

OFFICIAL PROCEEDINGS
OF THE
BOARD OF COUNTY COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA
JUNE, 2013

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 4, 2013

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of June, 2013, at 9:35 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Pete Stauber, Steve Raukar, and Chair Chris Dahlberg - 5. Absent: - Commissioners Mike Forsman and Keith Nelson - 2.

Chair Dahlberg stated that Commissioners Mike Forsman and Keith Nelson were unable to attend today's Board meeting because they are in Washington D.C. attending to County business.

Chair Dahlberg asked for a moment of silence for all those who serve our country and for those who pay the ultimate sacrifice.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner Stauber introduced Commander David Wheat, a Vietnam War Veteran who was a Prisoner of War for over seven years. Commander Wheat discussed his Prisoner of War experiences and described how Vietnam POWs were able to communicate with each other using a tap code.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda, and no one came forth.

Commissioner Jewell, supported by Commissioner O'Neil, moved to approve the consent agenda. The motion passed; five yeas, zero nays.

Commissioner Jewell, supported by Commissioner O'Neil, moved to approve the settlement agreement between the county and Betty Sislo, whereby the county will pay Ms. Sislo \$65,000 in exchange for a full and final settlement and release of all claims she may have against the county. The motion passed; four yeas, zero nays, one abstention (Commissioner Dahlberg abstained due to a conflict of interest). Resolution No. 13-352.

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

Kevin Gray, County Administrator, and Mark Weber, Interim Director of Land and Minerals, submitting Board Letter No. 13-202, Reclassification of State Tax Forfeited Lands to Non-Conservative.—59665

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Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-206, MnDOT Release of Old TH 53 to St. Louis County.—[59666](#)

Kevin Gray, County Administrator, submitting Board Letter No. 13-211, 2013 Residential Survey Results.—[59667](#)

Kevin Gray, County Administrator, and Mark Rubin, County Attorney, submitting Board Letter No. 13-216, Sislo Settlement Agreement.—[59668](#)

County-State Aid Highway (CSAH) Project contract between the County of St. Louis and Hammerlund Construction, Inc., Grand Rapids, MN, for crush, screen and stockpile aggregate base, Class 5 (modified) at five selected sites in Southern St. Louis County (CP 0000-97053).—[13-352](#)

County-State Aid Highway Project contract between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for reclamation, culvert replacement, aggregate base, plant mixed bituminous surface, aggregate shouldering on CSAH 73 and CSAH 45 in Midway Township.—[13-353](#)

Payment and Performance Bond for Federal, State, or County Highway Construction and Maintenance Projects, Bond #54-192590, by Watters & Sons Excavating, LLC, Duluth, MN, for catch basin repair on CSAH 90 (Storm WO 160510).—[13-354](#)

Candy Harding, State Aid Finance, MnDOT, submitting Certificate of Final Contract Acceptance for Contract C01076, SP 69-654-03.—[13-355](#)

Two year Bid Express® Service and License Agreement between St. Louis County and Info Tech, Inc., Gainesville, FL, for unlimited number of Bid Express transactions by county employees at no charge.—[13-356](#)

Purchase Agreement between St. Louis County and the City of Virginia, MN, for the East ½ of Lot 25 and all of Lots 26, 27, and 28, Block 31, Virginia, for the Virginia Motor Pool Building Project.—[13-357](#)

Addendum to Family Homeless Prevention Assistance Program Grant, Contract No. 20962B, between the St. Louis County Board of Commissioners and Salvation Army Duluth.—[13-358](#)

Agreement No. 15035 between the St. Louis County Board of Commissioners and Occupational Development Center, Inc., Thief River Falls, MN, for Assertive Community Treatment Team North for the period January 1, 2013 through May 31, 2013.—[13-359](#)

Minnesota Department of Human Services Contract to Participate in the Local Collaborative Time Study, Contract #ONK %56798 EEE.—[13-360](#)

Amendment No. 1, Original Damion 2011-006417, service agreement between the County of St. Louis and Northern Minnesota Recycling, Inc., Virginia, MN, for

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Compacted Solid Waste Roll-Off Container Haulage Services extending the agreement for one additional year effective July 1, 2013, through June 30, 2014.—13-361

Upon motion by Commissioner Jewell, supported by Commissioner O'Neil, resolutions numbered 13-328 through 13-351, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

WHEREAS, Recent planning for the remodel of the Duluth Government Services Center (GSC) has made evident a need to conserve space by the elimination of as much paper storage as possible; and

WHEREAS, The Public Health and Human Services Department (PHHS) would like to begin the first phase of development of a new project entitled Internal Document Management System (IDMS) that will establish a static electronic file storage system to replace existing paper files; and

WHEREAS, PHHS recommends engaging MJS Consulting of St. Louis Park, MN, to assist in the planning and implementation of Phase 1 of the new IDMS system;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with MJS Consulting of St. Louis Park, MN, to assist in the planning and implementation of Phase 1 of the new Internal Document Management System not to exceed \$61,300, payable from the PHHS Technology Improvements fund balance, Fund 230, Object 311401, with a corresponding increase to expenditure budget Fund 230, Agency 230038, Object 629900.

Adopted June 4, 2013. No. 13-328

WHEREAS, The contract with Jason Siveny, Sr. & Vikki Siveny of Aurora, MN, for the purchase of state tax forfeited land is in default for nonpayment of taxes and installments; and

WHEREAS, The purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

TOWN OF EMBARRASS
S 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4
and N 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4
Section 32, Township 60, Range 15
Parcel Codes: 330-0010-05161, 05162
C22060238

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

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

Adopted June 4, 2013. No. 13-329

WHEREAS, The contract with Richard & Susan Abbett of Duluth, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes; and

WHEREAS, The purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

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CITY OF DULUTH
LOT 7 & 8 BLOCK 1, BRYANT ADDITION TO DULUTH SECOND DIV
and LOTS 1 AND 2, BLOCK 11 PACIFIC AVE ADDITION DULUTH
Parcel Codes: 010-0340-00090, 00100 & 010-3710-01630
C22110032

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted June 4, 2013. No. 13-330

WHEREAS, The contract with Antoinette Mitchell of Ely, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes and installments and failure to provide proof of insurance; and

WHEREAS, The purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF ELY
LOT: 3 BLOCK: 11
WHITESIDES ADDITION TO THE TOWN OF ELY
Parcel Code: 030-0370-01200
C22070153

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted June 4, 2013. No. 13-331

WHEREAS, Lake Country Power has requested a powerline utility easement across state tax forfeited land; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a powerline utility easement to Lake Country Power described as follows:

A 60 foot wide utility easement described as the Easterly 60 feet of the Southeast Quarter, and the Easterly 60 feet of the Southeast Quarter of the Northeast Quarter, all in Section 26, Township 63 North, Range 19 West, St. Louis County, Minnesota;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$5,177.50 land use fee and \$46 recording fee; for a total of \$5,223.50, to be deposited into Fund 240 (Forfeited Tax Fund).

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Adopted June 4, 2013. No. 13-332

WHEREAS, Minnesota Power has requested a utility easement across state tax forfeited land for a 23 kV overhead single-pole construction powerline to bring 3-phase power to the Embarrass Switching Station; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a powerline utility easement to Minnesota Power described as follows:

That part of the Southeast Quarter of the Southeast Quarter of Section 29, Township 59 North, Range 15 West, Saint Louis County, Minnesota, lying between two lines distant 70.00 feet easterly and 50.00 feet easterly of the following described line:
Commencing at the east quarter corner of said Section 32; thence South 89 degrees 16 minutes 53 seconds West, along the south line of the SE1/4-NE1/4 a distance of 1103.78 feet; thence North 44 degrees 11 minutes 10 seconds West a distance of 19.06 feet; thence North 00 degrees 31 minutes 55 seconds West a distance of 2634.53 feet to the south line of said SE1/4-SE1/4 and the point of beginning of the line to be described; thence North 00 degrees 31 minutes 55 seconds West a distance of 984.70 feet, and there terminating.

That part of the Southeast Quarter of the Southeast Quarter of Section 29, Township 59 North, Range 15 West, Saint Louis County, Minnesota, lying between two lines distant 70.00 feet northeasterly and 50.00 feet northeasterly of the following described line:

Commencing at the east quarter corner of Section 32; thence South 89 degrees 16 minutes 53 seconds West, along the east-west quarter line of said Section 32 a distance of 1103.78 feet; thence North 44 degrees 11 minutes 10 seconds West a distance of 19.06 feet; thence North 00 degrees 31 minutes 55 seconds West a distance of 3719.27 feet; thence North 71 degrees 28 minutes 33 seconds West a distance of 100.04 feet to the point of beginning of the line to be described; thence North 71 degrees 28 minutes 33 seconds West a distance of 89.22 feet to the west line of said SE1/4-SE1/4, and there terminating.

