

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 10, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of June 2014, at 9:32 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Keith Nelson, Steve Raukar, and Vice-Chair Pete Stauber - 6. Absent: Chair Mike Forsman - 1.

Vice-Chair Stauber asked for a moment of silence in honor of military personnel serving here and abroad and for all of the innocent victims of conflicts throughout the world.

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

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve the consent agenda without Item #10, 2014 First Quarter Budget Changes. The motion passed; six yeas, zero nays (Forsman absent).

Commissioner Nelson, supported by Commissioner Raukar, moved to approve the 2014 First Quarter Budget Changes. Administrator Gray explained that entry #6 was not necessary. The motion passed; six yeas, zero nays (Forsman absent). Resolution No. 14-359.

A recess was taken from 9:37 a.m. to 9:43 a.m.

At 9:45 a.m., a public hearing was conducted pursuant to Resolution No. 14-322, adopted May 27, 2014, to consider the issuance of an off-sale intoxicating liquor license to Country Bumpkin Liquor, Inc., d/b/a Trapline Liquor, Embarrass Township. County Attorney Mark Rubin gave the initial presentation and submitted a packet for the record that included documentation of required notices, township approval, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes and required documents for the license. Vice-Chair Stauber asked if there were any supporters or opponents and no one came forth. At 9:48 a.m., Commissioner Dahlberg, supported by Commissioner Nelson, moved to close the public hearing. The motion passed; six yeas, zero nays (Forsman absent).

Commissioner Nelson, supported by Commissioner Dahlberg, moved to approve granting the off-sale liquor license to Country Bumpkin Liquor, Inc., d/b/a Trapline Liquor, Embarrass Township. The motion passed; six yeas, zero nays (Forsman absent). Resolution No. 14-366.

At 9:49 a.m., a public hearing was conducted pursuant to Resolution No. 14-272, adopted May 13, 2014, to receive comments on a proposed Class "B" land exchange. St. Louis County Land Commissioner Mark Weber discussed the proposed land exchange. Deputy Auditor Jason Meyer discussed the benefits to St. Louis County. Vice-Chair Stauber asked if there were any governmental entities that wished to speak. Aaron VandeLinde, School Trust Land Administrator, MN Department of Natural Resources, and Jeff Kletscher, Mayor of the City of Floodwood, spoke in favor of the land

exchange. Vice-Chair Stauber asked if there were any supporters. Bob Krepps, former St. Louis County Land Commissioner, discussed the percentage of publically owned land by St. Louis County and stated that the land exchange would be a great opportunity for the County to enhance their land base. Vice-Chair Stauber asked if there were any opponents, and no one came forth. At 10:29 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing. The motion passed; six yeas, zero nays (Forsman absent).

Commissioner Nelson, supported by Commissioner Jewell, moved that pursuant to the requirements and procedures of Minn. Stat. § 373.01, the Chair of the County Board and the County Auditor are authorized to execute a quit claim deed for one parcel of non-conforming fee land to Wisconsin Central Ltd., a Delaware corporation, for the sum of \$840.00, which is at least 90% of the fair market value of the parcel as determined by the St. Louis County Assessor's Office; and further, the Chair of the County Board and the County Auditor are authorized to execute a permanent easement for construction purposes over a parcel of land to Wisconsin Central Ltd., a Delaware corporation, for the sum of \$250.00. The motion passed; six yeas, zero nays (Forsman absent). Resolution No. 14-367.

Commissioner Nelson stated that Commissioner Forsman and Public Works Director Jim Foldesi would be attending a Transportation Alliance meeting next week in Washington, D.C.

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

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-223, Agreement with Salo Engineering for Purchase of Historic Survey Field Books.—59886

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-224, Vacation of a Segment of CSAH 115 (Owens Township).—59887

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-226, 2014 First Quarter Budget Changes.—59888

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 14-227, Minnesota Geological Survey, County Geologic Atlas Program.—59889

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-230, Minnesota State Auditor Performance Measurement Program, 2014 Report.—59890

On-line Software Agreement between St. Louis County and Nationwide Title Clearing, Inc., Palm Harbor, FL.—14-336

On-line Software Agreement between St. Louis County and Kenneth D. Butler, Ltd., Duluth, MN.—14-337

Home and Community-Based Waiver Services Contract, Contract No. 15103, between the St. Louis County Board of Commissioners and Thomas Allen, Inc., West St. Paul, MN, for waiver case management for the period October 1, 2013 through December 31, 2014.—14-338

