

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

**April 9, 2013**

**Canosia Town Hall, 4896 Midway Road, Duluth, 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 March 26, 2013 meeting.**

**Public Works & Transportation Committee - Commissioner Forsman, Chair**

1. Acquisition of right of way and temporary easements for the reconstruction of County Road 266/Rossini Road and replace County Bridge 832 over Mud Creek in Pequaywan Township (County Project 0266-185892).
2. Agreements authorized with the Cities of Aurora, Chisholm, and Floodwood for crack sealing in 2013 (MP 97054, Crack Sealing 2013, St. Louis County and others) whereby each will pay its share for items listed in the respective agreements. (Resolutions numbered 2a, 2b, and 2c.)
3. Award of bids:
  - a. **Ulland Brothers, Inc.**, Cloquet, MN, in the amount of **\$357,550.00** for Gravel Road Investment Program (GRIP), North, 2013 projects in White and Colvin Townships, and Unorganized Townships 57-16 and 56-16 (WO 153784).
  - b. **Landwehr Construction, Inc.**, St. Cloud, MN, in the amount of **\$400,518.77** for Bridge 69K06 located on County State Aid Highway 16 in Hibbing, MN (SAP 69-616-052, CP 174690).
  - c. **Landwehr Construction, Inc.**, St. Cloud, MN, in the amount of **\$239,988.82** for Bridge 69K05 located on County Road 444 in Hibbing, MN (SAP 69-598-053, CP 182669).
4. Resolution in support for proposed legislation which allocates significant transportation funding throughout the state.

**Finance & Budget Committee – Commissioner Raukar, Chair**

5. Lawful gambling application (paper pull-tabs, paper pull-tabs with dispensing device, tipboards and electronic pull-tabs) by the Gnesen Volunteer Fire Department to operate out of the Sportsmen's Inn, Gnesen Township, new.

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6. Authorize a Digital Voice Services Agreement with Enventis of Duluth, MN, for five years at the quoted rate of \$5,221 per month plus tax.
7. Agreement authorized with WorkForce Software of Livonia, MI, for a time and scheduling application in the amount of \$96,000 plus sales tax for Software Licenses, along with a three-year Hosting Term for \$64,800, Training Services for \$34,800, and Implementation Services not to exceed \$372,780 plus travel expenses; and further, the first year maintenance of \$22,080 plus sales tax is authorized.
8. Application to sell/serve outside the designated serving area of the county liquor license by Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, for May 25, 2013.
9. 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 April 25, 26 and 27, 2013.
10. Application for on-sale wine license with authorization to sell/serve intoxicating malt liquor on-sale by Back Country Bar, Inc., d/b/a Hugo's, Ault Township, new.

**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 March 26, 2013, are hereby approved.

**Acquisition of Right of Way – Reconstruction of Rossini Road and Bridge 832  
(Pequaywan Township)**

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

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of the Rossini Road (County Road 266) and to replace the existing bridge (County Bridge 832) over Mud Creek in Pequaywan Township, County Project 185892; and

WHEREAS, These improvements consist of replacing the deteriorated and damaged crossing structure with reinforced concrete box culverts at the same location and reconstructing the roadway 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;

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;

RESOLVED FURTHER, That, pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant the necessary easement for highway purposes over the following tax forfeited parcel:

Section 21, Township 54 North, Range 12 West  
(Parcel Identification Number: 502-0020-03330)

**2013 Agreement with City of Aurora for Crack Sealing**

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

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Aurora where the city will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97054, Crack Sealing 2013, with the funds to be receipted into Fund 200, Agency 201078, Object 551525.

**2013 Agreement with City of Chisholm for Crack Sealing**

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

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Chisholm where the city will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97054, Crack Sealing 2013, with the funds to be receipted into Fund 200, Agency 201078, Object 551530.

**2013 Agreement with City of Floodwood for Crack Sealing**

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

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Floodwood where the city will pay its share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as MP 97054, Crack Sealing 2013, with the funds to be receipted into Fund 200, Agency 201078, Object 551576.

**Award of Bids: Gravel Road Investment Program (Various Townships)**

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

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

WO 153784, Gravel Road Investment Program, North, 2013 located on CSAH 108 (Long Lake Road) from Little Lake Road to West Bay Road, and; CSAH 108 from West Bay Road to South Long Lake Road, and; CSAH 110 from South 1<sup>st</sup> Street West to CR 341 (Lane 55) in Aurora, MN, and; UT 9212 (Barker Road) from CSAH 95 (Bodas Road) to CR 342 (Akonerva Road) Aurora, MN;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on March 28, 2013, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award of the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$357,550.00

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203282, Object 652805.

