

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

February 26, 2013

Hibbing City Council Chambers
City Hall, 401 East 21st Street, Hibbing, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial 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.

RESOLUTIONS FOR APPROVAL:

Minutes for the February 12, 2013, meeting.

Environment & Natural Resources Committee – Commissioner Nelson, Chair

1. Authorize the private sale of certain tax forfeited lands to adjoining owners.
2. Authorize the withdrawal of certain tax forfeited lands from Memorial Forest status.

Public Works & Transportation Committee – Commissioner Forsman, Chair

3. Authorize a perpetual easement to the Hibbing Public Utilities Commission on a tract of county fee land described as the SW ¼ of NE ¼ and NW ¼ of SE ¼, Section 24, Township 57 North, Range 20 West, for the purpose of installing well and water utilities.
4. Authorize the purchase of “Base One” material for the 2013 Gravel Road Investment Program (GRIP) from Team Lab Chemical Corp., Detroit Lakes, MN, for \$95,225.63.

Finance & Budget Committee – Commissioner Raukar, Chair

5. Waiver of Ordinance No. 28 (Liquor Ordinance) approved for Ragnar Properties, Inc., d/b/a Billy’s, Rice Lake Township, to provide facilities and food to mushers and race officials of the John Beargrease Sled Dog Marathon, effective March 13, 2013, through March 14, 2013, from 1:00 a.m. to 8:00 a.m. No alcohol shall be served or consumed on the premises during the waiver period.
6. Application for lawful gambling license (paper pull-tabs with dispensing device) approved for Glen Avon Hockey Club, Duluth, MN, to operate out of Ragnar Properties, Inc., d/b/a Billy’s, Rice Lake Township, new.
7. Purchase agreement authorized with the City of Virginia for the purchase of land described as the East ½ of Lot 25 and all of Lots 26, 27, and 28, Block 31 in Virginia, in the amount of \$45,000 for the Virginia Motor Pool construction project.

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8. Agreement authorized with Uhl Company of Maple Grove and Duluth, MN, in an amount of \$120,500 for the replacement of the heating, ventilation and air conditioning (HVAC) building automation control system at the Hibbing Annex facility.
9. Workers' compensation report dated February 8, 2013.
10. Application to sell/serve outside the designated serving area of the county liquor license by Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, for March 9, 2013.
11. Application to sell/serve outside the designated serving area of the county liquor license by Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, for March 8 and 9, 2013.

**Official Proceedings of the County Board
of Commissioners**

BY COMMISSIONER _____

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 12, 2013, are hereby approved.

Adjoining Owner Sales

BY COMMISSIONER _____

WHEREAS, St. Louis County desires to offer for sale a certain parcels of tax forfeited land; and

WHEREAS, The parcels are not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, The parcels of land cannot be improved because they are less than the minimum size required by the applicable zoning ordinance; and

WHEREAS, The County Auditor has determined that a non-public sale to adjacent property owners will encourage the return of the lands to the tax rolls; and

WHEREAS, The parcels of land have been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the parcels described in County Board file _____, and the County Auditor is authorized to offer the parcels at private sale to the adjacent property owners to encourage return of the parcel to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the Land Commissioner shall give at least 30 days' notice of its sales to all adjoining owners.

Withdrawal of State Tax Forfeited Land from Memorial Forest Status

BY COMMISSIONER _____

WHEREAS, The state tax forfeited parcels described here are currently included in an established memorial forest; and

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

WHEREAS, The state tax forfeited parcels described above are more suitable for purposes other than forest management and have been approved for sale by the Commissioner of Natural Resources;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. _____ shall be withdrawn from Island Lake and Central Lakes Memorial Forests.

**Request for Easement for Well and Water Utilities on
County Fee Property (Hibbing)**

BY COMMISSIONER _____

WHEREAS, The Hibbing Public Utilities Commission has requested a perpetual easement to install potable water well(s) and to construct and to operate related distribution infrastructure upon the following St. Louis County fee owned land:

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 24, Township 57 North, Range 20 West in Hibbing.

WHEREAS, The Public Works Department, which operates the "Chicago John" gravel pit near this area, has reviewed the location and terms of the proposed easement and has no objections;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to grant an easement to the Hibbing Public Utilities Commission for the purposes of well and water utilities over, under, and across a part of the above described tract. Consideration received for this grant to be receipted to Fund 200, Agency 205003, Object 583100 (Misc. Other Revenue).

