



COMMITTEE OF THE WHOLE AGENDA
Board of Commissioners, St. Louis County, Minnesota

December 18, 2012
Immediately following the Board Meeting, which begins at 9:30 A.M.
Morse Town Hall, 911 South Central Avenue, Ely, MN

Directions: North on Highway 169 to Ely. Turn right on Central Avenue (first set of stop lights in Ely) Proceed less than one mile, Morse Town Hall is on your right (overlooking the Ely Golf Course).

CONSENT AGENDA:

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

Minutes of December 11, 2012

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

1. Extension of the Agreement with Western Lake Superior Sanitary District for Services in South Solid Waste Service Area [12-513]
2. Road Easement across State Tax Forfeited Land - American Bank of the North [12-514]
3. Road Easement across State Tax Forfeited Land – Potlatch [12-515]
4. Private Sale of State Tax Forfeited Land – Spielman [12-516]

Finance & Budget Committee – Commissioner Raukar, Chair

5. Acceptance of County Veterans Service Officer Community Outreach Grant (Correction) [12-517]

Central Management & Inter-Governmental Committee – Commissioner Jewell, Chair

6. 2013 Federal Lobbying Services Contract with Lockridge, Grindal & Nauen [12-518]

REGULAR AGENDA:

For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

Health & Human Services Committee – Commissioner O’Neil, Chair

1. **Appointments of Public Health and Human Services Advisory Committee Members** [12-519]

Resolution appointing members to the PHHS Advisory Committee, authorizing the County Auditor to advertise county wide for applicants to maintain a current and active list of potential appointees, and approving an adjustment to the Advisory Board terms.

Central Management & Inter-Governmental Committee – Commissioner Jewell, Chair

1. **Boundary Waters Canoe Area Land Exchange** [12-520]
A resolution to support a land exchange to free isolated State School Trust Land controlled by the federal government within the Boundary Waters Canoe Area Wilderness
2. **Deputy Sheriff Unit Bargaining Agreement– 2012/2013** [12-521]
Resolution approving the 2012/2013 Deputy Sheriff’s Unit bargaining agreement.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

At this time, Commissioners may introduce items for discussion or report on past and future activities.

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

January 8, 2013 **Commissioners' Conference Room, Courthouse, Duluth, MN**

January 15, 2013 **Commissioners' Conference Room, Courthouse, Duluth, MN**

BARRIER FREE: *All St. Louis County Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual needs for special services. Please contact St. Louis County Property Management (218-725-5085) early so necessary arrangements can be made.*

**COMMITTEE OF THE WHOLE
ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

Tuesday, December 11, 2012

Location: Commissioner's Conference Room, St. Louis County Courthouse,
Duluth, MN

Present: Commissioners Jewell, Dahlberg, Sweeney, Forsman, O'Neil, Raukar,
and Chair Nelson

Absent: None

Convened: Chair Nelson called the meeting to order at 2:07 p.m.

Chair Nelson shared a CD entitled, "Christmas by the Lake" with fellow Board members. Attorney Mark Rubin said that several artists contributed songs and music on the CD and 100% of the proceeds from the sale of the CD go to the Northern Lights Foundation and to the Flood Relief.

CONSENT AGENDA

Sweeney/Raukar moved to approve the consent agenda. (7-0)

- Minutes of November 27, 2012
- Acceptance of Public Health Emergency Preparedness Funding from Carlton-Cook-Lake-St. Louis Community Health Board **[12-468]**
- CY 2013 Employment Services for Persons with Developmental Disabilities **[12-469]**
- CY 2013 Purchase of Service Contract with Arrowhead Center, Inc. **[12-470]**
- CY 2013 Out-of-Home and Day Treatment Contracts for Services to Families and Children **[12-471]**
- CY 2013 Purchase of Service Contract with LSS Bethany Crisis Nursery **[12-472]**
- CY 2013 LSS Supervised Visitation Services Agreements **[12-473]**
- CY 2013 Purchase of Service Contract with First Witness Child Abuse Resource Center **[12-474]**
- CY 2013 Children's Mental Health Adolescent Services Contracts with Human Development Center **[12-475]**
- CY 2013 Purchase of Service Contract with Legal Aid Service of Northeastern Minnesota **[12-476]**
- CY 2013 Purchase of Service Contract with Program for Aid to Victims of Sexual Assault **[12-477]**
- CY 2013 Mental Health Contracts with Human Development Center **[12-478]**
- CY 2013 Mental Health Contracts with Range Mental Health Center **[12-479]**
- Advertising for Appointments to the Leadership Team of the Heading Home St. Louis County Homeless Project **[12-480]**
- Approval of Registered Land Survey Number 113 (Beatty Township) **[12-482]**
- Renewal of Kabetogama Canister Site Lease **[12-483]**

- Road Easement across State Tax Forfeited Land - Bank of Elk River **[12-484]**
- Road Easement across State Tax Forfeited Land – Glowaski **[12-485]**
- Cancellation of Contract for Repurchase of State Tax Forfeited Land – Luukkonen and US Steel Corp. **[12-486]**
- Repurchase of State Tax Forfeited Land – Larson **[12-487]**
- Public Sale of State Tax Forfeited Lands on February 14, 2013 **[12-488]**
- Agreement with ARDC for Intersection Control Evaluation Planning Study **[12-489]**
- State Compensation for TH 2 Detour on CSAH 14 (Proctor) **[12-490]**
- State Compensation for TH 169 Detour on CSAH 26 (Tower) **[12-491]**
- Agreement with LHB Corporation for Additional Design Services for CSAH 91/Haines Road (Duluth) **[12-492]**
- Free Conveyance of Surplus Fee Land, Pike-Sandy Tool House Building and Property **[12-493]**
- Abatement List for Board Approval **[12-494]**
- Lawful Gambling Application – Unorganized Township 68-19 **[12-495]**
- Lawful Gambling Application – Unorganized Township 59-16 **[12-496]**
- Minnesota Counties Information Systems (MCIS) Joint and Cooperative Agreement **[12-497]**
- Contract Renewal for Court Appointed Attorneys in Child Protection Proceedings **[12-498]**
- Contracts for Court Appointed Attorneys in Civil Commitment Proceedings **[12-499]**
- Pay Increase for the Bailiff – Court Security Classification **[12-500]**

Health & Human Services Committee

Sweeney/Jewell moved without recommendation to support the position of the Association of Minnesota Counties in taking a leadership role in convening a statewide summit of county leaders around this issue to develop a victim-centered response to eliminate sex trafficking of our children. After further discussion, the motion passed. (7-0)

Public Works & Transportation

Forsman/Sweeney moved without recommendation to authorize the award of the bid for SP 69-691-020\SP 69-691-027, CP 8269, to Hammerlund Construction, Inc. of Grand Rapids, MN, for the amount of \$10,820,000.00. Commissioner Forsman said that this is one of the most costly projects to date. After further discussion, the motion passed. (7-0)

Finance & Budget

Raukar/Jewell moved to approve an increase in the revenue and expense budget for the Public Works Department in Fund 225 (Storm Event funding), using State Flood Bonds approved under the Special Legislative Session of August 24, 2012. These funds are administered through the Minnesota Department of Transportation under special Flood Bond agreements, with the revenue source determined to be in the amount of \$15,612,264. Administrator Kevin Gray stated that this money is strictly from the State Flood Bonds and is a good number to be made whole again. After further discussion, the motion passed. (7-0)

Nelson/Raukar moved to approve hiring a second full-time Youth Program Coordinator for the Iron Range Youth in Action Program (IRYA). Administrator Kevin Gray stated that in the past, there were two full-time positions; therefore, this position is not an added one but rather restoring a vacant position. Chair Nelson added that over 450 high school youths across the Iron Range have been involved in the IRYA. Commissioner O'Neil said that he looks forward to spreading this program throughout the southern St. Louis County for those youth also. Commissioner Sweeney added that the IRYA fills a niche for youth not interested in sports. After further discussion, the motion passed. (7-0)

Forsman/Nelson moved without recommendation to authorize a purchase agreement for the St. Louis County Service Center located in Ely for \$795,000. Administrator Kevin Gray stated that this price is \$300,000 less than the original asking price. Commissioner Forsman said he is glad to see the county investing in the City of Ely. After further discussion, the motion passed. (7-0)

Raukar/Nelson moved without recommendation to authorize the transfer of county fee land and the transfer of \$250,000 previously set aside for the Hibbing Motorplex economic development project to the City of Hibbing for public use. Administrator Kevin Gray said the property includes the Hibbing Race Track, a storage building, and a lease with the State of Minnesota / Hibbing Community Collage. Commissioner Raukar stated that the county's goal is to divest properties that do not fit into St. Louis County's core services. Commissioner Sweeney voiced her concerns in transferring \$250,000 to the City of Hibbing when the Proctor Speedway is re-paying loans to the county. After further discussion, the motion passed. (7-0)

Central Management & Inter-Governmental

Jewell/Nelson moved to reappoint three existing members, and appoint one new member, to three-year terms on the Board of Adjustment expiring December 31, 2015. After further discussion, the motion passed. (7-0)

Jewell/Dahlberg moved to reappoint the three individuals whose terms expire at the end of 2012 to another three-year term expiring December 31, 2015 and consider the appointment of Board of Adjustment members who have requested to serve on the Planning Commission. After further discussion, the motion passed. (7-0)

Jewell/Nelson moved to appoint three members to the Community Development Block Grant (CDBG) Citizen Advisory Committee with terms to expire April 30, 2015.