Purchase of Service Agreement, Contract No. 15127, between the St. Louis County Board of Commissioners and Northern Trends Building & Design, Inc., Duluth, MN, for Environmental Accessibility Adaptations for the period March 1, 2014 to September 1, 2014.—14-339

Group Residential Housing Rate Agreement, Contract No. 52033, between the St. Louis County Board of Commissioners and Michael and Julie Balmer, Duluth, MN.—14-340

Group Residential Housing Rate Agreement, Contract No. 52034, between the St. Louis County Board of Commissioners and Bluewater – Arlington Avenue, Duluth, MN.—14-341

Group Residential Housing Rate Agreement, Contract No. 52035, between the St. Louis County Board of Commissioners and Bluewater – East Superior Street, Duluth, MN.—14-342

Group Residential Housing Rate Agreement, Contract No. 52036, between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. A, Duluth, MN.—14-343

Group Residential Housing Rate Agreement, Contract No. 52037, between the St. Louis County Board of Commissioners and Bluewater – High Street Apt. B, Duluth, MN.—14-344

Group Residential Housing Rate Agreement, Contract No. 52038, between the St. Louis County Board of Commissioners and Bluewater – Lakewood Road, Duluth, MN.—14-345

Group Residential Housing Rate Agreement, Contract No. 52039, between the St. Louis County Board of Commissioners and Bluewater – Vermillion Road, Duluth, MN.—14-346

Group Residential Housing Rate Agreement, Contract No. 52040, between the St. Louis County Board of Commissioners and Bluewater – Woodland Avenue, Duluth, MN.—14-347

Group Residential Housing Rate Agreement, Contract No. 52041, between the St. Louis County Board of Commissioners and Kathryn Brevik and Louis Brevik, Hoyt Lakes, MN.—14-348

Group Residential Housing Rate Agreement, Contract No. 52042, between the St. Louis County Board of Commissioners and Donelda Cataldo, Duluth, MN.—14-349

Group Residential Housing Rate Agreement, Contract No. 52043, between the St. Louis County Board of Commissioners and Ramona K. Diehl, Floodwood, MN.—14-350

Group Residential Housing Rate Agreement, Contract No. 52046, between the St. Louis County Board of Commissioners and Kathy Jo Carlson, Eveleth, MN.—14-351

Group Residential Housing Rate Agreement, Contract No. 52049, between the St. Louis County Board of Commissioners and Susan M. Scufsa d/b/a The Pines, Ely, MN.—14-352

Group Residential Housing Rate Agreement, Contract No. 52050, between the St. Louis County Board of Commissioners and FACES North, Hibbing, MN.—[14-353](#)

Agreement for Professional Services between St. Louis County and Scalzo Architects, Duluth, MN, for investigation, field verification, planning, preliminary schematic design/drawings, coordinate interior/exterior design parameters and budget estimates for the A.P. Cook Building Remodeling Project.—[14-354](#)

Dave Phillips – St. Louis County Undersheriff, submitting Application for Eligibility for Federal Surplus Property.—[14-355](#)

Agreement for Professional Services between the County of St. Louis and Erickson Engineering Co., LLC, Bloomington, MN, for bridge and approach design services for County Bridge 336/State Bridge 7750 over the Burntside River on County State Aid Highway (CSAH) 88 (SAP 069-688-009, CP 9573).—[14-356](#)

Project Contract No. 5144 between the County of St. Louis and Future Forests, Inc., Askov, MN, for Mechanical Site Scarification by Disc Trench.—[14-357](#)

2012 Local Road and Bridge Disaster Relief (LRBDR) Grant Agreement, Mn/DOT Agreement No. 05480 for CSAH 89 (SAP 69-689-004).—[14-358](#)

2012 Local Road and Bridge Disaster Relief (LRBDR) Grant Agreement, Mn/DOT Agreement No. 05481 for CSAH 89 (SAP 69-689-010).—[14-359](#)

Agreement for Professional Services, Damion No. 2013-8405, between the County of St. Louis and Patrick G. Valentini, Cianni Law Office, Chisholm, for Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) during CY 2014.—[14-360](#)

Amendment No. 1 to County Administrator Employment Agreement between the County of St. Louis and Kevin Z. Gray.—[14-361](#)

State of Minnesota Land Lease No. 05193, between the MN Department of Transportation and St. Louis County for Erie Hill Communications Tower.—[14-362](#)

Extension of Lease Agreement between Alice Anderson, Roanoke, VA, and Orr Area Minneonto II, Inc., for property in Willow Valley Township for a television translator and communications tower.—[14-363](#)

