



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

**October 14, 2014**

**Immediately following the Board Meeting, which begins at 9:30 A.M.**  
**Hermantown City Hall, 5105 Maple Grove Road, Hermantown, MN**

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**CONSENT AGENDA:**

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

**Minutes of October 7, 2014**

**Public Works & Transportation Committee, Commissioner Raukar, Chair**

1. State Contract Purchase of Tractor Backhoe Loader [14-394]

**Finance & Budget Committee, Commissioner Nelson, Chair**

2. Abatement List for Board Approval [14-395]

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**REGULAR AGENDA:**

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

**Environment & Natural Resources Committee, Commissioner Dahlberg, Chair**

1. **2014 Aquatic Invasive Species Prevention Aid [14-396]**  
Resolution to approve the use of the St. Louis County 2014 Aquatic Invasive Species Prevention Aid.

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

1. **Labor Relations Services Award [14-397]**  
Resolution to authorize an agreement with Madden, Galanter & Hansen for labor negotiations and for grievance and arbitration proceedings effective October 28, 2014 through December 31, 2016.

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**COMMISSIONER DISCUSSION ITEMS AND REPORTS:**

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

**ADJOURNED:**

**NEXT COMMITTEE OF THE WHOLE MEETING DATES:**

<b>October 28, 2014</b>	<b>Mesabi Station, 111 Station 44 Road, Eveleth, MN</b>
<b>November 4, 2014</b>	<b>St. Louis County Courthouse, Duluth, MN</b>
<b>November 25, 2014</b>	<b>City Council Chambers, 401 East 21<sup>st</sup> Street, Hibbing, MN</b>

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

# COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Tuesday, October 7, 2014

Location: St. Louis County Courthouse, Duluth, Minnesota

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

Absent: None

Convened: Chair Forsman called the meeting to order at 3:03 p.m.

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## CONSENT AGENDA

Jewell/Raukar moved to approve the consent agenda without Item #4, Adjoining Owner Sale [14-369] and without Item #5, Special Sale to the City of Floodwood [14-370]. The motion passed. (7-0)

- Minutes of September 23, 2014
  - Acceptance of 2014 Minnesota Family Investment Program Innovation Fund Grant – Racial and Ethnic Disparities in Employment Outcomes [14-366]
  - Recycling Collection, Haulage, Processing, and Marketing Program Assessment [14-367]
  - Special Sale to the City of Floodwood [14-368]
  - Cancellation of Contract for Purchase of State Tax Forfeited Land – Myrum [14-371]
  - State Contract Purchase of Single Axle Heavy Duty Diesel Trucks [14-372]
  - Purchase of Asphalt Zipper [14-373]
  - Updated Road Maintenance Agreement between St. Louis County and the City of Duluth [14-374]
  - Establishment and Revocation of Certain County State Aid Highways [14-375]
  - Agreement with LHB Corp for Design Services – Bridge 69 on CSAH 5 [14-376]
  - Application for a Grant for Culvert Survey – Phases II and III [14-377]
  - Sale of Surplus Fee Land (Unorganized Township 57-16) [14-378]
  - Sale of Surplus Fee Land (Alborn Township) [14-379]
  - Wetlands Dedication Covenant Prior to Sale of Surplus Fee Land (Alborn Township) [14-380]
  - Abatement List for Board Approval [14-381]
  - Lawful Gambling Application (Gnesen Township) [14-382]
  - Reallocation of Accountant to Financial Analyst Classification [14-383]
  - Reallocation of an Information Specialist I to an Information Specialist II [14-384]
  - Memorandum of Understanding with City of Duluth for 2014 Justice Assistance Grant [14-385]
  - Purchase of Two-Factor Authentication Hardware and Software Provided by VASCO [14-386]
  - Establish Public Hearing to Consider Adoption of 2015 Fee Schedule (Tuesday, November 4, 2014, 9:40 a.m., St. Louis County Courthouse, Duluth, MN) [14-387]
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## **REGULAR AGENDA**

