

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

June 10, 2014

County Board Room, Room 200, St. Louis County Courthouse, Duluth, Minnesota

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

RESOLUTIONS FOR APPROVAL:

Minutes for June 3, 2014.

Health & Human Services Committee – Commissioner Stauber, Chair

1. Contract with Applied Professional Services, Duluth, MN, for an amount up to \$70,000 per year to provide Service of Process for Child Support cases.

Environment & Natural Resources Committee – Commissioner Dahlberg, Chair

2. Contracts with Waste Management, Inc., and Northern Minnesota Recycling beginning July 1, 2014, for two (2) years with the option of two (2) additional one-year extensions, to provide haulage of compacted mixed solid waste from canister sites to the Virginia Regional Landfill for an estimated cost of \$37,475 plus possible fuel adjustment charges.
3. Cancellation of contract for purchase of state tax forfeited land by John Hanson, Mt. Iron, MN.
4. Cancellation of contract for repurchase of state tax forfeited land by John Vos, Duluth, MN.
5. Application to repurchase state tax forfeited land by the Estate of Arthur D. Wright, Duluth, MN, upon total payment of \$571.17.

Public Works & Transportation Committee – Commissioner Raukar, Chair

6. Agreement with Salo Engineering, LLC, of Hermantown, MN, in the amount of \$50,000 for the purchase of historic Duluth Engineering and H.P. Steinback field books and associated notes.
7. Vacate a portion of County State Aid Highway (CSAH) 115 located in the NE ¼ of NE ¼, Section 15, Township 62 North, Range 18 West (Owens Township), reserving the existing utility easement.
8. Subsurface utility easement across county-owned property (Sixth District Public Works Facility) granted to the City of Virginia to service new development and construction, and to accept in return a small parcel of land currently owned by the city.

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9. Bid awarded to **Ulland Brothers, Inc.**, Cloquet, MN, in the amount of **\$4,028,693.58** for a resurfacing project on CSAH 133 in Cedar Valley, Elmer and Meadowlands Townships (CP 0133-1263/SP 69-733-024).

Finance & Budget Committee – Commissioner Nelson, Chair

10. 2014 first quarter budget changes.
11. Workers' compensation report dated May 30, 2014.
12. Application for a temporary on-sale 3.2 percent malt liquor license by Lake 14 – Leander Club, Unorganized Township 60-19, for July 5, 2014 (rain date July 6, 2014).
13. Application for a temporary on-sale 3.2 percent malt liquor license by Babbitt Lions Club, Embarrass Township, for August 23 & 24, 2014.
14. Applications to sell/serve liquor outside the designated serving area by Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, for July 3-5, 2014 and September 5-7, 2014.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

15. Support for the Minnesota Geological Survey, County Geologic Atlas program and provide in-kind services with data collection and Geographic Information Systems staff and resource support of the program.
16. Adopt the “Model Performance Measures for Counties” and program requirements, and approve submission of the 2014 St. Louis County Performance Measures Report.

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 June 3, 2014, are hereby approved.

Child Support Contract for Service of Process

BY COMMISSIONER _____

WHEREAS, The St. Louis County Child Support Program has need for court documents to be served on the Child Support parties in a manner that requires Service of Process; and

WHEREAS, Applied Professional Services of Duluth, MN, is a licensed and bonded investigative consulting firm that can deliver this service on behalf of the St Louis County Child Support Program; and

WHEREAS, In order to comply with Data Privacy Practices, a contract is required for this service;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Applied Professional Services, Duluth, MN, for up to \$70,000 per year to provide Service of Process for Child Support cases, payable from Fund 230, Agency 231009, Object 629900.

Canister Site Compacted Solid Waste Haulage

BY COMMISSIONER _____

WHEREAS, St. Louis County requires a contractor to haul compacted mixed solid waste from its canister sites to the Regional Landfill for disposal; and

WHEREAS, The haulage service was competitively bid in May 2014 with bids received on each site;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a two-year contract beginning July 1, 2014, with the option of two (2) additional one-year extensions, for an estimated annual cost of \$37,475 plus possible fuel adjustment charges, payable from Fund 600, Agency 603001, with the following haulers for the amount listed per haul:

Canister Site

Cotton	Northern MN Recycling	\$185/haul
County 77	Waste Management, Inc.	\$190/haul
French	Northern MN Recycling	\$195/haul
Lavell	Northern MN Recycling	\$165/haul
Orr	Northern MN Recycling	\$235/haul
Portage	Northern MN Recycling	\$290/haul
Soudan	Waste Management, Inc.	\$190/haul

