in northern St. Louis County for many years; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

42

WHEREAS, county funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of northern St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the following agreements with the Range Mental Health Center for the period January 1, 2012, through December 31, 2012:

Children's MH-TCM contract (up to 10 cases per month) at \$688 per month per client; and other children's mental health services contracts. Total contract for children's mental health services not to exceed \$90,000 per year, to be accounted for in Fund 230, Agency 232008, Object 601600.

Adult MH-TCM contract (up to 56 cases per month) at \$354 per month per client; and other adult mental health services contracts. Total contract for adult mental health services not to exceed \$220,032 per year, to be accounted for in Fund 230, Agency 232006, Object 604400. Adopted February 14, 2012. No. 12-072

WHEREAS, the Human Development Center (HDC) helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, the Department of Public Health and Human Services has contracted with HDC to provide needed community mental health services in southern St. Louis County for many years; and

WHEREAS, county funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of southern St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes two agreements with the Human Development Center for the period January 1, 2012, through December 31, 2012:

Children MH-TCM contract at \$510 per month per client; \$91,800 maximum, to be accounted for in Fund 230, Agency 232008, Object 601600.

Adult MH-TCM contract at \$364 per month per client; \$345,205 maximum, to be accounted for in Fund 230, Agency 232006, Object 604400.

Adopted February 14, 2012. No. 12-073

WHEREAS, St. Louis County purchases employment services for persons with disabilities; and

WHEREAS, the Department of Public Health and Human Services has contracted with Occupational Development Center, Inc., (ODC) and Goodwill Industries Vocational Enterprises, Inc., (GIVE) for over 30 years to provide extended employment services for persons with disabilities; and

WHEREAS, the Department wishes to renew these agreements.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the Department of Public Health and Human Services to enter into purchase of service agreements with the Occupational Development Center, Inc., (ODC) and Goodwill Industries Vocational Enterprises, Inc., (GIVE) for extended employment services at the rates listed below for shelter-based work, supported employment, and job coaching at the contract maximum of \$90,407 for each agreement for the period January 1, 2012, through December 31, 2012, payable from Fund 230, Agency 232006, Object 604800.

<u>Agency</u>	<u>Services</u>	<u>Rates</u>
ODC	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour
GIVE	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

43

Adopted February 14, 2012. No. 12-074

WHEREAS, the St. Louis County Planning Commission held a public hearing regarding the preliminary plat of Stuntz Bay Road Addition on November 19, 2009, and granted preliminary approval for the plat; and

WHEREAS, the final prints have been submitted and conform with the requirements set forth by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to the plat of Stuntz Bay Road Addition, located in Section 27, Township 62 North, Range 15 West, Breitung Township.

Adopted February 14, 2012. No. 12-075

WHEREAS, the Registrar of Titles is authorized to require Registered Land Survey Number 104 pursuant to Minn. Stat. § 508.47; and

WHEREAS, the County Surveyor and Examiner of Titles have approved Registered Land Survey Number 104; and

WHEREAS, the final prints have been submitted for filing.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board grants final approval to Registered Land Survey Number 104 located in Part of the South ½ of the Northwest ¼ of Section 28, Township 51 North, Range 13 West (Lakewood Township).

Adopted February 14, 2012. No. 12-076

WHEREAS, Minn. Stat. § 282.04, Subd. 1(d), authorizes the County Auditor, as directed by the county board, to lease state tax forfeited land to individuals, corporations, or organized subdivisions of the state for temporary uses at such prices and under such terms as the county board may prescribe; and

WHEREAS, John and Suzanne McKinney, of Cloquet, MN, wish to enter into a Miscellaneous Lease (No. L05120002) for a portion of a car wash located on state tax forfeited land; and

WHEREAS, the Land and Minerals Department has reviewed the request and recommends an annual lease fee of \$2,325 per year until such time special legislation is received and the parcel can be conveyed to resolve an occupancy trespass.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to lease state tax forfeited land for a miscellaneous lease on property described as: LOT P EX RY RT OF WAY INC PT OF VAC AVE ADJ & INC PT OF VAC ST, Block 18, Hunter/Markells Grassy Point Addition to Duluth, St. Louis County, Minnesota, to John and Suzanne McKinney, of Cloquet, MN, for a lease period ending December 31, 2012, with an annual lease fee of \$2,325, to be deposited into Fund 240 (Forfeited Tax Fund), and under the terms and conditions set forth in the lease agreement.

Adopted February 14, 2012. No. 12-077

WHEREAS, Minn. Stat § 282.241, Subd. 1, states that the county board may require, as a condition of repurchase, that the entire repurchase price be paid at the time of repurchase if it has good cause to believe that a repurchase installment payment plan for a particular parcel is unnecessary and not in the public interest; and

WHEREAS, a considerable amount of staff time is required to administer a repurchase installment contract; and

WHEREAS, the Land Commissioner believes that a repurchase installment plan is unnecessary if the basic repurchase price and extra costs are less than \$1,500, and recommends that the entire repurchase price be paid at the time of repurchase.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board shall require, as a condition of repurchase, that the entire repurchase price be paid at the time of repurchase if the basic repurchase price and extra costs are less than \$1,500.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

44

Adopted February 14, 2012. No. 12-078

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 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

WHEREAS, Mindy McFarland of Aurora, MN, has requested to reinstate Contract C22090079, having been cancelled on 10/11/2011, under new Contract C22110135 for property described as:

TOWN OF WHITE
WLY 300 FT OF NLY 360 FT OF LOT 2
SEC 34 TWP 58 RGE 15
Parcel Code: 570-0026-000282

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110135 by Mindy McFarland of Aurora, MN, in the amount of \$678, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 14, 2012. No. 12-079

