

CONSENT AGENDA

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

December 17, 2013

Morse Town Hall, 911 South Central Avenue, Ely, Minnesota

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

RESOLUTIONS FOR APPROVAL:

Minutes of the November 26, 2013 meeting.

Minutes of the December 3, 2013 meeting.

Health & Human Services Committee – Commissioner Stauber, Chair

1. Purchase of service contract with Duluth Bethel Society for required drug testing services during calendar year (CY) 2014 for maximum annual contract amounts of \$100,000 for Court-ordered drug testing and \$5,000 for Income Maintenance program drug testing; and further, the Board will be informed of necessary budget adjustments if funds become exhausted before year end.
2. Purchase of service contract with Arrowhead Center, Inc., for chemical dependency and substance abuse assessment, treatment, and aftercare services during CY 2014 for a combined annual maximum contract amount of \$66,878, and for required Court-ordered drug testing during CY 2014 for \$10,000 and Income Maintenance program drug testing during CY 2014 for \$5,000; and further, the Board will be informed of necessary budget adjustments if funds become exhausted before year end.

Environment & Natural Resources – Commissioner Nelson, Chair

3. Joint Powers Agreement with the State of Minnesota authorized to implement forest management projects on state tax forfeited lands.
4. Contract authorized with Northeast Technical Services of Virginia, MN, in an amount not to exceed \$191,505 for analysis and planning, design, permitting assistance, bidding and construction management and certification services for the Regional Landfill leachate field expansion and pond construction project.
5. Non-exclusive easement granted to the St. Louis and Lake Counties Regional Rail Authority across state tax forfeited land located in Section 17, Township 62 North, Range 14 West (Breitung and Eagles Nest Townships) for construction of a segment of the Mesabi Trail, upon total payment of \$1,136.

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6. Application for repurchase of state tax forfeited land by Meadowlands Congregation of Jehovah's Witness, Meadowlands, MN, approved upon payment of \$1,295.88.
7. Special sale of state tax forfeited land described as Lot 1, Block 66, Gilbert 2nd Addition, City of Gilbert, authorized to the City of Gilbert for redevelopment purposes, for a total price of \$484.32; and further, the land shall be offered for sale at public auction if the City of Gilbert does not purchase the land by January 31, 2014.

Finance & Budget Committee – Commissioner Raukar, Chair

8. Abatement list for Board approval.
9. Release of the reversion requirement contained in Quit Claim Deed Document No. 561213 to Grand Lake Township authorized upon payment of \$3,200.
10. Utility easement across county fee owned land located in Fine Lakes Township authorized to Great River Energy for transmission line upgrades, upon payment of a \$450 land use fee.
11. Application for off-sale intoxicating liquor license by Red Swan Catering, LLC d/b/a Clearwater Grille & Event Center, Duluth Township.
12. Applications for licenses to sell tobacco products at retail, renewals.
13. Applications for licenses to sell tobacco products at retail, renewals with past violations.
14. Application for license to sell tobacco products at retail by T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, renewal with past violations, change of officers.
15. Application for license to sell tobacco products at retail by Kristina Lynn Carl d/b/a Saginaw Grand Lake Station, Solway Township, name change due to marriage.
16. Application for license to sell tobacco products at retail by Wayside Corner Store, Inc., d/b/a Wayside Corner Store, New Independence Township, change of officers.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

17. Lobbying services agreement with Arrowhead Counties Association in an amount not to exceed \$11,000 authorized for the use of St. Louis County's Director of Intergovernmental Relations services during the 2014 Legislative Session.
18. County Auditor authorized to advertise for applications to fill three (3) citizen member vacancies on the St. Louis County Cooperative Extension Committee for three-year terms beginning January 1, 2014 and expiring December 31, 2016.

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19. Appoint John Hagberg and Joseph Wivoda to the Silica Fire Relief Association Board of Trustees.
20. Approve the 2014 St. Louis County Legislative Priorities (see attached) and direct the Intergovernmental Relations Director to work to achieve these outcomes during the 2014 Legislative Session.