The sidelines of said easement are prolonged to terminate on the west line of the SE1/4-SE1/4.

That part of the Northwest Quarter of the Southwest Quarter and that part of the Northeast Quarter of the Southwest Quarter of Section 29, Township 59 North, Range 15 West, Saint Louis County, Minnesota, lying between two lines distant 70.00 feet northeasterly and easterly and 50.00 feet northeasterly and easterly of the following described line:

Commencing at the west quarter corner of said Section 29; thence North 89 degrees 19 minutes 03 seconds East, along the north line of said NW1/4-SW1/4 a distance of 225.32 feet to the point of beginning of the line to be described; thence South 06 degrees 24 minutes 04 seconds East a distance of 290.77 feet; thence South 71 degrees 28 minutes 33 seconds East a distance of 2518.74 feet to the east line of said NE1/4-SW1/4, and there terminating.

The sidelines of said easement are prolonged or shortened to terminate on the east line of said NE1/4-SW1/4 and north line of said NW1/4-SW1/4.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$1,570.98 land use fee, \$393.87 timber damages, and \$46 recording fee; for a total of \$2,010.85, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 4, 2013. No. 13-333

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WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The parcels described in the attached County Board File forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 59665 shall be reclassified as non-conservation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

Adopted June 4, 2013. No. 13-334

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

WHEREAS, The applicant, Thomas Lee of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT 10 AND WLY 10 FT OF LOT 11 INC VAC 20 FT OF E 4TH ST,
BLOCK 98
PORTLAND DIV OF DULUTH
Parcel Code: 010-3830-15530

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by Thomas Lee of Duluth, MN, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$16,010.99, service fee of \$114, deed tax of \$52.84, deed fee of \$25, and recording fee of \$46; for a total of \$16,248.83, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted June 4, 2013. No. 13-335

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

WHEREAS, The applicants, Donald & Jean Hasselblad of Spring Creek, NV, have applied to repurchase state tax forfeited land legally described as:

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CITY OF ELY
LOT 10 AND W 12 1/2 FT OF LOT 11, BLOCK 2
WHITESIDES 2ND ADDITION TO ELY
Parcel Code: 030-0372-00160

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

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by Donald & Jean Hasselblad of Spring Creek, NV, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$8,924.79, service fee of \$114, deed tax of \$29.45, deed fee of \$25, and recording fee of \$46; for a total of \$9,139.24, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted June 4, 2013. No. 13-336

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

WHEREAS, The applicants, James & Carol Stoudt of Boone, NC, have applied to repurchase state tax forfeited land legally described as:

UNORGANIZED TOWNSHIP 57-14
NE 1/4 OF SE 1/4
SECTION 27, TOWNSHIP 57 NORTH, RANGE 14 WEST
Parcel Code: 643-0010-04130

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

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by James & Carol Stoudt of Boone, NC, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$716.34, service fee of \$114, deed tax of \$2.36, deed fee of \$25, and recording fee of \$46; for a total of \$903.70, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted June 4, 2013. No. 13-337

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

WHEREAS, The applicants, James & Carol Stoudt of Boone, NC, have applied to repurchase state tax forfeited land legally described as:

UNORGANIZED TOWNSHIP 57-14
SE 1/4 OF NE 1/4 EX NLY 435 FT OF ELY 200 FT
SECTION 27, TOWNSHIP 57 WEST, RANGE 14 NORTH
Parcel Code: 643-0010-04040

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

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by James & Carol Stoudt of Boone, NC, on file in County Board File No. 59601, subject to payments including total taxes and assessments of \$2,549.95, service fee of \$114, deed tax of \$8.41, deed fee of \$25, and recording fee of \$46; for a total of \$2,743.36, to be deposited into Fund 240 (Forfeited Tax Fund).
Adopted June 4, 2013. No. 13-338

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WHEREAS, The Duluth Economic Development Authority (DEDA) has requested to purchase the following described state tax forfeited land for the price of \$3,000, plus fees, for the purpose of economic development:

Legal: City of Duluth

A strip of land 50 feet in width in the NW1/4 of SE1/4 thereof conveyed by two deeds recorded in the office of the County Recorder in Book 66 of Deeds, page 513 and in Book 97 of Deeds, page 179 and further except that portion lying west of the westerly line of the highway laid out and platted across said Section 34, commonly known as Commonwealth Avenue.

Section: 34 Township: 49 Range: 15

Acres: +/-1

Parcel Code: Part of 010-2746-01260

WHEREAS, Minn. Stat. §282.01, Subd. 1(a) authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, This parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and § 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that the parcel be classified as 'non-conservation' after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcel is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcel will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcel is located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the classification and sale of the state tax forfeited land, as described, to DEDA for the price of \$3,000 plus the following fees: 3% assurance fee of \$90, deed fee of \$25, deed tax of \$9.90, and recording fee of \$46; for a total of \$3,170.90, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the St. Louis County Auditor shall offer for sale at public auction the state tax forfeited land described here if DEDA does not purchase the land by July 31, 2013.

Adopted June 4, 2013. No. 13-339

WHEREAS, The floor drains at the Richard H. Hansen Public Works and Transportation Complex are failing and in need of repair; and

WHEREAS, The Public Works Department's 2013 Capital Improvement Budget includes the replacement of the floor drains at the facility;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an agreement with Hovland, Inc., of Hermantown, MN, for the renovation of the floor drains at the Richard H. Hansen Public Works and Transportation Complex, for a total cost of \$110,800.00, payable from Fund 405, Agency 405060, Object 663100.

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Adopted June 4, 2013. No. 13-340

RESOLVED, That St. Louis County enters into MnDOT Turnback Agreement No. 03733 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the state to the county for the state release to the county of that portion of Old TH 53 from approximately 1400 ft. north of Old Sand Lake Road, extending to existing CSAH 65, approximately 4.24 miles in length in St. Louis County;

RESOLVED FURTHER, That the Commissioner of Transportation, the County Board Chair, County Auditor, Public Works Director/Highway Engineer, and County Attorney are authorized to execute the agreement and any amendments to the agreement.

Adopted June 4, 2013. No. 13-341

RESOLVED, That the appropriate county officials are hereby authorized to enter into an agreement with Cedar Valley Township whereby the county will provide a local match in the form of engineering and construction services for construction of Bridge 210 on Township Road 5164 using Minnesota Department of Transportation Town Bridge Account Funds.

Adopted June 4, 2013. No. 13-342

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

WO 187634 North/Central GRIP located on UT 8115 (Osborn Lake Road), CSAH 66 (McNiven Road), CR 384 (Amundson Road), UT 8112 (Peppard Road), UT 9223 (Long Lake Road), UT 9115 (Murphy Lake Road) and UT 9113 (Murphy Lake Road);

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 16, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|-----------------------|-----------------------------------|---------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$660,063.80 |

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:

| | | |
|--------------|--|--------------|
| Local: | Fund 200, Agency 203289, Object 652805 | \$248,728.30 |
| Unorganized: | Fund 210, Agency 210051, Object 652805 | \$411,335.50 |

Adopted June 4, 2013. No. 13-343

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

CP 0133-149178 located on CSAH 133 between TH 73 and CR 496, in Meadowlands, Elmer and Cedar Valley Townships; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 16, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|-----------------------|-----------------------------------|---------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$456,000.00 |

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 203290, Object 652700.

Adopted June 4, 2013. No. 13-344

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WHEREAS, Bids have been received by the County Auditor for the following project:
CP 0021-185332 located on CSAH 21 between TH 135 and TR 6411 (Niemi Road), in Embarrass Township;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 23, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|-----------------------|-----------------------------------|---------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$611,000.00 |

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 203292, Object 652800.

