



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

November 12, 2013
Immediately following the Board Meeting, which begins at 9:30 A.M.
Fredenberg Town Hall, 5104 Fish Lake Road, Duluth

Directions: Highway 53 to Ugstad Road/LaVaque Bypass in Hermantown. North on Ugstad Road/LaVaque Bypass which becomes LaVaque Road (CSAH 48) to Fish Lake Road (approximately 6 miles). The Fredenberg Town Hall will be on your left at this intersection.

CONSENT AGENDA:

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

Minutes of November 5, 2013

Health & Human Services Committee – Commissioner Stauber, Chair

1. Agreement with the Community Health Board for Community Transformation Grant Objectives [13-478]

Public Works & Transportation Committee – Commissioner Forsman, Chair

2. Award of Bids – Grader Blades, Cutting Edges, Pick Blades and Bits [13-479]
3. State Contract Purchase of Tandem Axle Diesel Tractor [13-480]

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

4. St. Louis County Emergency Conditions Policy [13-481]

ESTABLISHMENT OF PUBLIC HEARINGS:

Finance & Budget Committee – Commissioner Raukar, Chair

5. Establish Public Hearing for Suspension/Revocation of Liquor Licenses for Property Tax Non-Payment – 9:40 a.m., Tuesday, December 17, 2013, Morse Town Hall, Ely, MN [13-482]

REGULAR AGENDA:

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

Public Works & Transportation Committee – Commissioner Forsman, Chair

1. **State Contract Purchase of Tandem Axle Diesel Trucks [13-483]**
Resolution authorizing the purchase of four tandem axle diesel trucks from state contract vendor Twin Cities Mack and Volvo of Roseville, MN.

Finance & Budget Committee – Commissioner Raukar, Chair

1. **Tobacco Products License Application (Fayal Township) [13-484]**
Resolution approving the tobacco license for At Your Convenience, Fayal Township.
2. **Microsoft Exchange and Outlook Purchase and Migration [13-485]**
Resolution authorizing the plan to migrate to Microsoft Exchange/Outlook for county email and calendar management.

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

1. 2014 Labor Relations Services Agreement [13-486]

Resolution authorizing a contract with Johnson, Killen & Seiler, P.A., for labor relations services.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

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

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

November 26, 2013 City Council Chambers, City Hall, 401 East 21st Street, Hibbing, MN

December 3, 2013 Commissioners' Conference Room, Courthouse, Duluth, MN

December 17, 2013 Morse Town Hall, 911 South Central Avenue, Ely, MN

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

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Tuesday, November 5, 2013

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Jewell, Miller, Forsman, Stauber, Nelson, Raukar, and Chair Dahlberg

Absent: None

Convened: Chair Dahlberg called the meeting to order at 11:04 a.m.

CONSENT AGENDA

Forsman/Raukar moved to approve the consent agenda. The motion passed. (7-0)

- Minutes of October 22, 2013
- CY 2014 Purchase of Service Contract with First Witness Child Abuse Resource Center [13-451]
- CY 2014 Purchase of Service Contract with Legal Aid Service of Northeastern Minnesota [13-452]
- CY 2014 Purchase of Service Contract with Program for Aid to Victims of Sexual Assault [13-453]
- Federal Maternal, Infant, and Early Childhood Home Visiting to Expand the Nurse-Family Home Visiting Program [13-454]
- Agreement with Carlton-Cook-Lake-St Louis Community Health Board to Carry out State Health Improvement Program Objectives [13-455]
- 2014 Natural Resources Block Grant from Minnesota Board of Water and Soil Resources [13-456]
- Joint Powers Agreement between the IRRRB and St. Louis County [13-457]
- Award of Proposal: Shoreland Lease Appraisals [13-458]
- Approval of Registered Land Survey No. 119 (Northstar Township) [13-459]
- Acquisition of Right of Way – Replacement of County Bridge 641 (Sturgeon Township) [13-460]
- Agreement with the City of Duluth for Construction of Sanitary Sewer and Water on CSAH 89/Highland Street (Duluth) [13-461]
- Agreement with Bear Island Surveying, Inc., for Surveying Services (Township 61N, Range 16W) [13-462]
- Designate Portions of State Trunk Highway 53 Turnback as CSAH 106 (Britt) [13-463]
- Parking Lot Repairs – St. Louis County Service Center, Ely [13-464]
- 2014 Memorandum of Agreement with University of Minnesota Extension [13-465]
- Award 2013 Neighborhood Revitalization Program Funding [13-466]
- Abatement List for Board Approval [13-467]
- Sale of Surplus Fee Land – Section 23, T51N, R16W (Grand Lake Township) [13-468]
- Application, Acceptance and Assignment of PRISM Grant [13-469]
- NEMESIS Consulting Services [13-470]

- Application and Acceptance of 2013 Emergency Management Performance Grant [13-471]
- Authorization to Expend the 2011 and 2013 Port Security Grants [13-472]
- Hibbing Lock Up Security Controls Systems Upgrade [13-473]