**Award of Bids: Bridge 69K06 on CSAH 16 (Hibbing)**

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

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

SAP 69-616-052, CP 174690 located on CSAH 16 between TH 73 and CSAH 5, in Hibbing, MN;  
and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on March 28, 2013, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award of the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Landwehr Construction, Inc.	P.O. Box 1086 St. Cloud, MN 56302	\$400,518.77

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 220290, Object 652700 (Fund 29 Bridge Bond Funds) \$338,554.52  
Fund 220, Agency 220290, Object 652700 (SLC State Aid Funds) \$ 61,964.25

With additional revenue budgeted for expense:

Fund 220, Agency 220290, Object 530401 (Fund 29 Bridge Bond Funds) \$338,554.52

**Award of Bids: Bridge 69K05 on County Road 444 (Hibbing)**

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

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

SAP 69-598-053, CP 182669 located on CR 444 between CSAH 16 and Koivu Road, Hibbing, MN;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on March 28, 2013, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award of the above project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Landwehr Construction, Inc.	P.O. Box 1086 St. Cloud, MN 56302	\$239,988.82

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 220291, Object 652700 (Fund 29 Bridge Bond Funds)	\$180,665.84
Fund 200, Agency 203286, Object 652800 (SLC local funds)	\$ 59,322.98

With additional revenue budgeted for expense:

Fund 220, Agency 220291, Object 530401 (Fund 29 Bridge Bond Funds)	\$180,665.84
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**Resolution in Support of Transportation Funding Package**

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

WHEREAS, Minnesota Counties have had to rely increasingly on the property tax to maintain roads and bridges; and

WHEREAS, The annual funding gap for counties has resulted in deferring basic maintenance, delaying expansion projects with resulting safety concerns, mounting congestion, and missed economic growth for businesses and commuters; and

WHEREAS, The rural road networks in the state should be adequate to bring goods to market; and

WHEREAS, Transportation-related jobs put over \$2.8 billion in the pockets of Minnesotans and generated almost \$195 million in income tax revenue in 2011; and

WHEREAS, According to the Federal Highway Administration (FHWA), every \$1 billion invested in highway construction would support approximately 27,800 jobs; and

WHEREAS, The overall transportation and transit needs for Minnesota exceed \$2.5 billion dollars per year for the next twenty years; and

WHEREAS, Transportation funding comes primarily from user fees and are constitutionally dedicated to transportation purposes; and

WHEREAS, The wheelage fee and local option sales tax for transportation should be options for all county boards to implement to meet their specific county needs; and

WHEREAS, A comprehensive transportation solution should include funding for roads, bridges, and transit and address the varying needs in different parts of the state;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board encourages the Minnesota Legislature to pass and the Governor to sign a bill that brings adequate funding to Minnesota's statewide transportation system.

**Lawful Gambling Application (Gnesen 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], Pull-tabs [paper] with dispensing device, Tipboards and Electronic pull-tabs) on file in the office of the County Auditor, identified as County Board File No. 59615, for the following organization:

Gnesen Volunteer Fire Department, Duluth, MN, to operate out of the following:

Sportsmens Inn, Gnesen Township, 4101 Normanna Road, Duluth, MN 55803, new.

**Digital Voice Services Agreement – Enventis**

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

WHEREAS, St Louis County’s current digital voice services agreements have expired and an outside evaluation was done in order to procure the best service for the county at the lowest cost;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a Digital Voice Services Agreement with Enventis of Duluth, MN, for five years at the quoted rate of \$5,221 per month plus all applicable federal state and local taxes, payable from Fund 100, Agency 116003, Object 621500.

**Contract with WorkForce Software for Time and Scheduling Software**

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

WHEREAS, St. Louis County is currently using many methods to capture employee's schedules and time off requests and is in need of a time and scheduling application that can be used county-wide to streamline operations; and

WHEREAS, The county's current time entry application is written in a product version that is no longer supported; and

WHEREAS, A county-wide task force researched options and software vendors that would be able to meet the county's requirements; and

WHEREAS, WorkForce Software of Livonia, Michigan, was chosen as the preferred vendor;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Human Resources Director and the Auditor to negotiate and execute a contract , subject to County Attorney approval, with WorkForce Software of Livonia, Michigan, to purchase, implement and host a Time and Scheduling application for St. Louis County, in the amount of \$96,000 plus \$6,600 sales tax for Software Licenses, a three year Hosting Term for \$64,800, Training Services for \$34,800, Implementation Services not to exceed \$372,780 plus travel expenses related to the training and implementation, payable from Fund 100, Agency 115001, Object 634800;

RESOLVED FURTHER, That first year maintenance of \$22,080 plus \$303.60 sales tax is authorized, payable from Fund 100, Agency 115001, Object 634800;

RESOLVED FURTHER, That for future years beyond initial terms in which WorkForce Software Time and Scheduling is used, the County Board authorizes the appropriate county officials to contract for annual software maintenance and hosting services.

**Application to Sell/Serve Liquor Outside the Designated Serving Area  
(Unorganized Township 59-21)**

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

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted to Hwy 5 Bar & Grill, Inc., d/b/a Hwy 5 Bar & Grill, Inc., Unorganized Township 59-21, to sell/serve outside the designated serving area of the County Liquor License for the date of May 25, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580.

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

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

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd.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 April 25, 26, and 27, 2013, as per application on file in the office of the County Auditor, identified as County Board File No. 59580.

**Application for On-Sale Wine License with  
Authorization to Sell/Serve Intoxicating Malt Liquor On-Sale  
(Ault Township)**

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

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 on-sale wine license with authorization to sell/serve intoxicating malt liquor on-sale is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59635;

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

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

FURTHER RESOLVED, That said license shall be effective April 9, 2013, through June 30, 2013:

Back Country Bar, Inc., d/b/a Hugo's, Ault Township, On-Sale Wine License with Authorization to Sell/Serve Intoxicating Malt Liquor On-Sale, License No. WSB1311, new.