Adopted June 4, 2013. No. 13-345

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

CP 0096-1486(low) located on CSAH 96 from CSAH 132 (Miller Trunk Road) to CSAH 97, in Fayal Township, and
SAP 69-697-001, CP 0097-180378(Tied) located on CSAH 97 from TH 37 to CSAH 96;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 23, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|-----------------------|-----------------------------------|----------------|
| Ulland Brothers, Inc. | P.O. Box 340 Cloquet, MN 55720 | \$1,732,650.90 |

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:

CP 0096-1486(low): Fund 200, Agency 203106, Object 652800 \$809,813.55
SAP 69-697-001: Fund 220, Agency 220295, Object 652700 \$922,837.35

Adopted June 4, 2013. No. 13-346

WHEREAS, Minn. Stat. § 471.345, Subd. 18, allows counties to accept bids, quotations, and proposals electronically in a form required by the county and further allows counties to accept bids, performance and payment bonds furnished electronically; and

WHEREAS, The St. Louis County Board adopted revised Purchasing Rules and Regulations by Board Resolution No. 08-610 dated November 18, 2008, which, in part, states that all bids, requests for proposals and requests for information shall be posted on an electronic bidding service and that formal bids may be received electronically, with the exception of road and bridge projects; and

WHEREAS, The Minnesota Department of Transportation has been using electronic bidding in excess of 15 years with great success; and

WHEREAS, The incidence of rejected bids can be minimized through the use of an electronic bidding process, thereby ensuring the lowest possible bids on projects;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board directs the Auditor's Office, the Purchasing Division and the Public Works Department to implement an electronic bidding process for Public Works Department road and bridge projects;

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RESOLVED FURTHER, That the Purchasing Rules and Regulations shall be modified to prescribe electronic bidding for Public Works Department road and bridge projects, with electronic format being the sole allowable form of bid submission.
Adopted June 4, 2013. No. 13-347

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59577.
Adopted June 4, 2013. No. 13-348

WHEREAS, Information Technology Department servers need to be upgraded to adequately support the technology needs of the county;
THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes purchase of HP blade servers from Works Computing of Bloomington, MN, under Minnesota state contract at the quoted price of \$46,859.00, plus Minnesota sales tax of \$3,221.56, payable from Fund 100, Agency 117101, Object 665300;
RESOLVED FURTHER, That the County Board authorizes the purchase of associated ongoing maintenance and support at a total cost of \$10,283.00 for the next five years plus Minnesota sales tax of \$706.96, and technical support services in the amount of \$3,400 for installation, payable from Fund 100, Agency 117004.
Adopted June 4, 2013. No. 13-349

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA, AMENDING RESOLUTION NO. 13-301
ADOPTED MAY 14, 2013, WHICH CALLED FOR PUBLIC HEARINGS
ON AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN
AND ON THE INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS
UNDER MINNESOTA STATUTES, SECTION 373.40**

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of St. Louis County, Minnesota (the "County"), as follows:

Section 1. Under and pursuant to Minnesota Statutes, Section 373.40, the Board has previously approved a Capital Improvement Plan with annual amendments, including the years 2012 through 2016 (the "Plan").

Section 2. The Board has proposed an amendment to the Plan for the years 2013 through 2017 (the "Amendment").

Section 3. Further, the Board is considering the issuance of capital improvement bonds under Minnesota Statutes, Section 373.40 and Chapter 475 in an amount not to exceed \$24,000,000 (the "Bonds") for the purpose of providing funds for the following capital improvements under the Plan, as amended by the Amendment:

- Administration Building Improvements – Improvements to the Government Services Center located in Duluth (the "Project").

Section 4. By Resolution No. 13-301 adopted May 14, 2013, the Board called for holding public hearings on Tuesday, June 4, 2013, regarding the Amendment and on the issuance of the Bonds. As the Board will be unable to hold such public hearings, the Board desires to amend the time of such hearings as follows: The Board shall hold public hearings at 9:40 a.m. on Tuesday, July 2, 2013, at the Duluth Courthouse, Duluth, Minnesota, to provide an opportunity for residents to express their views on the Amendment and on the issuance of the Bonds for the Project.

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Section 5. The County Auditor shall publish a notice of public hearings on the capital improvement plan and on the intent to issue the Bonds in substantially the form attached hereto as Exhibit A on a date which is not less than 14 days nor more than 28 days before the hearing in the official newspaper of the County.

Adopted: June 4, 2013.

EXHIBIT A

NOTICE OF PUBLIC HEARINGS ON THE ANNUAL AMENDMENT TO THE
CAPITAL IMPROVEMENT PLAN AND ON THE INTENT TO ISSUE
CAPITAL IMPROVEMENT BONDS BY ST. LOUIS COUNTY, MINNESOTA,
UNDER MINNESOTA STATUTES, SECTION 373.40

Notice is hereby given that the Board of County Commissioners of St. Louis County, Minnesota, will conduct public hearings on Tuesday, July 2, 2013, at 9:40 a.m. in the Duluth Courthouse, located in Duluth, Minnesota, to provide an opportunity for the public to express their views concerning (i) the County's Capital Improvement Plan for the years 2013 through 2017; and (ii) the County's intent to issue general obligation bonds in an amount not to exceed \$24,000,000 (the "Bonds"), pursuant to the Capital Improvement Plan as amended and approved by the Board of County Commissioners.

The proceeds of the Bonds shall be used by the County to construct the following improvements, and to pay costs of issuance of and capitalized interest, if any, on the Bonds:

- Administration Building Improvements – Improvements to the Government Services Center located in Duluth.

The Bonds and the interest thereon shall constitute general obligations of the County secured by the full faith and credit of the County. All persons interested may appear and be heard at the time and place set forth above.

BY ORDER OF THE BOARD OF COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA
Donald Dicklich, County Auditor

Adopted June 4, 2013. No. 13-350

RESOLVED, That the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59581, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Lake 14 - Leander Club, Town of Unorganized 60-19, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1348, for July 6, 2013 (rain date July 7, 2013).

Adopted June 4, 2013. No. 13-351

BY COMMISSIONER JEWELL:

WHEREAS, Betty Sislo, a former employee of St. Louis County, began litigation against St. Louis County in November 2012 relating to events that occurred during and after her employment with the county, which case was captioned *Betty Sislo [sic] v. St. Louis County*, United States District Court, District of Minnesota, Court File No. 12-CV-3143 (DWF/LIB); and

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WHEREAS, The county denied all liability relative to Ms. Sislo's claims; and
WHEREAS, In order to avoid costly litigation, at a court-ordered settlement conference, the county tentatively offered to pay Ms. Sislo \$65,000 in exchange for a full and final settlement and release of all claims she may have against the county; and
WHEREAS, Ms. Sislo has accepted the county's tentative offer; and
WHEREAS, The settlement is subject to final approval by the County Board;
THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the settlement agreement between the county and Betty Sislo, whereby the county will pay Ms. Sislo \$65,000 in exchange for a full and final settlement and release of all claims she may have against the county.

Yeas: Commissioners Jewell, O'Neil, Stauber and Raukar – 4

Nays: None

Abstained: Chair Dahlberg – 1

Absent: Commissioners Forsman and Nelson – 2

Adopted June 4, 2013. No. 13-352

At 9:59 a.m., June 4, 2013, Commissioner Jewell, supported by Commissioner Stauber, moved to adjourn. The motion passed; five yeas, zero nays.

Chris Dahlberg, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 11, 2013**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of June 2013, at 9:31 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Mike Forsman, Pete Stauber, Keith Nelson, and Chair Chris Dahlberg - 6. Absent: Commissioner Steve Raukar - 1.

Chair Dahlberg stated that Commissioner Steve Raukar was unable to attend today's Committee of the Whole meeting because he is in Washington D.C. attending to County business.

Chair Dahlberg asked for a moment of silence for all those who serve our country and for those who pay the ultimate sacrifice.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner O'Neil introduced Carl Crawford. Mr. Crawford discussed the events surrounding the Duluth lynchings of June 15, 1920. Mr. Crawford also discussed the impact on the community and the importance of the Clayton Jackson McGhie Memorial.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda.

Julene Boe and Nelson French provided the Board with a 2013 progress report regarding the St. Louis River and discussed the results of the report.

Commissioner O'Neil, supported by Commissioner Jewell, moved to approve the consent agenda. The motion passed; six yeas, zero nays.

Commissioner Stauber, supported by Commissioner Jewell, offered an amendment to Board Letter 13-178, Minnesota Medical Assistance Expansion Costs. Public Health & Human Services Director Ann Busche discussed the County's phase-in approach and the workflow impact as a result of the Affordable Care Act (ACA). Commissioner Stauber, supported by Commissioner Forsman, moved to change the wording of the second Whereas in the Amendment to "The Minnesota Legislature has passed legislation *mandating* the expansion of Medical Assistance as allowed in the ACA". The motion passed; six yeas, zero nays. After lengthy Commissioner discussion, the amendment to Board Letter 13-178 passed; five yeas, one nay (Forsman).

