



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

March 24, 2015
Immediately following the Board Meeting, which begins at 9:30 A.M.
Comet Theater, 102 South River Street, Cook, MN

Directions: Highway 53 North to Cook. Turn right/north on River Street, proceed two blocks. The Comet Theater is on the right (across from City Hall).

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 March 10, 2015

Environment & Natural Resources Committee, Commissioner Rukavina, Chair

1. Final Plat Approval – Coot Creek Estates (Unorganized Township 56-13) [15-110]
2. Repurchase of State Tax Forfeited Land – Narum/Norton, Johnson [15-111]

Public Works & Transportation Committee, Commissioner Raukar, Chair

3. Acquisition of Right of Way for CP 213066 by Eminent Domain Proceedings (Owens Township) [15-112]

Finance & Budget Committee, Commissioner Nelson, Chair

4. County-wide Elevator Maintenance Contract [15-113]
5. Lawful Gambling Application (Unorganized Township 55-21) [15-114]

Public Safety & Corrections Committee, Commissioner Dahlberg, Chair

6. Agreement with Tiburon, Inc. for Upgraded CAD System [15-115]

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.

Public Works & Transportation Committee, Commissioner Raukar, Chair

1. **Award of Bids: Crack Sealing and Repair Projects/Reconditioning Project on CSAH 103** [15-116]
 - A. **Crack Sealing and Repair Projects (City of Duluth, Various Townships and Carlton County)**
Resolution awarding five tied county projects to Scott Construction, Inc., of Lake Delton, WI for the low bid of \$1,398,103.20.
 - B. **Award of Bids: Reconditioning Project on CSAH 103 (Virginia)**
Resolution awarding County Project 0103-190856 to low bidder Mesabi Bituminous, Inc., of Gilbert, MN for the low bid of \$448,761.97.
2. **Minnesota Pollution Control Agency Stipulation Agreement (Haines Road Project)** [15-117]
Resolution authorizing agreements with the Minnesota Pollution Control Agency and Hammerlund Construction Inc.

Central Management & Intergovernmental Committee, Commissioner Jewell, Chair

1. Resolution Requesting Changes in Legislative Decisions Affecting Distribution of the Taconite Production Tax [15-118]

Resolution requesting the legislature to restore the \$.05 per ton Taconite Production Tax distribution to counties.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

Commissioners may introduce items for future discussion, or report on past and upcoming activities.

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

April 7, 2015 **St. Louis County Courthouse, Duluth, MN**

April 14, 2015 **Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN**

April 28, 2015 **Camp Esquagama, 4913 Pine Lane, Gilbert, MN**

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

March 10, 2015

Location: St. Louis County Courthouse, Duluth, Minnesota

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

Absent: None

Convened: Chair Stauber called the meeting to order at 3:12 p.m.

CONSENT AGENDA

Nelson/Dahlberg moved to approve the consent agenda without Item #4, Force Account Agreement with MNDOT for Curve Warning Signing Project [15-99] and without Item #5, Force Account Agreement with MnDOT for Rural Intersection Lighting Project [15-100]. Commissioner Rukavina exited the meeting at 3:15 p.m. The motion passed. (6-0, Rukavina absent)

- Minutes of March 3, 2015
- Agreements with Lake County, Cities of Eveleth, Proctor and Virginia for 2015 Maintenance Striping [15-96]
- Agreement with Lake County for 2015 State Aid Pavement Marking Project [15-97]
- Agreements with Cities of Biwabik, Chisholm, Floodwood, Grand Lake and Rice Townships and Lake County for 2015 Crack Sealing [15-98]
- CDBG Planning Grant – City of Proctor [15-101]
- Sale of Non-Conforming Fee Land to Adjoining Property Owner (Midway Township) [15-102]
- Reallocation of Information Specialist I to Information Specialist II – Assessor's Office [15-103]

ESTABLISHMENT OF PUBLIC HEARINGS

Nelson/Jewell moved to establish a public hearing at 9:40 a.m., on Tuesday, April 7, 2015, in the St. Louis County Courthouse, Duluth, MN, for the consideration of an alleged liquor law violation and, if proven, the suspension or revocation of the liquor licenses issued to Arrowhead Lodge, Inc., d/b/a Arrowhead Lodge & Resort, Kabetogama Township, and/or the imposition of civil penalties for the violation [15-104]. The motion passed. (6-0, Rukavina absent)

Nelson/Jewell moved to establish a public hearing at 9:40 a.m., on April 14, 2015, in the Gnesen Town Hall, Duluth, MN, for the purpose of considering the issuance of an Off-Sale Intoxicating Liquor License to The Pines of Kabetogama, LLC d/b/a The Pines of Kabetogama Resort, Kabetogama Township [15-105]. The motion passed. (6-0, Rukavina absent)

REGULAR AGENDA

Public Works & Transportation Committee

Raukar/Nelson moved to authorize an agreement, and any amendments authorized by the County Attorney, with LHB Corp. of Duluth, MN, for design services for the reconstruction of seventeen (17) bridges listed below. The total cost of these services is \$787,959. [15-106] St. Louis County Public Works Director Jim Foldesi discussed the projects. After further discussion, the motion passed. (6-0, Rukavina absent)

Br 194 on CR 209	Br 197 on CR 196	Br 209 on CR 189	Br 221 on CSAH 52
Br 261 on CR 185	Br 344 on UT 8121	Br 355 on CR 597	Br 361 on CSAH 24
Br 367 on CSAH 116	Br 369 on CR 779	Br 650 on CR 916	Br 655 on CR 937
Br 657 on CR 938	Br 705 on CR 540	Br 709 on CR 769	Br 726 on UT 8128
Br 773 on CR 642			

Raukar/Nelson moved to award a bid to Ulland Brothers, Inc., of Cloquet, MN, in the amount of \$769,900.00 for project CP 0180-2399935 TST located on CR 180/Elephant Lake Road between TH 53 and the boat ramp at Black Duck Lake in Leiding Township, length 13.4 miles [15-107]. The motion passed. (6-0, Rukavina absent)

Raukar/Jewell moved that pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation be appointed as agent of St. Louis County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects. The St. Louis County Board Chair, Auditor, Highway Engineer/Public Works Director, and an appropriate County Attorney representative are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement, and approve any amendments approved by the County Attorney, with the Commissioner of Transportation prescribing terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1000186”, a copy of which said agreement was before the County Board and which is made a part hereof by reference. This project is identified as SP 069-070-013, CP 0000-187063, Curve Warning Signing Project [15-99]. The motion passed without recommendation for consideration at the March 24, 2015 Board meeting. (6-0, Rukavina absent)