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 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

WHEREAS, David and Shannon McCray of Hibbing, MN, have requested to reinstate Contract C22090191, having been cancelled on 6/14/2011, under new Contract C2212001 for property described as:

CITY OF HIBBING
ELY 50 FT OF NLY 120 FT
LOT 16 BLOCK 4
AVIATORS FIELD ADDITION TO HIBBING
Parcel Code: 140-0030-00860

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C2212001 by David and Shannon McCray of Hibbing, MN, in the amount of \$5,300, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 14, 2012. No. 12-080

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 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060245, having been cancelled on 7/5/2011, under new Contract C22110144 for property described as:

CITY OF EVELETH
TRACT 7 E 305 FT OF THAT PART OF NW 1/4
OF SE 1/4 LYING N OF THE MESABA RY R OF W
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00630

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

45

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060246, having been cancelled on 7/5/2011, under new Contract C22110138 for property described as:

CITY OF EVELETH
SW 1/4 OF SE 1/4 LYING N OF N R.O.W. OF HWY #37
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00695

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060247, having been cancelled on 7/5/2011, under new Contract C22110139 for property described as:

CITY OF EVELETH
TRACT 9 W 200 FT OF E 705 FT OF THAT PART OF NW 1/4 OF SE 1/4
LYING N OF THE MESABA RY RT OF WAY
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00650

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060248, having been cancelled on 7/5/2011, under new Contract C22110140 for property described as:

CITY OF EVELETH
TRACT 10 W 200 FT OF E 905 FT OF THAT PART OF NW 1/4 OF SE 1/4
LYING N OF THE MESABA RY RT OF WAY
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00660

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060249, having been cancelled on 7/5/2011, under new Contract C22110141 for property described as:

CITY OF EVELETH
TRACT 11 W 200 FT OF E 1105 FT OF THAT PART OF NW 1/4 OF SE 1/4
LYING N OF THE MESABA RY RT OF WAY
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00670

WHEREAS, D & D Salvage of Eveleth, MN, has requested to reinstate Contract C22060250, having been cancelled on 7/5/2011, under new Contract C22110142 for property described as:

CITY OF EVELETH
TRACT 8 W 200 FT OF E 505 FT OF THAT
PART OF NW 1/4 OF SE 1/4 LYING N OF THE
MESABA RY RT OF WAY
SEC 33 TWP 58 RGE 17
Parcel Code: 040-0206-00640

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contracts C22110144, C22110138, C22110139, C22110140, C22110141, and C22110142 by D & D Salvage of Eveleth, MN, in the amount of \$5,173.25, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 14, 2012. No. 12-081

WHEREAS, pursuant to Minn. Stat. § 282.01a, Subd. 1, upon recommendation of the county board, the Commissioner of Revenue may convey state tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, the Town of Alborn has requested a free conveyance of state tax forfeited land for parking, legally described as:

TOWN OF ALBORN
PART OF E 1/2 OF SW 1/4 COMM AT THE INTERSECTION BETWEEN THE
CENTER LINE OF THE SWAN LAKE RD WITH THE W LINE OF E 1/2 OF SW 1/4
RUNNING THENCE SELY 660 FT ALONG THE CENTER LINE OF SAID RD
THENCE AT RIGHT ANGLES SWLY TO A LINE RUNNING FROM A PT ON THE
E LINE OF E 1/2 OF SW 1/4 AND 150 FT S OF SAID CENTER LINE OF RD TO A
PT ON THE W SIDE OF SE 1/4 OF SW 1/4 275 FT S OF NW COR FROM THIS PT

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

46

AS PT OF BEG GO NELY TO THE CENTER OF SWAN LAKE RD THENCE SELY
ALONG SAID CENTER LINE 125 FT THENCE SWLY AT RIGHT ANGLES TO
ABOVE DESCRIBED LINE THENCE NWLY TO PT OF BEG

Section 24, Township 52 North, Range 18 West

Parcel Code: 205-0010-04240

0.95 Acres

LDKEY: 62192

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board recommends that the Commissioner of Revenue convey the above described state tax forfeited land to the Town of Alborn for the authorized public use, upon payment of \$250 administrative fee, \$250 Department of Revenue fee, \$25 deed fee, \$1.65 deed tax, and \$46 recording fee; for a total of \$572.65, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 14, 2012. No. 12-082

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments approved by the County Attorney, with the City of Babbitt, MN, outlining responsibilities of the parties for the installation of blinker stop signs on County State Aid Highway (CSAH) 112 (Central Boulevard) under Project MP 112-149374, CP 149374. The funding for the project will be the responsibility of the City of Babbitt, including electrical power costs.

Adopted February 14, 2012. No. 12-083

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

SAP 69-600-039, CP 111480 located on CR 697 (McKinley Park Road) from TH 169 to 280' North of Soudan Mine State Park Road in Soudan, MN; and

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, at 10:00 a.m. on February 2, 2012, and the low responsible bidder determined.

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$603,817.40

RESOLVED FURTHER, that State Park Road Account funds in the amount of \$570,202.41 are reserved for this project. Any funding required in excess of State Park Road Account funds shall be transferred from Fund 200, Agency 203001, Object 652800 to Fund 220, Agency 220274, Object 590700.

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 220274, Object 652700.