REGULAR AGENDA

Public Works & Transportation

Stauber/Forsman moved to award a bid to Northland Constructors of Duluth, LLC, of Duluth, MN, in the amount of \$514,760.16 for project SAP 69-598-042, CP 177712 (Storm), located on CR 281 in Lakewood Township, MN [13-474]. The motion passed. (7-0)

Finance & Budget

Raukar/Nelson moved that the St. Louis County Board approves the sale of Chris Jensen Health & Rehabilitation Center to the current lessee, Health Dimensions Group, for \$2,300,000, and authorizes the County Administrator and County Attorney to complete the necessary due diligence required to produce an Asset Purchase Agreement, providing for a close of the sale transaction by March 31, 2014, or sooner. Property Management Director Tony Mancuso and County Attorney Tim Tysdal answered questions regarding the proposed sale. After further discussion, the motion passed. (6-0-1) Dahlberg abstained.

COMMISSIONER DISCUSSION ITEMS

Commissioner Nelson said that the St. Louis County Land Department received the Associated Contract Loggers and Truckers “Locomotive” award. Commissioner Nelson said that after an update from Environmental Services Director Ted Troolin, he is confident that adequate steps and measures are in place to ensure that all funds collected at landfill sites are being accounted for properly.

Commissioner Stauber said he will be asking Administration to write a resolution for the November 12, 2013 Committee of the Whole meeting supporting Senator Amy Klobuchar’s sex trafficking bill.

St. Louis County Auditor Donald Dicklich said that on November 12, 2013, the Northeast Regional Correction Center bond issuance would take place.

Commissioner Raukar said he explored Sister County affiliations during a recent vacation in Ireland.

At 11:56 a.m., Raukar/Jewell moved to adjourn the Committee of the Whole meeting. (7-0)

Chris Dahlberg, Chair of the County Board

Phil Chapman, Clerk of the County Board

BOARD LETTER NO. 13 – 478

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** Agreement with the
Community Health Board for
Community Transformation
Grant Objectives

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

Our community will make healthy life choices; have safe food, water, and air.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an agreement with the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) to convene, coordinate and implement evidenced-based strategies as specified in the state Community Transformation Grant Program.

BACKGROUND:

In 2011, the Centers for Disease Control and Prevention created the Community Transformation Grant (CTG) Program to engage multiple sectors such as education, transportation, business and faith-based organizations with the goal of improving the health of their communities' residents. In 2012, CTG was expanded to support areas with fewer than 500,000 people in neighborhoods, schools, cities and counties to increase opportunities to prevent chronic diseases and promote health.

The Minnesota Department of Health (MDH) was awarded \$3,603,724 per year of CTG funds for a five-year period (September 30, 2011 through September 29, 2016), designed to improve health and control health care spending. Because 37% of Minnesota's population resides in rural locations, 37% of the total MDH award is required to be used in rural locations. The CHB was awarded \$675,000 each year for the region.

The CHB has awarded \$47,047 of this funding to the St. Louis County Public Health & Human Services Department for the period September 30, 2013 through September 29, 2014 to support Active Transportation in the cities of Virginia and Cook and Active School Day programs in the Northwoods School near Orr.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with the Community Health Board to receive \$47,047 for the period September 30, 2013 through September 29, 2014 to support Active Transportation in the cities of Virginia and Cook and Active School Day programs in the Northwoods School near Orr with existing public health staff through funding from the Community Transformation Grant.

Funds will be accounted for in budget Revenue Fund 230, Agency 233999, Grant 23323, Project 99999999, Grant Year 2013, and Expenditure Fund 230, Agency 233999, Grant 23323, Project 99999999, Year 2013.

**Agreement with the Community Health Board
for Community Transformation Grant Objectives**

BY COMMISSIONER _____

WHEREAS, The Centers for Disease Control and Prevention wishes to continue its longstanding dedication to improving the health and wellness of all Americans through the Community Transformation Grant Program; and

WHEREAS, The Centers for Disease Control and Prevention has awarded \$3,603,724 per year to the Minnesota Department of Health to increase opportunities to prevent chronic diseases and promote health; and

WHEREAS, The Minnesota Department of Health has awarded the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) \$675,000 of these funds per year for the period September 30, 2011 through September 29, 2016; and

WHEREAS, The CHB has awarded St. Louis County \$47,047 for the period September 30, 2013 through September 29, 2014;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of funds through a contract with the Carlton-Cook-Lake-St. Louis Community Health Board in the amount of \$47,047 for the period September 30, 2013 through September 29, 2014 to support Active Transportation in the cities of Virginia and Cook and Active School Day programs in the Northwoods School near Orr with existing public health staff through funding from the Community Transformation Grant;

RESOLVED FURTHER, That funds will be accounted for in budget Revenue Fund 230, Agency 233999, Grant 23323, Project 99999999, Grant Year 2013, and Expenditure Fund 230, Agency 233999, Grant 23323, Project 99999999, Year 2013.

BOARD LETTER NO. 13 - 479

PUBLIC WORKS & TRANSPORTATION COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** Award of Bid – Grader Blades,
Cutting Edges, Pick Blades and
Bits

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the purchase of grader blades, cutting edges, shoes, pick blades and bits, for plowing equipment.