Commissioner Stauber, supported by Commissioner Jewell, moved to authorize an increase to the staffing complement of the Public Health and Human Services Department of twelve full time equivalent (FTE) employees (11 Financial Workers and 1 Administrative Assistant I) through 2014, and a corresponding adjustment to the department's budget for 2013 for the cost of the FTEs and the related technology expenses required to implement the first step in Medical Assistance in St. Louis County. After further discussion, the motion passed; four yeas, two nays (Dahlberg, Forsman). Resolution No. 13-364.

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

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Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-220, Acquisition of Right of Way for County Project 177718 by Condemnation Proceedings.—59669

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 13-222, Establishment of No Parking Zone on CSAH 6/Maple Grove Road (Hermantown).—59670

Kevin Gray, County Administrator, County Attorney Mark Rubin, and Joseph Austin, Director of Safety & Risk Management Division, submitting Board Letter No. 13-219, Litigation Settlement Authority Extended to Safety & Risk Management.—59671

Kevin Gray, County Administrator, and Ann Busche, Director of Public Health and Human Services, submitting Board Letter No. 13-178, Minnesota Medical Assistance Expansion Costs.—59672

St. Louis River Alliance submitting St. Louis River Area of Concern 2013 Progress Report.—59673

County-State Aid Highway Project Contract between the County of St. Louis and Fahrner Asphalt Sealers, LLC, Eau Claire, WI, for Route and Seal Bituminous Pavement, Crack Repair Special (CP 0000-97054).—13-362

County-State Aid Highway Project Contract between the County of St. Louis and AAA Striping Service Co., St. Michael, MN, for Maintenance Striping (CP 0000-97055).—13-363

County-State Aid Highway Project Contract between the County of St. Louis and B & L Screening & Recycling, LLC, Mt. Iron, MN, for Crush, Screen, and Stockpile Aggregate Base, Class 5 Modified (CP 0000-97051 N. Crushing).—13-364

County-State Aid Highway Project Contract between the County of St. Louis and Veit & Company, Inc., Duluth, MN, for Culvert Replacement (SP 69-689-007, Storm WO 160257).—13-365

Agreement Purchase of Services, Contract #2013-007877, between the County of St. Louis and Arrowhead Regional Corrections (ARC) for the St. Louis County Intensive Pre-Trial Supervision and Community Sanctions Programs.—13-366

Service Contract No. 5049 between the County of St. Louis and Hunt Electric Corp., Duluth, MN, for miscellaneous electrical services thru December 31, 2017.—13-367

Professional Service Agreement No. 30146 between St. Louis County and Jonathan Beyer d/b/a Calibrate, LLC, Duluth, MN, for Forensic Psychological Services during CY 2013.—13-368

Agreement No. 15054 between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Assertive Community Treatment Team North, Crisis Assessment, Crisis Intervention or Crisis Stabilization – In Home/Community for the period May 1, 2013 through December 31, 2013.—13-369

Agreement No. 15036 between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Assertive Community Treatment Team North staff services during CY 2013.—13-370

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County-State Aid Highway Project Contract between the County of St. Louis and Redstone Construction Co., Inc., Mora, MN, for Approach Grading, Bituminous Paving, Guardrail and Bridge No. 69A12 located on CSAH 97 (SAP 69-697-005, CP 0097-9589).—[13-371](#)

Agreement between the County of St. Louis and the City of Aurora for Various Paved City Streets and County Highways (MP 97054).—[13-372](#)

Amendment to Agreement for Professional Services between St. Louis County and Angie VanDeHey for additional NEMESIS services.—[13-373](#)

Home and Community-Based Waiver Services Contract No. 15056 between the St. Louis County Board of Commissioners and Wheelchairs Plus.—[13-374](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14532C between the St. Louis County Board of Commissioners and Andrews Home Care Services, LLC d/b/a Home Instead Senior Care.—[13-375](#)

Addendum to Purchase Agreement Contract No. 15036A between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., for Assertive Community Treatment Team North Services.—[13-376](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14548B between the St. Louis County Board of Commissioners and Regency Home Healthcare Services, LLC.—[13-377](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14533E between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc.—[13-378](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14533F between the St. Louis County Board of Commissioners and Senior Friend Associates, Inc.—[13-379](#)

Addendum to Home and Community-Based Waiver Services Contract No. 14596C between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Care Home.—[13-380](#)

2013 State of Minnesota Federal Boating Safety Patrol Supplement Grant Agreement, Contract #60380.—[13-381](#)

Upon motion by Commissioner O'Neil, supported by Commissioner Jewell, resolutions numbered 13-353 through 13-364, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER O'NEIL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 28, 2013, are hereby approved.

Adopted June 11, 2013. [No. 13-353](#)

WHEREAS, The Public Works Department equipment budget includes the replacement of three tracked excavators; and

WHEREAS, The department has determined it would be beneficial to eliminate one

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tracked excavator from its budget and purchase a wheeled excavator in its place; and
WHEREAS, Titan Machinery of Duluth, MN, responded with the low bid price for one wheeled excavator in the amount of \$119,000; and
WHEREAS, The purchase will be subject to State of Minnesota sales taxes of \$8,181.25 for a total cost of \$127,181.25;
THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of one wheeled excavator from Titan Machinery of Duluth, Minnesota, for a total cost of \$127,181.25, payable from Fund 407, Agency 407001, Object 666400.
Adopted June 11, 2013. No. 13-354

WHEREAS, The St. Louis County Public Works Department plans to replace County Bridge 81 (State Bridge 88558) over an unnamed tributary to the Lester River and reconstruct approximately 600 feet of County State Aid Highway 10 (Strand Road) located in the Town of Lakewood between the North Tischer and Lester River Roads; and
WHEREAS, The following two described parcels of needed right of way have not been acquired by negotiation and direct purchase:

| | |
|------------------------|--|
| <u>Parcel</u> <u>1</u> | <u>Owners and Interests:</u> Robert N. Roningen Jr., and Mara J. Roningen as fee owners 5233 Lester River Road Duluth, MN 55804 Heritage Financial Services, Inc. as mortgagee 1732 London Road Duluth, MN 55812 |
|------------------------|--|

Property Legal Description:
Northeast Quarter of Southwest Quarter, Section 21, Township 51 North of Range 13 West of the Fourth Principal Meridian.
As currently embodied in Certificate of Title # 244068 (torrens property)

Parcel Identification Number 415-0010-06160

Rights to be acquired:
A 78.00 foot wide PERMANENT EASEMENT for Highway purposes over, under, and across the above described property. Said Easement being 78.00 feet to the left of the following described line:

Commencing at the east quarter corner of Section 21, Township 51 North, Range 13 West and assuming the east to west quarter section line bears South 89 degrees 28 minutes 28 seconds West; thence along said quarter section line 2,658.62 feet to the northeast corner of the Northeast Quarter of the Southwest Quarter of Section 21; thence North 00 degrees 09 minutes 47 seconds West a distance of 0.17 feet to the point of beginning; thence South 89 degrees 29 minutes 39 seconds West a distance of 100.00 feet and there terminating.

TOGETHER WITH A 50.00 foot wide PERMANENT EASEMENT for Highway purposes over, under, and across the first above described property. Said Easement being 50.00 feet to the left of the following described line:

Beginning at the terminus of the above described line; thence continue South 89 degrees 29 minutes 39 seconds West a distance of 295.00 feet and there terminating.

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Described permanent easement contains approximately 0.52 acre, of which 0.30 acre is existing roadway and 0.22 acre is new highway right of way.

AND TOGETHER with a TEMPORARY CONSTRUCTION EASEMENT over two strips of land southerly of and adjoining the above described strip: one strip being 85.00 feet in width and lying between lines drawn perpendicular to the highway centerline from engineer's stations 208+00 and 209+00; and the second being 20.00 feet in width and lying between the east property line and a line drawn perpendicular to the highway centerline from engineer's station 209+00.

Described Temporary Easement contains approximately 0.24 acre and shall expire on December 31, 2015.

Parcel 2 Owners and Interests:
James B. Atkinson and Jeanne R. Atkinson, husband and wife,

as joint tenants

2985 Strand Road
Duluth, MN 55804
BMO Harris Bank, N.A.
as mortgagee
111 West Monroe Street
Chicago, IL 60603
M&I Marshall & Ilsley Bank
as mortgagee
PO Box 5160
Appleton, WI 54912-5160
Countrywide Bank, N.A.
as mortgagee
PO Box 67009
Dallas, TX 75267-0009

Property Legal Description:

The westerly 450.00' of the following described land: Beginning at the NW corner of the S 1/2 of NE 1/4 of Sec 21 T51 R 13 W running thence S on the section line to the SW corner of said S 1/2 Sec of NE 1/4 of said Sec 21, thence E on the 1/2 Sec line to the center of the main channel of Lester River as the same flows through said lands, thence following the center main channel of said river Nly according to the meandering to the N line of said S 1/2 of NE 1/4 of said Sec 21 thence W to the place of beginning. Containing 13.7 acres more or less.