Commissioner Discussion Items and Reports

Commissioner Dahlberg stated that he spoke at the State of Minnesota Legislature on December 6, 2012 on methadone.

At 4:56 p.m., December 11, 2012, Raukar/Jewell moved to adjourn. (7-0)

Keith Nelson, Chair of the County Board

Roberta A. Museta, Clerk of County Board

BOARD LETTER NO. 12 - 513

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Extension of the Agreement
with Western Lake Superior
Sanitary District for Services in
South Solid Waste Service
Area

FROM: Kevin Z. Gray
County Administrator

Ted Troolin, Director
Environmental Services

RELATED DEPARTMENT GOAL:

To provide a comprehensive system of municipal solid waste management for residents and businesses within its Solid Waste Management Area (SWMA).

ACTION REQUESTED:

The St. Louis County Board is requested to renew the existing South Service Area Solid Waste Services Agreement with the Western Lake Superior Sanitary District (WLSSD).

BACKGROUND:

Environmental Services oversees solid waste management activities for the portion of the county exclusive of the WLSSD area. The county has no jurisdictional solid waste management authority for areas within the boundaries of WLSSD. The county SWMA is divided into three areas: the North Service Area; the South Service Area; and the East Service Area. The remainder of the county lies within the WLSSD jurisdictional boundaries as established by State Statute.

Residents in the North Solid Waste Service Area pay service fees to help offset the costs of services, and use county facilities and programs. Portions of the county SWMA immediately north of the WLSSD have historically managed solid waste separately from the programs provided by the county. Waste from the South Service Area is managed within the WLSSD solid waste system.

WLSSD residents pay for abatement and other programs through a county tax statement line item service fee and volume based hauler collected fees. While this provides sufficient funding for programs within the WLSSD boundaries, it does not provide funds for WLSSD programs offered within the county's South Service Area. To address this, the county SWMA put in place fees similar to those charged by WLSSD. A volume based hauler collected fee has been in place since January 2002, and the

county began collecting a county tax statement line item service fee on property tax statements for the year 2003. Together these two fees raise an estimated \$31/residence/year (about \$70,613 per year for the entire area).

The fees were established with the intention of providing funds to WLSSD for services in the South Service Area, and to offset administrative costs incurred by the county. The agreement provides the WLSSD with 75% of the service fee funding and volume based hauler collected fees raised by the county in the South Service Area (an estimated \$52,960 per year) and with the State SCORE pass-through grant funding for the area (about \$8,400 per year). In return, the WLSSD provides the area with recycling, waste reduction, education, household hazardous waste, appliance, battery, tire, used oil, construction and demolition waste, and solid waste management services. Generators of solid waste within the South Service Area receive the same solid waste services provided by WLSSD to other county residents located within the boundaries of WLSSD.

Environmental Services retains 25% of the funding (about \$17,653 per year) to pay for general solid waste management services including: solid waste management planning; administrative programs such as hauler and facility licensing, facility inspections, and financial activities; environmental enforcement; and old dump management programs. Generators of solid waste in the South Service Area need to continue to comply with all county ordinances and regulations, as well as WLSSD solid waste disposal regulations.

RECOMMENDATION:

It is recommended that the St. Louis County Board extend the agreement that provides WLSSD with a portion of the service fee and volume based hauler collected fees raised in the South Service Area sufficient to cover costs of solid waste and special waste services for that area.

**Extension of the Agreement with Western Lake Superior Sanitary District
for Services in South Solid Waste Service Area**

BY COMMISSIONER _____

WHEREAS, St. Louis County through its Environmental Services Department has jurisdictional authority for those portions of the County not included in the Western Lake Superior Sanitary District (WLSSD); and

WHEREAS, the County Solid Waste Ordinance (Ordinance 45) identifies a service area as “a geographical area within the County, established by resolution of the County Board, to receive Solid Waste Management services”; and

WHEREAS, the county has established a South Solid Waste Service Area as a discrete area to receive solid waste services within the county; and

WHEREAS, the county has established hauler collected and line item service fees in the South Solid Waste Service Area to pay for the costs of providing solid waste services within that area; and

WHEREAS, the county determined that it is most efficient and effective for the WLSSD to provide certain solid waste services to residents within the South Solid Waste Service Area.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a five (5) year extension of the Agreement with the WLSSD under which the county will provide the WLSSD with 75% of the solid waste fee funding raised within the county's South Service Area, and WLSSD will provide residents and businesses within the South Solid Waste Service Area with recycling, waste reduction, education, household hazardous waste, appliance, battery, tire, used oil, construction and demolition waste, and solid waste management services, expiring December 31, 2017.

FURTHER RESOLVED, that Environmental Services will provide the WLSSD with the appropriate level of SCORE funding received from the State of Minnesota for the South Solid Waste Service Area to be paid from Environmental Services Enterprise Fund 600, Agency 600001.

BOARD LETTER NO. 12 - 514

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Road Easement across State
Tax Forfeited Land - American
Bank of the North

FROM: Kevin Z. Gray
County Administrator

Robert Krepps, Land Commissioner
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENTAL GOAL:

Financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a non-exclusive road easement across state tax forfeited land located in Township 62 North, Range 14 West (Eagles Nest) to American Bank of the North.

BACKGROUND:

American Bank of the North has requested a non-exclusive road easement across state tax forfeited land to access private land. The 0.66 acre easement right-of-way is located on an existing forest road. There are no reasonable alternatives to obtain access to the property. Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land. Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of easements across state tax forfeited land for such purposes.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a non-exclusive road easement across state tax forfeited land to the American Bank of the North upon payment of \$1,250 land use fee, \$50 administration fee and \$46 recording fee; for a total of \$1,346, to be deposited into Fund 240 (Forfeited Tax Fund).

Road Easement across State Tax Forfeited Land - American Bank of the North

BY COMMISSIONER _____

WHEREAS, American Bank of the North has requested a non-exclusive road easement across state tax forfeited land to access private land; and

WHEREAS, there are no reasonable alternatives to obtain access to the property; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), is authorized to grant a non-exclusive easement across state tax forfeited land to American Bank of the North described as follows:

A 66.00-foot wide easement for ingress and egress across the Southwest Quarter of the Northwest Quarter of Section 22, Township 62 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Assuming the West line of the Northwest Quarter of Section 22, to bear North 07° 23' 34" West and from the West Quarter Corner of Section 22 run North 07° 23' 34" West along said West line, a distance of 575.56 feet to the intersection of the centerline of the existing "Six Mile Road" and the West line of the Northwest Quarter of Section 22, said point of intersection being the POINT OF BEGINNING of the centerline to be described.

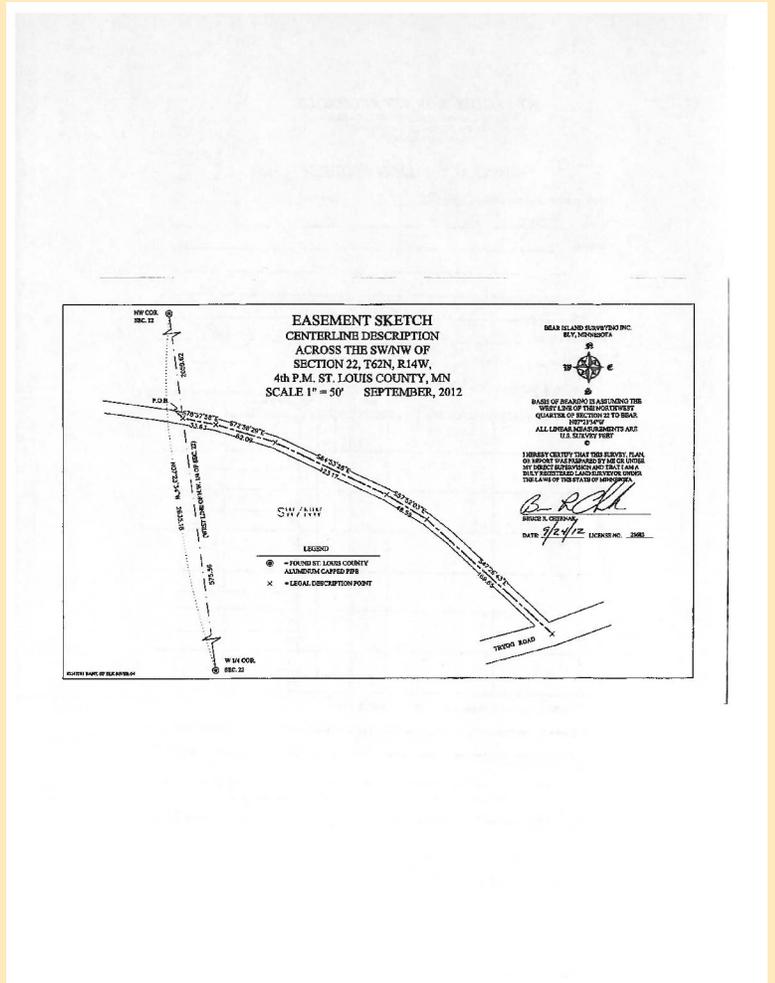
Thence South 78° 57' 58" East, a distance of 33.63 feet;
thence South 72° 58' 29" East, a distance of 62.09 feet;
thence South 64° 53' 28" East, a distance of 123.17 feet;
thence South 57° 52' 03" East, a distance of 46.59 feet;
thence South 47° 26' 43" East, a distance of 169.65 feet
to the centerline of the "Trygg Road" and there terminate.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$1,250 land use fee, \$50 administration fee and \$46 recording fee; for a total of \$1,346, to be deposited into Fund 240 (Forfeited Tax Fund).



