

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON NOVEMBER 4, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of November 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, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Mike Forsman - 7. Absent: None - 0.

Chair Forsman asked for a moment of silence in honor of the armed forces, public safety workers, law enforcement, attorneys, court workers, and for all of the innocent victims of conflicts throughout the world.

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

At 9:35 a.m., a public hearing convened, pursuant to Resolution No. 14-555, adopted October 14, 2014, to receive public comment and adopt the 2015 Fee Schedule for various county services. St. Louis County Deputy Administrator Linnea Mirsch discussed changes to the fee schedule. After further discussion, Commissioner Stauber, supported by Commissioner Dahlberg, moved to close the public hearing at 9:39 a.m.; seven yeas, zero nays. Commissioner Nelson, supported by Commissioner Raukar, moved to adopt the 2015 Fee Schedule for various county services. The motion passed; seven yeas, zero nays. Resolution No. 14-594.

Commissioner Raukar, supported by Commissioner Dahlberg, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Boyle, supported by Commissioner Dahlberg, moved to consider the previously tabled resolution - Reclassification of State Tax Forfeited Lands to Non-Conservation (tabled on October 7, 2014). The motion passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Nelson, moved to reclassify the state tax forfeited parcels described in County Board File No. 59937 as non-conservation and be offered for sale; and further, the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located. After further discussion, the question was divided. Reclassification of Lots 8 thru 20 and Lots 32 thru 44 (Even Numbered Lots, Upper Duluth St. Louis Avenue), on file in Board File No. 59937B, were considered separately from the original motion. The remainder of the listed parcels will be contained in Board File No. 59937A. A recess was taken from 9:53 a.m. to 9:59 a.m.

Elizabeth Gay Hooper and Dave Johnson spoke to the proposed reclassification of state tax forfeited parcels. After further discussion, the Board approved reclassification of the state tax forfeited parcels described in County Board File No. 59937A as non-conservation and be offered for sale; and further, the request for approval of the reclassification shall be transmitted by the St. Louis County

Land and Minerals Department to the clerk of the municipality or town in which the parcels are located; seven yeas, zero nays. Resolution No. 14-595.

Discussion took place regarding the second part of the divided question. The Board approved reclassification of the state tax forfeited parcels described as Lots 8 thru 20 and Lots 32 thru 44 (Even Numbered Lots, Upper Duluth St. Louis Avenue) on file in County Board File No. 59937B, as non-conservation and be offered for sale; and further, the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located; four yeas (Dahlberg, Stauber, Nelson, Forsman), three nays (Jewell, Boyle, Raukar). Resolution No. 14-596.

A recess was taken from 10:41 a.m. to 10:58 a.m.

Commissioner Dahlberg, supported by Commissioner Jewell, moved to consider the previously tabled resolution - Reclassification of State Tax Forfeited Lands to Non-Conservation/Duluth (tabled on October 7, 2014). The motion passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Jewell, moved to reclassify the state tax forfeited parcels described in County Board File No. 59938 as non-conservation and be offered for sale; and further, the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located. The following citizens addressed the Board regarding the motion: Glenn Anderson, Ken Kollodge, Mary Wade, and Dennis Fink. After further discussion, the THEREFOR, BE IT RESOLVED section was amended to include the following wording: "offered for sale at appraised value and that adjoining owners have the right of first refusal"; six yeas, one nay (Stauber). The amended motion passed; seven yeas, zero nays. Resolution No. 14-597.

Commissioner Raukar, supported by Commissioner Nelson, moved to establish a Special County Board Meeting for Tuesday, November 18, 2014, for the specific purpose of conducting a public hearing to consider implementation of a 0.5% local option sales tax and a \$20 per motor vehicle excise tax; and further, the public hearing is established for November 18, 2014, at 9:30 a.m. in the County Board Room of the St. Louis County Courthouse, 100 North 5th Ave. West, Duluth, MN, and will be continued on November 25, 2014, at 9:50 a.m. in the City Council Chambers, 402 East 21st Street, Hibbing, MN. The motion passed; seven yeas, zero nays. Resolution No. 14-598.