### **Environment & Natural Resources Committee**

Dahlberg/Jewell moved to authorize the County Auditor to offer the parcels described in County Board File No. 59824 at public sale for not less than the basic sale price in accordance with terms set forth in the Land and Minerals Department policy, and in a manner provided for by law on Tuesday, November 18, 2014, at 10:00 a.m. at the Depot, 506 W, Michigan St. Duluth, MN 55802. [14-388] During the Board meeting of October 7, 2014, the Board tabled reclassification of state tax forfeited lands to Non-Conservation; because of the previous Board action, this item was tabled until the November 4, 2014 meeting. (7-0)

Dahlberg/Jewell moved to approve the sale of the parcels described in County Board File No. 59937, and authorize the County Auditor to offer the parcels at private sale to any single, specific adjoining or adjacent landowner without notifying or offering to sell to all adjoining or adjacent landowners to encourage return of the parcels to the tax rolls. [14-369] The motion passed without recommendation. (7-0)

Nelson/Jewell moved to approve the sale of state tax forfeited land to the Duluth Economic Development Authority for the price of \$46,272, plus the following fees: 3% assurance fee of \$1,388.16, deed fee of \$25, deed tax of \$152.70, and recording fee of \$112; for a total of \$47,949.86. [14-370] Commissioner Stauber stepped out of the meeting from 3:35 p.m. to 3:36 p.m. Administration will investigate further to determine if these parcels and the parcels described in County Board File No. 59937 were reclassified. The motion passed. (7-0)

### **Public Works & Transportation Committee**

Commissioner Dahlberg exited the meeting at 3:41 p.m.

Raukar/Nelson moved to authorize the purchase of six 2015 Mack GU713 tandem trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$662,559.72. [14-389] The motion passed. (6-0, Dahlberg absent)

### **Finance & Budget Committee**

Nelson/Raukar moved to authorize an annually renewed lease for 256 square feet of space, with the 2014 rate of \$8.58 per square foot with the North St. Louis Soil & Water Conservation District at the Northland Office Center in Virginia. [14-390] Commissioner Jewell stepped out of the meeting from 3:42 p.m. to 3:44 p.m. At the suggestion of Administrator Gray, the Board Letter was revised. The motion passed. (6-0, Dahlberg absent)

Commissioner Raukar exited the meeting at 3:45 p.m.

Commissioner Dahlberg entered the meeting at 3:46 p.m.

Stauber/Jewell moved to approve 2015 monthly premium rates for the self-funded employee and retiree health insurance and to authorize the appropriate county officials to execute contracts for administrative services of the medical and dental plans for the time period covering January 1 – December 31, 2015. [14-392] After further discussion, the motion passed. (6-0, Raukar absent)

## **Central Management & Inter-Governmental Committee**

Forsman/Nelson moved to appoint Marjorie McPeak of Tower, MN, to the Arrowhead Library System Board of Directors for a three-year term beginning January 1, 2015 and expiring on December 31, 2018. [14-391] The motion passed. (6-0, Raukar absent)

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### **COMMISSIONER DISCUSSION ITEMS**

Commissioner Nelson discussed the Fond du Lac Band of Lake Superior Chippewa Class I Air designation final report. Commissioner Nelson expressed concerns relating to conclusions found in the report and potential impacts on industry in Northeast Minnesota. Commissioner Nelson discussed an upcoming news item regarding St. Louis County Board expenditures that are not related to committee assignments.

Administrator Gray said he was working closely with the Attorney Mark Rubin's office and John Ongaro regarding the previously mentioned Class I Air designation. Administrator Gray said County representatives would be attending a comment/consult session this Thursday.

Commissioner Stauber discussed the recent decision to remove paper towel holders from St. Louis County restrooms. After further discussion, the Board directed Administration to work with Property Management to replace paper towel holders in St. Louis County restrooms.