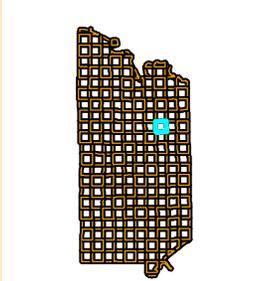
A 66.00-foot wide easement for ingress and egress across the Southwest Quarter of the Northwest Quarter of Section 22, Township 62 North, Range 14 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows: Assuming the West line of the Northwest Quarter of Section 22, to bear North 07° 23' 34" West and from the West Quarter Corner of Section 22 run North 07° 23' 34" West along said West line, a distance of 575.56 feet to the intersection of the centerline of the existing "Six Mile Road" and the West line of the Northwest Quarter of Section 22, said point of intersection being the POINT OF BEGINNING of the centerline to be described.

Thence South 78° 57' 58" East, a distance of 33.63 feet; thence South 72° 58' 29" East, a distance of 62.09 feet; thence South 64° 53' 28" East, a distance of 123.17 feet; thence South 57° 52' 03" East, a distance of 46.59 feet; thence South 47° 26' 43" East, a distance of 169.65 feet to the centerline of the "Trygg Road" and there terminate.



4th Commissioner District

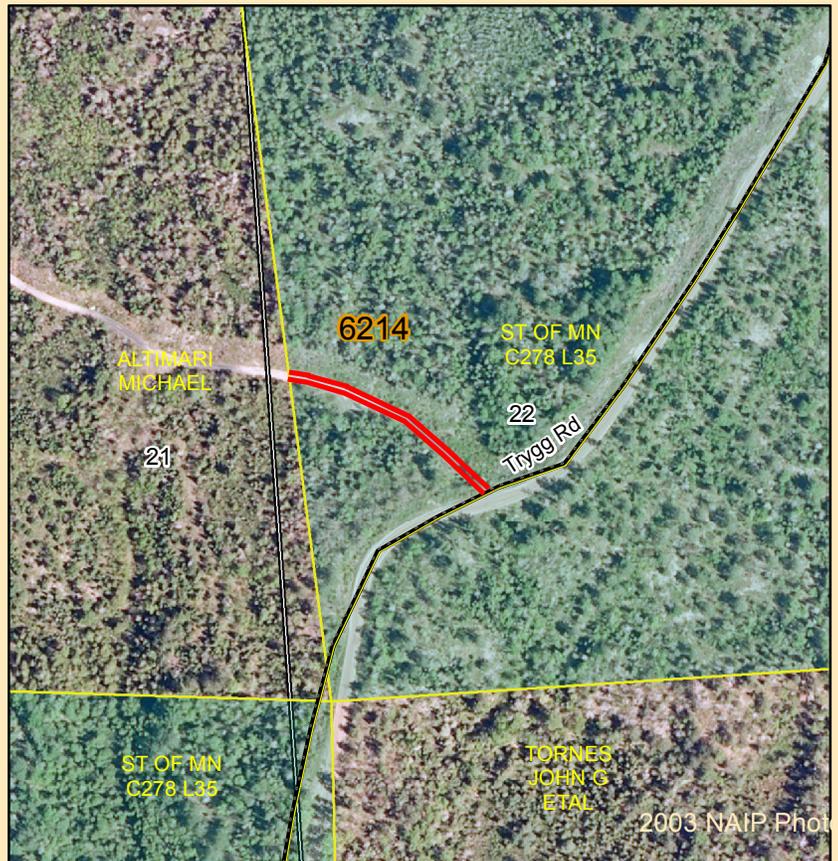
-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land and Minerals
Department**



BOARD LETTER NO. 12 - 515

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 3

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Road Easement across State
Tax Forfeited Land - Potlatch

FROM: Kevin Z. Gray
County Administrator

Robert Krepps, Land Commissioner
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENTAL GOAL:

Financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a non-exclusive road easement across state tax forfeited land located in Township 66 North, Range 20 West (Unorganized), which is located west of Camp 5 Township and north of Leiding Township, to Potlatch Minnesota Timberlands (Potlatch).

BACKGROUND:

Potlatch has requested a non-exclusive road easement across state tax forfeited land to access private land. The 10.5 acre easement right-of-way is located on an existing forest road. There are no reasonable alternatives to obtain access to the property. Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of the land. Minn. Stat. § 282.04, Subd. 4(a) allows for the granting of easements across state tax forfeited land for such purposes.

Potlatch will be granting St. Louis County a 2.83 acre easement for access to state tax forfeited lands in the area which will offset \$2,405 from the appraised value of the easement to be granted to Potlatch.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a non-exclusive road easement across state tax forfeited land to Potlatch upon payment of \$6,520 land use fee, \$100 administration fee and \$46 recording fee; for a total of \$6,666, to be deposited into Fund 240 (Forfeited Tax Fund).

Road Easement across State Tax Forfeited Land - Potlatch

BY COMMISSIONER _____

WHEREAS, Potlatch Minnesota Timberlands (Potlatch) has requested a non-exclusive road easement across state tax forfeited land to access private land; and

WHEREAS, there are no reasonable alternatives to obtain access to the property; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4(a), is authorized to grant a non-exclusive easement across state tax forfeited land to Potlatch described as follows:

A 40.00-foot wide easement for ingress and egress over and across part of the Southwest Quarter of the Southeast Quarter of Section 26, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Assuming the West line of the Northwest Quarter of Section 26, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota to bear North 00°14'34" West and from the Northwest Corner of said Section 26 run South 33° 05' 05" East, a distance of 4921.65 feet to the intersection of the centerline of a drive as it exists on November 23, 2011 and the assumed West line of the Southwest Quarter of the Southeast Quarter of said Section 26, said point of intersection being the POINT OF BEGINNING of the centerline to be described.

Thence South 55°45'04" East, a distance of 90.31 feet;
thence South 62°07'55" East, a distance of 78.18 feet;
thence South 68°33'36" East, a distance of 76.45 feet;
thence South 78°17'51" East, a distance of 103.04 feet;
thence South 85°46'33" East, a distance of 82.52 feet;
thence North 89°56'04" East, a distance of 71.62 feet;
thence North 75°28'54" East, a distance of 78.19 feet;
thence North 71°00'05" East, a distance of 80.62 feet;
thence North 64°14'09" East, a distance of 88.51 feet;
thence North 61°00'46" East, a distance of 112.71 feet to the North line of the Southwest Quarter of the Southeast Quarter of Section 26 and there terminate.