Parcel Identification Number 415-0010-06095

Rights to be acquired:

A PERMANENT EASEMENT for Highway purposes over, under, and across the westerly 185.00 feet of the southerly 50.00 feet of the above described property as measured at right angle to the south property line.

Described easement contains approximately 0.21 acre, of which 0.14 acre is existing roadway and 0.07 acre is new highway right of way.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02 et. al., authorizes the County Attorney to proceed under Minn. Stat.

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Chapter 117.02 et. al., to acquire the remaining necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

Adopted June 11, 2013. No. 13-355

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

SAP 69-648-028, CP 0048-189420 located on CSAH 48 (LaVaque Road) between CSAH 9 (Martin Road) and CSAH 35 (Schultz Road) in Canosia Township;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 30, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|---|--------------------------------------|---------------|
| Asphalt Surface Technologies Corp. a/k/a ASTECH Corp. | P.O. Box 1025 St. Cloud, MN 56302 | \$381,271.84 |

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 220296, Object 652700.

Adopted June 11, 2013. No. 13-356

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

SAP 69-598-041, CP 0284-177705 (Storm) located on CR 284 (Ugstad Road) between CSAH 11 (Stark Road) and CN Railyard, in Proctor, MN;

and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on May 30, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|----------------------|---|---------------|
| Veit & Company, Inc. | 1100 W. Gary Street Duluth, MN 55808 | \$174,894.00 |

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 225, Agency 177705, Object 652706.

Adopted June 11, 2013. No. 13-357

WHEREAS, Overflow parking onto County State Aid Highway (CSAH) 6 (Maple Grove Road) is generated by soccer games at Stebner Park; and

WHEREAS, The Hermantown Youth Soccer Association has requested a no parking zone on both sides of CSAH 6/Maple Grove Road from Stebner Road to the entrance of Stebner Park; and

WHEREAS, The Hermantown City Council adopted Resolution No. 2013-59 requesting this no parking zone; and

WHEREAS, The St. Louis County Public Works Department has reviewed this issue and has determined that a no parking zone is warranted at this location;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a no parking zone on both sides of County State Aid Highway 6/Maple Grove Road from Stebner Road to the entrance of Stebner Park in Hermantown, MN.

Adopted June 11, 2013. No. 13-358

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59577.

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Adopted June 11, 2013. No. 13-359

WHEREAS, The 2010A bond project package includes remodeling, energy upgrades, window replacement, and new addition for the courthouse in Virginia, MN, approved by County Board Resolution No. 10-480, dated October 5, 2010; and

WHEREAS, This project will complete the Virginia Courthouse long term master space plan and bring the facility up to date for building safety, building code, and current efficiency standards; and

WHEREAS, The Virginia Courthouse remodeling and addition project began in 2011 and is nearing completion and a change order is necessary for unforeseen work needed to comply with life safety code changes, State Courts change requests and other small adjustments to HVAC, electrical feeders, heaters, outlets, data drops and painting;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a project change order adjustment for the Virginia Courthouse remodel and addition in the amount of \$52,278.06 to Max Gray Construction, Hibbing, MN, payable from Fund 400, Agency 400033.

Adopted June 11, 2013. No. 13-360

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated May 31, 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.

Adopted June 11, 2013. No. 13-361

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59581 is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Buyck Volunteer Fire Department, Town of Portage, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1349, for August 3, 2013.

Adopted June 11, 2013. No. 13-362

RESOLVED, That pursuant to the provisions of Minnesota Stat. § 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 a temporary on-sale intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59580:

Bear River Fair Committee, Morcom Township, Temporary On-Sale Intoxicating Liquor License No. TL1315, for August 16, 17, & 18, 2013.

Adopted June 11, 2013. No. 13-363

WHEREAS, The Safety and Risk Management Division of County Administration now includes an Insurance and Claims Investigator, who is responsible for evaluating and negotiating property damage claims of up to \$10,000; and

WHEREAS, To aid in the efficiency of processing and settling tort claims, the County Board authorized the County Attorney's Office to negotiate and settle all tort claims up to \$10,000; and

WHEREAS, The Insurance and Claims Investigator position was transferred from the County Attorney's Office to the Safety and Risk Management Division (County Board Resolution No. 12-317); and

WHEREAS, Delegation of the authority to settle property damage claims up to \$10,000 to the Director of Safety and Risk Management is desirable and will promote county efficiency;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board extends the

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authority to settle property damage claims up to \$10,000 to the Director of Safety and Risk Management.

Adopted June 11, 2013. No. 364

BY COMMISSIONER STAUBER:

WHEREAS, The federal Affordable Care Act (ACA) allows states to expand health coverage to low income individuals through Medical Assistance (MA) and Basic Health Plans; and

WHEREAS, The Minnesota Legislature has passed legislation mandating the expansion of Medical Assistance as allowed in the ACA; and

WHEREAS, The Minnesota Department of Human Services has projected that 9,737 individuals will become eligible for MA in St. Louis County; and

WHEREAS, The first step of implementation will begin on October 1, 2013, with the transfer of 4,394 individuals currently on MinnesotaCare to Medical Assistance as St. Louis County cases;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an increase to the staffing complement of the Public Health and Human Services Department of twelve full time equivalent (FTE) employees (11 Financial Workers and 1 Administrative Assistant I) through 2014, and a corresponding adjustment to the department's budget for 2013 for the cost of the FTEs and the related technology expenses required to implement the first step in Medical Assistance in St. Louis County.

RESOLVED FURTHER, That Public Health & Human Services will continue to work with Administration and the Auditor's Office to further analyze potential additional staff needs or reductions and fiscal impacts in 2013 and 2014 that may be necessary for full implementation of the Medical Assistance expansion.

| <u>Expense</u> | <u>Amount</u> | <u>Budget Reference</u> |
|--|---------------|-------------------------|
| Personnel Costs 2013 Budget | \$387,865.00 | 230-231014-610000 |
| Technology Costs | 88,980.00 | 230-230038-640400 |
| Revenue | (238,422.50) | 230-231014-540230 |
| Use of Fund Balance Assigned for MA Expansion | (238,422.50) | 230-999999-311406 |

Yeas – Commissioners Jewell, O'Neil, Stauber, and Nelson - 4

Nays – Commissioners Forsman and Chair Dahlberg – 2

Absent – Commissioner Raukar – 1

Adopted June 11, 2013. No. 13-365

At 11:12 a.m., Commissioner Jewell exited the meeting.

At 11:13 a.m., June 11, 2013, Commissioner Nelson, supported by Commissioner Stauber, moved to adjourn. The motion passed; five yeas, zero nays.

Chris Dahlberg, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 25, 2013**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of June 2013, at 9:37 a.m., at the Semer's Park Pavilion, Ely, Minnesota, with the following members present: Commissioners Frank Jewell, Mike Forsman, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Dahlberg - 6. Absent: Commissioner Steve O'Neil - 1.

Chair Dahlberg said that Commissioner Steve O'Neil was unable to attend the meeting due to health reasons.

Chair Dahlberg asked for a moment of silence for all those who serve our country and for those who pay the ultimate sacrifice.

As a part of Chair Dahlberg's initiative, "St. Louis County History: People & Places", Commissioner Forsman honored Louise Kainz, who will be retiring from St. Louis County after 42 years of service. Commissioner Forsman read a prepared statement by Louise Kainz detailing her work in the Veterans' Service Office.

Chair Dahlberg then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. Gerald Tyler spoke about a non-profit organization that was formed in support of mining.

Commissioner Jewell, supported by Commissioner Forsman, moved to approve the consent agenda. The motion passed; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Nelson, moved to suspend the rules to award Public Works bids. The motion passed; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Stauber, moved to award a bid to Northland Constructors of Duluth, LLC., Duluth, MN, in the amount of \$733,497.39 for SAP 69-656-017, CP 177719 (Storm), Approach Grading, Bituminous Paving and Bridge 69A09 located on County-State Aid Highway (CSAH) 56/Morris Thomas Road in Hermantown, MN. The motion passed; six yeas, zero nays. Resolution No. 13-380.