BACKGROUND:

The Public Works Department's 2013 budget includes funding for grader blades, cutting edges, plow shoes, pick blades and bits. The Purchasing Division issued a Request for Bids through DemandStar with estimated annual quantities based upon previous years' purchases. Bidders were requested to submit bids for the categories they were capable of providing. Four bids were received on October 16, 2013 and the low responsible bidders are as follows:

<u>Category 1 - Grader Blades with Rockwell "C" Hardness Range of 40-50</u>	
H & L Mesabi – Hibbing, MN	\$ 57,330.00
<u>Category 2 - Wing and One Way Cutting Edges and shoes</u>	
H & L Mesabi – Hibbing, MN	\$115,047.75
<u>Category 3 - Pick Blades and Bits</u>	
Titan Machinery – Hermantown, MN	\$ 41,677.25
<u>Category 4 – Carbide blades</u>	
H & L Mesabi – Hibbing, MN	\$ 41,245.50

RECOMMENDATION:

It is recommended the St. Louis County Board authorize the following purchases:

Grader blades, cutting edges, plow shoes, and carbide blades from H & L Mesabi of Hibbing, MN in the amount of \$213,623.25, plus State of Minnesota sales tax of \$14,686.60;

Pick blades and bits from Titan Machinery of Hermantown, MN in the amount of \$41,677.25, plus State of Minnesota sales tax of \$2,865.31.

The total purchase amounts to \$272,852.41, payable from Fund 200, Agency 207001, Object 657000.

Award of Bid – Grader Blades, Cutting Edges, Pick Blades and Bits

BY COMMISSIONER _____

WHEREAS, The Public Works Department's 2013 budget includes replacement of grader blades, cutting edges, plow shoes, pick blades and bits; and

WHEREAS, The Purchasing Division issued a Request For Bids for this purchase; and

WHEREAS, H & L Mesabi of Hibbing, MN, submitted the low qualifying bid for the purchase of grader blades in the amount of \$57,330.00; and

WHEREAS, H & L Mesabi submitted the low qualifying bid for the purchase of cutting edges and plow shoes in the amount of \$115,047.75; and

WHEREAS, Titan Machinery of Hermantown, MN, submitted the low qualifying bid for the purchase of pick blades and bits in the amount of \$41,677.25; and

WHEREAS, H & L Mesabi submitted the low qualifying bid for the purchase of carbide blades in the amount of \$41,245.50;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase of grader blades, cutting edges, plow shoes, and carbide blades from H & L Mesabi of Hibbing, MN, in the amount of \$213,623.25 plus State of Minnesota sales tax of \$14,686.60; and pick blades and bits from Titan Machinery of Hermantown, MN, in the amount of \$41,677.25, plus State of Minnesota sales tax of \$2,865.31, for a total cost of \$272,852.41, payable from Fund 200, Agency 207001, Object 657000.

BOARD LETTER NO. 13 - 480

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 3

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** State Contract Purchase of
Tandem Axle Diesel Tractor

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Highway Engineer/Public Works Director

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the purchase of one Mack GU713 tandem axle diesel tractor.

BACKGROUND:

The Public Works Department's 2013 equipment budget includes replacement of one tandem tractor for heavy hauling. This unit will be used primarily by the Bridge Division, but will also be available to all road crews. This purchase is necessary to accommodate the size of the Bridge Division's cranes, crawler tractors, and recently purchased large excavators. State of Minnesota contract pricing was requested for this purchase.

The Mack GU713 was specified for three reasons:

1. The department has purchased the Mack GU713 for the past six years and experience has shown it to be a high quality truck and has been the most reliable of the tandems purchased.
2. Reducing the number of different models of trucks in the fleet will reduce the amount of parts and inventory costs.
3. Reducing the number of different models of trucks in the fleet allows mechanics to become familiar with the trucks reducing time spent maintaining, diagnosing and repairing.

The tractor will be purchased from Twin Cities Mack & Volvo of Roseville, Minnesota, using the available State of Minnesota contract. Warranty service and parts support for the tractor will be provided by Lake Superior Mack and Volvo of Duluth. The purchase will total \$115,927.26 plus 6.5% state sales tax of \$7,535.27 for a total cost of \$123,462.53. The cost is within that budgeted for this purchase.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the purchase of one 2014 Mack GU713 Tandem Axle Diesel Tractor from Twin Cities Mack & Volvo of Roseville, Minnesota at the State of Minnesota contract price of \$123,462.53, payable from Fund 441, Agency 441001, Object 666300.

State Contract Purchase of Tandem Axle Diesel Tractor

BY COMMISSIONER _____

WHEREAS, The Public Works Department equipment budget includes replacement of one tandem tractor for heavy hauling; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested State of Minnesota contract pricing for the Mack GU713, due to its quality, department experience, savings in inventory, and mechanic familiarity; and

WHEREAS, Twin Cities Mack & Volvo of Roseville, MN responded with the state contract price for one Mack GU713 tandem tractor of \$115,927.26, plus 6.5% state sales tax of \$7,535.27, for a total cost of \$123,462.53;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase of one 2014 Mack GU713 tandem tractor from Twin Cities Mack and Volvo Trucks of Roseville, Minnesota, for a total cost of \$123,462.53, payable from Fund 441, Agency 441001, and Object 666300.