Adopted February 14, 2012. No. 12-084

WHEREAS, the Property Management Team identified as surplus the following county fee owned land legally described as:

The South one-half of the Southeast one-quarter of the Northwest one-quarter of the Southeast one-quarter (S ½ of SE ¼ of NW ¼ of SE ¼) of Section Sixteen (16), Township Fifty-two (52) North, Range Fifteen (15) West, containing 5.00 acres, more or less,

And

The southerly thirty-three (33) feet of the North one-half of the Southeast one-quarter of Northwest one-quarter of the Southeast one-quarter (N ½ of SE ¼ of NW ¼ of SE ¼) of Section Sixteen (16), Township Fifty-two (52) North, Range Fifteen (15) West, containing 0.50 acres, more or less; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

47

WHEREAS, the county has received the minimum bid for the property of \$26,100 from Carl E. Ruhanen for said parcel.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements of and procedures of Minn. Stat. § 373.01, the appropriate county officials are authorized to execute a quit claim deed conveying the above listed property to Carl E. Ruhanen of Hermantown, MN, for the bid amount of \$26,100, payable to Fund 100, Agency 128014, Object 583100. Buyer is responsible for deed tax and recording fees.

Adopted February 14, 2012. No. 12-085

RESOLVED, that the St. Louis County Board authorizes the required signatories to execute the Letter of Understanding which details the scope and basis of the 2011 proposed audit of St. Louis County by the State Auditor's Office.

Adopted February 14, 2012. No. 12-086

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. 59401.

Adopted February 14, 2012. No. 12-087

WHEREAS, electronic recording (e-Recording) of real estate documents streamlines service delivery and significantly reduces staff time to process a recorded transaction; and

WHEREAS, TriMin Government Solutions, a qualified vendor, has agreed to a contract to develop and implement an application to integrate electronic recording with the Recorder's existing system.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a contract with TriMin Government Solutions in the amount of \$87,000 for e-Recording payable from Fund 100, Agency 121002, Object 629900.

Adopted February 14, 2012. No. 12-088

WHEREAS, St. Louis County and the City of Duluth entered into a 50 year lease for the construction of a joint law enforcement and public safety facility in October of 2009 located at 2030 Arlington Avenue in Duluth, Minnesota; and

WHEREAS, the 2009 lease document included provisions for reconstruction of the roadway serving the area upon completion of the building project; and

WHEREAS, the lease agreement states that the county shall initiate and implement the road repair project, with the city reimbursing the county for one half of all costs incurred; and

WHEREAS, Ayres Associates of Duluth, Minnesota, has performed surveying, topographical, and engineering services for the county at this site for other projects and was selected for this project based on familiarity with the site, background data already collected by Ayres, and competitive fee.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a professional services agreement with Ayres Associates of Duluth, Minnesota, for the design, construction and bid documents, and project administration for the roadway improvement project for the Joint Public Safety Campus in Duluth, in an amount of \$33,000, payable from Fund 100, Agency 128015, with one-half of the cost (\$16,500) to be reimbursed to the county by the City of Duluth.

Adopted February 14, 2012. No. 12-089

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires a consolidated application process for entitlement funds under the following Community Planning and Development programs: Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG); and

WHEREAS, the St. Louis County Board approved the 2010-2014 Consolidated Plan on March

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

48

2, 2010; and

WHEREAS, St. Louis County has prepared a draft FY 2012 Action Plan of the 2010-2014 Consolidated Plan required by HUD; and

WHEREAS, HUD requires that a public hearing be conducted to allow citizen input prior to submittal of these plans.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board will hold a public hearing on Tuesday, March 13, 2012, at 9:40 a.m., at the St. Louis County Courthouse in Duluth, Minnesota, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the FY 2012 Action Plan of the 2010-2014 Consolidated Plan.

Adopted February 14, 2012. No. 12-090

WHEREAS, the St. Louis County master space plan for the Duluth area offices has been in place since 1995 with the Government Services Center (GSC) being the primary site for consolidation of county provided services; and

WHEREAS, State of Minnesota tenants will be vacating the building no later than August 2012 and the next phase of the master space plan is to define the GSC infrastructure upgrade and general remodeling project scope and budget as the basis for accurate financing considerations and development of a structured program; and

WHEREAS, the Purchasing Division solicited Request for Proposals (RFPs) in December 2011, which were reviewed and interviews performed; and

WHEREAS, the consulting team that offered the county the best product/service at the best value was Perkins & Will of Minneapolis, Minnesota, Krech-Ojard & Associates of Duluth, Minnesota, and Gausman & Moore Engineers of Duluth, Minnesota, with Perkins & Will being the lead consultant, with 53% fees allotted for Duluth based firms.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a contract with Perkins & Will of Minneapolis, Minnesota, for consulting services for the Duluth GSC infrastructure replacement and general remodeling project scope and budget development in an amount of \$142,000, payable from Fund 400, Agency 400006, to be reimbursed by the associated bond sale proceeds.

Adopted February 14, 2012. No. 12-091

RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract addendum with Lakeland Pathology, P.A., for Medical Examiner services as defined in the original agreement and addenda, but reflecting updated costs for those services, payable from General Fund 100, Sheriff's Office, Medical Examiner (131001).

Adopted February 14, 2012. No. 12-092

At 9:35 a.m., February 14, 2012, Commissioner Sweeney, supported by Commissioner Jewell, moved to adjourn the County Board meeting; six yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

49

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 28, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of February, 2012, at 9:31 a.m., in the Hibbing City Council Chambers, Hibbing City Hall, Hibbing, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar and Chair Keith Nelson – 7. Absent: None.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety at home and those who protect our freedom, followed by the pledge of allegiance.