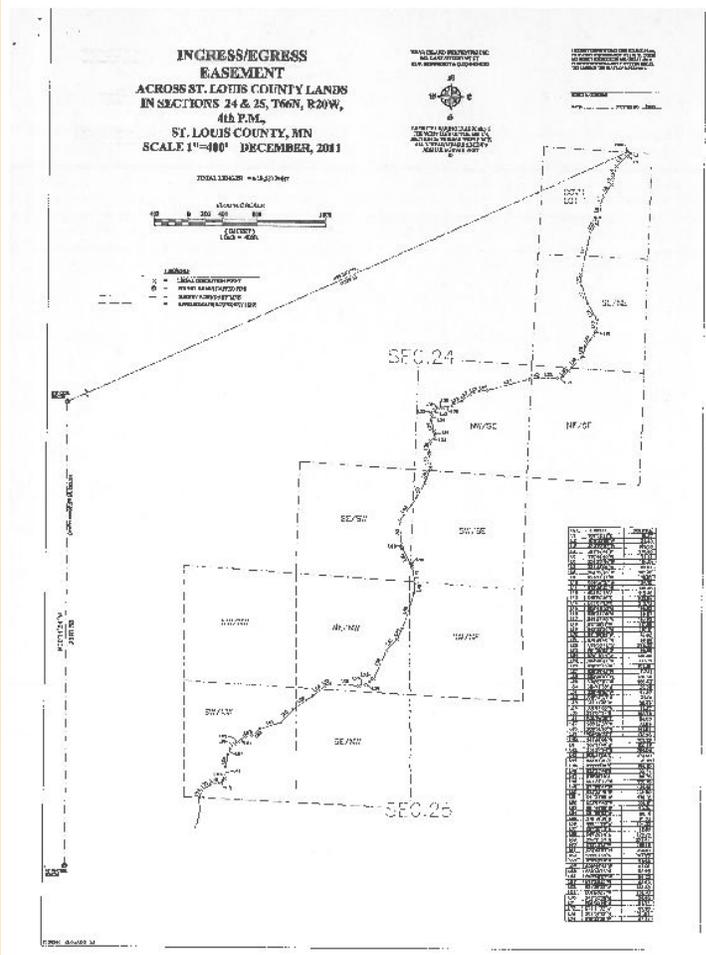
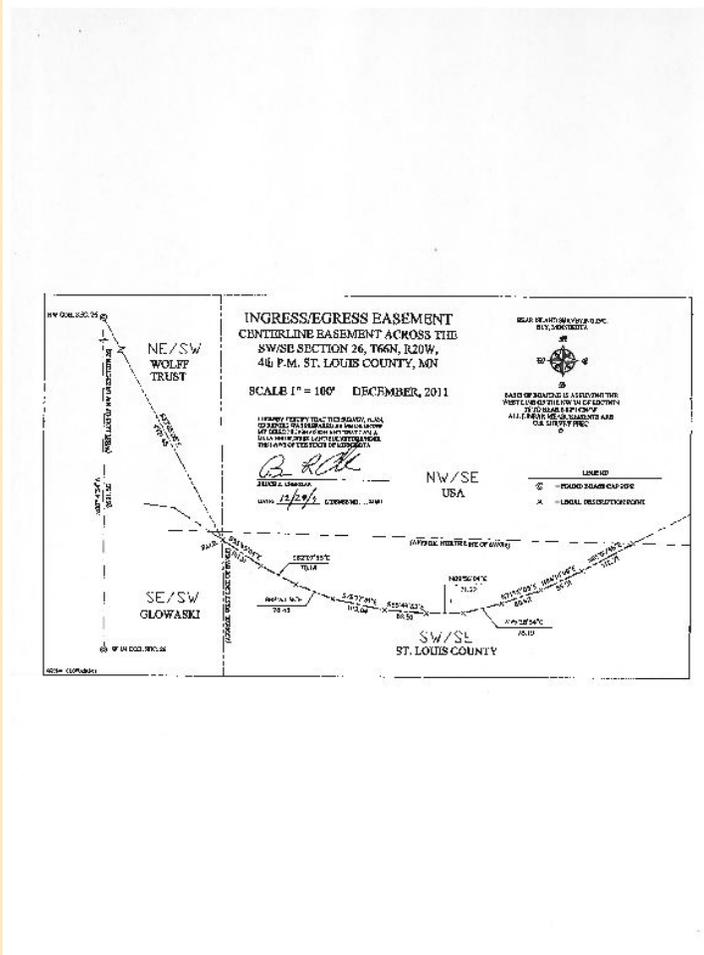
A 40.00-foot wide easement for ingress and egress over and across part of Sections 24 & 25, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Assuming the West line of the Northwest Quarter of Section 26, Township 66 North, Range 20 West of the Fourth Principal Meridian, St. Louis County, Minnesota to bear North 00°14'34" West and from the Northwest Corner of said Section 26 run North 65° 34'27" East, a distance of 11,379.13 feet to the intersection of the centerline of a drive as it exists on November 23,2011 and the North line of Government Lot 1 of said Section 24, said point of intersection being the POINT OF BEGINNING of the centerline to be described.

Thence South 01°32'13" East a distance of 16.37;
thence South 25°33'06" West a distance of 34.40;
thence South 43°22'57" West a distance of 165.59;
thence South 17°14'34" West a distance of 136.45;
thence South 10°46'40" West a distance of 77.14;
thence South 34°20'44" West a distance of 164.01;
thence South 21°38'06" West a distance of 89.82;
thence South 04°29'54" West a distance of 162.38;
thence South 24°12'47" West a distance of 78.85;
thence South 34°37'07" West a distance of 124.76;
thence South 12°28'32" West a distance of 504.81;
thence South 03°52'28" East a distance of 115.40;
thence South 18°26'45" East a distance of 232.56;
thence South 30°07'20" East a distance of 213.72;
thence South 05°43'03" West a distance of 126.53;
thence South 22°29'36" West a distance of 60.57;
thence South 35°37'45" West a distance of 163.62;
thence South 17°29'11" West a distance of 117.66;
thence South 43°32'36" West a distance of 237.01;
thence South 41°50'54" West a distance of 87.82;
thence South 70°36'06" West a distance of 60.86;
thence North 89°30'42" West a distance of 229.55;
thence South 81°06'05" West a distance of 99.99;
thence South 74°16'44" West a distance of 491.80;
thence South 83°38'42" West a distance of 110.71;
thence South 70°17'15" West a distance of 108.34;
thence South 52°28'45" West a distance of 117.11;
thence South 63°39'57" West a distance of 134.59;
thence South 76°27'57" West a distance of 106.43;
thence South 84°19'00" West a distance of 55.06;
thence South 66°45'00" West a distance of 44.27;
thence South 42°41'33" West a distance of 36.01;
thence South 19°14'38" West a distance of 29.44;
thence South 01°44'05" West a distance of 74.37;

thence South 14°04'24" East a distance of 128.73;
thence South 04°29'36" East a distance of 54.88;
thence South 35°19'33" West a distance of 73.84;
thence South 06°52'10" West a distance of 141.84;
thence South 05°08'23" East a distance of 172.98;
thence South 18°36'06" West a distance of 189.29;
thence South 30E11'40" West a distance of 251.19;
thence South 35°24'54" West a distance of 280.06;
thence South 04°21'05" East a distance of 274.00;
thence South 12°07'30" East a distance of 51.41;
thence South 29°08'19" East a distance of 198.10;
thence South 22°23'49" East a distance of 37.77;
thence South 10°36'19" East a distance of 196.78;
thence South 04°59'27" West a distance of 120.10;
thence South 17°06'47" West a distance of 434.46;
thence South 28°36'16" West a distance of 132.80;
thence South 41°34'00" West a distance of 179.12;
thence South 23°54'48" West a distance of 362.91;
thence South 51°44'05" West a distance of 60.34;
thence South 61°59'50" West a distance of 66.10;
thence South 75°14'34" West a distance of 61.53;
thence North 86°11'26" West a distance of 334.32;
thence South 67°30'13" West a distance of 62.85;
thence South 49°20'14" West a distance of 176.75;
thence South 54°51'53" West a distance of 279.44;
thence South 42°12'13" West a distance of 205.15;
thence South 72°52'07" West a distance of 258.80;
thence South 49°10'55" West a distance of 111.70;
thence South 79°42'18" West a distance of 95.68;
thence South 50°44'42" West a distance of 92.04;
thence South 59°49'15" West a distance of 53.95;
thence South 43°46'27" West a distance of 64.53;
thence South 19°58'25" West a distance of 84.62;
thence South 11°08'32" West a distance of 143.45;
thence South 01°03'37" West a distance of 131.70;
thence South 42°52'38" West a distance of 34.40;
thence South 64°03'56" West a distance of 54.72;
thence South 76°11'32" West a distance of 95.26;
thence South 57°37'27" West a distance of 121.04;
thence South 18°25'39" West a distance of 92.14;
to the assumed South line of the Southwest Quarter of the Northwest Quarter of
Section 25 and there terminate.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$6,520 land use fee, \$100 administration fee and \$46 recording fee; for a total of \$6,666, to be deposited into Fund 240 (Forfeited Tax Fund).