Public Safety & Corrections Committee – Commissioner Miller, Chair

21. Contract authorized with Anthony Enterprises, Duluth, MN, in the amount of \$69,000 for the U.S. Forest Service Ely Site Project promoting the Hazardous Fuels Reduction Grant objective.

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of November 26, 2013, are hereby approved.

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of December 3, 2013, are hereby approved.

CY 2014 Purchase of Service Contract with Duluth Bethel Society

BY COMMISSIONER _____

WHEREAS, Clients of the St. Louis County Public Health and Human Services Department (PHHS) are at times required to submit to drug testing; and

WHEREAS, PHHS has contracted with Duluth Bethel Society for many years to provide required drug testing and wishes to renew its current purchase of service contract;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a purchase of service contract with Duluth Bethel Society for drug testing services for the period January 1, 2014 through December 31, 2014 for the following services and rates from the identified budgets:

Level 1 screening	\$11.00 per unit
Level 2 screening	\$16.00 per unit
Full screen	\$26.00 per unit
Synthetic drugs	\$26.00 per unit
Bath salts	\$47.00 per unit
ETG	\$26.00 per unit

<u>Service</u>	<u>Annual maximum</u>	<u>Budget</u>
Court-ordered drug testing	\$100,000.00	230-232008-602000
Income Maint. drug testing	\$ 5,000.00	230-231014-629900

RESOLVED FURTHER, While the Public Health and Human Services Department will do everything possible to stay within the contract maximums, these services are primarily court or legislatively mandated; if the full amount of either Drug Testing budget becomes exhausted before the end of the year, the Department will make the necessary budget adjustments and inform the Board by Board Memo.

CY 2014 Purchase of Service Contract with Arrowhead Center, Inc.

BY COMMISSIONER _____

WHEREAS, Arrowhead Center, Inc., provides chemical dependency and substance abuse assessment, treatment, and aftercare services, as well as urinalysis collection and drug testing services; and

WHEREAS, The Public Health and Human Services Department wishes to renew its current purchase of service contract with the Arrowhead Center;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a purchase of service contract with Arrowhead Center, Inc., for the following services and rates for the period January 1, 2014 through December 31, 2014:

<u>Service</u>	<u>Rate</u>	<u>Annual maximum</u>	<u>Budget</u>
Assessment and Treatment	\$259.22 per person	\$44,585.66	230-232006-608000
Aftercare	\$253.33 per person	<u>\$22,292.34</u>	230-232006-608000
	Combined annual maximum	\$66,878.00	
Court-ordered Drug Testing	\$35.00 per unit	\$10,000.00	230-232008-602000
Income Maint. Drug Testing	\$35.00 per unit	\$ 5,000.00	230-231014-629900

RESOLVED FURTHER, While the Public Health and Human Services Department will do everything possible to stay within the contract maximums, these services are primarily court or legislatively mandated; if the full amount of either Drug Testing budget becomes exhausted before the end of the year, the Department will make the necessary budget adjustments and inform the Board through Board Memo notification.

Joint Powers Agreement Between the State of Minnesota and St. Louis County

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 471.59, Subd. 10, empowers the State of Minnesota to enter into an agreement with St. Louis County to perform on behalf of the county any service or function which the state is authorized to provide for itself; and

WHEREAS, The State of Minnesota, acting through its Commissioner of Natural Resources, and St. Louis County are in need of contractors to implement forest management projects for the purpose of enhancement of natural resources management;

THEREFORE, BE IT RESOLVED, The St. Louis County Board hereby authorizes a Joint Powers Agreement with the State of Minnesota to implement forest management projects on state tax forfeited lands administered by the Land and Minerals Department.