Raukar/Dahlberg moved that pursuant to Minn. Stat. Section 161.36, the Commissioner of Transportation be appointed as agent of St. Louis County to accept, as its agent, federal aid funds which may be made available for eligible transportation related projects. The St. Louis County Board Chair, Auditor, Highway Engineer/Public Works Director, and an appropriate County Attorney representative are hereby authorized and directed for and on behalf of the county to execute and enter into an agreement, and approve any amendments approved by the County Attorney’s Office with the Commissioner of Transportation prescribing terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1000187”, a copy of which said agreement was before the County Board and which is made a part hereof by reference. This project is identified as SP 069-070-015, CP 0000-187066, Rural Intersection Lighting Project [15-100]. The motion passed without recommendation for consideration at the March 24, 2015 Board meeting. (6-0, Rukavina absent)

Central Management & Intergovernmental Committee

Raukar/Nelson moved to confirm the appointment of Steven K. Manninen as the St. Louis County Mine Inspector, Civil Service Supervisory bargaining unit, pay grade E24, step 1, \$25.12/hour for a three-year term, effective March 24, 2015 through March 24, 2018. The Mine Inspector, before entering upon duties, shall take and subscribe the oath required, as stipulated in Minn. Stat. 180.02 [15-108]. The motion passed without recommendation for consideration at the March 24, 2015 Board meeting. (6-0, Rukavina absent)

COMMISSIONER DISCUSSION ITEMS

Commissioner Nelson said that today is Township Day and stated that he would be attending tonight's Fayal Township meeting.

Chair Stauber talked about a recent meeting he and Commissioner Nelson had with City of Duluth Council President Emily Larson. Chair Stauber said that a joint meeting (St. Louis County Board and the City of Duluth City Council) will be held the evening of May 4, 2015.

Commissioner Jewell said that the Heart of the Continent geotourism website kick-off will take place next Thursday at 10:00 a.m. at Glensheen Mansion in Duluth, MN.

At 3:49 p.m., Dahlberg/Jewell moved to adjourn the Committee of the Whole meeting. The motion passed. (6-0, Rukavina absent)

Pete Stauber, Chair of the County Board

Phil Chapman, Clerk of the County Board

BOARD LETTER NO. 15 - 110

ENVIRONMENT & NATURAL RESOURCES COMMITTEE
CONSENT NO. 1

BOARD AGENDA NO.

DATE: March 24, 2015 **RE:** Final Plat Approval – Coot
Creek Estates (Unorganized
Township 56-16)

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

Donald Dicklich
County Auditor/Treasurer

RELATED DEPARTMENTAL GOAL:

Financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to grant final approval to the plat of Coot Creek Estates.

BACKGROUND:

Since the 1950s, St. Louis County has administered a shoreland leasing program on state tax forfeited lands. County Board Resolution No. 11-559, dated November 1, 2011, directed the Land Commissioner to pursue special legislation to sell these riparian lands. The subsequent legislation, Minnesota Session Laws, 2012, Chapter 236, Section 28, authorizes St. Louis County to sell tax forfeited shoreland parcels currently under lease, and directs that the parcels be surveyed, appraised and offered for sale to the current lease holder. Where suitable, the parcels are being created by subdivision.

The preliminary plat of Coot Creek Estates is located in Sections 24 and 25, Unorganized Township 56 North, Range 16 West. The plat consists of 44 occupied lots and 1 vacant lot on Long Lake. The lots range from 0.61 acres to 1.29 acres, with an average size of .84 acres. The total area being platted is approximately 42.97 acres. The surveyor has submitted the final print which complies with the requirements of the County Surveyor.

RECOMMENDATION:

It is recommended that the St. Louis County Board grant final approval to the plat of Coot Creek Estates.

Final Plat Approval – Coot Creek Estates (Unorganized Township 56-16)

BY COMMISSIONER _____

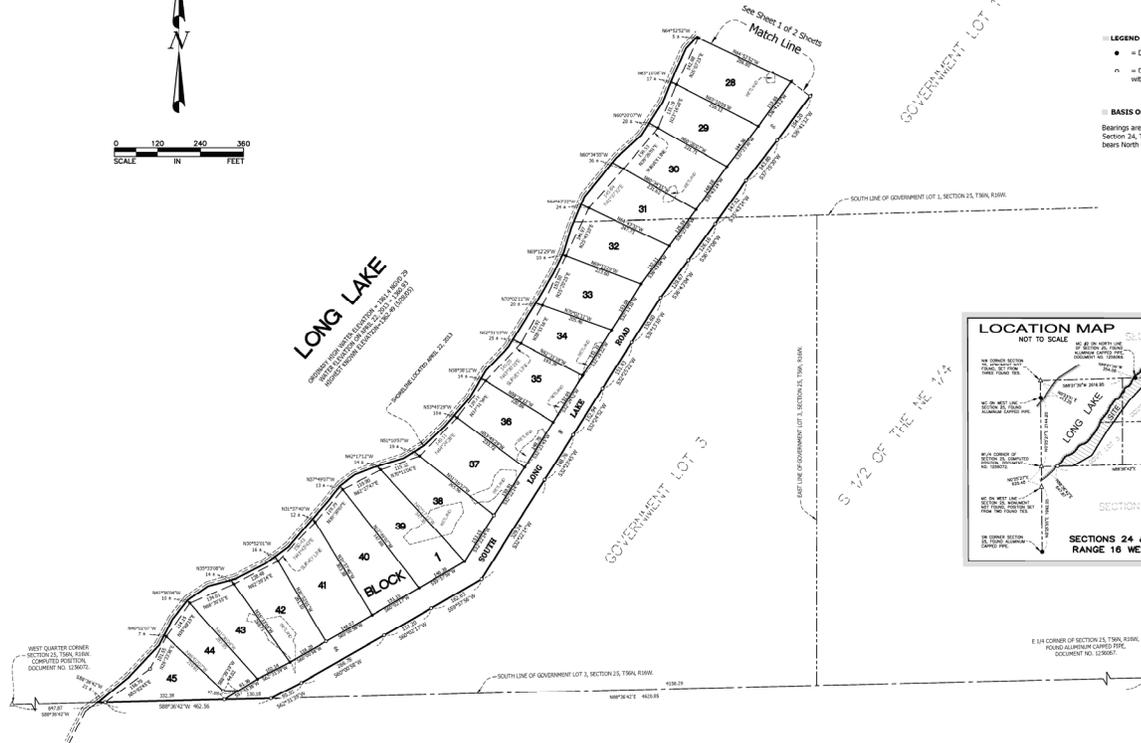
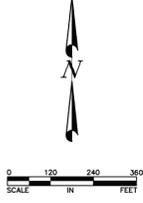
WHEREAS, Minnesota Session Laws, 2012, Chapter 236, Section 28, authorizes St. Louis County to sell tax forfeited shoreland parcels to current leaseholders, and directs that the parcels be surveyed and appraised prior to sale; and

WHEREAS, The final print of Coot Creek Estates plat has been submitted and conforms with the requirements of the St. Louis County Surveyor;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of Coot Creek Estates, located in Sections 24 and 25, Unorganized Township 56 North, Range 16 West.

COOT CREEK ESTATES

Located in the Government Lot 6, Section 24, the NE 1/4 of the NE 1/4, Section 25, Government Lots 1 and 3, Section 25, all in Township 56 North, Range 16 West, St. Louis County, Minnesota.