**Purchase of Base One Material for the 2013 Gravel Road
Investment Program (GRIP)**

BY COMMISSIONER _____

WHEREAS, The Public Works Department began a ten-year program to improve the gravel road system in the county in 2012, known as the Gravel Road Investment Program (GRIP); and

WHEREAS, “Base One” material is an essential component to complete the projects in the Public Works Department GRIP; and

WHEREAS, The Public Works Department has negotiated a cost for the material needed for the 2013 GRIP with Team Lab Chemical Corporation of Detroit Lakes, MN, (5,757 gallons for \$95,225.63) including tax and delivery;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of “Base One” material for the 2013 Gravel Road Investment Program from Team Lab Chemical Corporation of Detroit Lakes, MN, for \$95,225.63 out of GRIP, Fund 200, Agency 203001, Object 652805.

Waiver of Ordinance No. 28, Section 11.05 – Billy's (Rice Lake Township)

BY COMMISSIONER _____

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.05 requires patrons to vacate licensed premises within twenty minutes after sales are ceased by law; and

WHEREAS, Ragnar Properties, Inc., d/b/a Billy's, 3502 West Tischer Road, Duluth, MN, a licensed liquor establishment, has requested a waiver to remain open from 1:00 a.m. to 8:00 a.m. on March 13, 2013, through March 14, 2013, to provide facilities and food to mushers and race officials of the John Beargrease Sled Dog Marathon; and

WHEREAS, The Liquor Licensing Committee has recommended approval of the waiver application, pursuant to Section 14 of Ordinance No. 28;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the application (on file in County Board File No. _____) submitted by the below listed establishment for a waiver of Section 11.05, which requires patrons to vacate the licensed premises by 1:20 a.m.

Ragnar Properties, Inc. d/b/a Billy's
3502 West Tischer Road
Duluth, MN 55803
Rice Lake Township

RESOLVED FURTHER, That the waiver shall be March 13, 2013, through March 14, 2013, from 1:00 a.m. to 8:00 a.m. and no alcohol shall be served or consumed on the licensed premises during the waiver period, although Billy's will be allowed to serve food to mushers and race officials of the John Beargrease Sled Dog Marathon during the waiver period.

Lawful Gambling Application (Rice Lake Township)

BY COMMISSIONER _____

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

Glen Avon Hockey Club, Duluth, Minnesota, to operate out of the following:

Ragnar Properties, Inc. d/b/a Billy's, Rice Lake Township, 3502 West
Tischer Road, Duluth, MN 55803, new

**Virginia Motor Pool Building Project – Architectural, Engineering
and Design Services**

BY COMMISSIONER _____

WHEREAS, St. Louis County wishes to purchase property from the City of Virginia, Minnesota, for the county's Virginia Motor Pool construction project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a purchase agreement with the City of Virginia, Minnesota, in an amount of \$45,000 for the purchase of land described as Parcel ID # 090-0010-07820, East ½ of lot 25, and all of lots 26, 27, and 28, Block 31 in Virginia. Funding is available from Motor Pool Fund balance, Fund 715, Object 311500, transferred into Fund 715, Agency 715011.

Hibbing Annex HVAC Control System Replacement

BY COMMISSIONER _____

WHEREAS, The county has been standardizing its building automation systems and equipment and an upgrade of the Hibbing Annex heating, ventilation and air conditioning system is necessary; and

WHEREAS, Uhl Company of Maple Grove and Duluth, MN, has been chosen to standardize these systems in county facilities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Uhl Company of Maple Grove and Duluth, Minnesota, in the amount \$120,500 for the replacement of the HVAC building automation control system at the Hibbing Annex facility, payable from Fund 402.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated February 8, 2013, on file in the office of the County Auditor, identified as County Board File No. 59592, is hereby received and ratified as payable from Fund 730, Agency 730001.

**Application to Sell/Serve Outside the Designated Serving Area of the
County Liquor License (Camp 5 Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Camp 5 Township, to sell/serve outside the designated serving area of the County Liquor License for the date of March 9, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580.

**Application to Sell/Serve Outside the Designated Serving Area of the
County Liquor License (Unorganized Township 68-19)**

BY COMMISSIONER _____

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, to sell/serve outside the designated serving area of the County Liquor License for the dates of March 8 and 9, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580.