St. Louis County Emergency Conditions Policy

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Emergency Conditions Policy, a copy of which is on file in County Board File No. _____, is amended effective December 2, 2013.

EMERGENCY CONDITIONS POLICY

EMERGENCY CONDITIONS DEFINED

This Policy may be implemented for emergency conditions within St. Louis County. Procedures for responding to emergency conditions at County owned and/or operated buildings are defined in facility specific Emergency Response and Evacuation Plans. These plans include general instructions for employees in the facility and information concerning the lines of authority during impending emergency and dangerous situations that may require immediate evacuation or response by on-site personnel. Department specific alternate worksites shall be identified by each department head in advance of an Emergency Conditions Declaration.

Emergency conditions covered by this Policy shall include:

1. **Severe Weather:** Conditions which threaten the health/safety of employees at their work locations or create conditions hazardous to the safety of the public in travel. Examples include, but are not limited to, tornadoes or excessive winds; severe blizzard conditions creating visibility near zero; road impasses caused by severe icing or excessive accumulation of snow; or any other hazardous weather conditions which may cause the cancellation of public transportation.
2. **Power Failure:** Any major failure of a mechanical system, such as power, water, or heating within a County building or a building containing County employee work sites, when the failure is expected to last more than three (3) hours and/or employee health or safety may be jeopardized by the inability to maintain a functioning work environment.
3. **Hazardous Circumstances:** Conditions occurring in or near a County building or place of employment which could endanger the safety of employees. Examples include but are not limited to, bomb threats, terrorist threats, fire, explosion or imminent explosion, toxic substance spills or leakage, accidental and severe damage to a building, and other similar circumstances.
4. **Other Situations:** Other unforeseen and sudden circumstances of an emergency nature similar to those listed above that significantly affect the health or safety of employees.

Separate procedures found in the "Emergency Response and Evacuation Plan" exist for certain County owned and/or operated facilities. These plans provide greater detail regarding evacuation of a building, or such other action as may be necessary, in the event of an impending emergency or other situation presenting imminent danger.

RESPONSIBILITY FOR DECLARING AN EMERGENCY CONDITION

Declaring an emergency condition shall be the joint responsibility of the Chair or Vice-Chair of the County Board, and the County Administrator, or their designees. Determination of the emergency condition will be made in consultation with the Commissioner(s) representing the district(s) in which the emergency condition exists, if this is practical.

NOTIFICATION OF EMERGENCY CONDITION

Upon determination that an emergency condition exists, the County Administrator or his/her designee shall convey notice of the condition to County employees as follows:

If an emergency condition is declared prior to the start of the normal business day, notification shall be made by 6:30 a.m. or as soon thereafter as possible via St. Louis County's **Amerilert** notification system. Employees should also access the county's web page for public announcements specific to conditions (www.stlouiscountymn.gov). Notification shall also be made to the department heads or supervisors impacted by the decision.

It is each individual employee's responsibility to sign into the **Amerilert** notification system and to keep their contact information in the system current. During times of severe weather, the **Amerilert** notification system will be used to notify employees if an emergency condition is declared prior to the start of a workday. Additionally, local media will be notified should an emergency condition be declared. With regard to other emergency conditions, department heads or supervisors shall notify the employees in their departments of the emergency condition as soon as reasonably possible.

If an emergency condition is declared after the start, but prior to the end of a normal business day, notice shall be conveyed to the media, to the department heads or supervisors impacted by the decision, and/or to impacted employees through the **Amerilert** notification system. Department heads or supervisors shall notify the employees in their departments of the emergency condition as soon as reasonably possible.

NON-EMERGENCY EMPLOYEES

For the purpose of this Policy, the term "non-emergency employees" shall include all County employees except those employees defined herein as "emergency employees."

EMERGENCY EMPLOYEES

Department heads shall determine the number of employees designated as emergency employees for their respective departments. Emergency employees must appear at designated work sites during an emergency condition. For purposes of this Policy, the term "emergency employees" shall include those employees working in certain job classes, as set forth in the attachment to this Policy, in the following departments:

- A. Sheriff's Office including 9-1-1 Communications, Law Enforcement, Emergency Management and Jail Division
- B. Property Management Department
- C. Public Works Department

EMPLOYMENT STATUS WHEN EMERGENCY CONDITION IS DECLARED

Except in rare circumstances, as determined jointly by the Chair or Vice-Chair of the County Board, and the County Administrator, or their designees, County offices and work sites will remain open when an emergency condition has been declared.

If an emergency condition is declared prior to the start of the normal business day, all St. Louis County offices will open. However, non-emergency employees may choose to: (1) report for work at their regularly scheduled time, or (2) remain at home and use accrued vacation, personal leave, or compensatory time for the day.