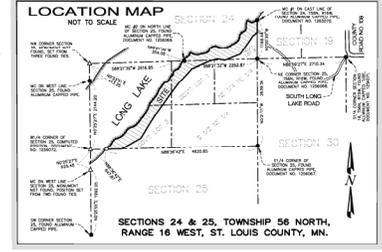


LEGEND

- Denotes Found Iron Monument.
- Denotes 1/2" iron monument set and marked with cap inscribed with "T94 R16W 21401"

BASIS OF BEARING

Bearings are based on the east line of Government Lot 6, Section 24, Township 56 North, Range 16 West, which bears north 0 degrees 00 minutes 35 seconds West.



JPI Engineering, Inc.
303 EAST 15TH STREET, MINNEAPOLIS, MN 55414
763-462-4001 • www.jpi.com

Richard Narum and Emily Norton, Duluth, MN

Parcel Code	010-1270-01320
Taxes and Assessments	\$18,251.50
Service Fees	\$114.00
Deed Tax	\$60.23
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$18,496.73

Randal and Kelly Jo Johnson, Duluth, MN

Parcel Code	280-0013-00850
Taxes and Assessments	\$7,267.06
Service Fees	\$114.00
Deed Tax	\$23.98
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$7,476.04

Repurchase of State Tax Forfeited Land – Narum/Norton

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicants, Richard Narum and Emily Norton of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
LOTS 125 AND 127, BLOCK 35
DULUTH PROPER THIRD DIVISION
010-1270-01320

WHEREAS, The applicants were the owners of record at the time of forfeiture and are 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 Richard Narum and Emily Norton of Duluth, MN,, on file in County Board File No.____, subject to payments including total taxes and assessments of \$18,251.50, service fee of \$114, deed tax of \$60.23, deed fee of \$25, and recording fee of \$46; for a total of \$18,496.73, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Richard Narum & Emily Norton, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF DULUTH, LOTS 125 AND 127, BLOCK 35, DULUTH PROPER THIRD DIVISION

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2010 and remained delinquent and unpaid for the subsequent years of: 2011,2012,2013,2014

That pursuant to Minnesota Statutes, the total cost of repurchase \$18,390.92 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that: applicant to state reasons why taxes were not paid.

Loss of income due to economic down turn/recession.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s): Richard Narum and Emily Norton
Are you currently in active military service? No

If you have been discharged within the last 6 months, provide discharge date _____ and documentation. Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: Mar 4 2015

By: [Signature]
(Signature)

Address: Box 3512
City: DULUTH State: MN Zip: 55803
Phone: 218 390 6930



**St. Louis County Land Department
Tax Forfeited Land Sales**

Repurchase of Property

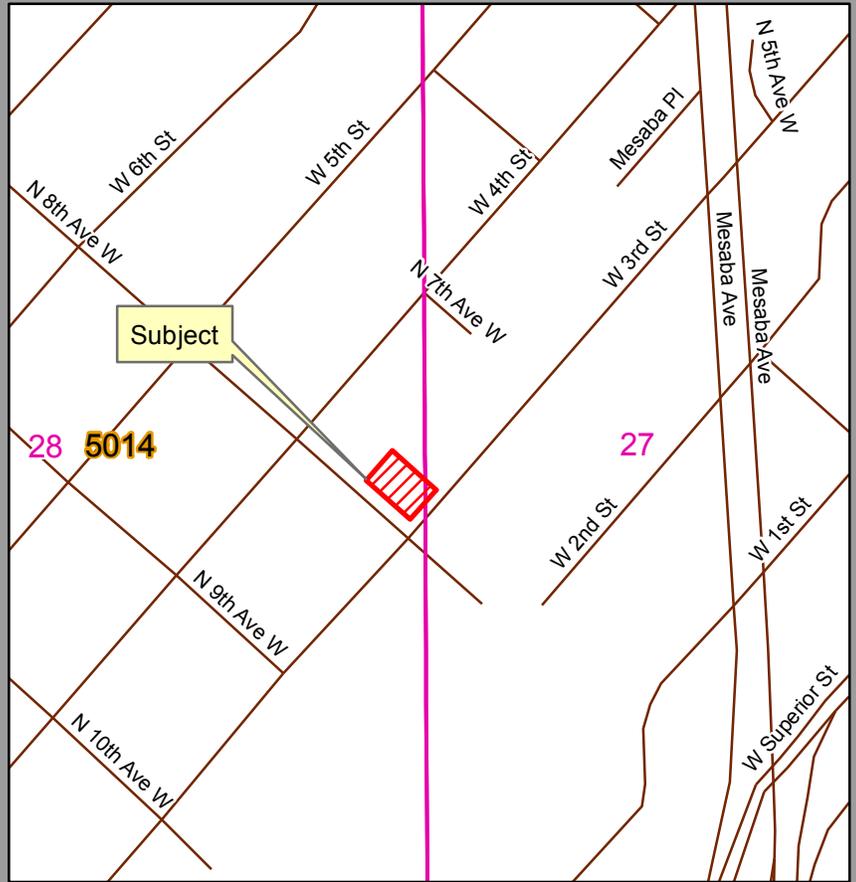
Legal : CITY OF DULUTH
LOTS 125 AND 127, BLOCK 35
DULUTH PROPER THIRD DIVISION

Parcel Code : 010-1270-01320

LDKEY : 120405

Acres: .34

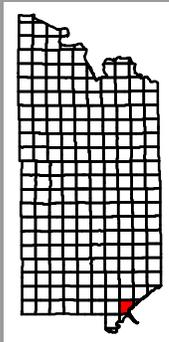
Address: 729 W 3RD ST
DULUTH 55806



City of Duluth Sec: 28 Twp: 50 Rng: 14

Commissioner District # 1

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land Department**

March 2015



2003 NAIP Photo

Repurchase of State Tax Forfeited Land – Johnson

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax forfeited land may be repurchased by the previous owners subject to payment of delinquent taxes and assessments, with penalties, costs, and interest; and

WHEREAS, The applicants, Randal and Kelly Jo Johnson of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

TOWN OF CANOSIA

N1/2 OF S1/2 OF SW1/4 OF NW 1/4

SEC: 20 TWP: 51 RGE: 15

280-0013-00850

WHEREAS, The applicants were the owners of record at the time of forfeiture and are 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 Randal and Kelly Jo Johnson of Duluth, MN,, on file in County Board File No.____, subject to payments including total taxes and assessments of \$7,267.06, service fee of \$114, deed tax of \$23.98, deed fee of \$25, and recording fee of \$46; for a total of \$7,476.04, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Randal & Kelly Jo Johnson, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

TOWN OF CANOSIA, N1/2 OF S1/2 OF SW1/4 OF NW 1/4, Sec 20 Twp 51 Rge 15

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2008 and remained delinquent and unpaid for the subsequent years of: 2009,2010,2011,2012,2013,2014

That pursuant to Minnesota Statutes, the total cost of repurchase \$7,432.83 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that: applicant to state reasons why taxes were not paid.