Commissioner Raukar presented the customer service award to four employees in the Environmental Services Department. Environmental Services Director Ted Troolin thanked the board for the opportunity to recognize his administrative team: Karen Bruun, Diane Hildreth, Gail Kupferschmidt and Cheryl Sharp.

Chair Nelson opened the meeting to citizens who wished to address the board and following chose to do so:

James Medure, Kinney, MN, expressed his concerns regarding a fence being removed and his frustrations with not receiving help from the local sheriff's department on reporting a poacher.

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

Chair Nelson said the board will recess at the end of the agenda, and reconvene after the committee of the whole meeting to approve a second consent agenda of items unanimously approved.

Commissioner Dahlberg, supported by Commissioner Raukar, moved to appoint Commissioners Forsman and Nelson as representatives, and Commissioner Jewell as alternate to the Joint Powers Board with Koochiching County for the conservation and management of clean water in and adjacent to Voyagers National Park. Commissioner Sweeney said she received clarification that this is a special committee serving a specific project and it makes sense to continue the previous appointments, Commissioners Forsman and Nelson, and include Commissioner Jewell as the alternate; seven yeas, zero nays. Resolution No. 12-106.

Commissioner Raukar, supported by Commissioner O'Neil, moved to authorize a grant for \$139,000 to the City of Floodwood to support the Floodwood Services and Training new recycling and processing center. Director of Planning and Community Development Barb Hayden said the grant is from the Minnesota Investment Fund and must be used for infrastructure investment. This project will add 10-15 line workers and one supervisory position. Floodwood Mayor Jeff Kletscher thanked the board for their support, adding they have been working on the project for approximately a dozen years. Jim Tarray, Executive Director of Floodwood Services and Training, said they have wanted to build this recycling center for a while, adding they also provide adult day services to residents within a 30 miles radius. Commissioner Raukar recognized the vision and hard work of Floodwood and surrounding communities moving forward and making the community better. Commissioner Dahlberg said he has a brother with disabilities who participates in the Floodwood Services and Training program, adding that it is inspirational to see the joy of work and work ethic the

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

50

workers exhibit; seven yeas, zero nays. Resolution No. 12-107.

At 10:15 a.m., the county board recessed.

At 11:56 a.m., the county board reconvened with all commissioners present.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to approve the second consent agenda consisting of the items approved unanimously, with recommendation, at the committee of the whole; seven yeas, zero nays.

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

Cancellations of Contract for Purchase of State Tax Forfeited Land for 2012.—[59417](#)

Kevin Gray, County Administrator, and Sherry Rodriguez, County Veterans Service Officer, submitting Board Letter No. 12-62, Extension of Memorandum of Understanding with Minnesota Department of Veterans Affairs.—[59418](#)

Kevin Gray, County Administrator, and Patty Swedberg, County Extension Administrator, submitting Board Letter No. 12-68, Appointment to the St. Louis County Cooperative Extension Committee.—[59419](#)

Kevin Gray, County Administrator, and Barbara Hayden, Director of Planning and Community Development, submitting Board Letter No. 12-66, City of Floodwood Business Park Project.—[59420](#)

Kevin Gray, County Administrator, and Robert Krepps, Land Commissioner, submitting Board Letter No. 12-69, Private Sale of State Tax Forfeited Land – Dagger.—[59421](#)

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 12-84, Naming the Joint Public Safety Building Training Room in Honor of Ellen Louise Pence.—[59422](#)

Kevin Gray, County Administrator, submitting Board Letter No. 12-85, Support for Legislation Modifying Wetland Replacement Requirements.—[59423](#)

Purchase of Service Agreement, Contract No. 14976, between the St. Louis County Board of Commissioners and Lutheran Social Services of Minnesota (Family Resource Center-Supervised Visitation Program) for Parent/Child Supervised Visitation Services.—[12-126](#)

Northeast Service Cooperative (NESC) Network Services Agreement between Northeast Service Cooperative and the County of St. Louis, for the NESC Middle Mile Fiber Project for a period of ten years.—[12-127](#)

Miscellaneous Lease Agreement, Lease No. L05120001, between St. Louis County Land and Minerals Director and Mining Resources, LLC, for a 488-acre site in Sections 26, 34, and 35, Township 58 North, Range 20 West for a five (5) year term commencing January 1, 2012, and ending December 31, 2016.—[12-128](#)

Joint Powers Agreement between St. Louis County and Koochiching County for the conservation and management of clean water within and adjacent to Voyageurs National

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

51

Park.—[12-129](#)

Agreement between St. Louis County and St. Louis County Sheriff's Supervisory Association for 2010/2011.—[12-130](#)

Co-Tenancy Agreement between the County of St. Louis and City of Duluth for the Public Safety Building.—[12-131](#)

Lease Agreement between the County of St. Louis and James Jauss for office space in the Palladio Building for the period January 1, 2012, through April 30, 2015.—[12-132](#)

Joint Powers Agreement between St. Louis County and the 6th Judicial District Court to conduct criminal histories on name change applicants.—[12-133](#)

Grant Agreement between Minnesota Department of Public Safety, Homeland Security and Emergency Management and St. Louis County Sheriff's Office for the Emergency Management Performance Grant 2011.—[12-134](#)

Agreement between the County of St. Louis and the St. Louis & Lake Counties Regional Railroad Authority for accounting services for the period January 1, 2012, through December 31, 2012.—[12-135](#)

Agreement for Professional Services between St. Louis County and Trimin Government Solutions for the period February 1, 2012, through December 31, 2012, to design and implement a "catcher piece" for electronic recording of real estate documents.—[12-136](#)