If an emergency condition is declared after the start of the normal business day, all St. Louis County offices will remain open, except in rare circumstances. However, non-emergency

employees may choose to (1) remain at work, or (2) go home early and use accrued vacation, personal leave, or compensatory time for the remainder of the day.

Emergency employees are required to appear at their designated work sites at their normally scheduled times during emergency conditions. Emergency employees must also report to work if they are called out to work during emergency conditions. Any emergency employee who fails to report for work without good cause may be subject to discipline.

In the rare instance when emergency conditions require the closing of a County office or work site, emergency employees will be notified of the location of an alternative work site to which they must report. Alternative work sites shall be identified by department heads and shall be located as near to the employees' designated work site as is reasonably possible.

EMPLOYEE COMPENSATION

If an emergency condition is declared prior to the start of a business day, non-emergency employees who do not report to their work sites will not be paid for their normal work hours during that day, except by using accrued vacation, personal leave, or accrued compensatory time. Non-emergency employees who report for work will receive their regular wages.

If an emergency condition is declared during regular work hours, all employees will be notified of that determination as soon as reasonably possible. Non-emergency employees will then have the option of (1) remaining at work or (2) leaving the work site and using accrued vacation, personal leave, or compensatory time. Non-emergency employees who remain at work will receive their regular wages.

If the emergency condition is such that the decision is made to "close" St. Louis County offices and/or other work sites **prior to the start of a business day**, non-emergency employees will not be paid for their normal work hours during that day except by using accrued vacation, personal leave, or accrued compensatory time. Employees who have no accrued paid leave hours available on their payroll record will be authorized advance credit of vacation hours to be used for the emergency closure event, and these credited hours shall be repaid in full from the employee's vacation earnings in the immediately following pay periods.

If the emergency condition is such that the decision is made to "close" St. Louis County offices and/or other work sites **during regular working hours**, all non-emergency employees will be released and paid their regular wages for the entire work day. Emergency employees shall report to their normal work sites, or to a designated alternative work site, for their scheduled shifts. Any emergency employee not reporting for work as scheduled or as otherwise required, shall not receive compensation for the day. However, a department head may authorize the use of vacation pay, personal leave, or accrued compensatory time by an emergency employee unable to report to work during an emergency situation, for good cause shown by the employee, on a case-by-case basis, after review by the County Administrator.

Employees on sick leave status on the work day prior to the emergency condition may use sick leave benefits on the day of the emergency condition, if the employee can show that absence from work would have been required, regardless of the emergency condition, because of continuing need for sick leave use.

If, because of severe weather, any emergency or non-emergency employees choose to remain at County offices or other work site after a decision to close the offices, they shall not receive

overtime compensation or compensatory time off unless their department head ordered them to remain on site specifically to work during the emergency condition.

EMERGENCY EMPLOYEES (revised 2013)

Sheriff's Office 9-1-1 Communications

Communications Center Supervisor
Emergency Communication Specialist
Electronic Systems Technician

Sheriff's Office Law Enforcement

Deputy Sheriffs serving on patrol in outlying areas and as Investigators
Deputy Sheriff-Sergeant
Deputy Sheriff Lieutenant
Supervising Deputy Sheriff

Sheriff's Office Emergency Management

Emergency Services Manager
Civil Defense Coordinator

Sheriff's Office Jail Division

Deputy Sheriff's Corrections Officer
Deputy Sheriff Sergeant Corrections
Assistant Administrators Operations
Assistant Administrators Security
Jail Corrections Administrator
Cooks Jail
Cook Supervisors Jail
Jail Program Operations Coordinator

Property Management

Head Janitor
Designated Janitorial Staff

Public Works

Highway Engineer/Public Works Director
Deputy Public Works Director
Assistant County Highway Engineer
Highway Division Superintendent
Highway Maintenance Supervisor
Road and Bridge Shop Supervisor
Sign Supervisor
Principle Engineer (Bridge Division)
Bridge Supervisor
Bridge Superintendent
Bridge Worker Junior
Bridge Worker Senior
Equipment Operator Junior
Equipment Operator Senior
Heavy Equipment Mechanic
Principle Engineer (Traffic Division)
Sign Technician
Principle Engineer (Maintenance Division)
Fleet/Property Manager

November 26, 2013

BOARD LETTER NO. 13 - 482

FINANCE & BUDGET COMMITTEE CONSENT NO. 5

BOARD AGENDA NO.

DATE: November 12, 2013

RE: Establish Public Hearing for
Suspension/Revocation of Liquor
Licenses for Property Tax Non-
Payment

FROM: Kevin Z. Gray
County Administrator

Don Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing to consider the suspension/revocation of liquor licenses of several establishments in the county with property taxes not current.

BACKGROUND:

Pursuant to St. Louis County Ordinance No. 28, past due or delinquent real or personal property taxes assessed to the licensed premises must be paid in full at the time of application and thereafter must be paid when due. Failure to pay real estate or personal property taxes when due shall result in suspension of any liquor license until such time as the taxes are paid or the license expires or revocation.