Health Issues.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate
- Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s):

Are you currently in active military service? NO

If you have been discharged within the last 6 months, provide discharge date and documentation. Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 3-11 2015

By: Kelly J. Johnson (Signature)

Address: 5214 Midway Rd
City: Duluth State: MN Zip: 55811
Phone: 218-213-4955



**St. Louis County Land Department
Tax Forfeited Land Sales**

Repurchase of Property

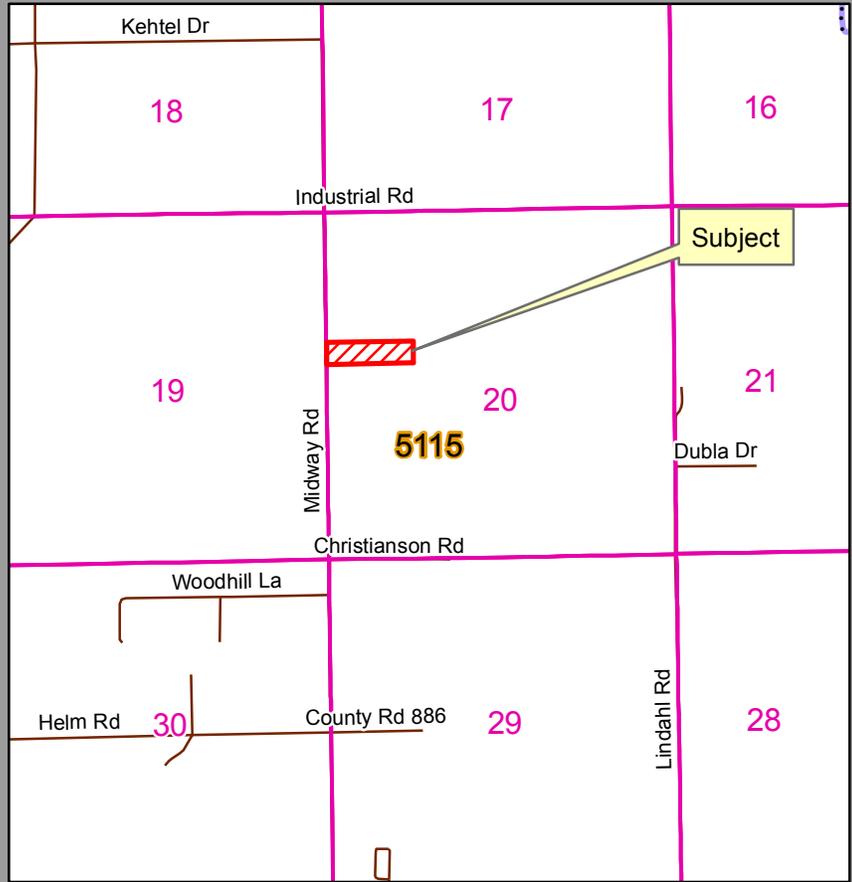
Legal : TOWN OF CANOSIA
N1/2 OF S1/2 OF SW1/4 OF NW 1/4,
Sec 20 Twp 51 Rge 15

Parcel Code : 280-0013-00850

LDKEY : 120600

Acres: 10

Address: 5214 Midway Rd
Duluth, MN 55811

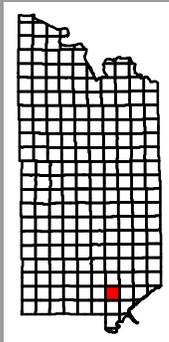


Town of Canosia

Sec: 20 Twp: 51 Rng: 15

Commissioner District # 5

-  State Tax Forfeited Land
-  Water
-  Road
-  Area of Interest
-  Tract

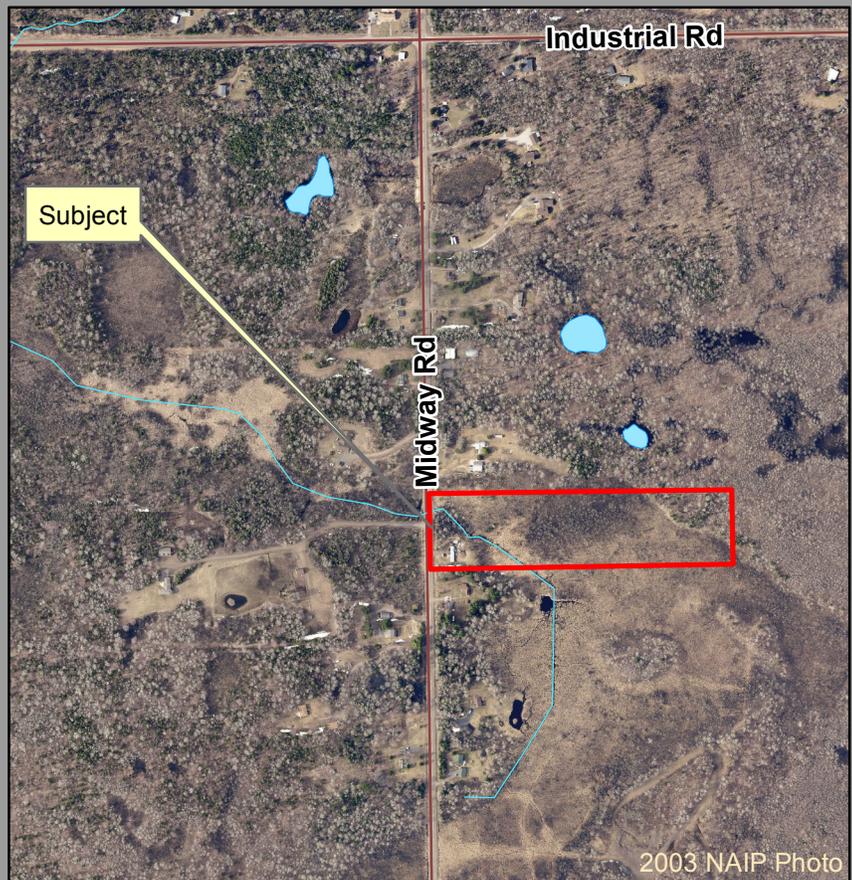


St. Louis County, Minnesota

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**St. Louis County
Land Department**

March 2015



2003 NAIP Photo

BOARD LETTER NO. 15 – 112

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 3

BOARD AGENDA NO.

DATE: March 24, 2015 **RE:** Acquisition of Right of Way for
CP 213066 by Eminent Domain
Proceedings (Owens Township)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

To provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the acquisition of the remaining necessary right of way for construction of County Project (CP) 0431-213066, State Aid Project (SAP) 069-598-059, through eminent domain proceedings.

BACKGROUND:

The St. Louis County Public Works Department plans to replace the existing County Bridge 323 (State Bridge 7885) over the Little Fork River and reconstruct approximately 350 feet of County Road (CR) 431/Short Road within Owens Township approximately 3.5 miles east of Cook. The right of way necessary for this project has not yet been acquired by negotiation and direct purchase. Acquiring the additional right of way by eminent domain will allow for the timely construction of this project.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the County Attorney to acquire the right of way necessary for the project through eminent domain proceedings payable from Fund 200, Agency 203001.