2014 State of Minnesota Federal Boating Safety Patrol Supplement Grant Agreement for the period May 9, 2014 through September 1, 2014.—[14-364](#)

Purchase of Service Agreement, Contract No. 15216, between the St. Louis County Board of Commissioners and Mark Musakka, Angora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—[14-365](#)

Purchase of Service Agreement, Contract No. 15218, between the St. Louis County Board of Commissioners and Mark Musakka, Angora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-366

Purchase of Service Agreement, Contract No. 15217, between the St. Louis County Board of Commissioners and Mark Musakka, Angora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-367

Purchase of Service Agreement, Contract No. 15212, between the St. Louis County Board of Commissioners and David Spawn, Hibbing, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-368

Purchase of Service Agreement, Contract No. 15213, between the St. Louis County Board of Commissioners and Mark Thiel, Embarrass, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-369

Purchase of Service Agreement, Contract No. 15222, between the St. Louis County Board of Commissioners and J. Walker Builders, Inc., Cook, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-370

Purchase of Service Agreement, Contract No. 15204, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-371

Purchase of Service Agreement, Contract No. 15223, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-372

Purchase of Service Agreement, Contract No. 15203, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-373

Purchase of Service Agreement, Contract No. 15201, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-374

Purchase of Service Agreement, Contract No. 15202, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-375

Purchase of Service Agreement, Contract No. 15200, between the St. Louis County Board of Commissioners and Donald Driscoll, Aurora, MN, for Chore Services during the period April 1, 2014 to April 30, 2014.—14-376

Agreement for Professional Services between the County of St. Louis and SAS and Associates, Duluth, MN, for exterior landscape design, bid specifications, bid documents and project management for the A.P. Cook Building Remodeling project.—14-377

Agreement for Professional Services between the County of St. Louis and Northland Consulting Engineers, LLP, Duluth, MN, for structural wall investigation, design, bid documents and construction administration for the A.P. Cook Building Repair and Remodeling project.—14-378

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for Culvert Replacement on CSAH 24 in Beatty Township (CP 0024-9289, SAP 069-24-014).—14-379

Lease Agreement between the County of St. Louis and the Marine Safety Unit – United States Coast Guard – Duluth Station (USCG) for four (4) parking places in the St. Louis County Courthouse Parking Ramp Facility for the period May 1, 2014 through April 30, 2015.—14-380

Upon motion by Commissioner Nelson, supported by Commissioner Dahlberg, resolutions numbered 14-349 through 14-358 and 14-360 through 14-365, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 3, 2014, are hereby approved.

Adopted June 10, 2014. No. 14-349

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.

Adopted June 10, 2014. No. 14-350

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

Adopted June 10, 2014. No. 14-351

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 SE ¼ OF NW ¼ BEG AT NW COR OF LOT 1, BLOCK 31, HOYT LAKES SUBDIVISION 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 DRIVE; 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 1,542 FT AND A CENTRAL ANGLE OF 30 DEG 58' 40" FOR 833.70 FT; THENCE S 13 DEG 55' 10" E 110 FT; 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, BLOCK 31, THENCE N 17 DEG 03' 30" E ALONG THE W SIDE OF SAID BLOCK 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.

Adopted June 10, 2014. No. 14-352

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.

Adopted June 10, 2014. No. 14-353

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 E ½ OF SE ¼ OF NE ¼ 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).

Adopted June 10, 2014. No. 14-354

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.

Adopted June 10, 2014. No. 14-355

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 ¼ of the Northeast ¼, 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, Subd. 4, the St. Louis County Board hereby vacates that portion of the original alignment of County State Aid Highway (CSAH) 115 lying Northerly of CSAH 115 and Easterly of the County Road 431 right of way easement granted to 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 exhibits;

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 exhibits.

Adopted June 10, 2014. No. 14-356

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).

Adopted June 10, 2014. No. 14-357

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.

Adopted June 10, 2014. No. 14-358

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.

Adopted June 10, 2014. No. 14-360

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).

Adopted June 10, 2014. No. 14-361

RESOLVED, That the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 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.

Adopted June 10, 2014. No. 14-362

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.

Adopted June 10, 2014. No. 14-363

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 and 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.

Adopted June 10, 2014. No. 14-364

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. 59890.

Adopted June 10, 2014. No. 14-365

BY COMMISSIONER NELSON:

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 Commissioners' 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).