Agreement for Professional Services between the County of St. Louis and Braun Intertec Corporation for Geotechnical Evaluation for proposed snowmobile underpass (SP 69-691-020) on Haines Road (County State Aid Highway 91) in the City of Duluth.—[12-137](#)

Agreement for Professional Services between the County of St. Louis and Suit, LLC, for the Duluth Courthouse Auditor's Room 201 Space Planning.—[12-138](#)

Home and Community-Based Waiver Services Contract, Contract No. 14957, between the St. Louis County Board of Commissioners and Jay Litman Construction/Remodeling & Handyman Services, Inc.—[12-139](#)

Purchase of Service Agreement, Contract No. 14914, between St. Louis County and Salvation Army for social services.—[12-140](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14574D, between the St. Louis County Board of Commissioners and L & M Opportunities, Inc.—[12-141](#)

Group Residential Housing Rate Agreement, Contract No. 50980, between the St. Louis County Board of Commissioners and L & M Opportunities – Snelling Park.—[12-142](#)

Group Residential Housing Rate Agreement, Contract No. 50979, between the St. Louis County Board of Commissioners and L & M Opportunities – Hunters Park.—[12-143](#)

Addendum to Home and Community-Based Waiver Services Contract, Contract No. 14631C, between the St. Louis County Board of Commissioners and Carol Reigstad Adult Foster Homes.—[12-144](#)

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

52

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 12-93 through 12-105, 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 February 7, 2012, are hereby approved.

Adopted February 28, 2012. No. 12-093

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 14, 2012, are hereby approved.

Adopted February 28, 2012. No. 12-094

WHEREAS, the contract with Jeffrey Hill of Mt. Iron, MN, for the purchase 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 lands legally described as:

TOWN OF CHERRY

NLY 100 FT OF WLY 300 FT OF SW 1/4 OF NW 1/4 OF NW 1/4

SEC 25 TWP 57 RGE 19

Parcel Code: 290-0010-04345

C22070165

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 property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of this 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 February 28, 2012. No. 12-095

WHEREAS, the contract with Dennis Mogensen of Duluth, 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:

TOWN OF LAKEWOOD

NW 1/4 OF NE 1/4

SEC 8 TWP 51 RGE 13

Parcel Code: 415-0010-01850

C22110051

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 by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of this 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.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

53

RESOLVED FURTHER, that the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.
Adopted February 28, 2012. No. 12-096

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 percent of the basic sale price was paid prior to cancellation; therefore, county board approval is required for reinstatement; and

WHEREAS, Tracy Olson of Gilbert, MN, has requested to reinstate Contract C22100092, having been cancelled on 11/22/2011, under new Contract C22110137 for property described as:

CITY OF GILBERT
LOTS 1 AND 2, BLOCK 17
GILBERT
Parcel Code: 060-0010-03850

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reinstatement of Contract C22110137 by Tracy Olson of Gilbert, MN, in the amount of \$1,514.34, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted February 28, 2012. No. 12-097

WHEREAS, LHB Engineers & Architects, Inc., performed the preliminary roof condition investigation and assessment, the structural repair design, bidding documents, and construction administration (phase one) for the St. Louis County Heritage and Arts Center (the Depot) train museum roof; and

WHEREAS, an agreement is necessary for the planning and coordination, federal reporting requirements, construction administration and project closeout for the second and final phase of this project.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement with LHB Engineers & Architects, Inc., of Duluth, Minnesota, in an amount of \$67,886 for the planning and coordination, federal reporting requirements, construction administration, and project closeout for the Depot train museum roof repair project, payable from Fund 400, Agency 400023.

Adopted February 28, 2012. No. 12-098

WHEREAS, as of May 6, 2011, an interim amount for petitioner's attorney's fees in guardianship matters was recommended to the Chief Judge of the Sixth Judicial District at the rate of \$50.00 per hour with a maximum of \$250.00 per case in accordance with Minn. Stat. § 524.5-502(b); and

WHEREAS, the interim rate was included in the 2012 fee schedule adopted by the County Board on November 8, 2011; and

WHEREAS, the County Attorney was made aware and agrees the original cap of \$250.00 may be inappropriate in many guardianship cases; and

WHEREAS, the need for attorney services in guardianship matters exists and it is in the best interest of the citizens of St. Louis County to provide adequate representation in these matters in order to protect citizens in need.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an increase to the maximum amount allowable for petitioner's attorney's fees in guardianship matters to \$600.00, payable from Fund 100, Agency 113002, Object 626100.

RESOLVED FURTHER, upon approval by the County Board the increased fee maximum will be included in the 2013 fee schedule.

Adopted February 28, 2012. No. 12-099

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

54

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated February 10, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 28, 2012. No. 12-100

RESOLVED, that pursuant to the provisions of Minnesota Statutes, Section 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59385.

RESOLVED FURTHER, that said license is approved contingent upon license holder paying real estate or personal property taxes when due.

RESOLVED FURTHER, that if named license holder sells their licensed place of business, the County Board, at its discretion, may, after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder.

RESOLVED FURTHER, that said license shall be effective March 1, 2012, through June 30, 2012.

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township, On-Sale Intoxicating Liquor License No. CMB12145 and Sunday On-Sale Intoxicating Liquor License No. SUN12145, new.