**Regional Landfill Leachate Field and Pond System Expansion Project
Engineering Contract**

BY COMMISSIONER _____

WHEREAS, St. Louis County continues to expand and develop its Regional Landfill in Virginia to provide land disposal services to residents of its solid waste service area and continued use of the Regional Landfill will require improvement and expansion of the Regional Landfill's leachate treatment system; and

WHEREAS, The county requires engineering and geotechnical assistance to provide leachate field and pond development evaluation, design, permitting, bidding, and construction management and certification services; and

WHEREAS, Northeast Technical Services (NTS) is qualified to provide engineering, geotechnical, and/or related services as required by the Agreement and are duly registered to provide these services; and

WHEREAS, St. Louis County requested that NTS provide a proposal for leachate field expansion and pond development services for the Regional Landfill, and found it acceptable and meeting the county's needs;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Northeast Technical Services, Virginia, MN, to provide site evaluation, design, permitting, bidding, and construction management and certification services for Regional Landfill leachate field expansion and pond construction at a cost not to exceed \$191,505, payable from Fund 600, Agency 607002 (Leachate).

Easement Request for Mesabi Trail (Breitung (E), Eagles Nest Township)

BY COMMISSIONER _____

WHEREAS, St. Louis and Lake Counties Regional Rail Authority has requested an non-exclusive easement across state tax forfeited land for the Mesabi Trail; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, to grant a non-exclusive easement to the St. Louis and Lake Counties Regional Rail Authority described as follows:

A 40.00 foot wide trail easement for ingress and egress purposes, over, under and across the South one-half of the Southeast Quarter of Section 17, Township 62 North, Range 14 West, St. Louis County, Minnesota, the centerline of said 40.00 foot wide trail easement is described as follows:

COMMENCING at the southeast corner of said Section 17; thence North 02 degrees 47 minutes 03 seconds East, assigned bearing, along the east line of said Section 17, a distance of 362.14 feet to the point of beginning of the centerline to be herein described; thence South 67 degrees 48 minutes 16 seconds West 11.07 feet; thence South 83 degrees 38 minutes 53 seconds West 122.10 feet; thence South 71 degrees 32 minutes 42 seconds West 276.22 feet; thence South 87 degrees 52 minutes 24 seconds West 165.78 feet; thence South 69 degrees 43 minutes 05 seconds West 163.60 feet; thence South 85 degrees 23 minutes 40 seconds West 294.85 feet; thence South 67 degrees 45 minutes 15 seconds West 151.04 feet; thence South 84 degrees 29 minutes 02 seconds West 178.73 feet; thence North 83 degrees 58 minutes 50 seconds West 136.86 feet; thence North 86 degrees 42 minutes 11 seconds West 178.53 feet; thence South 88 degrees 28 minutes 20 seconds West 151.01 feet; thence South 81 degrees 02 minutes 32 seconds West 143.91 feet; thence South 77 degrees 48 minutes 11 seconds West 163.59 feet; thence South 72 degrees 21 minutes 49 seconds West 139.35 feet; thence South 87 degrees 15 minutes 26 seconds West 125.39 feet; thence South 58 degrees 40 minutes 20 seconds West 60.40 feet; thence North 87 degrees 21 minutes 34 seconds West 74.04 feet; thence South 67 degrees 19 minutes 00 seconds West 51.20 feet to the south line of said Southeast Quarter and said described centerline there terminating. Said point of termination being 2505.19 feet westerly of said southeast corner of Section 17.

The sidelines of said 40.00 foot wide trail easement shall be prolonged or shortened to terminate on said south and east lines of the Southeast Quarter.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$1,040 land use fee, \$50 administration fee, and \$46 recording fee; for a total of \$1,136, to be deposited into Fund 240 (Forfeited Tax Fund).

Repurchase of State Tax Forfeited Land - Meadowlands Congregation of Jehovah's Witness

BY COMMISSIONER: _____

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, Meadowlands Congregation of Jehovah's Witness, Meadowlands, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF MEADOWLANDS
WLY 440 FT OF LOT 6 EX NLY 373 FT
SECTION 14, TOWNSHIP 53 NORTH, RANGE 19 WEST
PARCEL CODE: 440-0010-01811

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 Meadowlands Congregation of Jehovah's Witness, Meadowlands, MN, on file in County Board File No. _____, subject to payments including total taxes and assessments of \$1,107.23, service fee of \$114, deed tax of \$3.65, deed fee of \$25, and recording fee of \$46; for a total of \$1,295.88, to be deposited into Fund 240 (Forfeited Tax Fund).