	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					

Unanimously adopted June 10, 2014. No. 14-359

BY COMMISSIONER NELSON:

WHEREAS, Country Bumpkin Liquor, Inc. d/b/a Trapline Liquor, Embarrass Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subd. 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, A public hearing was held on June 10, 2014, at 9:40 a.m., in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, Trapline Liquor has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

THEREFORE, BE IT RESOLVED, That Off-Sale Intoxicating Liquor License (License Number OFSL1529) shall be issued to Country Bumpkin Liquor, Inc. d/b/a Trapline Liquor, Embarrass Township, located in Area 2, for an annual fee of \$500.00;

RESOLVED FURTHER, That said liquor license shall be effective July 1, 2014 through June 30, 2015;

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due;

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

Unanimously adopted June 10, 2014. No. 14-366

BY COMMISSIONER NELSON:

WHEREAS, Wisconsin Central Ltd., a Delaware corporation, will be upgrading its railroad facilities in Midway Township; and

WHEREAS, Wisconsin Central Ltd. has requested to acquire ownership of two parcels and an access easement over a third parcel, which are currently owned in fee by the county as highway right of way; and

WHEREAS, After reviewing relevant statutes and speaking with involved parties, it was determined that the appropriate current action was to sell one parcel and grant an easement over another parcel, as described in the attached Exhibits A and B, respectively, to allow the Canadian National Railroad to construct an access point and undertake its planned construction activities in the area; and

WHEREAS, The proposed sale and grant of an easement have been reviewed by the St. Louis County Public Works Department, which has no objections to these transfers;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 373.01, the Chair of the County Board and the County Auditor are authorized to execute a quit claim deed for one parcel of non-conforming fee land, as described in the attached Exhibit A, to Wisconsin Central Ltd., a Delaware corporation, for the sum of \$840.00, which is at least 90% of the fair market value of the parcel as determined by the St. Louis County Assessor's Office;

RESOLVED FURTHER, That the Chair of the County Board and the County Auditor are authorized to execute a permanent easement for construction purposes over a parcel of land, as described in the attached Exhibit B, to Wisconsin Central Ltd., a Delaware corporation, for the sum of \$250.00.

EXHIBIT A

All that part of the Northeast One-quarter of the Northwest One-quarter (NE1/4 of the NW1/4) of Section 30, Township 49 North, Range 15 West of the Fourth Principal Meridian described as follows:

Northwesterly of the described line in Parcel 211F of Quit Claim Deed by the State of Minnesota to St. Louis County dated June 24, 1986, recorded as Document No. 1238752 in the Office of the St. Louis County Recorder on June 3, 2014.

Northeasterly of the Wisconsin Central Ltd. (f.k.a. Spirit Lake Transfer Company Railway).

Southerly of a line 55.00 feet southerly of and parallel to County State Aid Highway No. 3 (Becks Road) centerline, being the same as described in Parcel 211D of said Quit Claim Deed and further described as follows:

Commencing at a found State of Minnesota Department of Transportation (MnDOT) Right of Way (ROW) Aluminum Capped Pipe Monument "B22" as shown on MnDOT Map File 18-94; thence North 30 degrees 31 minutes 12 seconds East along a line between said monument "B22" and found monument "B21", a distance of 87.56 feet to the centerline of said Becks Road, being the Point of Beginning of the line to be described and the same point of beginning of the described line in said Parcel 211F; thence North 59 degrees 28 minutes 48 seconds West along said centerline, a distance of 251.33 feet (Record = 251.2); thence northwesterly 306.29 feet (Record = 306.3) along a 14 degree 00 minute 00 second tangential curve concave to the southwest having a radius of 409.26 feet and a central angle of 42 degrees 52 minutes 48 seconds and said centerline there terminating.

EXHIBIT B

All that part of the Northeast One-quarter of the Northwest One-quarter (NE1/4 of the NW1/4) of Section 30, Township 49 North, Range 15 West of the Fourth Principal Meridian described as follows:

Northwesterly of the southerly limits described in Parcel 211D of Quit Claim Deed by the State of Minnesota to St. Louis County dated June 24, 1986, recorded as Document No. 1238752 in the Office of the St. Louis County Recorder on June 3, 2014.