**Acquisition of Right of Way by Eminent Domain Proceedings for
CP 213066 (Owens Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department plans to replace the existing County Bridge 323 (state bridge 7885) over the Little Fork River and reconstruct approximately 350 feet of County Road 431/Short Road (County Project 213066) within Owens Township; and

WHEREAS, The following described parcels of needed right of way have not yet been acquired by negotiation and direct purchase:

Parcel 1 **Owners and Interests:**

Kurt Bradley Johnson, and Linda Johnson, husband and wife
as joint tenants
3616 Oak Creek Terrace
Vadnais Heights, MN 55127

Property Legal Description:

The Southeast Quarter (SE 1/4) of Section Fifteen (15), Township Sixty-two (62), Range Eighteen (18).

Parcel Identification Number 495-0010-01510 (abstract property)

Rights to be acquired:

A PERMANENT EASEMENT for Highway Purposes over, under, and across that part of the above described property lying west of a line fifty (50) feet east of, and parallel with, the following described line:

Commencing at the southwest corner of the NW1/4 of SE1/4 of Section Fifteen (15), Township Sixty-two (62) North, Range Eighteen (18) West of the Fourth Principal Meridian; thence North 00 degrees 21 minutes 49 seconds West, assumed bearing, along the west line of said NW1/4 of SE1/4, a distance of 144.17 feet; thence North 89 degrees 38 minutes 11 seconds East, a distance of 6.26 feet to the Point of Beginning of the line to be described; thence North 00 degrees 17 minutes 58 seconds West, a distance of 289.37 feet; thence northerly a distance of 60.63 feet along a tangential curve concave to the west, having a radius of 11,460.00 feet, a central angle of 00 degrees 18 minutes 11 seconds and said line there terminating.

Described easement area contains approximately 0.46 acres, of which 0.32 acre is existing roadway and 0.14 acre is new highway right of way.

Parcel 2

Owners and Interests:

Joshua A. Svedberg, a single person

Owner/Mortgagor

1773 Short Road

Cook, MN 55723

Doyle A. Svedberg & Ilona S. Svedberg, husband and wife

Mortgagor

9001 Highway 115

Cook, MN 55723

Cook Area Credit Union, Mortgagee

P.O. Box 1058

Cook, MN 55723

Northern State Bank, Mortgagee

600 Chestnut Street

Virginia, MN 55792

Property Legal Description:

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4), Section Fifteen (15), Township Sixty-two (62) North of Range Eighteen (18) West of the Fourth Principal Meridian commencing at a point eight hundred feet (800') South of the Northeast corner of the said NE 1/4 of SW 1/4, which shall be designated the point of beginning; thence going West a distance of five hundred forty-five feet (545') on a line parallel to the North boundary line of said forty; thence going South a distance of four hundred feet (400') on a line parallel to the East boundary line of said forty; thence going East a distance of five hundred forty-five feet (545') on a line parallel to the North boundary line of said forty and extending to the East boundary line thereof; thence along said East boundary line of said forty in a northerly direction a distance of four hundred feet (400') to the point of beginning. Said parcel containing approximately 5.004 acres more or less.

Parcel Identification Number 495-0010-01472 (abstract property)

Rights to be acquired:

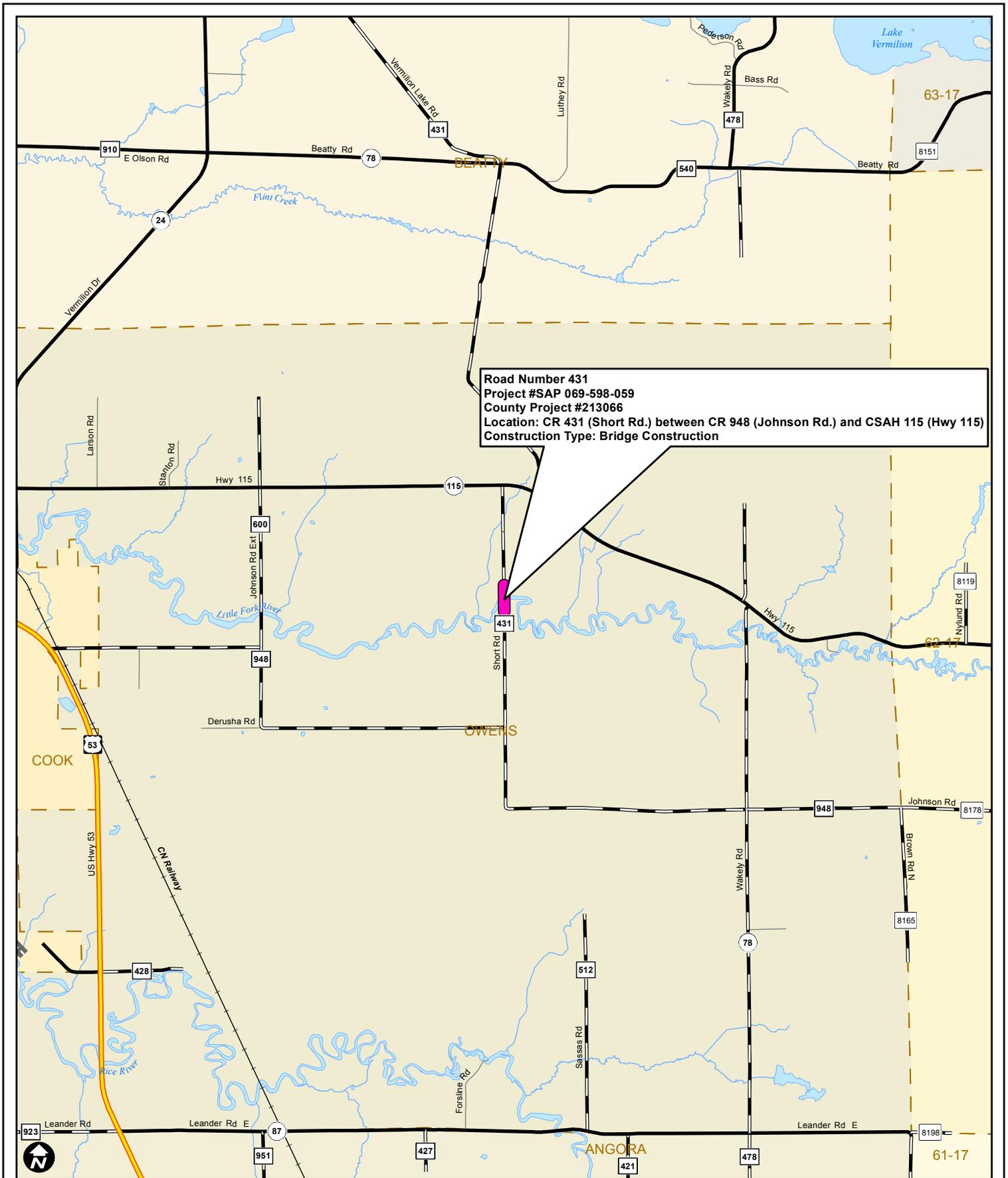
PERMANENT EASEMENT for Highway Purposes, over, under, and across all that part of the above described property lying east of a line fifty (50) feet west of, and parallel with, the following described line:

Commencing at the southeast corner of the NE1/4 of SW1/4 of Section Fifteen (15), Township Sixty-two (62) North, Range Eighteen (18) West of the Fourth Principal Meridian; thence North 00 degrees 21 minutes 49 seconds West, assumed bearing, along the east line of said NE1/4 of SW1/4, a distance of 144.17 feet; thence North 89 degrees 38 minutes 11 seconds East, a distance of 6.26 feet to the Point of Beginning of the line

to be described; thence North 00 degrees 17 minutes 58 seconds West, a distance of 289.37 feet; thence northerly a distance of 60.63 feet along a tangential curve concave to the west, having a radius of 11460.00 feet, a central angle of 00 degrees 18 minutes 11 seconds and said line there terminating.