Cancellation of Contract for Purchase of State Tax Forfeited Land - Hanson

BY COMMISSIONER _____

WHEREAS, The contract with John Hanson of Mt. Iron, MN, for the purchase of state tax forfeited land is in default for nonpayment of installments and taxes; 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 HOYT LAKES

PART OF SE1/4 OF NW1/4 BEG AT NW COR OF LOT 1, BLK 31, HOYT LAKES SUBD NO. 4 RUNNING THENCE S 72 DEG 56' 30" E ALONG THE N SIDE OF AFORESAID LOT 1 FOR 110 FT TO THE W SIDE OF SUFFOLK DR THENCE N 17 DEG 03' 30" E 85 FT THENCE LEFT ALONG THE ARC OF A CURVE WITH A RADIUS OF 25 FT AND CENTRAL ANGLE OF 90 DEG 39.27 FT THENCE N 72 DEG 56' 30" W 119.56 FT THENCE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF 1542 FT AND A CENTRAL ANGLE OF 30 DEG 58' 40" FOR 833.70 FT THENCE S 13 DEG 55' 10" E 110FT THENCE S 07 DEG 50' 00" W 187 FT THENCE S 80 DEG 26' 40" E 600.22 FT THENCE N 88 DEG 03' 30" E 155 FT TO THE SW COR OF LOT 4, BLK 31, THENCE N 17 DEG 03' 30" E ALONG THE W SIDE OF SAID BLK 31 FOR 260 FT TO THE PT OF BEG

Section 17, Township 58, Range 14

Parcel Code: 142-0070-02565

C22090181; and

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 owner 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 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.

Cancellation of Contract for Repurchase of State Tax Forfeited Land - Vos

BY COMMISSIONER _____

WHEREAS, The contract with John Vos of Duluth, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes; 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 DULUTH
E 25 FT OF S 78 FT OF LOT 173 BLOCK 100
DULUTH PROPER SECOND DIVISION
Parcel Code: 010-1160-00730
C22100014; and

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 owner 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 County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Repurchase of State Tax Forfeited Land – Estate of Arthur D. Wright

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, the Estate of Arthur D. Wright of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF LAKEWOOD
PART OF E1/2 OF SE1/4 OF NE1/4 COMM 185 FT N OF S LINE & 345.6 FT E
OF W LINE TO PT OF BEG THENCE S 185 FT THENCE E 48.24 FT THENCE
N 185 FT THENCE W 48.24 FT TO PT OF BEG
Section 3, Township 51, Range 13
Parcel Code: 415-0010-00592; and

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 the Estate of Arthur D. Wright of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$384.52, service fee of \$114, deed tax of \$1.65, deed fee of \$25, and recording fee of \$46; for a total of \$571.17, to be deposited into Fund 240 (Forfeited Tax Fund).

**Agreement with Salo Engineering for Purchase of
Historic Survey Field Books**

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments authorized by the County Attorney, with Salo Engineering, LLC of Hermantown, MN, for the purchase of Duluth Engineering and H.P. Steinbach field books and associated notes, in the amount of \$50,000, payable from Fund 200, Agency 200122, Object 626600.

Vacation of a Segment of CSAH 115 (Owens Township)

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department realigned and reconstructed a portion of County State Aid Highway (CSAH) 115 in 2002-03 and a segment of the original alignment of CSAH 115 is no longer needed and can be vacated as a public road, described as follows:

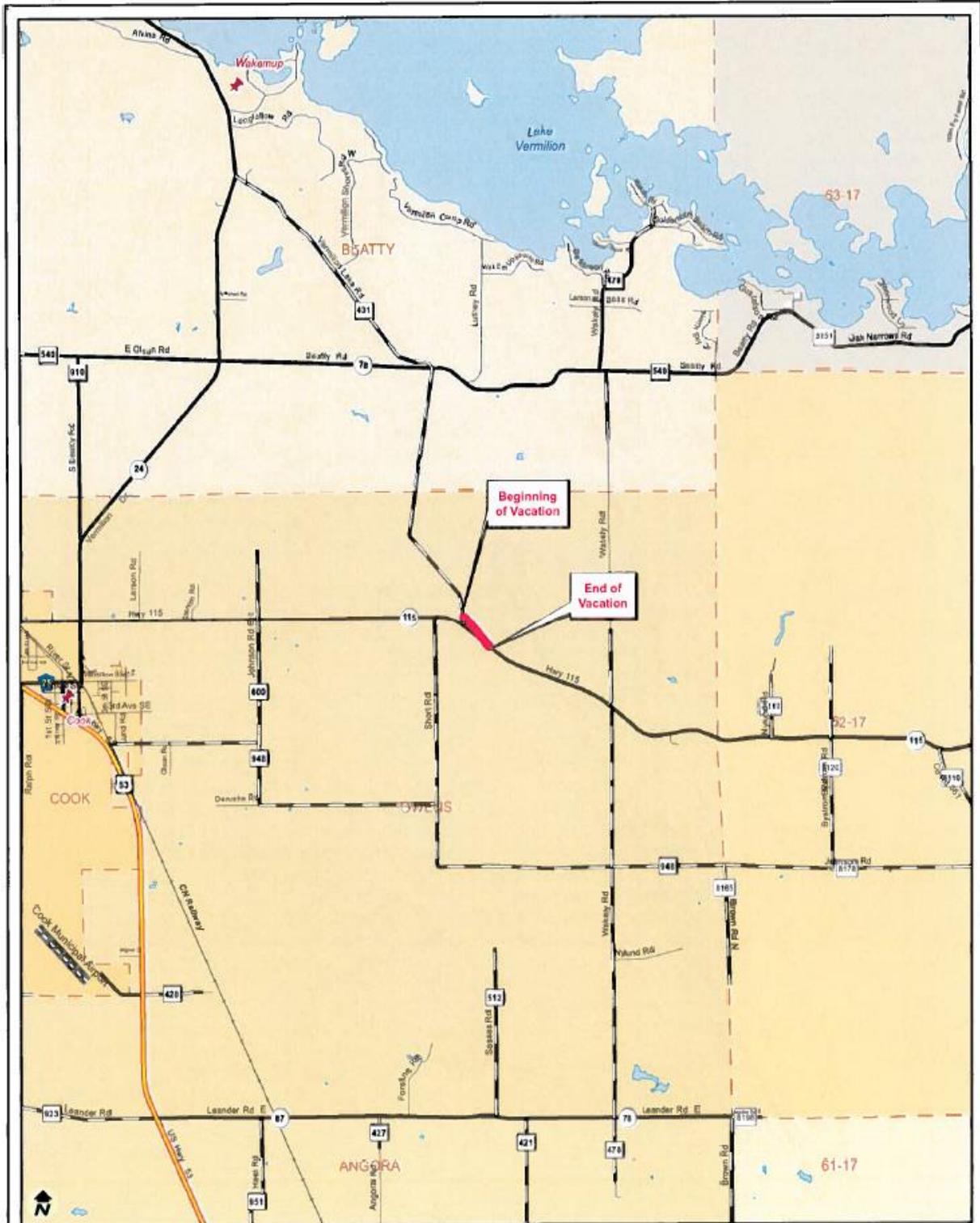
Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 15, T62N, R18W (Parcel Code: 495-0010-00550) owners are Doyle A. Svedberg and Ilona S. Svedberg, 9001 Hwy. 115, Cook, MN, 55723; and

WHEREAS, The owners of the land adjoining this segment have requested that St. Louis County vacate the portion of CSAH 115 as agreed upon now that the road work has been completed and is open for travel;

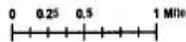
THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 163.11, Subdivision 4, the St. Louis County Board hereby vacates that portion of the original alignment of County State Aid Hwy (CSAH) 115 lying Northerly of CSAH 115 and Easterly of the County Road 431 right of way easement granted to the St. Louis County by Doyle A. Svedberg and Ilona S. Svedberg recorded in the Office of the County Recorder on 04/04/2001 as Document Number 812696 and as shown on the attached exhibit;

RESOLVED FURTHER, That this vacation shall reserve easement for existing utilities within the vacated portion of the above described affected property as shown on the attached exhibit.