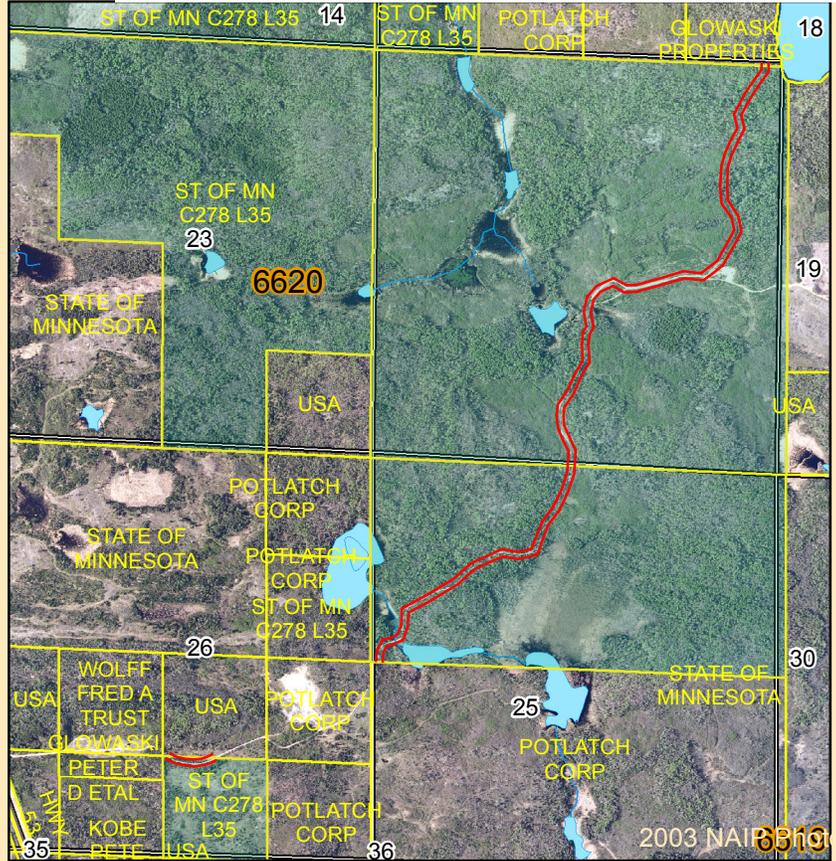
4th Commissioner District

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract

St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

St. Louis County Land and Minerals Department



BOARD LETTER NO. 12 - 516

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 4

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Private Sale of State Tax
Forfeited Land - Spielman

FROM: Kevin Z. Gray
County Administrator

Robert Krepps, Land Commissioner
Land and Minerals

RELATED DEPARTMENTAL GOAL:
Financial return to the county and taxing districts.

ACTION REQUESTED:
The St. Louis County Board is requested to authorize a private sale of state tax forfeited land located in White Township to Larry Spielman of Duluth, MN to resolve an occupancy trespass.

BACKGROUND:
An unintentional occupancy trespass was discovered on state tax forfeited land adjacent to property owned by Mr. Larry Spielman. Mr. Spielman initially agreed to move his cabin and outbuildings; however, he later decided to seek special legislation to purchase the land so the cabin could remain in its current location. Special Legislation was approved in 2011 to sell state tax forfeited property by private sale to resolve the trespass (Laws of Minnesota 2011, Chapter 3, Section 30). Mr. Spielman was informed that he would be responsible for survey and appraisal costs.

RECOMMENDATION:
It is recommended that the St. Louis County Board approve the private sale of state tax forfeited land to Larry Spielman to resolve an occupancy trespass.

Private Sale of State Tax Forfeited Land - Spielman

BY COMMISSIONER _____

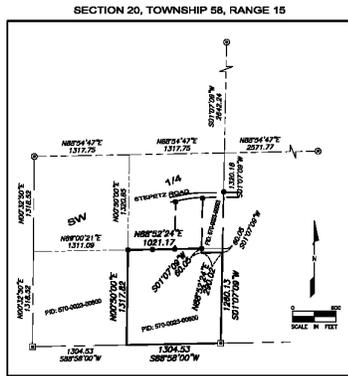
WHEREAS, pursuant to Laws of Minnesota 2011, Chapter 3, Section 30, St. Louis County may sell by private sale the following described state tax forfeited parcel:

The North 60.00 feet of the East 289.79 feet of the Southeast Quarter of the Southwest Quarter of Section 20, Township 58 North, Range 15 West

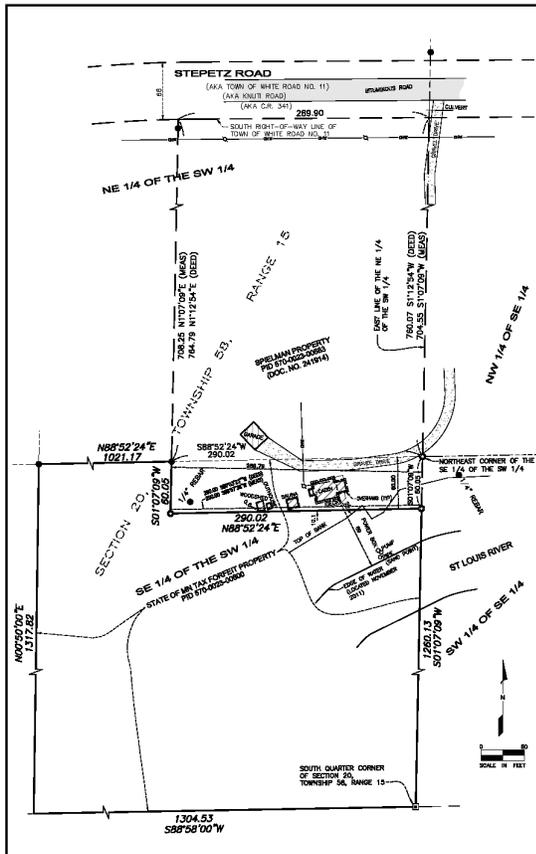
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land described above to Larry Spielman for the appraised value of \$1,400, appraisal fee of \$500, survey costs of \$4,478.51, 3% assurance fee of \$42, deed fee of \$25, deed tax of \$4.62, and recording fee of \$46; for a total of \$6,496.13, to be deposited in Fund 240 (Forfeited Tax Fund).



CERTIFICATE OF SURVEY
FOR THE ST. LOUIS COUNTY DEPARTMENT OF LAND AND MINERALS
IN THE SW 1/4 OF
SECTION 20 TOWNSHIP 58N RANGE 15W
OF THE 4TH PRINCIPAL MERIDIAN
ST. LOUIS COUNTY, MN



- LEGEND**
- ⊖ ALUMINUM CAPPIED TUBE
 - ⊙ ALUMINUM CAPPIED PIPE
 - ⊙ MET BEARER WITH ST. LOUIS COUNTY ALUMINUM CAP PILE NO. 18971
 - FOUND BEARING OR BEARER MARKED P.L.S. NO. 18988
 - ⊙ SINKER NOTED OTHERWISE
 - OVERHEAD WIRE
 - ⊥ UTILITY POLE
 - ⊖ MEASURED BEARING OR DISTANCE
 - ⊙ DEED BEARING OR DISTANCE



EXISTING LEGAL DESCRIPTIONS:
TAX FORFEITED LAND PER DEED 803, PAGE 622
PART OF PID: 670-0023-00800

The Southeast Quarter of the Southwest Quarter of Section 20, Township 58 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota
SPEILMAN PROPERTY PER DOC. NO. 241914
PID 670-0023-00685

That part of the Northeast Quarter of Southwest Quarter (NE 1/4 of SW 1/4), Section Twenty (20), Township Fifty-eight (58) North of Range Fifteen (15) West of the Fourth Principal Meridian described as follows, to-wit: Beginning at the East Line of said forty and the South right-of-way line of Town of White Road No. 11; thence to South 17°25' West for a distance of 760.07 feet; thence South 89°53'23" West for a distance of 290 feet; thence North 77°24' East for a distance of 764.78 feet; thence East along the South right-of-way line of Town of White Road No. 11 for a distance of 290 feet to the point of beginning. Said tract containing approximately 5.06 acres, more or less. Except minerals and mineral reservations as reserved by prior grants.

PROPOSED LEGAL DESCRIPTIONS:
(After transfer of Tax Forfeit parcel to Spielman)

TAX FORFEIT LAND: (Remaining)

That Part of the Southwest Quarter of the Southwest Quarter of Section 20, Township 58 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota, which lies southeasterly and westerly of the North 83.00 feet of the East 289.79 feet of said Southwest Quarter of the Southwest Quarter.

SPEILMAN PROPERTY: (Combined)

That part of the Northeast Quarter of Southwest Quarter (NE 1/4 of SW 1/4), Section Twenty (20), Township Fifty-eight (58) North of Range Fifteen (15) West of the Fourth Principal Meridian described as follows, to-wit: Beginning at the East Line of said forty and the South right-of-way line of Town of White Road No. 11; thence to South 17°25' West for a distance of 760.07 feet; thence South 89°53'23" West for a distance of 290 feet; thence North 77°24' East for a distance of 764.78 feet; thence East along the South right-of-way line of Town of White Road No. 11 for a distance of 290 feet to the point of beginning. Said tract containing approximately 5.06 acres, more or less. Except minerals and mineral reservations as reserved by prior grants.