Commissioner discussed unsafe decibel levels relating to the air hand dryers currently used in St. Louis County restrooms.

Commissioner Jewell expressed concerns that Commissioner Nelson was speaking to the press inappropriately regarding his campaign and requested that Chair Forsman ask Commissioner Nelson to put an end to this practice.

Commissioner Nelson stated that he has not spoken to the news media regarding Commissioner Jewell's campaign. Commissioner Nelson discussed the parking situation at the Northland Office Center and stated that the City of Virginia will be distributing a letter of explanation and a map to all Northland Office Building employees detailing available parking places.

Commissioner Dahlberg talked about a recent house-warming event for U.S. Marine Corporal Mark Litynski, a triple amputee survivor of the Afghanistan war. Commissioner Dahlberg also stated that a fundraiser event would be held on October 15<sup>th</sup> at the West Duluth American Legion. Commissioner Dahlberg discussed a recent donation by the CN Rail for \$100,000 to assist in the development of a park in Gary-New Duluth. Commissioner Dahlberg commented on the Highland Street construction project.

Commissioner Nelson said that St. Louis County has spent approximately 70 million dollars on repairing county roads located in the City of Duluth over the past ten years.

At 4:14 p.m., Stauber/Boyle moved to adjourn the Committee of the Whole meeting. The motion passed. (6-0, Raukar absent)

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Mike Forsman, Chair of the County Board

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Phil Chapman, Clerk of the County Board

# BOARD LETTER NO. 14 - 394

## PUBLIC WORKS & TRANSPORTATION COMMITTEE CONSENT NO. 1

### BOARD AGENDA NO.

**DATE:** October 14, 2014                      **RE:** State Contract Purchase of  
Tractor Backhoe Loader

**FROM:** Kevin Z. Gray  
County Administrator

James T. Foldesi  
County Engineer/Public Works Director

**RELATED DEPARTMENT GOAL:**

Provide a safe, well maintained road and bridge system.

**ACTION REQUESTED:**

The St. Louis County Board is requested to authorize the State Contract purchase of one CASE model 580 SN WT Tractor Backhoe Loader.

**BACKGROUND:**

The Public Works Department's 2014 equipment budget includes the purchase of one tractor backhoe loader. This unit will be replacing a 1998 unit located at Ely. This equipment has reached the end of its usable life cycle and has major mechanical issues not worth fixing.

State of Minnesota contract prices were requested from the three area vendors selling tractor backhoe loaders meeting department specifications. The breakdown is as follows:

<b><u>VENDOR:</u></b>	<b><u>With Trade-In Quote</u></b>
<b>Titan Machinery Inc., Duluth, MN</b>	<b>\$66,018.00</b>
Nortrax Equipment Company, Duluth, MN	\$84,353.00
Ziegler Inc., Duluth, MN	NO BID

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize the purchase of one CASE 580 SN WT Tractor Backhoe Loader from Titan Machinery Inc., Duluth, MN, through the State of Minnesota contract, in the amount of \$66,018, payable from Fund 441, Agency 441001, Object 666400.

## State Contract Purchase of Tractor Backhoe Loader

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The Public Works Department's 2014 equipment budget includes the replacement of one tractor backhoe loader; and

WHEREAS, The Public Works Department presented specifications to the Purchasing Division for a request of State of Minnesota contract pricing from three area vendors selling this equipment; and

WHEREAS, Titan Machinery Inc. of Duluth, MN, provided State of Minnesota Contract pricing of \$66,018 with "trade in";

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase of one tractor backhoe loader from Titan Machinery Inc. of Duluth, MN, at the State of Minnesota contract price of \$66,018, payable from Fund 441, Agency 441001, Object 666400.