EXHIBIT



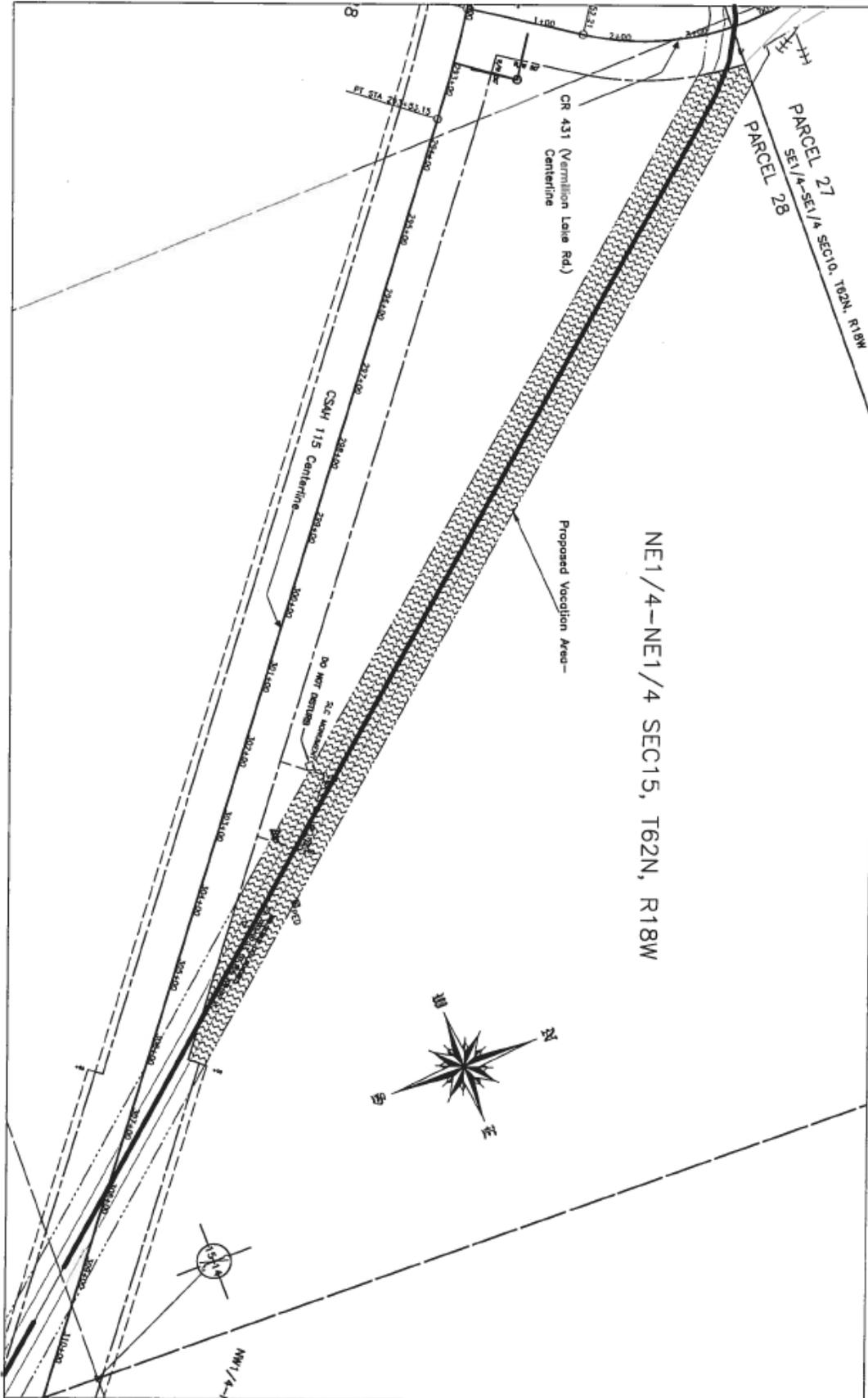
St. Louis County Road Vacation



Map Components

- Road Vacation
- County Road - Paved
- County Road - Gravel
- Named Road
- Township Boundary

EXHIBIT



Utility Easement to City of Virginia – Sixth District Public Works Facility

BY COMMISSIONER _____

WHEREAS, The City of Virginia has requested a subsurface utility easement over St. Louis County property to install public utility infrastructure (gas, sanitary, water) to service new development and construction north of the county property; and

WHEREAS, Said county property is described as follows:

That Part of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 21, T58N, R17W, lying south and west of old State Highway 35 except 3.88 acres for new highway,

and

NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 21, T58N, R17W, except that part of the East $\frac{1}{2}$ south of the highway and except highway right of way; and

WHEREAS, The subsurface utility easement is to be 15 feet in width and run more or less along the North-South quarter section line of Section 21 beginning at the right of way of Trunk Highway 135; and

WHEREAS, Minn. Stat. Chapter 373.01, Subd. 1(4), authorizes St. Louis County to sell, lease, and convey real estate owned by St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to grant a subsurface utility easement to the City of Virginia across the above described county property, and to accept the fee conveyance of a small portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, T58N, R17W lying south of County Road 921, pursuant to the requirements of Minn. Stat. Chapter 373.01, Subd. 1(4).