RECOMMENDATION:

It is recommended that a public hearing on the matter be scheduled for December 17, 2013, at 9:40 a.m. in the Morse Town Hall, Ely, Minnesota.

**Establish Public Hearing for Suspension/Revocation of Liquor Licenses
for Property Tax Non-Payment**

BY COMMISSIONER _____

RESOLVED, That a public hearing will be held at 9:40 a.m. on Tuesday, December 17, 2013, in the Morse Town Hall, Ely, Minnesota, for the purpose of considering the suspension/revocation of liquor licenses for failure to pay real estate or personal property taxes when due, pursuant to St. Louis County Ordinance No. 28.

BOARD LETTER NO. 13 - 483

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** State Contract Purchase of
Tandem Axle Diesel Trucks

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Highway Engineer/Public Works Director

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the purchase of four Mack GU713 tandem axle diesel trucks.

BACKGROUND:

The Public Works Department's 2013 equipment budget includes replacement of four tandem trucks for snow and ice control, and for hauling gravel. These units will replace aging trucks at Public Works facilities in Ely, Pike Lake, Virginia, and Hibbing. The units to be replaced are over 20 years old, and either cannot pass a Department of Transportation inspection any longer due to cracked frames etc., or are worn and rusted to the point of needing replacement. State of Minnesota contract pricing was requested for this purchase.

The Mack GU713 was specified for three reasons:

1. The department has purchased the Mack GU713 for the past six years and experience has shown it to be a high quality truck which has been the most reliable of the tandems purchased.
2. Reducing the number of different models of trucks in the fleet will reduce the amount of parts and inventory costs.
3. Reducing the number of different models of trucks in the fleet allows mechanics to become familiar with the trucks reducing time spent maintaining, diagnosing and repairing.

The trucks will be purchased from Twin Cities Mack & Volvo of Roseville, Minnesota, using the available State of Minnesota contract. Warranty service and parts support for the trucks will be provided by Lake Superior Mack and Volvo of Duluth. The purchase will total \$438,549.08 plus 6.5% state sales tax of \$28,505.69 for a total cost of \$467,054.77. The cost is within that budgeted for this purchase.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the purchase of four 2014 Mack GU713 Tandem Axle Diesel Trucks from Twin Cities Mack & Volvo of Roseville, Minnesota at the State of Minnesota contract price of \$467,054.77, payable from Fund 441, Agency 441001, Object 666300.

State Contract Purchase of Tandem Axle Diesel Trucks

BY COMMISSIONER _____

WHEREAS, The Public Works Department equipment budget includes replacement of tandem trucks for snow and ice control, and gravel hauling; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested State of Minnesota contract pricing for the Mack GU713, due to its quality, department experience, savings in inventory, and mechanic familiarity; and

WHEREAS, Twin Cities Mack & Volvo of Roseville, MN responded with the state contract price for four Mack GU713 tandem trucks of \$438,549.08, plus 6.5% state sales tax of \$28,505.69, for a total cost of \$467,054.77;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase of four 2014 Mack GU713 tandem trucks from Twin Cities Mack and Volvo Trucks of Roseville, Minnesota, for a total cost of \$467,054.77, payable from Fund 441, Agency 441001, and Object 666300.

BOARD LETTER NO. 13 - 484

FINANCE & BUDGET COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: November 12, 2013

RE: Tobacco Products License
Application (Fayal Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor

RELATED DEPARTMENT GOAL:

Provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the application for a Tobacco License.

BACKGROUND:

The following Tobacco Products Licensing Application has been submitted for Board approval:

Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T144, *RENEWAL*.

The business is a gas and convenience store located on U.S. Highway 53, in Fayal Township.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the requested tobacco license.

Tobacco Products License Application (Fayal Township)

BY COMMISSIONER: _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products, at retail, on file in the office of the County Auditor, identified as County Board File No. 59631, is approved and the County Auditor is authorized to issue the license as follows;

Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T144, *RENEWAL*.

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

BOARD LETTER NO. 13 - 485

FINANCE & BUDGET COMMITTEE NO. 2

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** Microsoft Exchange and Outlook
Purchase and Migration

FROM: Kevin Z. Gray
County Administrator

Martin Buscombe, Director
Information Technology

RELATED DEPARTMENT GOAL:

To provide a strong county infrastructure.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the Information Technology Department to move forward with the purchase, installation and implementation of Microsoft Exchange/Outlook for email and calendar management and approving the migration plan in concept.

BACKGROUND:

The county's strategic technology plan includes expanding the use of eGovernment and eCommerce with its citizen stakeholders. In pursuit of that plan, the county needs to improve the integration of its electronic systems.

To achieve those goals a migration to Microsoft Exchange/Outlook is proposed. The recommendation to migrate from Novell Groupwise to Microsoft Exchange/Outlook is the product of a comprehensive evaluation over the last year. The change has been reviewed and approved by the IT Investments and Steering Committees, and has been included in proposed 2014-2015 budgets.