Together with:

The North 83.00 feet of the East 289.79 feet of the Southwest Quarter of the Southwest Quarter of Section 20, Township 58 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

NOTES:

- The orientation of this bearing system is based on the St. Louis County Transverse Mercator coordinate system (NAD 83-98 UTM).
- Existing utilities, services and underground structures shown herein were located either physically from existing records made available to us or by resident testimony. Other utilities and services may be present. Verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

CERTIFICATION:

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date of survey: October 3, 2012
Date of approval: October 18, 2012

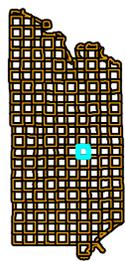
Paul D. Davis
Paul D. Davis
Minnesota License No. 44975



| | |
|----------|-----|
| SECTION | 20 |
| TOWNSHIP | 58N |
| RANGE | 15W |
| SECTION | 20 |
| TOWNSHIP | 58N |
| RANGE | 15W |
| SECTION | 20 |
| TOWNSHIP | 58N |
| RANGE | 15W |

4th Commissioner District

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

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**St. Louis County
Land and Minerals
Department**



2003 NAIP Photo

BOARD LETTER NO. 12 - 517

FINANCE & BUDGET COMMITTEE CONSENT NO. 5

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Acceptance of County Veterans
Service Officer Community
Outreach Grant (Correction)

FROM: Kevin Z. Gray
County Administrator

Sherry Rodriguez
County Veterans Service Officer

RELATED DEPARTMENT GOAL:

To assist eligible veterans in obtaining all benefits from the Department of Veterans Affairs through community outreach.

ACTION REQUESTED:

The St. Louis County Board is requested to approve technical corrections to a County Veterans Service Officer Community Outreach Grant from the Minnesota Department of Veterans Affairs.

BACKGROUND:

On October 23, 2012, by Resolution No. 12-576, the County Board accepted a grant from the Minnesota Department of Veterans Affairs (MDVA) for \$2,298.00. However, that resolution contained budget citation errors that need to be corrected. The MDVA received a one-time appropriation of \$200,000 specifically designated for use by County Veterans Service Offices for community outreach. In order to provide a fair and equitable distribution of these funds, it was determined that the \$200,000 would be divided equally among the 87 Minnesota counties. As a result, each county will receive \$2,298.00. This was a one-time grant allocation.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the acceptance of a County Veterans Service Officer Community Outreach Grant from the Minnesota Department of Veterans Affairs for \$2,298.00 deposited into Fund 100, Agency 124999, Grant 12404, and Year 2012. It is further recommended that County Board Resolution No. 12-576 be rescinded.

**Acceptance of County Veterans Service Officer Community Outreach Grant
(Correction)**

BY COMMISSIONER _____

WHEREAS, The Minnesota State Legislature funded the County Veterans Service Office Community Outreach Grant, allowing the Minnesota Department of Veterans Affairs to open a grant process for County Veteran Service Offices to put forth proposals for grants to provide community outreach services to Minnesota veterans; and

WHEREAS, The St Louis County Veterans Service Officer prepared a grant application for \$2,298.00 for community outreach to be used within a seven month period.

NOW THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the grant agreement and documents with the Minnesota Department of Veterans Affairs County Veterans Service Officer Community Outreach Grant in the amount of \$2,298.00 for outreach, as defined in Minn. Stat. Section 197.608, to all eligible veterans regarding the availability of benefits they have earned and especially those relating to posttraumatic stress disorder for all veterans, including World War II, Korean War, and Vietnam War era veterans, and should not be used to supplant or replace other funding.

RESOLVED FURTHER, The St Louis County Veterans Service Office 2012 budget is amended to include receipt of \$2,298.00 from the MDVA, with funds deposited into Fund 100, Agency 124999, Grant 12404, and Year 2012.

RESOLVED FURTHER, That County Board Resolution No. 12-576 is hereby rescinded.

ST. LOUIS COUNTY BOARD POLICIES
GRANT MANAGEMENT
CHAPTER 11
GRANT APPROVAL FORM

GRANT NAME: Community Outreach GRANT AMOUNT: \$2,298.00

GRANTOR: Minnesota Department of Veterans Affairs MATCH AMOUNT: _____

FUND: 100 AGENCY: 124999 GRANT: 12404 GRANT YEAR: 2012

AGENCY NAME: County Veterans Service Office

CONTACT PERSON: Sherry Rodriguez PHONE: 218-725-5287

GRANT PERIOD: BEGIN DATE: October 1, 2012 END DATE: May 31, 2013

STATE GRANT AWARD NUMBER OR FEDERAL CFDA # _____

FILL IN THE ABOVE INFORMATION ON THIS FORM AND IDENTIFY THE CATEGORY OF THE GRANT FROM THE CHOICES BELOW. ATTACH THIS FORM TO THE GRANT APPLICATION AND ANY OTHER PERTINENT OTHER DOCUMENTATION AND ROUTE THE PACKET TO THE INDIVIDUALS LISTED FOR THE TYPE OF GRANT.

IT IS ESSENTIAL THAT DEPARTMENTS SUBMIT THE COMPLETED APPROVAL FORM ON THOSE GRANTS THAT DO NOT REQUIRE BOARD RESOLUTION TO THE AUDITOR'S OFFICE ACCOUNTING DEPARTMENT FOR BUDGETING PURPOSES. NO GRANT ACTIVITY WILL BE RECORDED WITHOUT AN ESTABLISHED BUDGET.

GRANTS OF \$25,000 OR LESS

A grant of \$25,000 or less may be applied for and/or accepted by the department without a separate County Board Resolution if it meets the following:

1. The grant fits within the department's functions, and
2. If the grant requires a County match (not to exceed in money or value an amount equal to the actual grant), and if that match is "in kind, that "in-kind" match is part of the ongoing operations, or if the match is monetary, that the department can find the necessary amount within its existing budget.

DOES THIS GRANT QUALIFY UNDER "GRANTS OF \$25,000 OR LESS"?

YES X NO

If so, this type of grant requires the following review approval:

County Auditor

County Administrator

County Attorney

Don Dicklich
Bill Jochenberg

Date:

Date:

Date:

12-12-12

12-12-12

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this signed approval form and any other pertinent information to the Auditor's Office-Accounting, so the budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.

ST. LOUIS COUNTY BOARD POLICIES
GRANT MANAGEMENT
CHAPTER 11

NEW GRANTS GREATER THAN \$25,000

All new grants that exceed \$25,000 and all recurring grants that exceed \$25,000 that contain changes in the grant's requirements which may affect either County resources or the scope of the grant need two (2) board resolutions. One board resolution is required to apply for the grant and a second resolution is required to accept the grant.

DOES THIS GRANT QUALIFY UNDER "GRANTS GREATER THAN \$25,000"?
YES ___ NO X

If this is a new grant greater than \$25,000, it requires the following review approval:

County Auditor _____ Date: _____
County Administrator _____ Date: _____

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this completed approval form and the Board Resolution to the Auditor's Office-Accounting, so a budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.

RECURRING GRANTS GREATER THAN \$25,000

A recurring grant greater than \$25,000 that is a repeat of a grant which has been received by the County in past year(s) and that has no changes in the use of County resources or in the scope of the grant, requires one Board Resolution to both apply for and/or accept the grant.

DOES THIS GRANT QUALIFY AS "RECURRING GRANTS GREATER THAN \$25,000"?
YES ___ NO X

If yes, this recurring grant greater than \$25,000 requires the following review approval:

County Auditor _____ Date: _____
County Administrator _____ Date: _____

The Grant Budget must be entered into the accounting system. Send a copy of the grant, this completed approval form and the Board Resolution to the Auditor's Office-Accounting, so a budget can be entered into the system. Without a budget, no expenditures or revenues will be recorded.



*Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota*
*Adopted on: September 11, 2012 Resolution No. 12-495
Offered by Commissioner: O'Neil*

New Space and Lease with Simon Properties for Mall Service Center

WHEREAS, St. Louis County operates a service center at the Miller Hill Mall which provides licensing, passport and property tax services to county residents; and

WHEREAS, Simon Properties has given the County a 120 day lease termination notice at the current location in the Mall; and

WHEREAS, Simon Properties and St. Louis County wish to continue the county services at the Mall.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to negotiate a new lease with Simon Properties for a new location at the Mall.

RESOLVED FURTHER, that the St. Louis County Board authorizes the expenditure of up to \$75,000 from Fund 100, the County General Fund Balance, for relocation and improvements to the new space.

Commissioner O'Neil moved the adoption of the Resolution and it was declared adopted upon the following vote:
Yeas – Commissioners Jewell, O'Neil, Dahlberg, Forsman, Sweeney, Raukar, and Chair Nelson – 7
Nays – None

STATE OF MINNESOTA
Office of County Auditor, ss.
County of St. Louis

I, DONALD DICKLICH, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 11th day of September, A.D. 2012, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 11th day of September, A.D., 2012.