Award of Bids: Resurfacing on CSAH 133 (Cedar Valley, Elmer and Meadowlands Townships)

BY COMMISSIONER _____

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following project:

CP 0133-1263, SP 69-733-024 located on County State Aid Highway (CSAH) 133 from Trunk Highway 73 to County Road 496 (Western Avenue) in Meadowlands, MN; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on May 8, 2014, 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	\$4,028,693.58

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 220321, Object 652700.

2014 First Quarter Budget Changes

BY COMMISSIONER: _____

WHEREAS, All increases in original governmental funds revenue and expenditure budgets require County Board approval; and

WHEREAS, Departments anticipate being notified of additional revenues throughout the year and need approval to increase revenue and expenditure budgets; and

WHEREAS, Proposed budget adjustments are levy neutral;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the following budget changes:

1. Use of General Fund cash flow fund balance for donation to Commander David Wheat statue project; funds were unspent in Commissioner’s budget at the end of 2013 (\$10,000.00).
2. Transfer excess Motorplex fund balance to Commissioners budget for donation to the City of Hibbing for the Miracle League of the Iron Range baseball park in Hibbing (\$15,000.00).
3. Transfer remaining unspent committed Motorplex fund balance to the Economic Development assigned fund balance category (\$12,430.00).
4. Use of Sheriff’s State Forfeitures fund balance to replace tasers (\$20,000.00).
5. Transfer Public Health and Human Services fund balance assigned for building remodel expenses to the capital projects fund Government Services Center project to purchase furniture as anticipated in project budget (\$737,450.00).
6. Use of Public Health and Human Services cash flow fund balance to cover staff costs that were expected to be covered by the SHIP grant, but no longer will be, due to lower than anticipated grant revenue (\$56,676.72).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	101001	629900			10,000.00					
	100	999999	311107								(10,000.00)
2	100	101001	629900			15,000.00					
	178	999999	311038								(15,000.00)
	100	101001	590500							(15,000.00)	
	178	178001	697700				15,000.00				
3	178	999999	311038								(12,430.00)
	178	999999	311008					12,430.00			
4	168	642700	642700			20,000.00					
	168	999999	311200								(20,000.00)
5	230	230099	697600				737,450.00				
	230	999999	311404								(737,450.00)
	400	400037	590100							(737,450.00)	
	400	400037	664600			737,450.00					
6	230	233999	530517	23304	2013				58,926.72		
	230	233999	610000	23304	2013	(58,864.21)					
	230	233001	610000	99999	9999	58,864.21					
	230	233999	629900	23304	2013	(4,961.67)					
	230	233999	631900	23304	2013	2,711.67					
	230	999999	311200	99999	9999						(56,676.72)

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated May 30, 2014, on file in the office of the County Auditor, identified as County Board File No. 59787, is hereby received and ratified as payable from Fund 730, Agency 730001.

**Application for Temporary 3.2 Percent Malt Liquor License
(Unorganized Township 60-19)**

BY COMMISSIONER _____

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. 59789, 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. TB14153, for July 5, 2014 (rain date July 6, 2014).

**Application for Temporary 3.2 Percent Malt Liquor License
(Embarrass Township)**

BY COMMISSIONER _____

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. 59789, 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. TB1454, for August 23 & 24, 2014.

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

BY COMMISSIONER _____

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59788:

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, July 3-5, 2014;

Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, September 5-7, 2014.

Minnesota Geological Survey, County Geologic Atlas Program

BY COMMISSIONER: _____

WHEREAS, The Minnesota Geological Survey, County Geologic Atlas program has a 35-year history of providing counties with geologic maps and associated hydrologic data for use in mapping natural resources at the county level; and

WHEREAS, The mapping program will provide county level geologic maps and hydrologic data to support a wide range of mining and natural resource exploration and development; and

WHEREAS, Minnesota Geological Survey, County Geologic Atlas program investment in St. Louis County is approximately \$2 million; and

WHEREAS, The program requires county participation in the form of in-kind Geographic Information Systems staff & resources to provide data collection and to establish accurate well locations with construction records within St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports the Minnesota Geological Survey, County Geologic Atlas program;

RESOLVED FURTHER, That the county will provide in-kind services with data collection and Geographic Information Systems staff and resource support of the program.

Minnesota State Auditor Performance Measurement Program, 2014 Report

BY COMMISSIONER _____

WHEREAS, Benefits to St. Louis County for participation in the Minnesota Council on Local Results and Innovation comprehensive performance measurement program are outlined in Minn. Stat. § 6.91 and include eligibility for a reimbursement as set by state statute; and

WHEREAS, Any city or 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 (10) 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 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 2014 St. Louis County Performance Measures Report found in County Board File No. _____.