Highlights of the business case to move to Microsoft Exchange/Outlook include:

- Improved integration: a thorough review of purchased software solutions relied upon throughout the county showed the vast majority have built-in functionality with Microsoft Exchange/Outlook. When complete, this migration will allow for better integration of email and calendar functions with the county's Fast Track Gov permit application system, Onbase Electronic Document Management System, Mitchell Humphrey, GIS/ESRI and Highline.
- Industry standard: Microsoft tools are industry standard and are already understood by most employees. A total windows environment (email, word processor, excel

spreadsheets) will result in reduced training costs because of the carryover of knowledge between one common software suite.

- Company viability: Novell was recently sold to another company and the roadmap for future Groupwise enhancements is unknown.
- Improved mobile device support: Groupwise has been slow to adopt new standards or improve mobile device support.

This complex project requires a series of purchases and steps in three major phases covering parts of two successive budget years. Work needs to start immediately for Phase I which is why County Board approval of the plan in concept is sought at this point.

- Phase I: Archive Manager
The first phase will be to implement a replacement for the archiving component of Groupwise. This phase is underway now and involves a migration of archived files to Quest Archiving.
(Funds are available in the 2013 IT budget for these costs)
- Phase II: Exchange Installation
The second phase which will begin in 2013 and be completed in early 2014 will allow for the creation of the technology environment needed for the migration to Microsoft Exchange/Outlook.
(Funds have been included in the 2014 IT budget for this expense and the authorization to purchase will be brought to the Board in 2014.)
- Phase III: GroupWise Migration
The third phase which will begin in early 2014 and be complete by June 30, 2014 will involve the purchase of licenses and migration to the Microsoft Exchange/Outlook product by all county staff.
(Funds have been included in the 2014 IT budget for this expense and the authorization to purchase will be brought to the Board in 2014. The actual purchase of server and client licenses for Exchange, Windows and Outlook is estimated to cost approximately \$650,000. This has been budgeted in 2014 with funds for this one-time investment coming from the existing IT assigned fund balance in the General Fund. Ongoing software assurance costs have been built into 2015 and 2016 forecast estimates.)

The County Board is requested to approve the migration plan and to authorize the IT Department to move forward with implementation to ensure migration and training will be complete by June 30, 2014. The total cost of this project is estimated to be \$800,000 including all annual maintenance and software assurance costs for the first three years with the majority of the funds being spent in 2014. Purchases will be brought forward in a timely fashion during the course of implementation.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the plan to migrate from Novell GroupWise to Microsoft Exchange/Outlook.

It is further recommended that the St. Louis County Board authorize the IT Department to move forward with the purchase, installation and implementation of Microsoft Exchange/Outlook for email and calendar management.

Microsoft Exchange/Outlook Purchase and Migration

BY COMMISSIONER _____

WHEREAS, St Louis County's strategic technology plan includes expanding and improving the use of eGovernment and eCommerce services with its citizen stakeholders, and;

WHEREAS, Migration of the county's email and calendaring system to Microsoft Exchange/Outlook is part of that plan;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the plan to migrate from Novell GroupWise to Microsoft Exchange/Outlook in concept;

RESOLVED FURTHER, That the St. Louis County Board authorizes the IT Department to move forward with the purchase, installation and implementation of Microsoft Exchange/Outlook for email and calendar management, bringing contracts and purchases to the County Board in a timely fashion as needed in 2014.

BOARD LETTER NO. 13 - 486

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: November 12, 2013 **RE:** 2014 Labor Relations Services Agreement

FROM: Kevin Z. Gray
County Administrator

James R. Gottschald, Director
Human Resources

RELATED DEPARTMENT GOAL:

To play a key role on behalf of the county in negotiations with employees represented by bargaining units, including final written labor agreements.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an agreement with Steven C. Fecker for labor negotiations and for grievance and arbitration proceedings in 2014.

BACKGROUND:

St. Louis County has used the services of Steven C. Fecker of Johnson, Killen & Seiler, P.A. as its labor negotiator for several years. During his tenure, he has accumulated a valuable history and understanding of the negotiation process and the rationale for many of the previous positions negotiated on behalf of St. Louis County. Mr. Fecker has been a critical resource to Administration and Human Resources in leading negotiations and in preparing the county's response to the bargaining units' proposals. He has further been on point and timely with responses to issues and questions that have been raised during negotiations. On behalf of Johnson, Killen & Seiler, P.A., Mr. Fecker has submitted a proposal to continue as the county's chief negotiator for 2014 at the rate of \$195 per hour for labor negotiations and \$225 per hour for representation in grievance and interest arbitration proceedings.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a contract with Steven C. Fecker of Johnson, Killen & Seiler, P.A. for labor negotiations and for grievance and interest arbitration representation for 2014.