Commissioner Stauber, supported by Commissioner Nelson, moved that the St. Louis County Board hereby declares its support for the proposed incorporation of the Town of Rice Lake as a city governmental jurisdiction under the laws of the State of Minnesota. St. Louis County Administrator Kevin Gray discussed potential impacts of the incorporation on St. Louis County. The motion passed; seven yeas, zero nays. Resolution No. 14-599.

Commissioner Jewell exited the meeting at 12:24 p.m.

At 12:25 p.m., the St. Louis County Board recessed to a Committee of the Whole meeting.

At 12:39 p.m., the County Board reconvened with the following members present: Commissioners

Frank Jewell, Patrick Boyle, Chris Dahlberg, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Chris Forsman.

Commissioner Jewell, supported by Commissioner Dahlberg, moved to approve a second consent agenda consisting of items passed at the Committee of the Whole meeting. The motion passed; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 14-344, Reclassification of State Tax Forfeited Lands to Non-Conservation (division of the question).—59937A

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 14-344, Reclassification of State Tax Forfeited Lands to Non-Conservation (division of the question: Lots 8 thru 20 and Lots 32 thru 44, Even Numbered Lots Inc Riparian Rights, Upper Duluth St. Louis Avenue).—59937B

Kevin Gray, County Administrator, and Mark Weber, Land and Minerals Director, submitting Board Letter No. 14-415, Award of Bid #5187: 2016-2017 Containerized Tree Seedlings.—59965

Kevin Gray, County Administrator, and James Foldesi, Highway Engineer/Public Works Director, submitting Board Letter No. 14-418, Approve State Contract Purchase of Single Axle Heavy Duty Diesel Trucks and Rescind County Board Resolution No. 14-541.—59966

Kevin Gray, County Administrator, and James Foldesi, Highway Engineer/Public Works Director, submitting Board Letter No. 14-419, Approve State Contract Purchase of Tandem Axle Diesel Trucks and Rescind County Board Resolution No. 14-548.—59967

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 14-424, Application and Acceptance of the 2014 Port Security Grant.—59968

Kevin Gray, County Administrator, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-425, Establish Public Hearing on an Amendment to the Capital Improvement Plan.—59969

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 14-427, Committee Vacancy Appointments – Planning Commission.—59970

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-407, Authorize a Special County Board Meeting and Establish a Public Hearing to Consider Implementation of a Greater Minnesota Transportation Sales and Use Tax.—59971

Kevin Gray, County Administrator, submitting Board Letter No. 14-411, Support for the Township of Rice Lake to Incorporate as a City.—59972

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 14-423, Civil Service Commission Vacancy.—59973

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 14-408, Establish Public Hearing to Consider Allegations of Liquor Law Violation – Crossroads Convenience and Liquor Store (Clinton Township).—59974

Kevin Gray, County Administrator, Donald Dicklich, County Auditor, and Mark Rubin, County Attorney, submitting Board Letter No. 14-409, Establish Public Hearing to Consider Imposing the Remaining Penalties form a Liquor Law Violation Adjudicated on November 5, 2013 – Crossroads Convenience and Liquor Store (Clinton Township).—59975

Safety and Risk Management Training Contract between St. Louis County and Forrest Co., LLC, Duluth, MN, for First Aid and CPR Training during December 2014.—14-1101

Memorandum of Understanding of the St. Louis County Courthouse Security Committee (St. Louis County Court Administration; Sixth Judicial Court; St. Louis County Sheriff’s Office; St. Louis County Attorney’s Office; St. Louis County Property Management Department; St. Louis County Safety and Risk Management Department; Sixth Judicial District Public Defender’s Office; and Arrowhead Regional Corrections) regarding the Dissemination of Courthouse Security Alerts.—14-1102

Upon motion by Commissioner Raukar, supported by Commissioner Dahlberg, resolutions numbered 14-584 through 14-593, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:

WHEREAS, The Public Health and Human Services Advisory Committee (PHHSAC) was created in 2004 when the Public Health and Human Services Department was created by combining the previous advisory committees from the Public Health Department and the Social Services Department; and

WHEREAS, The Bylaws state that an annual report of committee activities and/or recommendations will be given to the County Board at the end of each calendar year; and

WHEREAS, The current Bylaws have been reviewed and revisions are being recommended; and

WHEREAS, Any revisions to the Bylaws must be ratified by the St. Louis County Board of Commissioners as the governing body for the PHHSAC;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the Public Health and Human Services Advisory Committee’s 2013 Annual Report, as contained in County Board File No. 59964;

RESOLVED FURTHER, That the County Board ratifies the Bylaws of the Public Health and Human Services Advisory Committee, as contained in County Board File No. 59964.