Special Sale to the City of Gilbert

BY COMMISSIONER _____

WHEREAS, The City of Gilbert has requested to purchase the following described state tax forfeited land for the market value of \$400, plus fees, for the purpose of residential development:

Legal: City of Gilbert
Lot 1, Block 66, Gilbert 2nd Addition
Parcel Code: 060-0030-06790
Acres: 0.007
LDKey: 105161

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, This parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the City of Gilbert for the price of \$400 plus the following fees: 3% assurance fee of \$12, deed fee of \$25, deed tax of \$1.32, and recording fee of \$46; for a total of \$484.32, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the County Auditor shall offer for sale at public auction the state tax forfeited land described here if the City of Gilbert does not purchase the land by January 31, 2014.

Abatement List for Board Approval

BY COMMISSIONER _____

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.

Release of Reversion Requirement on County Fee Land (Grand Lake Township)

BY COMMISSIONER _____

WHEREAS, Grand Lake Township has requested a partial release from a reversion clause contained in Quit Claim Deed Document No. 561213 to allow the sale of a portion of this property to an adjoining owner. The parcel is described as follows:

The South 255.74 feet of the North 1000 feet of the West 150 feet of the East 900 feet of the Northwest Quarter of the Northwest Quarter of Section 23, Township 51 North, Range 16 West, St. Louis county, Minnesota; and

WHEREAS, St. Louis County will receive \$3,200 for the value of this portion of the larger parcel;

THEREFORE, BE IT RESOLVED, That St. Louis County releases the above legally described parcel from the reversion clause contained in Quit Claim Deed Document No. 561213;

RESOLVED FURTHER, That payment of \$3,200 is payable to Fund 100, Agency 128014, Object 583100.

**Utility Easement across County Fee Land to Great River Energy
(Fine Lakes Township)**

BY COMMISSIONER _____

WHEREAS, Great River Energy, a Minnesota cooperative corporation, will be upgrading a transmission line between Tower and Orr to improve the electrical delivery system in this area of St. Louis County; and

WHEREAS, Great River energy has requested that the St. Louis County Board grant a transmission line utility easement across St. Louis County fee owned property; and

WHEREAS, Minn. Stat. § 373.01, Subd. 1(4), authorizes the County Auditor and the Chair of the St. Louis County Board to sell, lease, and convey real estate owned by the county;

THEREFORE, BE IT RESOLVED, That pursuant to the requirements and procedures of Minn. Stat. § 373.01, Subd. 1(4), the appropriate county officials are authorized to execute a transmission line utility easement to Great River Energy as described in Easement No. LC-CSX-076, Exhibits A and B, on file in the Property Management Department.

RESOLVED FURTHER, The granting of this easement is conditioned upon payment of \$450 land use fee, to be deposited in Fund 100, Agency 128014, Object 583100.

**Application for Off-Sale Intoxicating Liquor License
(Duluth Township)**

BY COMMISSIONER _____

WHEREAS, Pursuant to the provisions of Minn. 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 an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 59580; and

WHEREAS, The Department of Public Safety, Alcohol and Gambling Enforcement Division, has determined a public hearing is not required for this situation; and

WHEREAS, Said license is approved contingent upon license holder paying real estate or personal property taxes when due; and

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

THEREFORE, BE IT RESOLVED, That said license is approved contingent on Duluth Township approval;

RESOLVED FURTHER, That said license shall be effective December 17, 2013, through June 30, 2014:

Red Swan Catering, LLC d/b/a Clearwater Grille & Event Center, Duluth Township, Combination On/Off-Sale Intoxicating Liquor License No. CMB14157 and Sunday On-Sale Intoxicating Liquor License No. SUN14157, adding Off-Sale Intoxicating Liquor.