Adopted February 28, 2012. No. 12-101

WHEREAS, St. Louis County has a population of over 19,000 veterans with 17,049 of them currently receiving veterans' benefits totaling more than \$75,347,000; and

WHEREAS, the total number of veterans seen by the St. Louis County Veterans Service Offices had reached 14,510 by the end of 2010, and the benefits veterans receive in the areas of compensation, pension, health care, education, burial, and insurance, have a direct positive impact on the county's economy; and

WHEREAS, the St. Louis County Board believes there is a demonstrated need for additional assistance to reach the veterans in Northeastern Minnesota; and

WHEREAS, the County Veterans Service Officer has requested that the Minnesota Department of Veterans Affairs (MDVA) continue its provision of an employee to address this need, and MDVA has agreed to place an Outreach Representative based out of the County Veterans Service Office in Duluth to assist veterans of Northeastern Minnesota in application for their veterans' benefits.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an extension to the existing Memorandum of Understanding with the Minnesota Department of Veterans Affairs to provide an Outreach Representative to further serve the veterans of Northeastern Minnesota in cooperation with the St. Louis County Veterans Service Office, effective January 1, 2012, through June 30, 2013.

Adopted February 28, 2012. No. 12-102

RESOLVED, that the St. Louis County Board appoints the following as voting delegates to the Association of Minnesota Counties (AMC) for 2012:

- Kevin Gray, St. Louis County Administrator
- Frank Jewell, St. Louis County Commissioner
- Steve O'Neil, St. Louis County Commissioner
- Christopher Dahlberg, St. Louis County Commissioner
- Mike Forsman, St. Louis County Commissioner
- Peg Sweeney, St. Louis County Commissioner

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

55

- Keith Nelson, St. Louis County Commissioner
- Steve Raukar, St. Louis County Commissioner
- Ann Busche, St. Louis County Public Health & Human Services Director
- Barbara Hayden, Planning and Community Development Director

RESOLVED FURTHER, that the St. Louis County Board appoints the following as delegates to the AMC Policy Committees:

<u>Policy Committee</u>	<u>Delegate</u>
Environment and Natural Resources:	Commissioner Dahlberg
General Government:	Commissioners Jewell & Raukar
Health & Human Services:	Commissioner O'Neil
Public Safety:	Commissioner Sweeney
Transportation:	Commissioners Forsman & Nelson

Adopted February 28, 2012. No. 12-103

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

WHEREAS, the Cooperative Extension Committee has an individual, Shari McCorison, whose term expired December 31, 2011, but is eligible for reappointment and interested in continuing to serve.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appointment of Shari McCorison for a third 3-year term expiring December 31, 2014.

Adopted February 28, 2012. No. 12-104

WHEREAS, the St. Louis County Sheriff's Office is a member of the Boundary Waters Drug Task Force, and the county serves as its fiscal agent; and

WHEREAS, the Minnesota Department of Public Safety, Office of Justice Programs, is offering a 2012 Boundary Waters Drug Task Force grant in the amount of \$96,043; and

WHEREAS, on November 8, 2011, the St. Louis County Board adopted Resolution No. 11-588, authorizing application and acceptance of the 2012 Boundary Waters Drug Force Grant in the amount of \$92,500, which was incorrect.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes application and acceptance of the 2012 Boundary Waters Drug Task Force Grant in the amount of \$96,043, to be accounted for in Fund 100, Agency 129999, Grant 12901, Year 2012.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

RESOLVED FURTHER, that County Board Resolution No. 11-588, dated November 8, 2011, is hereby rescinded.

Adopted February 28, 2012. No. 12-105

BY COMMISSIONER DAHLBERG:

WHEREAS, the St. Louis County Board believes it is in the public interest to protect the environment; and

WHEREAS, on February 7, 2012, the St. Louis County Board renewed its participation in a Joint Powers Agreement with Koochiching County to seek federal, state, and other financial assistance to plan, develop, construct and manage a comprehensive wastewater treatment system for the property within and adjacent to the Voyageurs National Park in both Koochiching County and St. Louis County.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board appoints the following commissioners to serve as members of the Joint Powers Board for the Conservation and Management of Waters - Voyageurs National Park:

Commissioner Forsman
Commissioner Nelson

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

56

Commissioner Jewell (alternate)

RESOLVED FURTHER, that St. Louis County is designated as the fiscal agent for the Joint Powers Agreement with the County Auditor authorized to accept and disburse funds on behalf of the Joint Powers Board.

Unanimously adopted February 28, 2012. No. 12-106

BY COMMISSIONER RAUKAR:

WHEREAS, the City of Floodwood has requested \$139,000 from St. Louis County for the Floodwood Business Park Project; and

WHEREAS, the St. Louis County funding will benefit the Floodwood Services and Training recycling facility; and

WHEREAS, the Floodwood Business Park Project is consistent with the development plan for the City of Floodwood; and

WHEREAS, St. Louis County has the \$139,000 in Economic Development - Minnesota Investment Fund repayments available for the project.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a grant of \$139,000 in Minnesota Investment Fund repayments to the City of Floodwood and authorizes the appropriate county officials to execute the grant agreement on behalf of the county, along with all the necessary related documents.

RESOLVED FURTHER, that the county grant is contingent on the City of Floodwood securing all necessary funding to complete the infrastructure and site improvement project.

RESOLVED FURTHER, that funds be paid from Economic Development – Minnesota Investment Fund Repayments, County Fund 176, Agency 176001.