Adopted November 4, 2014. No. 14-584

WHEREAS, The St. Louis County Public Works Department plans to build a sidewalk on the west side of County State Aid Highway (CSAH) 4/Rice Lake Road from Central Entrance north to Arrowhead Road in Duluth, MN; and

WHEREAS, The approximately 2.0 mile sidewalk is determined necessary to provide for the safety and convenience of pedestrians and the traveling public; and

WHEREAS, In addition to the existing highway right of way, certain permanent highway easements across tax forfeited lands together with temporary construction easements are required for the project;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements;

RESOLVED FURTHER, That pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant highway easements across tax forfeited lands for the necessary permanent highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted November 4, 2014. No. 14-585

WHEREAS, The Public Works Department budgets for the purchase of lubricating oils, greases, coolants and fluids, and the Purchasing Division issued a Request for Bids for this purchase; and

WHEREAS, Tri Mark Industrial Services of Virginia, MN, submitted the low bid meeting specifications to supply these products in the amount of \$172,442.59;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement for one (1) year with Tri Mark Industrial Services of Virginia, MN, for the purchase of lubricating oils, greases, coolants and fluids in the amount estimated at \$172,442.59 annually, with the option to extend for two (2) additional one-year periods upon mutual agreement of both parties, payable from Fund 200, Agency 207001, Object 653500.

Adopted November 4, 2014. No. 14-586

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 Recorder's Technology assigned fund balance for book binding (\$2,500.00).
2. Use of Property Management's assigned parking fund balance for a structural investigation of the GSC parking ramp due to water damage (\$23,200.00).
3. Increase Property Management revenue and expense budget for the North Rescue Squad building for the collection of three months estimated intra-county rent (\$3,125.61).
4. Increase Property Management revenue and expense budget in the amount of a payment received from Minnesota Sixth Judicial District Court for courthouse security projects (\$36,774.00).

5. Increase Sheriff's Office revenue and expense budget for Federal Boat & Water grant (\$22,000.00).
6. Increase revenue and expense budget to anticipated levels for Child in Need of Protective Services (CHIPS) court expenses (\$2,500.00).
7. Use of fund balance to cover higher than anticipated expenses in Sheriff's State Forfeitures fund (\$3,730.87).
8. Use of fund balance to cover higher than anticipated expenses in Attorney's Office Victim/Witness Trust Account (\$50.40).
9. Transfer funds within the Emergency Shelter Grant budget from personnel to operating to allow payment of a Homeless Conference Scholarship (\$1,328.00).
10. Increase Public Works revenue and expense budget due to overages in the Minnesota Department of Transportation and City of Hibbing shares of the Hibbing Joint Use Facility operating expense (\$13,250.00).
11. Increase Public Health & Human Services revenue and expense budget for cost effective health insurance pass-through dollars from the State of Minnesota (\$100,000.00).
12. Use of Public Health & Human Services Technology assigned fund balance to update old Windows XP computers (\$95,000.00).
13. Increase Capital Projects revenue and expense budget for rebates received from Minnesota Power (\$62,581.43).
14. Add budget in 2013A Capital Improvement Bond and 2013B Capital Equipment Note, to match actual amount of interest earned (\$58,704.75).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
1	100	121002	623200			2,500.00					
	100	999999	311014								(2,500.00)
2	100	128010	660266			23,200.00					
	100	999999	311105								(23,200.00)
3	100	128024	553001						(3,125.61)		
	100	128024	637900			3,125.61					
4	100	128777	552506						(36,774.00)		
	100	128777	630902			36,774.00					
5	100	129999	610300	12919	2014	19,130.00					
	100	129999	615000	12919	2014	2,870.00					
	100	129999	540906	12919	2014				(22,000.00)		
6	149	149001	583100						(2,500.00)		
	149	149001	629900			2,500.00					
7	168	168001	629900			3,730.87					
	168	999999	311200								(3,730.87)
8	169	169001	624500			50.40					
	169	999999	311200								(50.40)