# BOARD LETTER NO. 14 - 395

FINANCE & BUDGET COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

**DATE:** October 14, 2014                      **RE:** Abatement List for Board Approval

**FROM:** Kevin Z. Gray  
County Administrator

Mark Monacelli, Director  
Public Records & Property Valuation

David L. Sipila  
County Assessor

**RELATED DEPARTMENT GOAL:**

The County Assessor will meet all state mandates for classifying and valuing taxable parcels for property tax purposes as outlined in Minn. Stat. § 270 through 273.

**ACTION REQUESTED:**

The St. Louis County Board is requested to approve the attached abatements.

**BACKGROUND:**

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 861, dated November 30, 1993, outlining the Board's policy on abatement of ad valorem taxes. This Policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board approve the attached list of abatements.

## 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. 59797.

10/6/2014  
2:37:44PM

Abatements Submitted for Approval by the St. Louis County Board  
on 10-28-2014

<u>PARCEL CODE</u>	<u>AUD NBR</u>	<u>NAME</u>	<u>TYPE</u>	<u>LOCATION</u>	<u>APPRAISER</u>	<u>REASON</u>	<u>YEAR</u>	<u>REDUCTION</u>
10 2730 266	00010 15361	HOGLUND, KEN	M	City of Duluth	Ben Hanson	HOMESTEAD	2014	113.86
125 10 3480	0 15362	JARVI, CHERIE	R	Floodwood C.	Bruce Sodahl	HOMESTEAD	2014	182.20
387 205 260	0 15363	KEARNEY, DANIEL	R	Greenwood	Mason Couvier	HOMESTEAD	2014	687.94
10 4110 1140	00834 15364	REMICK, DANIEL	M	City of Duluth	Lana Anderson	VETERAN DISABILITY	2014	985.50
100 80 125	0 15365	STATE OF MN	R	Aurora	Tom Carlson	EXEMPT	2014	25.52
10 131 10	0 15366	THOMPSON, BRANDON	R	City of Duluth	Ben Hanson	HOMESTEAD	2014	1,306.04
10 2850 520	0 15367	WAHLSTEN, SUSAN	R	City of Duluth	Ben Hanson	HOMESTEAD	2015	332.24



establish a technical advisory committee including lake associations, tribal governments, river alliance, soil and water conservation districts, and other interested parties. Committee members will provide input and comments to Sea Grant to develop the plan and guidelines. Throughout the process, Planning and Community Development will maintain a website and notify interested cities, townships and interested parties of the program and process. The final plan and guidelines will be submitted to the County Board for approval and adoption.

Once the plan is established, Planning and Community Development will solicit proposals for the use of the remaining 2014 and 2015 funds. Funding recommendations will be provided to the County Board for consideration in spring 2015.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize the use of Aquatic Invasive Species Prevention Aid funds to develop a multi-year plan and implementation guidelines, using a portion of the funds to pay for the plan and administrative costs. It is further recommended that the remaining 2014 funds be combined with 2015 funds. Funds to be deposited into Fund 100, Agency 109999, Grant 10910.

## 2014 Aquatic Invasive Species Prevention Aid

BY COMMISSIONER: \_\_\_\_\_

WHEREAS, The 2014 Minnesota Legislative Session established the Aquatic Invasive Species Prevention Aid Program, Minnesota Session Law Chapter 308; and

WHEREAS, It is the intent of St. Louis County to accept the allocation and implement an Aquatic Invasive Species Prevention Program in accordance with Minn. Stat. § 477A.19; and

WHEREAS, St. Louis County's allocation for 2014 is \$306,356 and it is estimated that the 2015 allocation will be over \$600,000; and

WHEREAS, It is the intent of St. Louis County to develop a multi-year Aquatic Invasive Species Prevention plan and implementation guidelines using a portion (not to exceed 10 percent) of the Aquatic Invasive Species Prevention Aid to cover development and administrative costs associated with these activities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Community Development Department to develop a multi-year Aquatic Invasive Species Prevention plan and implementation guidelines, to be provided to the County Board for final approval and adoption; and