Applications for License to Sell Tobacco Products at Retail – Renewals

BY COMMISSIONER _____

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

Brook Saloon, Inc., d/b/a Brook Saloon, Inc., City of Brookston, Tobacco Products License No. T14250;

The Clip Joint Tavern, Inc., d/b/a The Clip Joint Tavern, Inc., Township of Alborn, Tobacco Products License No. T14253;

GJL Enterprise, LLC, d/b/a The Crescent Bar & Grill, Township of Beatty, Tobacco Products License No. T14238;

Dawghouse Bar & Grill, LLC, d/b/a Dawghouse Bar & Grill, Township of Northland, Tobacco Products License No. T14271;

Gateway Store, LLC, d/b/a Gateway Store, LLC, Township of Unorganized 68-21, Tobacco Products License No. T1455;

Gnesen Convenience Store, LLC, d/b/a Gnesen Convenience Store, LLC, Township of Gnesen, Tobacco Products License No. T14186;

Knutson & Son, Inc., d/b/a Jim's Ash Trail Store, Township of Unorganized 68-21, Tobacco Products License No. T14189;

MSO & ALS L. L. C., d/b/a The Landing, Township of Beatty, Tobacco Products License No. T14279;

Elephant Lake Lodge, Inc., d/b/a Melgeorge's Elephant Lake Lodge, Township of Camp 5, Tobacco Products License No. T14216;

Liupakka, Inc., d/b/a Munger Tavern & Grill, Township of Solway, Tobacco Products License No. T14163;

Smith Dam Company, LLC, d/b/a Pequaywan Inn, Township of Unorganized 54-13, Tobacco Products License No. T14258;

Trailside Lounge & Grill, Inc., d/b/a Trailside Lounge & Grill, City of Meadowlands, Tobacco Products License No. T14234.

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

**Applications for License to Sell Tobacco Products at Retail –
Renewals with Past Violations**

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 hereby approved and the County Auditor is authorized to issue the license as follows.

The following license holders were issued a tobacco violation citation on the dates as stated:

C. C. Campground #717, Inc., d/b/a C. C. Campground #717, Inc.,
Township of French, Tobacco Products License No. T1422, November
15, 2012;

Randall Willeck d/b/a Country Corner, Township of Culver, Tobacco
Products License No. T1432, December 30, 2002, December 23, 2004,
November 5, 2012;

5717, Inc., d/b/a Crossroads Store, Township of Brevator, Tobacco
Products License No. T1437, October 1, 1998, December 23, 2004,
November 5, 2012;

Furry's, Inc., d/b/a Dino's, City of Aurora, Tobacco Products License No.
T14201, December 16, 2010, November 21, 2012;

Misty, Inc., d/b/a Fredenberg Minnoette, Township of Fredenberg,
Tobacco Products License No. T1453, December 31, 2002, July 12,
2011;

Palisade Enterprises, Inc., d/b/a Homecroft Foods, Township of Rice
Lake, Tobacco Products License No. T14262, November 14, 2012;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Township of Cotton,
Tobacco Products License No. T1470, November 6, 2012, October 5,
2013;

Susan/Patrick Carey, d/b/a Lakeland Store, Township of Biwabik,
Tobacco Products License No. T14169, December 15, 2002;

Pike Lake Liquors, Inc., d/b/a Pike Lake Liquors, Inc., Township of
Canosia, Tobacco Products License No. T14106, December 28, 2002;

Jeffrey/Betty Schanche, d/b/a Schanche's Side Lake Store, Township of French, Tobacco Products License No. T14211, November 4, 2011, November 15, 2012;

Zupancich Bros., Inc., d/b/a Zupancich Bros., Inc., City of Aurora, Tobacco Products License No. T14140, November 15, 2013;

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

**Application for License to Sell Tobacco Products at Retail –
Renewal with Past Violations**

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 hereby approved and the County Auditor is authorized to issue the license as follows.