9	173	173999	610000	17304	2013	(1,328.00)	
	173	173999	629900	17304	2013	1,328.00	
10	200	202012	583103				(13,250.00)
	200	202012	630900			13,250.00	
11	230	231019	600400				100,000.00
	230	231019	530619			(50,000.00)	
	230	231019	526800			(50,000.00)	
12	230	230038	640400				95,000.00
	230	999999	311401				(95,000.00)
13	400	400015	545137				(62,581.43)
	400	400015	663100			62,581.43	
14	440	440002	571000				(55,481.15)
	440	440002	629900			55,481.15	
	441	441003	571000				(3,223.60)
	441	441003	629900			3,223.60	

Adopted November 4, 2014. No. 14-587

RESOLVED, That a public hearing will be held at 9:40 a.m., on Tuesday, November 25, 2014, in the City Council Chambers, 402 East 21st Street, Hibbing, MN, for the consideration of the allegations and, if proven, the suspension or revocation of the liquor license issued to Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, and/or the imposition of civil penalties for the violation.

Adopted November 4, 2014. No. 14-588

RESOLVED, That a public hearing will be held at 9:45 a.m., on Tuesday, November 25, 2014, in the City Council Chambers, 402 East 21st Street, Hibbing, MN, for the consideration of imposition of the remaining suspension and civil penalties for liquor law violation allegations, predicated on the violation of the no same or similar condition due to sale to a minor on August 26, 2014, and, if proven, the imposition of the remaining eight (8) day suspension and \$800.00 civil penalty previously ordered against Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township.

Adopted November 4, 2014. No. 14-589

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 59866, are hereby approved and the County Auditor is authorized to issue the licenses as follows:

Family Dollar, Inc., d/b/a Family Dollar #7780, City of Aurora, Tobacco Products License No. T15270;

Holiday Stationstores, Inc., d/b/a Holiday Stationstore #85, City of Proctor, Tobacco Products License No. T1564;

Edwards Oil, Inc., d/b/a Hoyt Lakes Lucky Seven, City of Hoyt Lakes, Tobacco

Products License No. T1569;
Sullivan's Mercantile, Inc., d/b/a Twig General, Township of Grand Lake, Tobacco
Products License No. T15129;
Wayside Corner Store, Inc., d/b/a Wayside Corner Store, Township of New
Independence, Tobacco Products License No. T15282;

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.

Adopted November 4, 2014. No. 14-590

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, David Sackette of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT 2, BLOCK 1
SACKETTE ADDITION
Parcel Code: 010-3997-00020; 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 David Sackette of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$26,081.45, service fee of \$114, deed tax of \$86.07, deed fee of \$25, and recording fee of \$46; for a total of \$26,352.52, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-591

WHEREAS, The Auto Club Group d/b/a AAA Minnesota/Iowa, Canosia Township, is currently licensed for On-Sale 3.2 Percent Malt Liquor; and

WHEREAS, The license holder has made an application to add a nine (9) hole golf course to the designated serving area; and

WHEREAS, The provisions of Minn. Stat. § 340A.101, Subd. 15, defines a licensed premises to include the entire golf course, except for areas where motor vehicles are regularly parked or operated; and

WHEREAS, The St. Louis County Sheriff's Office and Liquor Licensing Committee have reviewed the application and recommend approval;

THEREFORE, BE IT RESOLVED, That said nine (9) hole golf course shall be added to the designated serving area of the on-sale 3.2 percent malt liquor license held by The Auto Club Group d/b/a AAA Minnesota/Iowa, Canosia Township.