Unanimously adopted February 28, 2012. No. 12-107

Upon motion by Commissioner Sweeney, supported by Commissioner O’Neil, resolutions numbered 12-108 through 12-124, as submitted to this Board on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, pursuant to Laws of Minnesota 2011, Chapter 98, Section 24, St. Louis County may sell by private sale the following described state tax forfeited land to remedy an inadvertent trespass and quiet title action:

Lot 11, Block 3, Central Division of West Duluth, and that part of Lot 13, Block 3, Central Division of West Duluth, that lies northwesterly of a straight line drawn from a point on the northerly line of said Lot 13, twenty-three (23) feet from the northwesterly corner of said lot to a point on the westerly line of said Lot 13, nine (9) feet from the said northwesterly corner, Section 7, Township 49 North, Range 14 West

Parcel Code: 010-0420-00290

WHEREAS, this parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, this parcel of land is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, 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 a state tax forfeited land parcel to Dennis Dagger, to remedy an inadvertent trespass and quiet title action for the appraised value of \$3,700, plus 3% assurance fee of \$111, deed fee of \$25, deed tax of \$12.21, and recording fee of \$46; for a total of \$3,894.21, to be deposited in Fund 240 (Forfeited Tax Fund).

Adopted February 28, 2012. No. 12-108

WHEREAS, Robert Hoffman and Graves Land Corporation have requested a non-exclusive

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

57

roadway easement across state tax forfeited land to access private land; and
WHEREAS, there are no reasonable alternatives to obtain access to the private property; and
WHEREAS, exercising the easement will not cause significant adverse environmental or natural resource management impacts; and
WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a) is authorized to grant a non-exclusive roadway easement across state tax forfeited land to Robert Hoffman and Graves Land Corporation described as follows:

The South 66.00 feet of the East 335.00 feet of the Southwest Quarter of the Northeast Quarter of Section 11, Township 53 North, Range 14 West, St. Louis County, Minnesota.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$970 land use fee, \$100 administration fee and \$46 recording fee; for a total of \$1,116, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 28, 2012. No. 12-109

WHEREAS, Minnesota Power has requested a utility easement across state tax forfeited land for a 34.5kV overhead power line serving the Mining Resources, LLC, mining site near Chisholm, MN; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor is authorized to grant a power line utility easement to Minnesota Power located in Section 35, Township 58 North, Range 20 West.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$9,534 land use fee, \$990 timber damages, and \$46 recording fee; for a total of \$10,570, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 28, 2012. No. 12-110

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

WHEREAS, the applicants, Sylvester Hantz, Jr., and Sandy Hantz of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
Lot 0012 Block 005
WEST PARK DIVISION OF DULUTH
Parcel Code: 010-4570-00480

WHEREAS, the applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the repurchase application by Sylvester Hantz, Jr., and Sandy Hantz of Duluth, MN, on file in County Board File No. 59398, subject to payments including total taxes and assessments of \$4,892.58, service fee of \$114.00, deed fee of \$25.00, deed tax of \$16.15 and recording fee of \$46.00; for a total of \$5,093.73, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 28, 2012. No. 12-111

WHEREAS, St. Louis County requires the services of a competent contractor to provide tire management and recycling services to Environmental Services and Public Works facilities; and

WHEREAS, the county is authorized by Minn. Stat. §400.04 to negotiate for recycling

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

58

services; and

WHEREAS, Liberty Tire Recycling, LLC, is willing and able to provide the service.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a two (2) year contract with Liberty Tire Recycling, LLC, for collection, haulage and proper disposal of waste tires at \$115 per ton for tires up to 24 ½ inches, and \$185 per ton for tires over 24 ½ inches, payable from Fund 600, Agency 601004 (Recycling).

Adopted February 28, 2012. No. 12-112

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, with Lake County whereby Lake County will pay its 10% match for local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as SP 88-070-016, CP 92761, Rumble Strips and Edgeline Striping 2012. The funds received from Lake County will be receipted into Fund 220, Agency 220275, Revenue 551508.

Adopted February 28, 2012. No. 12-113

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Hermantown for the sanitary sewer construction on County State Aid Highway (CSAH) 48, SAP 69-648-026, CP 8273, whereby the City of Hermantown will pay the "City of Hermantown Non-Participating" local share items listed in the supplemental agreement in the plan. The funds from the City of Hermantown for project SAP 69-648-026, CP 8273 will be receipted into Fund 220, Agency 220176, Object 551503, with the amount budgeted for expense and determined at the time of completion of the supplemental agreement.

Adopted February 28, 2012. No. 12-114

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. 59401.

Adopted February 28, 2012. No. 12-115

WHEREAS, the fire alarm system in the St. Louis County Courthouse in Hibbing is obsolete and service needs are no longer supported; and

WHEREAS, Property Management standardized facility fire detection systems through a Request For Proposals (RFP) process several years ago and selected the proposal of Siemens Building Technologies of Duluth, Minnesota; and

WHEREAS, the county's insurance carrier recommends replacement of the Hibbing Courthouse system; and

WHEREAS, Siemens Building Technologies provided a quote in an amount of \$125,000 for the replacement of the fire detection and fire alarm control system.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Siemens Building Technologies of Duluth, Minnesota, in an amount of \$125,000 for the replacement of the fire detection and fire alarm control system for the Hibbing Courthouse, payable from Fund 400, Agency 400008.

Adopted February 28, 2012. No. 12-116

WHEREAS, Great River Energy, a Minnesota cooperative corporation, is constructing a 69 kilo-volt (kV) transmission line between Tower and Orr to upgrade the electrical delivery system in this area of St. Louis County; and

WHEREAS, Great River Energy has requested that the St. Louis County Board grant a transmission line utility easement across St. Louis County fee owned property; and

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

59

WHEREAS, Minn. Stat. § 373.01, Subdivision 1(4), authorizes St. Louis County to sell, lease and convey real estate owned by the county.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements of and procedures of Minn. Stat. § 373.01, the Chair of the County Board and the County Auditor are authorized to execute a transmission line utility easement to Great River Energy as described in Easement Number LC –TC-100, Exhibit A and B, on file in the Property Management Department office.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$1,100 land use fee, to be deposited in Fund 100, Agency 128014, Object 583100.