The following license holder was issued a tobacco violation citation on the dates as stated:

T. Musech Enterprise, Inc., d/b/a Country Store, City of Cook, Tobacco Products License No. T14280, August 25, 2001, November 4, 2011, November 15, 2012, renewal, change of officers;

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

**Application for License to Sell Tobacco Products at Retail –
(Solway 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 hereby approved and the County Auditor is authorized to issue the license as follows:

Kristina Lynn Carl, d/b/a Saginaw Grand Lake Station, Township of Solway, Tobacco Products License No. T14281, name change due to marriage;

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

**Application for License to Sell Tobacco Products at Retail
(New Independence 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 hereby approved and the County Auditor is authorized to issue the license as follows:

Wayside Corner Store, Inc., d/b/a Wayside Corner Store, Township of New Independence, Tobacco Products License No. T14282, change of officers;

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

Arrowhead Counties Association Lobbying Services Agreement

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the lobbying services agreement with Arrowhead Counties Association, on file in County Board File No. _____, which would use the services of St. Louis County's Director of Intergovernmental Relations to further the Arrowhead Counties Association's lobbying activities at the State Legislature during the 2014 Legislative Session, not to exceed \$11,000 to be deposited into fund 100-105001, Intergovernmental Affairs.

**Advertising for the St. Louis County Cooperative Extension
Committee Membership**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board appoints citizens to the St. Louis County Cooperative Extension Committee; and

WHEREAS, Currently there are three (3) citizen vacancies on the County Cooperative Extension Committee with terms beginning January 1, 2014 and expiring on December 31, 2016;

WHEREAS, the St. Louis County Board attempts to appoint citizen members who represent a geographical balance across the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to advertise for applications to fill three (3) citizen member vacancies on the St. Louis County Cooperative Extension Committee for three-year terms beginning January 1, 2014 and expiring December 31, 2016.

Appointments to the Silica Fire Relief Association Board of Trustees

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 424A.04 (Volunteer Relief Associations; Board of Trustees) states that a relief association that is directly associated with a municipal fire department must be managed by a board of trustees consisting of nine members. Six trustees must be elected from the membership of the relief association and three trustees must be drawn from the officials of the municipalities served by the fire department to which the relief association is directly associated; and

WHEREAS, The Silica fire department is not located in an organized municipality, state law requires that the two municipal trustees be appointed from the fire department service area by the county board of commissioners;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners, acting as the Silica Township Board, appoints John Hagberg and Joseph Wivoda to the Silica Fire Relief Association Board of Trustees.

2014 Proposed Legislative Agenda

BY COMMISSIONER _____

WHEREAS, The County Board was presented with a draft of legislative priorities for the 2014 Legislative Session at its Committee of the Whole meeting on December 3, 2013; and

WHEREAS, Intergovernmental Relations Director John Ongaro discussed each item with commissioners and received input in finalizing the list of priorities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the "2014 St. Louis County Legislative Priorities" as found in County Board File No. _____, and directs its Intergovernmental Relations Director to work to achieve these outcomes during the 2014 Legislative Session.

2014 St. Louis County Legislative Priorities

December 17, 2013

1. Northeast Regional Corrections Center (NERCC) - \$4 Million

- Located immediately north of Duluth in Grand Lake Township, this 3,200 acre work farm/correctional facility is from the Depression-era and has received few improvements since built in the 1930s. These dollars will be used for a variety of structural, energy and technology improvements to the 42 outbuildings located on the work farm property.
- NERCC puts the word “work” into the correctional workhouse concept. Instead of inmates watching TV all day, they are out working - working in the fields, farming, haying, raising chickens, turkeys and pigs. They also work in the carpentry, welding, and mechanic shops, and the greenhouse and food processing facility.
- As a result of the “work first” approach to correctional programming, NERCC has the lowest recidivism rate of any correctional facility in the state - at least 15% lower than all other facilities.