Commissioner Forsman, supported by Commissioner Stauber, moved to award a bid to Watters & Sons Excavating, Duluth, MN, in the amount of \$516,983.20 for CP 0036-180241, Culvert Replacement and Bituminous Patches on CSAH 36/Arnold Road in Rice Lake Township. The motion passed; six yeas, zero nays. Resolution No. 13-381.

Commissioner Forsman, supported by Commissioner Stauber, moved to award a bid to Northland Constructors of Duluth, LLC., of Duluth, MN, in the amount of \$4,015,950.25 for combined project SP 69-609-032(Low), STPM 6913(210) CP 0009-8236, and SP 69-610-006, CP 0010-8237, Milling, Reclaiming, Curb and Gutter and Bituminous Paving on CSAH 9 and CSAH 10/Martin Road in Rice Lake Township. After further discussion, Commissioner Forsman, supported by Commissioner Stauber, moved table the motion until the July 2, 2013 Board meeting ; six yeas, zero nays.

Commissioner Forsman, supported by Commissioner Stauber, moved to award a bid to Utility Systems of America, Inc., Eveleth, MN, in the amount of \$264,539.25 for SAP 69-599-038, WO 177733 (Storm), Bridge 69K09 and Approaches on TR 2903 in Rice

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Lake Township. The motion passed; six yeas, zero nays. Resolution No. 13-382.

Commissioner Forsman, supported by Commissioner Raukar, moved to award a bid to Utility Systems of America, Inc., Eveleth, MN, in the amount of \$341,595.00 for SAP 69-598-048, CP 177723 (Storm), Bridge 69K03 and Approaches on CR 211 in Meadowlands Township. The motion passed; seven yeas, zero nays. Resolution No. 13-383.

Commissioner Forsman, supported by Commissioner Raukar, moved to award a bid to Landwehr Construction, Inc., St. Cloud, MN, in the amount of \$136,385.86 for SAP 69-598-049, CP 177725 (Storm), Bridge 69K02 and Approaches on CR 192 in Van Buren Township. The motion passed; six yeas, zero nays. Resolution No. 13-384.

Commissioner Jewell, supported by Commissioner Forsman, moved to adopt the "Model Performance Measures for Counties" and program requirements, as identified in the Minnesota State Auditor's Performance Measure Program, and submit the 2013 St. Louis County Performance Measures Report. Deputy Administrator Linnea Mirsch gave an overview of the results. After further discussion, the motion passed; six yeas, zero nays. Resolution No. 13-385.

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

Kevin Gray, County Administrator, James Foldesi, Public Works Director/Highway Engineer, and James Gottschald, Director of Human Resources, submitting Board Letter No. 13-229, 2013 Civil Service Supervisory Four Day Work Week Supplemental Labor Agreement (Virginia Sign Division).—59674

Kevin Gray, County Administrator, James Foldesi, Public Works Director/Highway Engineer, and James Gottschald, Director of Human Resources, submitting Board Letter No. 13-230, 2013 Teamsters Four Day Work Week Supplemental Labor Agreement (Virginia Sign Division).—59675

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 13-235, Minnesota State Auditor Performance Measurement Program, 2013 Report.—59676

Kevin Gray, County Administrator, and James Gottschald, Director of Human Resources, submitting Board Letter No. 13-234, Land and Minerals Director Appointment.—59677

Agreement for Professional Services between the County of St. Louis and LHB, Inc., Duluth, MN, for On-Call Engineering Services for Culvert and Bridge Hydraulic Design through June 30, 2014.—13-381

Agreement for Professional Services between the County of St. Louis and LHB, Inc., Duluth, MN, for Wetland Boundary Delineation through June 30, 2014.—13-382

County-State Aid Highway Project Contract between the County of St. Louis and Fahrner Asphalt Sealers, LLC, Eau Claire, WI, for Crack Repair Special on selected roads in St. Louis County (SAP 69-030-031, CP 0000-187650).—13-383

Amendment to Professional Services Contract No. 2013-007749 between the County of St. Louis and Hallberg Engineering of White Bear Lake, MN, for the Duluth Courthouse Retro-Commissioning Phase I.—13-384

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Amendment No. 1 to Damion 2010-006071 between the County of St. Louis and Northwoods Forestry, Inc., Eleva, WI, for Tree Planting for Spring 2011, 2012, 2013, 2014, and 2015 extending the planting season.—[13-385](#)

Final Acceptance of Contract, No. C02188, State Project No. 69-090-04 (Mesabi Trail), MN Project No. TEAX 6999(184) by R & M Mesabi Construction, Inc.—[13-386](#)
Settlement Agreement and General Release between Betty Sislo and St. Louis County.—[13-387](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14552B, between the St. Louis County Board of Commissioners and Pathways to Achievement, Inc.—[13-388](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14656B, between the St. Louis County Board of Commissioners and Pinewood-Duluth, Inc.—[13-389](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14649C, between the St. Louis County Board of Commissioners and Range Respite Project, Inc.—[13-390](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14542F, between the St. Louis County Board of Commissioners and Interim Healthcare of Lake Superior, Inc.—[13-391](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14746C, between the St. Louis County Board of Commissioners and Midwest Medical Equipment and Supplies d/b/a Essentia Health Medical Equipment and Supplies.—[13-392](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14748B, between the St. Louis County Board of Commissioners and Cheryl Nordeen.—[13-393](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14647B, between the St. Louis County Board of Commissioners and Family Support, Inc., of Moose Lake.—[13-394](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14658B, between the St. Louis County Board of Commissioners and Floodwood Services and Training, Inc.—[13-395](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14723A, between the St. Louis County Board of Commissioners and Mary Hughley and Arnold Hughley.—[13-396](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14964A, between the St. Louis County Board of Commissioners and Ramona K. Diehl d/b/a Fine Lakes Adult Foster Care.—[13-397](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14728B, between the St. Louis County Board of Commissioners and Renee Eckstrom and Dennis Eckstrom.—[13-398](#)

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

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Addendum to Home and Community-Based Waiver Services Contract, No. 14810C, between the St. Louis County Board of Commissioners and Kathy J. Carlson d/b/a Carlson's Homes Plus.—13-400

Addendum to Home and Community-Based Waiver Services Contract, No. 14786D, between the St. Louis County Board of Commissioners and Cherish, Inc.—13-401

Addendum to Home and Community-Based Waiver Services Contract, No. 14690B, between the St. Louis County Board of Commissioners and Leo DeRungs and Shirley DeRungs.—13-402

Addendum to Home and Community-Based Waiver Services Contract, No. 14706C, between the St. Louis County Board of Commissioners and Barbara Bernsdorf.—13-403

Addendum to Home and Community-Based Waiver Services Contract, No. 14584C, between the St. Louis County Board of Commissioners and Balmer Adult Foster Home (Amity House).—13-404

Addendum to Home and Community-Based Waiver Services Contract, No. 14617E, between the St. Louis County Board of Commissioners and Bluewater Residential Services, LLC.—13-405

Addendum to Home and Community-Based Waiver Services Contract, No. 14572C, between the St. Louis County Board of Commissioners and A & E Homes, Inc.—13-406

Addendum to Home and Community-Based Waiver Services Contract, No. 14522B, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency (AEOA) d/b/a AEOA Meals on Wheels.—13-407

Addendum to Home and Community-Based Waiver Services Contract, No. 14699D, between the St. Louis County Board of Commissioners and Maria Allen.—13-408

Group Residential Housing Rate Agreement, Contract No. 51558, between the St. Louis County Board of Commissioners and Interim -Vent Care Residence.—13-409

Group Residential Housing Rate Agreement, Contract No. 51557, between the St. Louis County Board of Commissioners and Interim – Grove Residence.—13-410

Group Residential Housing Rate Agreement, Contract No. 51552, between the St. Louis County Board of Commissioners and Ramona K. Diehl.—13-411

Group Residential Housing Rate Agreement, Contract No. 51553, between the St. Louis County Board of Commissioners and Kathy Jo Carlson.—13-412

Group Residential Housing Rate Agreement, Contract No. 51537, between the St. Louis County Board of Commissioners and Bluewater – Arlington Avenue.—13-413

Group Residential Housing Rate Agreement, Contract No. 51540, between the St. Louis County Board of Commissioners and Bluewater – East Superior Street.—13-414

Group Residential Housing Rate Agreement, Contract No. 51538, between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. A.—13-415

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Group Residential Housing Rate Agreement, Contract No. 51539, between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. B.—[13-416](#)

Group Residential Housing Rate Agreement, Contract No. 51541, between the St. Louis County Board of Commissioners and Bluewater – Lakewood Road.—[13-417](#)