DONALD DICKLICH, COUNTY AUDITOR

By

Deputy Auditor/Clerk of the County Board

BOARD LETTER NO. 12 – 518

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** 2013 Federal Lobbying
Services Contract with
Lockridge, Grindal & Nauen

FROM: Kevin Z. Gray
County Administrator

John Ongaro, Director
Inter-Governmental Relations

RELATED DEPARTMENT GOAL:

Develop and implement broad policy directives for St. Louis County through the Board of Commissioners.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an agreement with Lockridge, Grindal & Nauen, P.L.P.P., for the purpose of general lobbying services in Washington, D.C.

BACKGROUND:

For over a decade, St. Louis County has employed the services of Lockridge, Grindal & Nauen (LGN) Government Relations Team for federal general-purpose lobbying efforts. Since that time, LGN has represented the county's interests in a wide variety of issues. This year's federal legislative program includes health care, transportation, law enforcement, corrections, community development block grant, environment and energy, homeland security, and social services issues. The 2013 proposed contract amount is \$62,000.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Lockridge, Grindal & Nauen in 2013 for federal legislative services, upon approval of the County Attorney, in an amount not to exceed \$62,000 payable from Fund 100, Agency 105001, Object 629900.

2013 Federal Lobbying Services Contract – Lockridge, Grindal & Nauen

BY COMMISSIONER _____

WHEREAS, St. Louis County requires the services of a consultant to assist with federal legislative and administrative matters; and

WHEREAS, Lockridge, Grindal & Nauen has demonstrated professional expertise and knowledge of federal legislation and administrative activities; and

WHEREAS, the contractor desires and is capable of providing federal legislative consultant services to St. Louis County during 2013.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an agreement with Lockridge, Grindal & Nauen in 2013, upon approval of the County Attorney, for an amount not to exceed \$62,000, payable from Fund 100, Agency 105001, Object 629900.

BOARD LETTER NO. 12 – 519

HEALTH & HUMAN SERVICES COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Appointments of Public Health and Human Services Advisory Committee Members

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

To protect, promote, and improve the health and quality of life in St. Louis County.

ACTION REQUESTED:

The St. Louis County Board is requested to appoint members to the St. Louis County Public Health and Human Services Advisory Committee, authorize the County Auditor to advertise county wide for applicants in order to maintain a current and active list of potential appointees, and approve an adjustment to the Advisory Board terms to coincide with other County Board committee appointments.

BACKGROUND:

In September, 2006, the St. Louis County Public Health and Human Services Advisory Committee was established by the County Board. The primary function of the committee is to make recommendations relative to the public health and human service needs of St. Louis County communities. Citizen committee members are appointed by the Board to serve three-year staggered terms of membership. Each member may serve up to three (3) such terms.

The following members are eligible for reappointment for three-year terms on the committee. Due to an oversight, these appointments were not made when the terms expired on January 1, 2012:

| <u>Member Name</u> | Commissioner <u>District</u> | <u>Term Expires</u> |
|--------------------|---------------------------------|---------------------|
| Shari Flesness | #2 | December 31, 2014 |
| Sarah Priest | #3 | December 31, 2014 |
| Cindy Lustig | #4 | December 31, 2014 |
| Tina Welsh | At Large | December 31, 2014 |

There are also four vacancies on the PHHS Advisory Board in Districts 4, 5, 6, and At Large, and it is requested that these vacancies be advertised county wide for applicants. In addition, all current appointments and vacancies are scheduled to end on the first day of the new year. In order to be consistent with other County Board appointed committees, it is suggested that all terms end on the last day of the prior year, December 31.

RECOMMENDATION:

It is recommended that the St. Louis County Board reappoint the four current Public Health and Human Services Advisory Committee members listed above to serve additional three-year terms, authorize advertising county wide for additional applicants in order to maintain a current and active list of potential appointees, and change the term expiration dates to December 31 in order to be consistent with other Board appointed committees.

PUBLIC HEALTH AND HUMAN SERVICES ADVISORY COMMITTEE

| Last Name | First Name | Term Expiration | Proposed Term Expiration | Commissioner District |
|------------------|-------------------|------------------------|---------------------------------|------------------------------|
| Elmquist | Eric | 01/01/15 | 12/31/14 | 1 |
| Feroni | Mary | 01/01/14 | 12/31/13 | 6 |
| Ives | Pat | 01/01/14 | 12/31/13 | At Large |
| Madoll | Amber | 01/01/15 | 12/31/14 | 1 |
| Zupancich | Mary | 01/01/14 | 12/31/13 | 4 |
| Vacant | | | | 4 |
| Vacant | | | | 5 |
| | | | | |
| Bratulich | Sue | 01/01/13 | 12/31/12 | 7 |
| Heltzer | Kathy | 01/01/13 | 12/31/12 | 2 |
| Kuznik | Anthony | 01/01/13 | 12/31/12 | 7 |
| Semeja | Rudy | 01/01/13 | 12/31/12 | 6 |
| Taray | Jim | 01/01/13 | 12/31/12 | At Large |
| Vacant | | | | 6 |
| | | | | |
| Flesness | Shari | 01/01/12 | 12/31/14 | 2 |
| Lustig | Cindy | 01/01/12 | 12/31/14 | 4 |
| Priest | Sarah | 01/01/12 | 12/31/14 | 3 |
| Welsh | Tina | 01/01/12 | 12/31/14 | At Large |
| Vacant | | | | At Large |

| | | |
|------------|-----------------------|-----------|
| District 1 | Commissioner Jewell | 2 members |
| District 2 | Commissioner O'Neil | 2 members |
| District 3 | Commissioner Dahlberg | 1 member |
| District 4 | Commissioner Forsman | 2 members |
| District 5 | Commissioner Sweeney | 0 members |
| District 6 | Commissioner Nelson | 2 members |
| District 7 | Commissioner Raukar | 2 members |
| At Large | | 3 members |

**Appointments of Public Health and Human Services
Advisory Committee Members**

BY COMMISSIONER _____

WHEREAS, the St. Louis County Public Health and Human Services (PHHS) Advisory Committee was established to make recommendations relative to the public health and human services needs of St. Louis County communities; and

WHEREAS, members of the PHHS Advisory Committee are appointed by the St. Louis County Board to serve three-year staggered terms of membership.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board reappoints the following four citizens as members of the St. Louis County Public Health and Human Services Advisory Committee to serve additional three-year terms expiring December 31, 2014:

| <u>Member Name</u> | <u>Commissioner District</u> |
|--------------------|------------------------------|
| Shari Flesness | #2 |
| Sarah Priest | #3 |
| Cindy Lustig | #4 |
| Tina Welsh | At Large |

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to advertise county wide for applicants to the Public Health and Human Services Advisory Board in order to maintain a current and active list of potential appointees, with the specific intent of filling one vacancy in each of District 4, District 5, District 6, and At Large, with a closing date of January 25, 2013 according to the Committee Appointment Policy.

RESOLVED FURTHER, that all current appointments and vacancies that are scheduled to end on January 1 of the new year be changed to December 31 of the prior year in order to be consistent with other Board appointed committees.

BOARD LETTER NO. 12 – 520

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: December 18, 2012 **RE:** Boundary Waters Canoe Area
Wilderness Land Exchange

FROM: Kevin Z. Gray
County Administrator

RELATED DEPARTMENTAL GOAL:

Develop and implement broad policy directives for St. Louis County through the Board of Commissioners.

ACTION REQUESTED:

The St. Louis County Board is requested to support a land exchange with the state and federal government.

BACKGROUND:

Earlier this year, the Minnesota Legislature passed into law provisions for a Boundary Waters Canoe Area Wilderness (BWCAW) land exchange (Laws of Minnesota, Chapter 236). This law provides a framework for similar legislation on the federal level to facilitate an exchange of land between the state and federal government for the 86,000 acres of State School Trust Fund (Trust) lands located within the BWCAW.

The Minnesota State Constitution requires that School Trust Fund land must be income-producing property for the Trust. These specific School Trust lands, however, are isolated within the BWCAW and cannot generate revenue. The interest earned from the Trust, is annually distributed to every school district in the state.

Provisions within the 1964 Federal Wilderness Act require the state and federal government to conduct a land exchange concerning these isolated Trust lands in the BWCAW. The Wilderness Act requires state lands within the BWCAW be swapped for federal lands outside the area, but still located within the Superior National Forest. For various reasons, the land exchange mandated in the Wilderness Act never occurred.