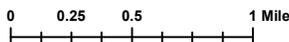
Described easement area contains approximately 0.35 acres, of which 0.21 acres is existing roadway and 0.14 acres is new highway right of way.

THEREFORE, BE IT RESOLVED, That pursuant to Minnesota Statute Chapter 163.02 et.al., the St. Louis County Board authorizes the County Attorney to proceed under Minnesota Statutes Chapter 117.02 et. al., to acquire the remaining necessary highway right of way by condemnation proceedings, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.



Road Number 431
Project #SAP 069-598-059
County Project #213066
Location: CR 431 (Short Rd.) between CR 948 (Johnson Rd.) and CSAH 115 (Hwy 115)
Construction Type: Bridge Construction

St. Louis County 2015 Road & Bridge Construction



Map Components

- | | | |
|---------------------------------|----------------------------------|-------------------|
| 2015 Road & Bridge Construction | County/Unorg. Twp. Road - Paved | Township Boundary |
| Bridge Construction | County/Unorg. Twp. Road - Gravel | City/Town |
| Interstate Highway | Local Road/City Street | Lake |
| U.S./State Highway | Railroad | River/Stream |
| | Commissioner District | |

BOARD LETTER NO. 15 - 113

FINANCE & BUDGET COMMITTEE CONSENT NO. 4

BOARD AGENDA NO.

DATE: March 24, 2015

RE: County-wide Elevator
Maintenance Contract

FROM: Kevin Z. Gray
County Administrator

Donna Viskoe
Procurement Manager

RELATED DEPARTMENT GOAL:

Provide efficient and legally compliant purchasing and contracting functions.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the county-wide elevator maintenance contract.

BACKGROUND:

The Purchasing Division issued Request for Bids #5216 which opened on March 6, 2015. Results of the bid on an annual basis are as follows:

Minnesota Elevator, Inc - Duluth, MN	\$ 39,960.00
ThyssenKrupp Elevator - Duluth, MN	\$106,800.00
Schindler – Duluth, MN (Bid 1)	\$ 63,660.00
Schindler – Duluth, MN (Bid 2)	\$ 43,740.00

Funding for the service would breakdown as follows:

<u>Department</u>	<u>Fund</u>	<u>Agency</u>	<u>Object</u>	<u>Total</u>
Public Works:	200	202002	630900	\$360.00
Property Management:				
Duluth Courthouse	100	128002	630900	\$13,200.00
Government Services Center	100	128003	630900	\$5,760.00
Public Safety Building	100	128015	630900	\$2,880.00
Northland Office Center	100	128006	630900	\$3,600.00
Virginia Courthouse	100	128008	630900	\$3,600.00
Jail	100	128009	630900	\$1,920.00
Hibbing Courthouse	100	128004	630900	\$4,800.00
Hibbing Annex Depot	100	128013	630900	\$960.00
		TBD		\$2,880.00
Annual Total				\$39,960.00
Two Year Total				\$79,920.00

RECOMMENDATION:

It is recommended the St. Louis County Board approve a two year contract with Minnesota Elevator, Incorporated, 802 Garfield Avenue, Duluth, MN, for elevator maintenance.

County-wide Elevator Maintenance Contract

BY COMMISSIONER _____

WHEREAS, The current contract expires March 31, 2015 with no further extension options; and

WHEREAS, The Purchasing Department issued a Request for Bids which opened on March 6, 2015 with Minnesota Elevator Incorporated of Duluth, MN, being the low responsible bidder;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a two year agreement with Minnesota Elevator, Inc., 802 Garfield Avenue, Duluth, MN 55802 for elevator maintenance in the amount of \$79,920, the option to extend for two additional one year periods upon mutual agreement of both parties, and authorization to add or delete elevators from the contract as may be required.

FUNDING: (annual)

<u>Department</u>	<u>Fund</u>	<u>Agency</u>	<u>Object</u>	<u>Total</u>
Public Works:	200	202002	630900	\$360.00
Property Management:				
Duluth Courthouse	100	128002	630900	\$13,200.00
Government Services Center	100	128003	630900	\$5,760.00
Public Safety Building	100	128015	630900	\$2,880.00
Northland Office Bldg	100	128006	630900	\$3,600.00
Virginia Courthouse	100	128008	630900	\$3,600.00
Jail	100	128009	630900	\$1,920.00
Hibbing Courthouse	100	128004	630900	\$4,800.00
Hibbing Annex Depot	100	128013	630900	\$960.00
		TBD		\$2,880.00
Annual Total				\$39,960.00
Two Year Total				\$79,920.00

Lawful Gambling Application (Unorganized Township 55-21)

BY COMMISSIONER _____

RESOLVED, That pursuant to Minn. Stat. 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Lawful Gambling License Application (Pull-tabs [paper] with dispensing device) on file in the office of the County Auditor, identified as County Board File No. _____, for the following organization:

Greenway Lions Club, Bovey, Minnesota, to operate out of the following:

Bil-Mar's Supper Club, Unorganized Township 55-21, 2132 Highway 73, Hibbing, MN 55746, new.

BOARD LETTER NO. 15 - 115

PUBLIC SAFETY & CORRECTION COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

DATE: March 24, 2015 **RE:** Agreement with Tiburon, Inc.
for Upgraded CAD System

FROM: Kevin Z. Gray
County Administrator

Ross Litman
County Sheriff

RELATED DEPARTMENT GOAL:

To enhance public safety.

ACTION REQUESTED:

The St. Louis County Board is requested to approve an upgrade agreement with Tiburon, Inc. of San Ramon, CA, for a Computer Aided Dispatch System.

BACKGROUND:

As part of a federal appropriation to provide a regional Computer Aided Dispatch (CAD) system, St. Louis County entered into an agreement with Tiburon, Inc., in 2006. Tiburon is upgrading its platform from 2.5 to 2.9, which will enhance the system by providing new reporting features, better file maintenance tables, changes in functionality for ease in use by dispatch, mobile data features, and will bring CAD to the current platform since 2.5 is obsolete. The total upgrade cost is \$77,140, and all CAD partners, including Carlton, Cook, Lake, Pine and St. Louis counties, will be billed accordingly based on population. St. Louis County's portion is \$35,167.94.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a new maintenance agreement with Tiburon, Inc., of San Ramon, CA, for an upgraded Computer Aided Dispatch System in the amount of \$35,167.94, to be accounted for in Fund 179, Agency 179001, Object 629900.