Group Residential Housing Rate Agreement, Contract No. 51542, between the St. Louis County Board of Commissioners and Bluewater – Vermillion Road.—[13-418](#)

Group Residential Housing Rate Agreement, Contract No. 51543, between the St. Louis County Board of Commissioners and Bluewater – Woodland Avenue.—[13-419](#)

Group Residential Housing Rate Agreement, Contract No. 51535, between the St. Louis County Board of Commissioners and Michael and Julie Balmer.—[13-420](#)

Group Residential Housing Rate Agreement, Contract No. 51526, between the St. Louis County Board of Commissioners and Maria Allen.—[13-421](#)

Group Residential Housing Rate Agreement, Contract No. 51525, between the St. Louis County Board of Commissioners and A & E Homes, Inc.—[13-422](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14619G, between the St. Louis County Board of Commissioners and At Home Living Facilities, Inc.—[13-423](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14635H, between the St. Louis County Board of Commissioners and Innovative Living, Inc.—[13-424](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14566G, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth, LLC.—[13-425](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14637C, between the St. Louis County Board of Commissioners and H.O.M.E.S., Inc.—[13-426](#)
Addendum to Home and Community-Based Waiver Services Contract, No. 14585B, between the St. Louis County Board of Commissioners and Bethesda Adult Foster Home.—[13-427](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14676D, between the St. Louis County Board of Commissioners and Golden Oakes – Proctor, Inc.—[13-428](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14882A, between the St. Louis County Board of Commissioners and Healthstar Home Health.—[13-429](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14884A, between the St. Louis County Board of Commissioners and Healthstar Home Health d/b/a Circle of Life, LLC.—[13-430](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14718C, between the St. Louis County Board of Commissioners and Nancy Hintz d/b/a Hintz Adult Foster Care, LLC.—[13-431](#)

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Addendum to Home and Community-Based Waiver Services Contract, No. 14684B, between the St. Louis County Board of Commissioners and Center for Independent Living of Northeastern Minnesota.—[13-432](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14654C, between the St. Louis County Board of Commissioners and Choice, Unlimited.—[13-433](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14623B, between the St. Louis County Board of Commissioners and Critical Signal Technologies, Inc.—[13-434](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14692C, between the St. Louis County Board of Commissioners and Sandra L. Dickman and Carolyn Pohjonen.—[13-435](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14724B, between the St. Louis County Board of Commissioners and Jeffrey Pringle and Laura Pringle.—[13-436](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14730B, between the St. Louis County Board of Commissioners and Melvina Pringle.—[13-437](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14645D, between the St. Louis County Board of Commissioners and Iron Range Empowerment Services, LLC.—[13-438](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14609B, between the St. Louis County Board of Commissioners and Lifeline Systems Company d/b/a Philips Lifeline.—[13-439](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14828B, between the St. Louis County Board of Commissioners and Vicki L. Lull, RN.—[13-440](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14778C, between the St. Louis County Board of Commissioners and Mountain Home Medical, Inc. d/b/a Northstar Home Medical, Inc.—[13-441](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14596D, between the St. Louis County Board of Commissioners and Donna Tracy Adult Foster Home. —[13-442](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14793B, between the St. Louis County Board of Commissioners and Gregory Rengstorf and Roxanne Rengstorf.—[13-443](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14773B, between the St. Louis County Board of Commissioners and Range Regional Health Services.—[13-444](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14695C, between the St. Louis County Board of Commissioners and Kathryn B. Brevik and Louis J. Brevik.—[13-445](#)

Addendum to Home and Community-Based Waiver Services Contract, No. 14607D,

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between the St. Louis County Board of Commissioners and The Hummingbird, Inc.—13-446

Addendum to Home and Community-Based Waiver Services Contract, No. 14540F, between the St. Louis County Board of Commissioners and Range Mental Health Center.—13-447

Addendum to Home and Community-Based Waiver Services Contract, No. 14784C, between the St. Louis County Board of Commissioners and Mary Gargano.—13-448

Addendum to Home and Community-Based Waiver Services Contract, No. 14794B, between the St. Louis County Board of Commissioners and Bridges to Success, Inc.—13-449

Group Residential Housing Rate Agreement, No. 51527, between the St. Louis County Board of Commissioners and At Home Living – Brainerd House.—13-450

Group Residential Housing Rate Agreement, No. 51528, between the St. Louis County Board of Commissioners and At Home Living – College.—13-451

Group Residential Housing Rate Agreement, No. 51529, between the St. Louis County Board of Commissioners and At Home Living – Hermantown.—13-452

Group Residential Housing Rate Agreement, No. 51530, between the St. Louis County Board of Commissioners and At Home Living – Howard Mill.—13-453

Group Residential Housing Rate Agreement, No. 51531, between the St. Louis County Board of Commissioners and At Home Living – Pike Lake.—13-454

Group Residential Housing Rate Agreement, No. 51532, between the St. Louis County Board of Commissioners and At Home Living – Rustic Ranch.—13-455

Group Residential Housing Rate Agreement, No. 51533, between the St. Louis County Board of Commissioners and At Home Living – Seville.—13-456

Group Residential Housing Rate Agreement, No. 51534, between the St. Louis County Board of Commissioners and At Home Living – Woodland.—13-457

Group Residential Housing Rate Agreement, No. 51630, between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown IV.—13-458

Group Residential Housing Rate Agreement, No. 51631, between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown V.—13-459

Group Residential Housing Rate Agreement, No. 51632, between the St. Louis County Board of Commissioners and Innovative Living, Inc. – Hermantown VI.—13-460

Group Residential Housing Rate Agreement, No. 51582, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - #3 Fairbault.—13-461

Group Residential Housing Rate Agreement, No. 51583, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth – Morningside.—13-462

Group Residential Housing Rate Agreement, No. 51584, between the St. Louis County

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Board of Commissioners and Heartland Homes of Duluth – Morris Thomas.—13-463

Group Residential Housing Rate Agreement, No. 51585, between the St. Louis County Board of Commissioners and Heartland Homes of Duluth - #1 Peabody.—13-464

Group Residential Housing Rate Agreement, No. 51594, between the St. Louis County Board of Commissioners and HOMES, Inc. – Hibbing I.—13-465

Group Residential Housing Rate Agreement, No. 51595, between the St. Louis County Board of Commissioners and HOMES, Inc. – Hibbing II.—13-466

Group Residential Housing Rate Agreement, No. 51596, between the St. Louis County Board of Commissioners and HOMES, Inc. – Virginia I.—13-467

Group Residential Housing Rate Agreement, No. 51597, between the St. Louis County Board of Commissioners and HOMES, Inc. – Virginia II.—13-468

Group Residential Housing Rate Agreement, No. 51545, between the St. Louis County Board of Commissioners and Kathryn Brevik and Louis Brevik.—13-469

Group Residential Housing Rate Agreement, No. 51647, between the St. Louis County Board of Commissioners and The Hummingbird.—13-470

Group Residential Housing Rate Agreement, No. 51590, between the St. Louis County Board of Commissioners and Mary Gargano.—13-471

Purchase of Service Agreement, Contract No. 14997, between the St. Louis County Board of Commissioners and Fond du Lac Reservation, Cloquet, MN, for Families First Family-Based Crisis Services for CY 2013.—13-472

Agreement for Professional Services between the County of St. Louis and Krech Ojard and Associates, Duluth, MN, for Government Services Center Renovation – Tuckpointing Alternative Development.—13-473

Service Contract No. 2013-007766 between the County of St. Louis and Waste Management of Minnesota, Inc., Duluth, MN, for Class I demolition waste collection for the period November 19, 2012 through December 31, 2015.—13-474

Upon motion by Commissioner Jewell, supported by Commissioner Forsman, resolutions numbered 13-366 through 13-379, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 4, 2013, are hereby approved.
Adopted June 25, 2013. No. 13-366

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 11, 2013, are hereby approved.
Adopted June 25, 2013. No. 13-367

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is, or if it should be reallocated to a level more aligned with the needs of the department and

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the customers it serves; and

WHEREAS, PHHS conducted a review when an Information Specialist II became vacant in the Child Support unit and determined that a reallocation to a Child Support Officer I would assist the Child Support Program in its work to help children receive the financial basic support, medical support, and child care support they deserve; and

WHEREAS, Because this reallocation is more than three pay grades, County Board approval is required;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the reallocation of an Information Specialist II (Pay Grade 12) to a Child Support Officer I (Pay Grade 18) position in the Public Health and Human Services Department, to be accounted for in Fund 230, Agency 231009, Object 610100.