Adopted November 4, 2014. No. 14-592

WHEREAS, Competitive proposals were requested from carriers interested in providing basic life insurance coverage to the county for the plan year beginning in January 2015; and

WHEREAS, Nine carriers responded and the top three were invited to interview; and

WHEREAS, It was concluded that National Insurance Services, underwritten by Madison National Life Insurance Company, offered the best alternative in terms of lowest cost for basic coverage at \$.11 per \$1,000 in coverage, supplemental employee-paid coverage, administrative services and overall value;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board awards the contract for basic life insurance services to National Insurance Services and authorizes the appropriate county officials to execute contracts with National Insurance Services effective January 1, 2015, payable from Fund 915, Agency 999999;

RESOLVED FURTHER, That the County Board authorizes the appropriate county officials to terminate the current agreement for basic life insurance coverage through US Able Life effective January 1, 2015.

Adopted November 4, 2014. No. 14-593

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Board held a public hearing at 9:40 a.m. on Tuesday, November 4, 2014, at the St. Louis County Courthouse, Duluth, Minnesota, to receive comment and consider the adoption of the Fee Schedule for various county services for the year 2015;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts the 2015 Fee Schedule on file in County Board File No. 59959.

Unanimously adopted November 4, 2014. No. 14-594

BY COMMISSIONER DAHLBERG:

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The parcels described in the attached County Board File forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 59937A shall be reclassified as non-conservation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals

Department to the clerk of the municipality or town in which the parcels are located.

Unanimously adopted November 4, 2014. No. 14-595

BY COMMISSIONER DAHLBERG:

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The parcels described as Lots 8 thru 20 and Lots 32 thru 44 (Even Numbered Lots, Upper Duluth St. Louis Avenue), on file in County Board File No. 59937B, forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described as Lots 8 thru 20 and Lots 32 thru 44 (Even Numbered Lots, Upper Duluth St. Louis Avenue), on file in County Board File No. 59937B, shall be reclassified as non-conservation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

Yeas – Commissioners Dahlberg, Stauber, Nelson, and Chair Forsman - 4

Nays – Commissioners Jewell, Boyle and Raukar - 3

Adopted November 4, 2014. No. 14-596

BY COMMISSIONER DAHLBERG:

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The parcels described in the attached County Board File forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as non-conservation and approved for sale after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of the parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification and sale of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 59938 shall be reclassified as non-conservation and offered for sale at appraised value and that adjoining owners have first right of refusal, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

Unanimously adopted November 4, 2014. No. 14-597

BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County has identified annual transportation infrastructure needs far in excess of revenues currently dedicated to these programs; and

WHEREAS, The 2008 Minnesota State Legislature authorized a local option sales tax for transportation, (Chapter 152), and the 2013 Minnesota State Legislature authorized counties to adopt the local option sales tax for transportation by resolution after holding a public hearing (Chapter 117, Article 3, Section 25, now incorporated into Minn. Stat. § 297A.993, Subd. 1); and

WHEREAS, The 2008 Minnesota State Legislature authorized a \$20 per motor vehicle excise tax for vehicles purchased or acquired from any person engaged in the business of selling motor vehicles at retail, (Chapter 152), and the 2013 Minnesota State Legislature authorized counties to adopt the \$20 per motor vehicle excise tax by resolution after holding a public hearing (Chapter 117, Article 3, Section 25, now incorporated into Minn. Stat. § 297A.993, Subd. 1);

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 297A.993, the St. Louis County Board authorizes a Special County Board Meeting for Tuesday, November 18, 2014 for the specific purpose of conducting a public hearing to consider implementation of a 0.5% local option sales tax for transportation (Greater MN Transportation Sales and Use Tax) and a \$20 per motor vehicle excise tax established for November 18, 2014 at 9:30 a.m., in the County Board Room of the St. Louis County Courthouse, 100 North 5th Ave. West, Duluth, MN;

RESOLVED FURTHER, That the public hearing to consider implementation of a 0.5% local option sales tax for transportation (Greater MN Transportation Sales and Use Tax) and a \$20 per motor vehicle excise tax be continued to November 25, 2014, at 9:50 a.m., at the City Council Chambers, 402 East 21st Street, Hibbing, MN.