2. Sheriff’s Volunteer Rescue Squad Building Storage Facilities - \$837,000

- Remodel and upgrade the North and South St. Louis County Rescue Squad Buildings, renovating existing buildings into both operational headquarters and for storage of Rescue Squad vehicles and equipment.
- The St. Louis County Volunteer Rescue Squad is a group of 65 people who help the Sheriff with land and water related emergency response, search and recovery. Rescue Squad members annually volunteer over 23,000 hours, including searching for missing persons, drowning recovery operations, motor vehicle extrication, etc.

3. Additional Regional (County-related) Bonding Projects

- \$8.5 million to the Voyageur’s National Park Clean Water Project- construction of sanitary sewage treatment facilities for treating and cleaning the waters flowing into the Voyageur’s National Park and the BWCAW.
- \$10 million for the Arrowhead Economic Opportunity Agency’s proposed new office building in Virginia.
- Support Rice Lake Township Bonding Legislation and/or State Public Facilities Authority application for repairs/replacement of leaking water main.

4. Governor’s “UnSession” Item

“If I could wave a magic wand and eliminate all this duplication, redundancy, excessive paperwork and reporting, that would do more to restore citizens’ faith in government than just about anything else I can think of,” Dayton said in a Star Tribune interview, 11/17/13.

- St. Louis County’s #1 submittal: Streamlining the Environmental Review Process for transportation-related projects. All of the aforementioned problems, identified by the Governor, occur with this environmental permitting process.

5. Further Amend the State Minerals Management Account (MMA)

- Two years ago, the state amended this same law to include county tax forfeited trust lands as an additional Public Land Trust eligible to receive mineral royalty payments, along with State School Trust lands and Permanent University lands. This statutory change has already resulted in a handsome financial return for the taxpayers of St. Louis County.
- 20% of the MMA account is reserved for the DNR for administrative purposes. Once this 20% exceeds \$3 million, any amount over that cap is distributed proportionately back to the land trust that created it. The DNR is distributing this portion of the tax-forfeited trust to counties according to the same formula used to distribute the other 80% of the MMA (3/9 to each of the taxing districts).
- The county’s proposal is to amend the statute by requiring the DNR to distribute these funds through the same formula that distributes the proceeds from tax forfeited land sales. (Minn.Stat. Chapter 282.08). This allows counties to deduct all of their administrative costs first, before in any distribution to the other taxing districts. Provided that taconite production stays strong, this should net St. Louis County hundreds of thousands of additional dollars.

6. Cross Town Trail Tunnel at Haines Road - State Reimbursement

- This project was approved during the last legislative session when the Omnibus Parks and Trails Legacy Bill passed into law. One section of the new law included special funding (in excess of \$500,000) to pay for a variety of projects, including, the cost of building a pedestrian/bike/snowmobile tunnel under Haines Road in Duluth. However, post session, a drafting error was discovered in the bill and a technical change is now needed to fix the problem. Until then, none of the ten (10) funded projects in this section of the bill can receive their expected funding.
- The Haines Road Cross Town Trail Tunnel needed to be built during the 2013 construction season in conjunction with the entire Haines Road Reconstruction Project, and could not wait until the legislative fix in the 2014 session. Therefore, St. Louis County Public Works proceeded to build the tunnel during overall Haines Road construction. The county will appeal to the legislature to still fund the cross town tunnel, as was clearly intended, but to do through a reimbursement.

7. Little Stone Lake Dam/Transfer Dam – Return ownership and responsibility to the DNR

- This structurally deficient dam is on land that recently went tax forfeit making it the county's problem to own and maintain.
- Legally, the DNR is the "Dam Authority" for the entire state. The county proposes to transfer this tax forfeited parcel and the dam itself to the DNR with the appropriate responsibility for ownership and maintenance. By so doing, the county is simply fulfilling the statutory intent of the DNR being designated as the State "Dam Authority."