Adopted June 25, 2013. No. 13-368

RESOLVED, That the appropriate county officials are authorized to enter into an agreement with Alden Township whereby the county will provide engineering and construction services for reconstruction of Bridge 846 on Township Road 2406/Hill Road using Minnesota Department of Transportation Flood Bond Funds.

Adopted June 25, 2013. No. 13-369

RESOLVED, That the appropriate county officials are authorized to enter into an agreement with Rice Lake Township whereby the county will provide engineering and construction services for reconstruction of Bridge 300 on Township Road 2903 using Minnesota Department of Transportation Flood Bond Funds.

Adopted June 25, 2013. No. 13-370

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project SAP 69-697-005, State Bridge 69A12 on County State Aid Highway 97 in Biwabik Township, Minnesota; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, The amount of the grant has been determined to be \$467,025.61;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute an agreement with the Minnesota Commissioner of Transportation for this grant.

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|----------------------------|--------------|
| Fund 29 Bridge Bond Funds: | \$467,025.61 |
| SLC State Aid Funds: | \$113,489.50 |
| Total Project: | \$580,515.11 |

Adopted June 25, 2013. No. 13-371

WHEREAS, St. Louis County has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of project SAP 69-621-033, State Bridge 69K01 on County State Aid Highway 21 in Embarrass Township, Minnesota; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, The amount of the grant has been determined to be \$339,677.11;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to the terms and conditions of the grant consistent with Minn. Stat. § 174.50, Subd. 5(3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the

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Minnesota State Transportation Fund any amount appropriated for the bridge but not required;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute an agreement with the Minnesota Commissioner of Transportation for this grant.

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| Fund 29 Bridge Bond Funds: | \$339,677.11 |
| SLC State Aid Funds: | \$133,883.24 |
| Total Project: | \$473,560.35 |

Adopted June 25, 2013. No. 13-372

RESOLVED, That the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59581, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Babbitt Lions Club, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1350, for August 24 and 25, 2013.

Adopted June 25, 2013. No. 13-373

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated June 14, 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.

Adopted June 25, 2013. No. 13-374

RESOLVED, That the 2013 Civil Service Supervisory four day work week supplemental labor agreement applicable to the Public Works Department, Virginia Sign Division is approved, and the appropriate county officials are authorized to execute the supplemental labor agreement, a copy of which is on file in County Board File No. 59674.

Adopted June 25, 2013. No. 13-375

RESOLVED, That the 2013 Teamsters four day work week applicable to the Public Works Department, Virginia Sign Division is approved, and the appropriate county officials are authorized to execute the supplemental labor agreement, a copy of which is on file in County Board File No. 59675.

Adopted June 25, 2013. No. 13-376

RESOLVED, That the St. Louis County Board appoints Mark J. Weber as the St. Louis County Land and Minerals Director effective June 24, 2013, at the annual salary rate of \$90,285 (Grade 27/Step 4 of the 2011 St. Louis County Management Compensation Plan) with benefits as provided by the Management Compensation Plan, payable from Fund 240, Agency 241001.

Adopted June 25, 2013. No. 13-377

WHEREAS, The Minnesota Department of Public Safety, Division of Emergency Communication Networks, has made funding available to the Northeast Regional Radio Board under the FY 2010 Allied Radio Matrix for Emergency Response (ARMER) Integration Grant; and

WHEREAS, The ARMER Integration Grant expires June 30, 2013, and the Sheriff's Office would like to purchase two Aeroflex digital radio test sets to be used to test and maintain all ARMER radios and infrastructure; and

WHEREAS, Aeroflex Wichita, Inc., of Wichita, KS, is the only vendor that makes this particular digital radio test set;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of two Aeroflex 3920 digital radio test sets from Aeroflex Wichita, Inc., Wichita, KS, in the amount of \$105,785 plus \$7,272.72 use tax, for a total amount of

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\$113,057.72, to be accounted for in Fund 100, Agency 136999, Grant 13603;
RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted June 25, 2013. No. 13-378

WHEREAS, On December 21, 2010, the St. Louis County Board adopted Resolution No. 10-598, authorizing the creation of the Master Addressing Repository (MAR) by Spatial Focus; and

WHEREAS, In May 2013, Spatial Focus finished its work on the Master Addressing Repository; and

WHEREAS, The final phase requires Courtview Justice Solutions to build interfaces with current data systems to the Master Addressing Repository for a cost of \$117,660;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes contracts with Courtview Justice Solutions for the interfaces needed to complete the Master Addressing project;

RESOLVED FURTHER, That funds for the project are to be transferred from the following accounts to the Sheriff's Office Fund 100, Agency 135006, Object 629900:

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|------------------------------|----------|--|
| Recorder Technology Reserve: | \$30,000 | Fund 100, Object 311014 |
| E911: | \$24,360 | Fund 179, Agency 179001, Object 629900 |
| Technology Reserve: | \$63,300 | Fund 100, Object 311139 |

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.
Adopted June 25, 2013. No. 13-379

BY COMMISSIONER FORSMAN:

WHEREAS, Bids have been received by the County Auditor for the following project:
SAP 69-656-017, CP 177719 (Storm) located on CSAH 56 (Morris Thomas Road) between Lindahl Road and Wargin Road, in Hermantown, MN; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 6, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|--|--|---------------|
| Northland Constructors of Duluth, LLC | 4834 Rice Lake Rd. Duluth, MN 55803 | \$733,497.39 |

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 225, Agency 177719, Object 652706.

Unanimously adopted June 25, 2013. No. 13-380

BY COMMISSIONER FORSMAN:

WHEREAS, Bids have been received by the County Auditor for the following project:
CP 0036-180241 located on CSAH 36 (Arnold Road) from CSAH 9 (Martin Road) to CSAH 43 (Lismore Road) in Rice Lake Township; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 6, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|---------------------------|--|---------------|
| Watters & Sons Excavating | 4961 Rice Lake Rd. Duluth, MN 55803 | \$516,983.20 |

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 203294, Object 652800.

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

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Unanimously adopted June 25, 2013. No. 13-381

BY COMMISSIONER FORSMAN:

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

SAP 69-599-038, WO 177733 (Storm) on TR 2903 between CR 849 and CSAH 4
in Rice Lake Township, length 0.07 mile; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 20, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|----------------------------------|-----------------------------------|---------------|
| Utility Systems of America, Inc. | P.O. Box 706 Eveleth, MN 55734 | \$264,539.25 |

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 225, Agency 177733, Object 652706.

Unanimously adopted June 25, 2013. No. 13-382

BY COMMISSIONER FORSMAN:

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

SAP 69-598-048, CP 177723 (Storm) on CR 211, 1.1 mile north of junction CSAH
133 in Meadowlands Township, length 0.11 mile; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 20, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|----------------------------------|-----------------------------------|---------------|
| Utility Systems of America, Inc. | P.O. Box 706 Eveleth, MN 55734 | \$341,595.00 |

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 225, Agency 177723, Object 652706.

Unanimously adopted June 25, 2013. No. 13-383

BY COMMISSIONER FORSMAN:

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

SAP 69-598-049, CP 177725 (Storm) on CR 192, 1.2 mile north of junction CSAH
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in Van Buren Township, length 0.04 mile; and

WHEREAS, Bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 20, 2013, and the low responsible bid determined;

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

| <u>LOW BIDDER</u> | <u>ADDRESS</u> | <u>AMOUNT</u> |
|-----------------------------|--------------------------------------|---------------|
| Landwehr Construction, Inc. | P.O. Box 1086 St. Cloud, MN 56302 | \$136,385.86 |

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 225, Agency 177725, Object 652706.

Unanimously adopted June 25, 2013. No. 13-384

BY COMMISSIONER JEWELL:

WHEREAS, Benefits to St. Louis County for participation in the Minnesota Council on Local Results and Innovation comprehensive performance measurement program are

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ST. LOUIS COUNTY, MINNESOTA**

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outlined in Minn. Stat. § 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, Any city/county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The St. Louis County Board has adopted and implemented ten of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes;

THEREFORE, BE IT RESOLVED, That St. Louis County will continue to report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the city's/county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed;

RESOLVED FURTHER, That the St. Louis County Board approves submission of the 2013 St. Louis County Performance Measures Report found in County Board File No. 59676.

Unanimously adopted June 25, 2013. No. 13-385

At 10:43 a.m., June 25, 2013, Commissioner Nelson, supported by Commissioner Forsman, moved to adjourn. The motion passed; six yeas, zero nays.

Chris Dahlberg, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)