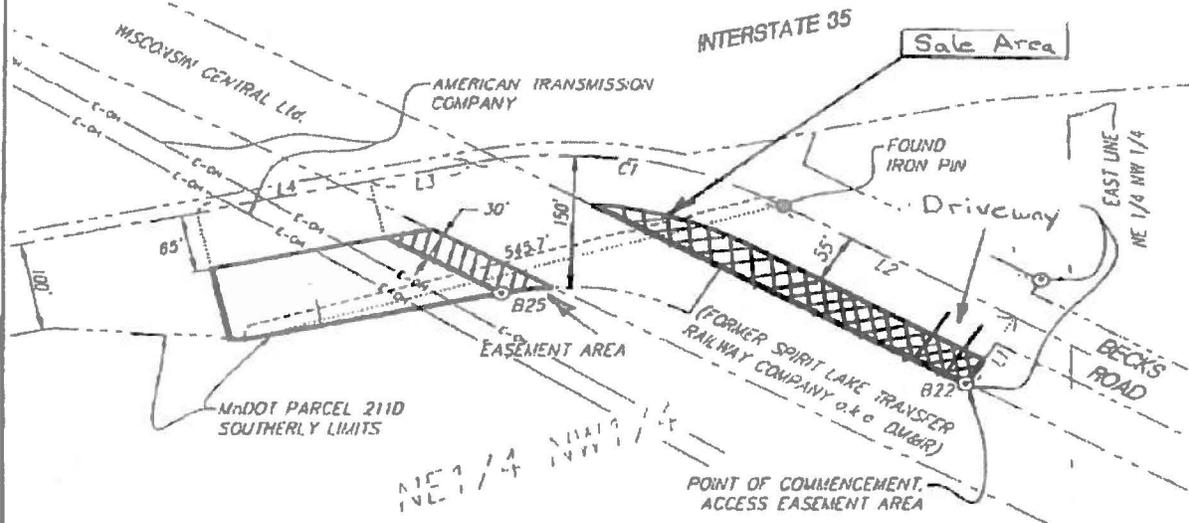
Northeasterly of a line 30.00 feet southwesterly of the Wisconsin Central Ltd. (f.k.a. Spirit Lake Transfer Company Railway).

Southerly of a line 65.00 feet southerly of and parallel to County State Aid Highway No. 3 (Becks Road) centerline, being the same as described in Parcel 211D of said Quit Claim Deed and further described as follows:

Commencing at a found State of Minnesota Department of Transportation (MnDOT) Right of Way (ROW) Aluminum Capped Pipe Monument "B22" as shown on MnDOT Map File 18-94; thence North 30 degrees 31 minutes 12 seconds East along a line between said monument "B22" and found monument "B21", a distance of 87.56 feet to the centerline of said Becks Road and being the Point of Beginning of the line to be described; thence North 59 degrees 28 minutes 48 seconds West along said centerline, a distance of 251.33 feet (Record = 251.2) to a point 26.2 feet northwesterly of the point of beginning of said parcel 211D as measured along same centerline; thence northwesterly 306.29 feet (Record = 306.3) along a 14 degree 00 minute 00 second tangential curve concave to the southwest having a radius of 409.26 feet and a central angle of 42 degrees 52 minutes 48 seconds; thence South 77 degrees 38 minutes 23 seconds West, a distance of 131.77 feet and said centerline there terminating.

EXHIBIT

Being part of the NE 1/4 of the NW 1/4 of Section 30, T. 49N., R. 15W. 4th P.M.



CURVE TABLE				
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING
C1	409.26'	42°52'48"	306.29'	N48°52'48"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N30°31'12"E	87.56'
L2	N59°28'48"W	251.33'
L3	S77°38'23"W	96.66'
L4	S77°38'23"W	262.30'

ACREAGE TABLE		
	SQUARE FEET	ACRES
ACQUISITION AREA	16,040	0.368
ACCESS EASEMENT AREA	18,020	0.414



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44875
 Signature: [Signature] Date: 4/14/2014

DATE REVISED	4/14/14
DATE REVISED	4/2/14
DATE REVISED	4/1/14
DATE PREPARED	3/31/14
PROJ NO	148017
FILE	140017v5.dwg
SHEET	1 of 1 SHEETS

L&B
PERFORMANCE DRIVEN DESIGN
 L&B corp. corp

(SCALE IN FEET)
 Basis of Bearing is Grid North, St. Louis County Transverse Mercator 96 Coordinate System.

Unanimously adopted June 10, 2014. No 14-367

At 10:46 a.m., June 10, 2014, Commissioner Jewell, supported by Commissioner Dahlberg, moved to adjourn the meeting. The motion passed; six yeas, zero nays (Forsman absent).



Pete Stauber, Vice-Chair of the Board
of County Commissioners

Attest:



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

(Seal of the County Auditor)