Adopted February 28, 2012. No. 12-117

WHEREAS, the State of Minnesota Department of Public Safety, through the Division of Homeland Security and Emergency Management, has made available \$29,925 in funding for Mass Sheltering planning, training and exercising for the Northeast Region; and WHEREAS, St. Louis County, through its Sheriff's Office, has offered to serve as the grant administrator and fiscal agent for this funding.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2011 Mass Sheltering Grant in the amount of \$29,925, to be accounted for in Fund 100, Agency 132999, Grant 13207, Year 2011, and authorizes St. Louis County to serve as fiscal agent on behalf of the Northeast Region.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted February 28, 2012. No. 12-118

WHEREAS, the State of Minnesota Department of Public Safety, through the Division of Homeland Security and Emergency Management, has made available \$190,000 in funding from the Department of Homeland Security Buffer Zone Protection Program for approved public safety equipment; and

WHEREAS, the St. Louis County Sheriff's Office will be able to purchase needed public safety equipment as a result of this funding.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes acceptance of the 2011 Buffer Zone Protection Program grant in the amount of \$190,000, to be accounted for in Fund 100, Agency 129999, Grant 12950, Year 2011.

RESOLVED FURTHER, that the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

Adopted February 28, 2012. No. 12-119

WHEREAS, St. Louis, Lake, and Carlton counties are in need of project management for the migration to the Allied Radio Matrix for Emergency Responders (ARMER) system; and

WHEREAS, these counties share radio and mobile data communications infrastructure, and require ongoing system maintenance; and

WHEREAS, the St. Louis County Sheriff's Office Radio Maintenance Technicians provide a high standard of maintenance for the infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Lake and Carlton counties for Allied Radio Matrix for Emergency Responders (ARMER) system migration project management and the provision of ongoing maintenance of the shared communications systems totaling \$62,000, with \$25,000 to be accounted for in Fund 100, Agency 136001, Object 551506 (Carlton) and \$37,000 to be accounted for in Fund 100, Agency 136001, Object 551508 (Lake).

Adopted February 28, 2012. No. 12-120

RESOLVED, that a public hearing will be held at 9:35 A.M. on March 13, 2012, in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering an Off-Sale

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

60

Intoxicating Liquor License for Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township.

Adopted February 28, 2012. No. 12-121

WHEREAS, St. Louis County operates a Regional Landfill in Virginia, Minnesota, which serves as the primary disposal facility for mixed municipal solid waste generated in the county's Solid Waste Management Area; and

WHEREAS, the St. Louis County Regional Landfill will require additional operational capacity by the fall of 2012; and

WHEREAS, the construction of this project was competitively bid and the lowest responsible bid of \$1,398,610.52 was received from Frattalone Companies of St. Paul, Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a contract with Frattalone Companies at its bid price of \$1,398,610.52, for the construction of Phase 6 at the Regional Landfill payable from Fund 600, Agency 607001, Landfill.

Adopted February 28, 2012. No. 12-122

WHEREAS, St. Louis County and the City of Duluth recently lost a great citizen and community advocate in the passing of Ellen Louise Pence; and

WHEREAS, Ellen Pence helped organize the Domestic Abuse Intervention Program, commonly referred to as the "Duluth Model", was a founding member and Director of Praxis Int'l, helped develop the Blueprint for Safety domestic violence initiative, and closely collaborated with institutions and law enforcement around the world, starting with the Duluth Police Department, to help combat domestic violence; and

WHEREAS, Ellen Pence devoted her life to effectively addressing and counseling all parties in the cycle of domestic violence; and

WHEREAS, the new Joint Public Safety Building training room is intended for community meetings and gatherings, as well as education and training; and

WHEREAS, the St. Louis County Board of Commissioners, along with the Duluth City Council, on behalf of the County Sheriff's Office and the Duluth Police Department, in order to memorialize Ellen Pence's life and work, desires to name the new Joint Public Safety Building training room in her honor.

NOW, THEREFORE, BE IT RESOLVED, that the new Joint Public Safety Building training room shall hereafter be referred to as the Ellen Pence Training Room.

Adopted February 28, 2012. No. 12-123

WHEREAS, State Representative Tom Anzelc has authored legislation modifying wetland replacement requirements in counties with 80% or more of their pre-settlement wetlands remaining, officially known as House File No. 2105; and

WHEREAS, Arrowhead Counties Association members all have in excess of 80% of their pre-settlement wetlands remaining; and

WHEREAS, current state law regulating replacement of wetlands affected by building activities creates undue hardship for economic development activities in the member counties including St. Louis County; and

WHEREAS, modification of wetland replacement requirements in the Arrowhead Counties Association member counties would enhance local economic development activity in these counties; and

WHEREAS, the provisions of House File No. 2105 are in full compliance with statutory requirements that Minnesota retain an overall no net loss of wetlands policy.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners supports House File No. 2105 modifying wetland replacement requirements, as proposed by State Representative Tom Anzelc.

**PROCEEDINGS OF BOARD OF COUNTY COMMISSIONERS
ST. LOUIS COUNTY, MINNESOTA**

61

Adopted February 28, 2012. No. 12-124

At 11:58 a.m., February 28, 2012, Commissioner Jewell, supported by Commissioner Forsman, moved to adjourn; seven yeas, zero nays.

Keith Nelson, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)