Unanimously adopted November 4, 2014. No. 14-598

BY COMMISSIONER STAUBER:

WHEREAS, The Town of Rice Lake intends to change its township status to incorporate as a city pursuant to Minn. Stat. § 414.02; and

WHEREAS, The County of St. Louis envelops the "affected territory" currently known as Rice Lake Township, and has been given notice of the proposed incorporation pursuant to Minn.

Stat. § 414.02; and

WHEREAS, The Rice Lake Township Board of Supervisors has requested that the St. Louis County Board indicate its support for the township's plan to incorporate as a city;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board declares its support for the proposed incorporation of the Town of Rice Lake as a city governmental jurisdiction under the laws of the State of Minnesota.

Unanimously adopted November 4, 2014. No. 14-599

Upon motion by Commissioner Jewell, supported by Commissioner Dahlberg, resolutions numbered 14-600 through 14-616, as submitted on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

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, David Sackette of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT 2, BLOCK 1
SACKETTE ADDITION
Parcel Code: 010-3997-00020; 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 David Sackette of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$26,081.45, service fee of \$114, deed tax of \$86.07, deed fee of \$25, and recording fee of \$46; for a total of \$26,352.52, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-600

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, David Sackette of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT 1, BLOCK 2
SACKETTE ADDITION
Parcel Code: 010-3997-00030; 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 David Sackette of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$26,655.73, service fee of \$114, deed tax of \$87.96, deed fee of \$25, and recording fee of \$46; for a total of \$26,928.69, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-601

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, David Sackette of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOT 8, BLOCK 2
SACKETTE ADDITION
Parcel Code: 010-3997-00100; 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 David Sackette of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$27,210.73, service fee of \$114, deed tax of \$89.80, deed fee of \$25, and recording fee of \$46; for a total of \$27,485.53, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-602

WHEREAS, The St. Louis County Purchasing Division solicited bids to furnish and deliver containerized tree seedlings for planting on tax forfeited land in the years 2016 and 2017; and

WHEREAS, The bid offering was divided into 12 sections with the award of bid going to the low bidder of each section; and

WHEREAS, PRT, USA of Victoria, Canada, submitted the low bid for sections 1-4, 6, 8, and 10-12 of the contract in the amount of \$288,835; and

WHEREAS, North Central Reforestation of Evansville, MN, submitted the low bid for sections 5, 7, and 9 of the contract in the amount of \$15,093;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a contract with PRT, USA of Victoria, Canada, for sections 1-4, 6, 8, and 10-12 in the amount of \$288,835, subject to approval by the County Attorney, for containerized tree seedling delivery in the spring of 2016 and 2017;

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to execute a contract with North Central Reforestation of Evansville, MN, for sections 5, 7, and 9 in the amount of \$15,093, subject to approval by the County Attorney, for containerized tree seedlings for delivery in the spring of 2016 and 2017;

RESOLVED FURTHER, That funding for these contracts is payable from Fund 290, Agency 290001.

Adopted November 4, 2014. No. 14-603

WHEREAS, Sprint Corporation has requested a utility easement across state tax forfeited land to install an underground fiber cable; and

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

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements across state tax forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a utility easement to Sprint Corporation across state tax forfeited lands described as follows:

A 5.00 foot wide perpetual easement over, under, and across the S ½ of the SW ¼ of the SW ¼ of the SE ¼, Section 21, Township 50 North, Range 14 West, St. Louis County, Minnesota, centerline described as follows:

Commencing at the southwest corner of the SE ¼ of said Section 21; thence North 00 degrees 33 minutes 27 seconds East, assumed bearing along the west line of the SE ¼ of said Section 21, 326.64 feet to a point on the south line of the North 2.50 feet of the S ½ of the SW ¼ of the SE ¼ of said Section 21, said point also being the point of beginning of the easement centerline herein described; thence North 89 degrees 41 minutes 08 seconds East, along last said south line, 936.52 feet; thence North 79 degrees 15 minutes 54 seconds East, 149.81 feet; thence South 84 degrees 11 minutes 36 seconds East, 20.00 feet to an existing building and said centerline there terminating.