In September 2012, the House of Representatives passed H.R. 5544 to correct this long overdue exchange. Unfortunately, H.R. 5544 had a last-minute, “hostile amendment” added. This amendment shortchanges the 3 counties of Northeastern Minnesota (Cook, Lake and St. Louis) an estimated yearly increase of nearly one million dollars. Under

current law, this new county funding, would have automatically occurred because the 1948 Thye-Blatnik Act guarantees the 3 counties payment of, three-quarters of 1% of market value for “all federal land owned within the BWCAW.” This amendment specifically “exempted” Thye-Blatnik payments to Cook, Lake and St. Louis counties for these new 86,000 acres of federal lands which would be added to the BWCAW.

The Minnesota Congressional Delegation, along with Congressman-elect Rick Nolan, have been notified that any land exchange legislation must not infringe on these 1948 Thye-Blatnik payments. BWCAW history clearly documents that these special county payments proved to be the linchpin that allowed Congress to reach final agreement in 1948, enabling the creation of the BWCAW.

These invaluable lands were forever removed from the county’s tax rolls, resulting in thousands of miles of incredibly valuable shoreline which could never be added to the county tax base. It is crucial that Congressional legislation fully honor the terms of the 1948 Thye-Blatnik Act.

RECOMMENDATION:

It is recommended that the St. Louis County Board urge Congress and especially the Minnesota Congressional Delegation to take immediate action and pass into law, the provisions of the BWCAW Land Exchange contained in Laws of Minnesota, 2012, Chapter 236 and that all current law provisions pertaining to the 1948 Thye-Blatnik Act be fully honored and protected.

Boundary Waters Canoe Area Wilderness Land Exchange

BY COMMISSIONER: _____

WHEREAS, the 2012 Minnesota Legislature passed into law, S.F. 1750, which contains provisions for allowing a Federal/State Land Exchange to go forward, freeing isolated state and local lands unintentionally controlled by the federal government within the Boundary Waters Canoe Area Wilderness (BWCAW); and

WHEREAS, 86,000 acres of these captive lands are State School Trust Fund Lands with the Minnesota State Constitution stipulating that these lands earn maximum income for the State School Trust; and

WHEREAS, the Minnesota Department of Natural Resources estimates that \$750,000 in new School Trust Fund revenues will be generated annually from these new Trust Fund lands compared with “zero” dollars with them currently located within the BWCAW; and

WHEREAS, the 1964 Federal Wilderness Act, specifically mandated that the State of Minnesota and Federal Government exchange out the remaining state lands within the BWCA with other federal lands located in the Superior National Forest; and

WHEREAS, the Congressional Budget Office has estimated that together, the three counties of Cook, Lake and St. Louis would realize an extra \$1 million in annual federal Thye-Blatnik Payments from this land exchange, providing badly needed property tax relief to residents; and

WHEREAS, the 2012 Legislature passed the BWCAW Land Exchange Law with bipartisan, super-majorities in each body (Senate: 52-11, House: 95-33) and Governor Dayton signed the legislation into law (Laws of Minnesota Chapter 236).

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board urges Congress and especially the Minnesota Congressional Delegation to take immediate action and pass into law, the provisions of the BWCAW Land Exchange contained in Laws of Minnesota, 2012, Chapter 236 and that all current law provisions pertaining to the 1948 Thye-Blatnik Act be fully honored and protected.

CHAPTER 236--S.F.No. 1750

An act

relating to natural resources; modifying Heartland Trail; providing for expedited exchanges of certain lands; adding to and deleting from state parks, state recreation areas, and state forests; authorizing public and private sale of certain state and county lands; modifying certain easements; modifying certain lease provisions; modifying Mississippi River management plan; amending Minnesota Statutes 2010, sections 84.631; 85.015, subdivision 12; 92.50, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 92.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Sec. 4. **[92.80] EXPEDITED EXCHANGE OF LAND WITHIN BOUNDARY WATERS CANOE AREA WILDERNESS FOR FEDERALLY OWNED LANDS.**

Subdivision 1. Purpose and scope. (a) The purpose of this section is to expedite the exchange of a portion of the state-owned lands located within the Boundary Waters Canoe Area Wilderness. The state owns 116,559 acres of land within the wilderness area, 86,295 acres of which are school trust land.

(b) Exchange of school trust lands within the Boundary Waters Canoe Area Wilderness for federally owned lands located outside the wilderness area will preserve the spectacular wild areas while producing economic benefits for Minnesota's public schools.

(c) For land exchanges under this section, sections 94.342 to 94.347 apply only to the extent specified in this section.

Subd. 2. Classes of land; definitions. The classes of state land that may be involved in an expedited exchange under this section are:

(1) school trust land as defined in section 92.025;

(2) university land granted to the state by acts of Congress;

(3) all other lands acquired by the state in any manner and under the control of the commissioner of natural resources; and

(4) all lands acquired by the state through tax forfeiture, held subject to a trust in favor of the taxing districts, and under the control of county authorities for classification, appraisal, and sale.

Subd. 3. Priority. An exchange of state land under this section shall give priority to exchanges that provide the most opportunity for revenue generation for the permanent school fund, and priority shall be given to lands within the Superior National Forest in the Mesabi Purchase Unit in St. Louis County and in the following townships in St. Louis County:

- (1) Township 59 North, Range 14 West;
- (2) Township 59 North, Range 13 West;
- (3) Township 60 North, Range 13 West; and
- (4) Township 60 North, Range 12 West.

Subd. 4. **Valuation of land; goals.** (a) In an exchange of school trust land, university land, or other land under the control of the commissioner of natural resources for land owned by the United States, the examination and value determination of the land shall be done in a manner as agreed to between the commissioner and the authorized representative of the United States.

(b) In an exchange of tax-forfeited land for land owned by the United States, the examination and value determination shall be done in a manner as agreed to between the county board and the authorized representative of the United States.

(c) All lands exchanged under this section shall be exchanged only for lands of at least substantially equal value. For the purposes of this subdivision, "substantially equal value" has the meaning given under section 94.343, subdivision 3, paragraph (b). No payment is due either party if the lands are of substantially equal value but are not of the same value.

(d) The goals of the exchange shall be:

- (1) the state receiving at least as many acres as the number given in exchange by the state; and
- (2) reuniting mineral and surface rights.

Subd. 5. **Title.** Title to the land must be examined to the extent necessary for the parties to determine that the title is good, with any encumbrances identified. The parties to the exchange may use title insurance to aid in the determination.

Subd. 6. **Approval by Land Exchange Board.** In accordance with the Minnesota Constitution, article XI, section 10, all expedited land exchanges under this section require the unanimous approval of the Land Exchange Board.

Subd. 7. **Conveyance.** (a) Conveyance of school trust land, university land, or other land under the control of the commissioner of natural resources shall be made by deed executed by the commissioner in the name of the state. Conveyance of tax-forfeited land shall be by a deed executed by the commissioner of revenue in the name of the state.

(b) School trust land, university land, and other land under the control of the commissioner of natural resources and given in exchange is subject to reservations under section 94.343, subdivision 4, and the Minnesota Constitution, article XI, section 10. Tax-forfeited land given in exchange is subject to reservations under section 94.344, subdivision 4, and the Minnesota Constitution, article XI, section 10.

(c) All deeds shall be recorded or registered in the county in which the lands lie.

Subd. 8. **Land status.** Land received in exchange for school trust land, university land, or other land under the control of the commissioner of natural resources is subject to the same trust, if any, and otherwise has the same status as the land given in exchange. Land received in exchange for tax-forfeited land is subject to a trust in favor of the governmental subdivision in which it lies and all laws relating to tax-forfeited land.

Sec. 5. [92.82] PRIVATE SALE OF SURPLUS STATE LAND WITHIN BOUNDARY WATERS CANOE AREA WILDERNESS; COOK, LAKE, AND ST. LOUIS COUNTIES.

(a) Notwithstanding sections 92.06, 92.13, 92.14, 92.45, 94.09, and 94.10, the commissioner of natural resources may sell to the United States by private sale the surplus land, including the land bordering public water, that is described in paragraph (d).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) Notwithstanding sections 92.115, 92.12, and 94.10, an appraisal of the lands is not required, and the value of the lands shall be determined in the same manner as the exchange with the United States of other state-owned lands within the Boundary Waters Canoe Area Wilderness.

(d) The land that may be sold is state-owned land under the control of the commissioner of natural resources and located within the boundary of the Boundary Waters Canoe Area Wilderness in Cook, Lake, and St. Louis Counties. The state-owned lands may include the state land for which the school trust interest was extinguished through condemnation, university lands granted to the state by acts of Congress, and all other lands acquired by the state in any manner and under the control of the commissioner of natural resources.

(e) Conveyance of state lands within the Boundary Waters Canoe Area Wilderness to the United States will preserve the spectacular wild areas while producing economic benefits for the state.

(f) Payment for state lands for which the school trust interest was extinguished through condemnation shall be used to pay the award under the condemnation action.

Deputy Sheriff Unit Bargaining Agreement– 2012/2013

BY COMMISSIONER _____

RESOLVED, that the 2012/2013 Deputy Sheriff's Unit contract is approved and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. _____.