Agreement with Tiburon, Inc. for Upgraded CAD System

BY COMMISSIONER _____

WHEREAS, Tiburon, Inc., has been providing Computer Aided Dispatch (CAD) services to St. Louis County since 2006; and

WHEREAS, Tiburon's Computer Aided Dispatch 2.5 platform is obsolete and requires St. Louis County to upgrade to its 2.9 platform; and

WHEREAS, CAD partners Carlton, Cook, Lake, Pine, and St. Louis counties will pay the total cost of the upgrade in the amount of \$77,140 based on population;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a new maintenance agreement with Tiburon, Inc., of San Ramon, CA, for an upgraded Computer Aided Dispatch System in the amount of \$35,167.94, to be accounted for in Fund 179, Agency 179001, Object 629900;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the upgrades to Computer Aided Dispatch as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for NEMESIS through the Sheriff's Office.

BOARD LETTER NO. 15 – 116

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: March 24, 2015 **RE:** Award of Bids: Crack Sealing and Repair (Various Cities and Townships) and Reconditioning Project (Virginia)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

To provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an award of bids for crack sealing and crack repairs in various cities and townships in St. Louis County and a reconditioning project in Virginia.

BACKGROUND INFORMATION:

County staff is authorized under Resolution No. 88-381, dated May 24, 1988, to call for bids on projects which are already included in the budget document. Bids were requested for a tied project consisting of the following work:

- One rout and seal pavement crack/crack repair special/seal coat and fog seal project in Cedar Valley, Elmer, Meadowlands and Northland Townships,
- Two double seal coat and fog seal projects in Cedar Valley Township
- Four seal coat and fog seal projects in Carlton County (Carlton County projects)
- A chip seal project in the city of Duluth (City of Duluth project)
- A milling, bituminous, and reconditioning project in Virginia, MN

The projects will be funded with St. Louis County State Aid, Local St. Louis County funds, Carlton County funds, and City of Duluth funds. A call for bids was received by the St. Louis County Public Works Department on March 12, 2015, for the projects in accordance with the plans and specifications on file in the office of the County Highway Engineer:

- 1. Project:** **CP 0133-241417, SAP 069-733-028(Low);** CP 0184-241965; CP 0443-241966; CP 0251-249366, CP 0880-249523, CP 0000-246052 consisting of Carlton County Projects SAP 009-601-049(low), SAP 009-601-050, SAP 009-602-020, SAP 009-603-033;

CP 0000-246198 consisting of City of Duluth Project 1436, SAP 118-163-002

Location: Combined Project

A.) CP 0133-241417, SAP 069-733-028(Low) CSAH 133 from TH 73 to TH 53, length 23.978 miles (see attached map)
Traffic: 875
PQI: 1.6 to 3.7
Construction: Rout and Seal Bituminous Pavement Cracks, Crack Repair Special, Seal Coat and Fog Seal
Funding: Fund 220, Agency 220344, Object 652700

B.) CP 0184-241965 Tied - CR 184 (Floodwood River Road) from TH 73 to CSAH 18, length 2.728 miles (see attached map)
Traffic: 53
PQI: 1.1
Construction: Double Seal Coat, Seal Coat and Fog Seal
Funding: Fund 200, Agency 203348, Object 652800

C.) CP 0443-241966 Tied CR 443 (Merrill Road) from CR 184 (Floodwood River Road) to CSAH 18, length 0.646 miles (see attached map)
Traffic: 63
PQI: 0.5
Construction: Seal Coat, Seal Coat and Fog Seal
Funding: Fund 200, Agency 203349, Object 652800

D.) CP 0000-246052 Tied - Carlton County Projects CSAH 1 from CSAH 61 to St. Louis River Road (north county line), Length 4.068 miles, CSAH 1 from State Hwy 23 to T-82 (Seboe Road), Length 3.25 miles, CSAH 2 from CR 119 (Crosby Road) to CSAH 1 (Canosia Road), Length 2.97 miles, CSAH 3 from CSAH 4 to CSAH 1, length 3.99 miles
Traffic: N.A.
PQI: N.A.
Construction: Bituminous Seal Coat, Fog Seal, and Pavement Markings
Funding: Fund 220, Agency 220345, Object 652700

E.) CP 0000-246198 Tied City of Duluth Project 1436, SAP 118-163-002 From Woodland Avenue along Oxford St, Livingston Avenue, and Glenwood Street to Jean Duluth Road, length 0.987 miles
Traffic: N.A.
PQI: N.A.
Construction: Chip Seal
Funding: Fund 220, Agency 220347, Object 652700

F.) CP 0251- 249366 Tied CR 251 (Locust Road) from CR 277 to CSAH 44 (Normanna Road), length 0.9 miles

Traffic: N.A.
PQI: N.A.
Construction: Double Seal Coat and Fog Seal
Funding: Fund 200, Agency 203363, Object 652800

G.) CP 0880-249523 CR 880 (Leiste Road) from S. Termini to RR Tracks South of CSAH 6 (Maple Grove Road), length 0.79 miles

Traffic: N.A.
PQI: N.A.
Construction: Double Seal Coat and Fog Seal
Funding: Fund 200, Agency 203364, Object 652800
Anticipated Start Date: June 15, 2015
Anticipated Completion Date: August 10, 2015
Engineer's Estimate: \$1,672,464.96

BIDS:

Scott Construction, Inc., Lake Delton, WI	\$1,398,103.20 (-\$274,361.76, -16.40%)
Asphalt Surface Tech Corp. – ASTECH St. Cloud, MN 56302	\$1,465,586.70
Fahrner Asphalt Sealers, LLC Eau Claire, WI 54703	\$1,554,887.47

2. Project: **CP 0103-190856, SAP 069-703-013**
Location: CSAH 103 from TH 169 to 12th Avenue West in Virginia, MN, length 0.51 miles
Traffic: 5,097
PQI: 1.7
Construction: Mill Bituminous Surface, Mill Concrete Surface, Chip Seal, Plant Mixed Bituminous Surface and Curb and Gutter
Funding: Fund 220, Agency 220346, Object 652700
Anticipated Start Date: August 3, 2015
Anticipated Completion Date: September 4, 2015
Engineer's Estimate: \$474,501.00

BIDS:

Mesabi Bituminous, Inc., Gilbert, MN	\$448,761.97 (-\$25,739.03, -5.42%)
Ulland Bros, Inc., Cloquet, MN	\$489,970.24
KGM Contractors, Inc., Angora, MN	\$597,977.60

RECOMMENDATION:

It is recommended that the St. Louis County Board award the bids on the above listed projects as follows:

CP 0133-241417, SAP 069-733-028(Low) to Scott Construction, Inc., of Lake Delton, WI, in the amount of \$1,398,103.20 payable from:

Fund 220, Agency 220344, Object 652700, \$674,465.00

Fund 220, Agency 220345, Object 652700, \$362,157.92

Fund 220, Agency 220347, Object 652700, \$56,054.87

Fund 200, Agency 203348, Object 652800, \$156,625.53

Fund 200, Agency 203349, Object 652800, \$39,718.90

Fund 200, Agency 203363, Object 652800, \$57,582.55

Fund 200, Agency 203364, Object 652800, \$51,498.43

CP 0103-190856, SAP 069-703-013(Low) to Mesabi Bituminous, Inc., of Gilbert, MN, in the amount of \$448,761.97, payable from Fund 220, Agency 220346, Object 652700.