The sidelines of said easement should be lengthened or shortened to terminate at the easterly right-of-way line of Blackman Avenue and at a particular existing building;

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$880 land use fee, \$500 appraisal fee and \$46 recording fee; for a total of \$1,426 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-604

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, Forest Ridge Estates, LLC, of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HERMANTOWN

LOT 7, BLOCK 1

FOREST RIDGE ESTATES CITY OF HERMANTOWN

Parcel Code: 395-0086-00070; 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 Forest Ridge Estates, LLC, of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$3,919.75, service fee of \$114, deed tax of \$12.94, deed fee of \$25, and recording fee of \$46; for a total of \$4,117.69, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-605

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, Forest Ridge Estates, LLC, of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HERMANTOWN
LOT 9 BLOCK 1
FOREST RIDGE ESTATES CITY OF HERMANTOWN
Parcel Code: 395-0086-00090; 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 Forest Ridge Estates, LLC, of Duluth, MN, on file in County Board File No. 59798, subject to payments including total taxes and assessments of \$3,857.27, service fee of \$114, deed tax of \$12.73, deed fee of \$25, and recording fee of \$46; for a total of \$4,055, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted November 4, 2014. No. 14-606

WHEREAS, The Public Works Department equipment budget includes replacement of heavy duty single axle trucks for bridge project operations; and

WHEREAS, County Board Resolution No. 14-541 authorized the purchase of two (2) 2015 Mack GU432 single axle heavy duty trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$158,230.40; and

WHEREAS, The resolution did not include the applicable 6.5% Minnesota State Sales Tax in the amount of \$10,284.97 for a total cost of \$168,515.37 for this purchase;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of two (2) 2015 Mack GU432 single axle heavy duty trucks from Twin Cities Mack & Volvo of Roseville, MN, at the State of Minnesota contract price of \$158,230.40, plus 6.5% Minnesota State Sales Tax of \$10,284.97 for a total cost of \$168,515.37, payable from Fund 441, Agency 441001, Object 666300;

RESOLVED FURTHER, That County Board Resolution No. 14-541, dated October 14, 2014, is rescinded.

Adopted November 4, 2014. No. 14-607

WHEREAS, The Public Works Department's 2014 equipment budget includes replacement of six (6) tandem trucks for snow and ice control, and for hauling gravel; and

WHEREAS, County Board Resolution No. 14-548 authorized the purchase of six (6) 2015

Mack GU713 tandem axle diesel trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$662,559.72; and

WHEREAS, The resolution did not include the applicable 6.5% Minnesota State Sales Tax in the amount of \$43,066.38 for a total cost of \$705,626.10 for this purchase;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of six (6) 2015 Mack GU713 tandem trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$705,626.10, payable from Fund 407, Agency 407001, and Object 666300;

RESOLVED FURTHER, That County Board Resolution No. 14-548, dated October 14, 2014, is rescinded.

Adopted November 4, 2014. No. 14-608

RESOLVED That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, including any amendments approved by the County Attorney, with the City of Ely for sanitary sewer and water system construction, street lighting and storm sewer cost participation, and maintenance on County State Aid Highway (CSAH) 155/8th Avenue, SAP 069-755-001, CP 0155-194358, whereby the city will pay the "City of Ely Non-Participating" local share items listed in the construction plan. The funds from the city for this project will be receipted into Fund 220, Agency 220333, Object 551538.

Adopted November 4, 2014. No. 14-609

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, including any amendments approved by the County Attorney, with the City of Orr for sanitary sewer system construction on County State Aid Highway (CSAH) 23, SAP 69-623-033, CP 0023-230031, whereby the city will pay the "City of Orr Non-Participating" local share items listed in the construction plan. The funds from the city for this project will be receipted into Fund 220, Agency 220332, Object 551588.