8. Annual Lands Bill and Sale of Minnesota Point Tax Forfeited Parcels

- The Lands Bill consists of the usual list of special sales of tax forfeited parcels that require legislative approval. There is one section of the bill, however, which is different than all the other provisions: the sale of specific tax forfeited parcels located on Minnesota Point (Park Point) in Duluth.
- The county's proposed legislation reads: "Notwithstanding Minn. Stat. 282.01, Subdivision 7a, tax forfeited land located on Minnesota Point, Duluth, MN which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access may, at the discretion of the county auditor, be offered and sold by the county auditor to any single, specific adjoining or adjacent landowner without notifying or offering to sell to all adjoining or adjacent landowners."
- The critical difference with this legislation compared with the usual procedure used for special sales of tax forfeited land is that these parcels will not be offered for sale to "all" adjacent property owners, a process that may result in some situations where certain adjacent owners adjoining the front or back side of the land to be sold, would suddenly find themselves without water access, road access or improvements. By leaving the specifics of any sale of tax forfeited lands on Minnesota Point to the discretion of the County Auditor (working in cooperation with the county's Land & Minerals Department and the city of Duluth), the sales can be structured in such a way that no land owner will lose future access to water, roads or improvements.

9. Wetlands

- Northeast Minnesota Wetland Mitigation Legislation. The State Board on Water and Soil Resources has issued "The Siting of Wetland Mitigation in NE Minnesota Report." The focus of the report is the presentation of various options and solutions to the unique wetland mitigation challenges faced in Northeastern Minnesota.
- In reaction to this report, legislation will likely be introduced from various interested parties, including from members of the county's own legislative delegation. The ultimate impact of any proposed legislation on St. Louis County and the region's economic future is considerable. It is crucial that the county play an active role in helping to shape any final legislation.
- The county has an excellent opportunity during the session to conduct an informational and educational hearing with the Environmental Committees of both the House and Senate. Specific focus would be on recent efforts towards streamlining the Environmental Review process for transportation-related projects. The county's Public Works Department has developed a powerful presentation on this issue, and it should be shared with as many key policymakers as possible.

10. Expand Local Government Sales Tax Exemption to tandem trucks used exclusively for highway maintenance

- Township governments currently enjoy this exemption and cities and counties believed it was covered in their 2013 sales tax exemptions, as well. Unfortunately, the Minnesota Department of Revenue recently ruled that these maintenance vehicles are not considered sales tax exempt.
- For counties as large as St. Louis, this exemption is substantial. It is estimated that it would save taxpayers between \$75,000 and \$150,000 each year, depending on the number of trucks purchased.
- State revenue loss from this statewide change is expected to be in the \$5 million to \$10 million range. It is not a loss to the General Fund, but rather to the MVEST Fund.

11. Other possible legislative issues, including several statewide county initiatives

- Local Government Sales Tax Exemption: Expand to include Joint Powers Boards, especially those exclusively consisting of local county or city officials.
- Repeal/Amend Warehouse Tax for publicly owned facilities
- Statewide Transportation Funding and County State Aid Highway (CSAH) changes.
- Shoreline Management: New DNR regulations.
- PILT Reform - Phase II: Require Legacy Fund land acquisitions to provide counties with PILT payments.
- Greater Transparency/Flexibility of Correctional Grants to counties
- County of Financial Responsibility requirements to be expanded to include ancillary services. Recent progress in implementation of the Olmstead Decision along with MnChoices helps neutralize this need.

Contract with Anthony Enterprises for the U.S. Forest Service Ely Site Project

BY COMMISSIONER _____

WHEREAS, On February 7, 2012, the St. Louis County Board adopted Resolution No.12-69 authorizing acceptance of the Hazardous Fuel Reduction Grant; and

WHEREAS, St. Louis County has worked with the U.S. Forest Service to identify projects that will promote the Hazardous Fuels Reduction Grant objective, including the Ely Site Project; and

WHEREAS, Anthony Enterprises, of Duluth, MN, was awarded the project in the amount of \$69,000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Anthony Enterprises, Duluth, MN, for the U.S. Forest Service Ely Site Project in the amount of \$69,000, to be accounted for in Fund 290, Agency 290999, Grant 29003, Year 2013.