2014 Labor Relations Services Agreement

BY COMMISSIONER _____

WHEREAS, St. Louis County expects to enter into labor negotiations with bargaining units for labor contracts in 2014; and

WHEREAS, St. Louis County has previously used the services of Steven C. Fecker of Johnson, Killen & Seiler, P.A. for labor negotiations, grievance arbitration and interest arbitration proceedings; and

WHEREAS, Mr. Fecker has valuable knowledge and experience from previous negotiations that will assist the county in resolution of its labor contracts and representation in grievance and interest arbitrations;

THEREFORE, BE IT RESOLVED, That the appropriate county officials are authorized to execute an agreement with Steven C. Fecker of Johnson, Killen & Seiler, P.A. to act as the exclusive labor negotiator for St. Louis County, effective January 1, 2014 – December 31, 2014 at the hourly fee of \$195 for labor negotiations and at the hourly fee of \$225 for grievance and interest arbitrations, payable from Fund 100, Agency 107001, Object 629900.

STEVEN J. SEILER *
JOHN N. NYS *
STEVEN C. FECKER
ROBERT J. ZALLAR
ROBERT C. PEARSON *
JAMES A. WADE * ‡
JOSEPH J. ROBY, JR. * ‡
NICHOLAS OSTAPENKO *
RICHARD J. LEIGHTON * ▲
JOSEPH V. FERGUSON *
ALOK VIDYARTHI
PAUL W. WOJCIAK *
ROY J. CHRISTENSEN *
JESSICA L. DURBIN
DIANA BOUSCHOR DODGE *
MICHELE L. MILLER
PETER J. RAUKAR

JOHNSON, KILLEN & SEILER

ATTORNEYS

RECEIVED

SEP 11 2013

SLC ADMIN

JOSEPH B. JOHNSON
(1919-2000)

JOHN J. KILLEN
(1927-2013)

THOMAS A. CLURE
(1938-2010)

* ALSO MEMBER OF WISCONSIN BAR
▲ ALSO MEMBER OF NORTH DAKOTA BAR
‡ CIVIL TRIAL SPECIALIST CERTIFIED BY THE
MINNESOTA STATE BAR ASSOCIATION AND
THE NATIONAL BOARD OF TRIAL ADVOCACY

WRITER'S E-MAIL ADDRESS:
sfecker@duluthlaw.com

September 10, 2013

St. Louis County Board of Commissioners
Attn: Kevin Gray, County Administrator
St. Louis County Courthouse
100 North Fifth Avenue West, Room 202
Duluth, MN 55802

Re: 2014 Contract Year Labor Relations Services Proposal

Dear Mr. Gray:

Please consider this proposal to provide labor relations services to St. Louis County for the 2014 contract year labor contract negotiations.

Labor relations services will be coordinated through the County Administrator. I will work with the County Administrator to develop labor negotiations strategy and formulate Employer proposals. Also, I will meet with County department heads as appropriate to solicit their input on Employer proposals. I will then present the suggested Employer proposals to the County Administrator for consideration and approval prior to presenting the proposals to the respective unions.

I will initiate negotiations with the various bargaining units and will schedule continued meetings as necessary to reach an agreement with each unit. I will submit periodic written progress reports to the County Administrator and will attend meetings as necessary to coordinate the ongoing status of negotiations. I will also meet periodically with the County Board in closed session if requested, to update the Board on the status of negotiations.

To the extent that legal advice is required during the course of the negotiations, this will be coordinated through the office of the County Attorney who is ultimately responsible to be the County's legal advisor.

800 Wells Fargo Center
230 West Superior Street
Duluth, MN 55802



Ph: 218.722.6331
W: duluthlaw.com
E: info@duluthlaw.com

JOHNSON, KILLEN & SEILER

September 10, 2013

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As in the past, the County agrees to make available a knowledgeable staff person to attend all negotiation sessions with me and to act as a resource person regarding current County personnel policies. To assure that a consistent strategy is implemented and carried out during negotiations, the County agrees that I will be the exclusive County representative authorized to discuss labor relations issues with the unions.

Upon reaching tentative agreement with a bargaining unit, I will arrange for the tentative agreement to be brought to the County Board for approval in a closed session prior to the union membership voting on the proposal. Once the union membership ratifies the proposal, the proposal will be brought back to the County Board for ratification in a public meeting. I will coordinate the preparation of all new contracts and will review same for accuracy. In the event that negotiations culminate in interest arbitration rather than a negotiated settlement, I will represent the County in the interest arbitration proceeding and will coordinate the preparation and presentation of all testimony and evidentiary exhibits.

Labor relations services will be provided at the rate of \$195.00 per hour. This is the same rate which has been in effect with St. Louis County since 2011 for matters other than negotiations. Representation in interest arbitration proceedings (and grievance arbitration proceedings if requested) will be provided at the rate of \$225.00 per hour. This proposal will remain in effect until December 31, 2014, and from month to month thereafter until terminated by either party on thirty (30) days notice.

Billings will be submitted monthly and will reflect an itemized account of services rendered for each separate bargaining unit.

Thank you kindly for your consideration.

Very truly yours,



Steven C. Fecker

SCF/gr

JOHNSON, KILLEN & SEILER

September 10, 2013

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Accepted on behalf of St. Louis County:

By: _____
County Board Chair

By: _____
County Auditor

Approved as to form and execution:

By: _____
St. Louis County Attorney