Adopted November 4, 2014. No. 14-610

WHEREAS, The St. Louis County Public Works Department plans to reclaim and overlay County State Aid Highway (CSAH) 90/Arlington Avenue in Duluth from the south end of Trinity Road to CSAH 32/Arrowhead Road; and

WHEREAS, The total length of the federally funded project is approximately 2.75 miles; and

WHEREAS, The improvement consists of a reclaim and overlay, and is determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, In addition to the existing highway right of way, certain lands are required for this project, together with potential temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and right of way, payable from Fund 200, Agency 203001;

RESOLVED FURTHER, That pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant the necessary permanent highway easements across tax forfeited lands and temporary construction easements for the project.

Adopted November 4, 2014. No. 14-611

WHEREAS, The St. Louis County Board appoints citizens to serve on the Civil Service

Commission; and

WHEREAS, The resignation of Mr. Clemenson has created a vacancy of the alternate member on this commission; and

WHEREAS, The Human Resources Department desires to fill this position;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to advertise and accept applications until December 5, 2014, for the vacant position on the Civil Service Commission.

Adopted November 4, 2014. No. 14-612

WHEREAS, The Department of Homeland Security has made funding available to the Port of Duluth/Superior under the FY 2014 Port Security Grant Program; and

WHEREAS, The term of the grant is 24 months and the majority of the work would be done in 2015; and

WHEREAS, The Sheriff's Office is eligible to receive funding under this grant for investments important to increasing Port Security while strengthening core services;

THEREFORE, BE IT RESOLVED That the St. Louis County Board authorizes the application and acceptance of the 2014 Port Security grant from the United States Department of Homeland Security in the amount of \$554,960 with a match of \$138,740;

RESOLVED FURTHER That the grant in the amount of \$554,960 will be accounted for in Fund 100, Agency 129999, Grant 12938, Year 2014;

RESOLVED FURTHER That of the \$138,740 match, \$48,740 will be accounted for in Fund 100, Agency 129003, Object 666200; \$32,500 accounted for in Fund 100, Agency 136001, Object 659900; and \$57,500 accounted for in Fund 100, Agency 136001, Object 657900;

RESOLVED FURTHER That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2014 Homeland Security Port Grant as approved by the St. Louis County Attorney.

Adopted November 4, 2014. No. 14-613

WHEREAS, The St. Louis County Board of Commissioners, under and pursuant to Minn. Stat. § 373.40, has previously approved a Capital Improvement Plan with annual amendments, including the years 2013 through 2017; and

WHEREAS, St. Louis County has prepared an amendment to the Capital Improvement Plan for the years 2014 through 2018;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 373.40, the St. Louis County Board authorizes a public hearing to be held on Tuesday, December 2, 2014, at 9:45 a.m. at the St. Louis County Courthouse, Duluth, MN, for the purpose of receiving citizen comments on the proposed Amendment to the Capital Improvement Plan.

Adopted November 4, 2014. No. 14-614

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. 59866, is approved and the County Auditor is authorized to issue the license as follows:

Keith/Lois Nelson d/b/a At Your Convenience, Fayal Township, Tobacco Products License No. T154, *RENEWAL*;

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

Yeas – Commissioners Jewell, Boyle, Dahlberg, Stauber, Raukar and Chair Forsman - 6

Nays – None

Abstained – Commissioner Nelson – 1

Adopted November 4, 2014. No. 14-615

WHEREAS, The St. Louis County Board appoints citizens to serve on the St. Louis County Planning Commission; and

WHEREAS, There are two (2) vacancies on the Planning Commission to be filled through an advertised application process; and

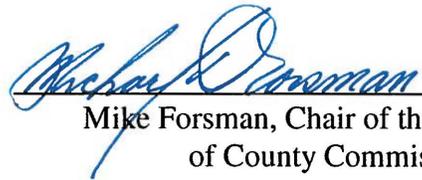
WHEREAS, One member, Sonya Pineo, is eligible for reappointment and wishes to be reappointed to a three-year term expiring December 31, 2017;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reappoints Sonya Pineo to the Planning Commission for a term expiring December 31, 2017; and

RESOLVED FURTHER, That the County Auditor is authorized to advertise and accept applications for two (2) vacancies on the Planning Commission until December 5, 2014.

Adopted November 4, 2014. No. 14-616

At 12:40 p.m., November 4, 2014, Commissioner Jewell, supported by Commissioner Raukar, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Mike Forsman, 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)