RESOLVED FURTHER, That the County Board approves the expenditure of a portion (not to exceed 10 percent) of the 2014 and 2015 Aquatic Invasive Species Prevention Aid for administrative costs to develop a multi-year plan and implementation guidelines; and

RESOLVED FURTHER, That the remaining 2014 Aquatic Invasive Species Prevention Aid will be combined with the 2015 Aquatic Invasive Species Prevention Aid; with funds will be deposited and payable from:

Fund 100, Agency 109999, Grant 10910, Year 2014; and

Fund 100, Agency 109999, Grant 10910, Year 2015.

# BOARD LETTER NO. 14 - 397

## CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1

### BOARD AGENDA NO.

**DATE:** October 14, 2014                      **RE:** Labor Relations Services Award

**FROM:** Kevin Z. Gray  
County Administrator

Mark S. Rubin  
County Attorney

James R. Gottschald, Director  
Human Resources

#### **RELATED DEPARTMENT GOAL:**

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

#### **ACTION REQUESTED:**

The St. Louis County Board is requested to authorize the execution of an agreement with Madden, Galanter & Hansen of Plymouth, Minnesota for labor negotiations and for grievance and arbitration proceedings effective October 28, 2014 through December 31, 2016.

#### **BACKGROUND:**

St. Louis County has used the services of Steven C. Fecker of Johnson, Killen & Seiler, P.A. as its labor negotiator for over 37 years. Mr. Fecker notified the county of his intent to transition into retirement and take on no new labor relations matters effective September 30, 2014. As a result, a request for proposals for labor relations services was conducted.

Competitive proposals were received from eight Minnesota law firms. The county conducted a thorough analysis of the proposals, and four finalists were invited to interview with the county. At the end of the process, it was concluded that Madden, Galanter & Hansen offered the best alternative in terms of labor relations expertise, experience and overall value.

Madden, Galanter & Hansen proposed a flat hourly fee of \$135 per hour for labor relations matters and \$140 per hour for representation in grievance arbitration cases, interest arbitration proceedings and other administrative hearings through December 31, 2016. Madden, Galanter & Hansen has been successful in representing Greater Minnesota and Twin Cities public employers in labor negotiations, grievance and interest arbitrations and veterans preference cases for over 36 years. The firm is highly regarded by employers in the public sector and their attorneys frequently present at Minnesota Public Employer Labor Relations Association (MPELRA), Minnesota Employment Law Institute and Association of Minnesota Counties (AMC) conferences. Current clients include counties, cities and joint powers organizations. The firm serves as chief negotiator and labor relations advisor and also handles approximately 10 – 15 interest arbitration proceedings per year on behalf of clients.

**RECOMMENDATION:**

It is recommended that the St. Louis County Board authorize a contract with Madden, Galanter & Hansen for labor negotiations and for grievance and interest arbitration representation effective October 28 through December 31, 2016, payable from Fund 100, Agency 107001, Object 629900.

## **Labor Relations Services Award**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The county received notice of retirement from its former labor negotiator and subsequently solicited competitive proposals from firms interested in providing labor relations and arbitration representation services to St. Louis County; and

WHEREAS, Competitive proposals were received from eight Minnesota law firms and four finalists were invited to interview with the county; and

WHEREAS, It was concluded that Madden, Galanter & Hansen of Plymouth, Minnesota offered the best proposal in terms of public sector labor relations experience and overall value; and

WHEREAS, The county expects to enter into labor negotiations with bargaining units for 2015 and 2016;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement with Madden, Galanter and Hansen, LLP of Plymouth, Minnesota to act as the exclusive labor negotiator for St. Louis County, effective October 28, 2014 – December 31, 2016 at the hourly fee of \$135 for labor relations matters and at the hourly fee of \$140 for grievance and interest arbitrations, and other administrative hearings payable from Fund 100, Agency 107001, Object 629900.