**Award of Bids: Crack Sealing and Repair Projects
(Various Cities and Townships)**

BY COMMISSIONER _____

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

CP 0133-241417, SAP 069-733-028(Low), (Rout and Seal Bituminous Pavement Cracks, Crack Repair Special, Seal Coat and Fog Seal) located on:

A.) CSAH 133 from TH 73 to TH 53, length 23.978 miles

B.) CR 184 (Floodwood River Road) from TH 73 to CSAH 18

C.) CR 443 (Merrill Road) from CR 184 (Floodwood River Road) to CSAH 18, length 0.646 miles

D.) Carlton County: CSAH 1 from CSAH 61 to St. Louis River Road (N. Co. Line), length 4.068 miles, CSAH 1 from State Hwy 23 to T-82 (Seboe Road), length 3.25 miles, CSAH 2 from CR 119 (Crosby Rd.) to CSAH 1 (Canosia Road), length 2.97 miles, CSAH 3 from CSAH 4 to CSAH 1, length 3.99 miles

E.) City of Duluth: Woodland Avenue along Oxford Street, Livingston Avenue, and Glenwood Street to Jean Duluth Road, length 0.987 miles

F.) CR 251 (Locust Road) from CR 277 to CSAH 44 (Normanna Road), length 0.9 miles

G.) CR 880 (Leiste Road) from S. Termini to RR Tracks South of CSAH 6 (Maple Grove Road), length 0.79 miles

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 12, 2015, 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.

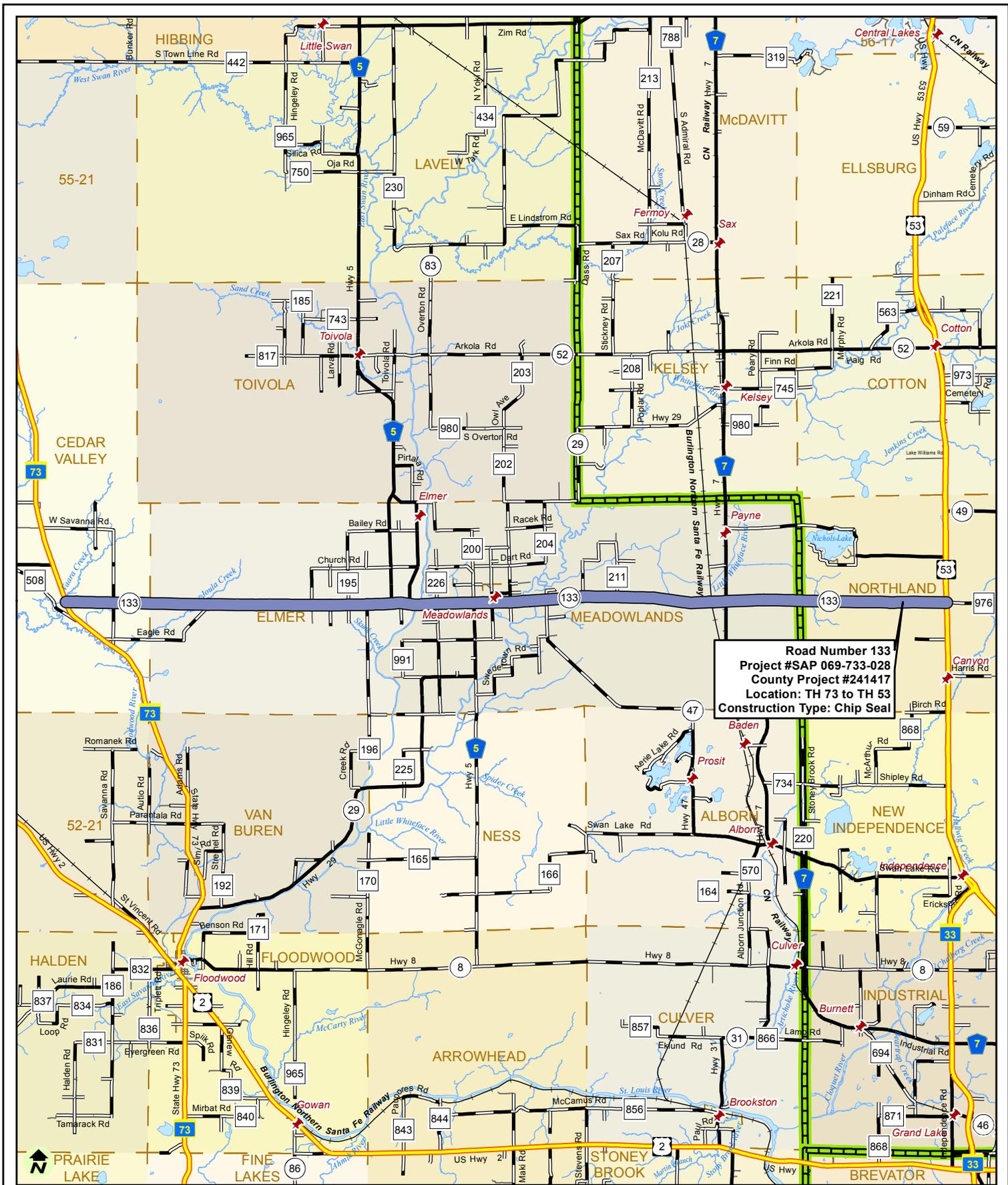
<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Scott Construction, Inc	P.O Box 340 Lake Delton, WI 53940	\$1,398,103.20

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract with the Contractor for the above listed project payable from:

Fund 220, Agency 220344, Object 652700, \$674,465.00
Fund 220, Agency 220345, Object 652700, \$362,157.92
Fund 220, Agency 220347, Object 652700, \$56,054.87
Fund 200, Agency 203348, Object 652800, \$156,625.53
Fund 200, Agency 203349, Object 652800, \$39,718.90
Fund 200, Agency 203363, Object 652800, \$57,582.55
Fund 200, Agency 203364, Object 652800, \$51,498.43

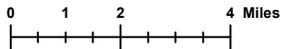
With additional revenue budgeted for expense:

Carlton County	Fund 220, Agency 220345, Rev. Obj. 551506	\$362,157.92
City of Duluth	Fund 220, Agency 220347, Rev. Obj. 551501	\$56,054.84

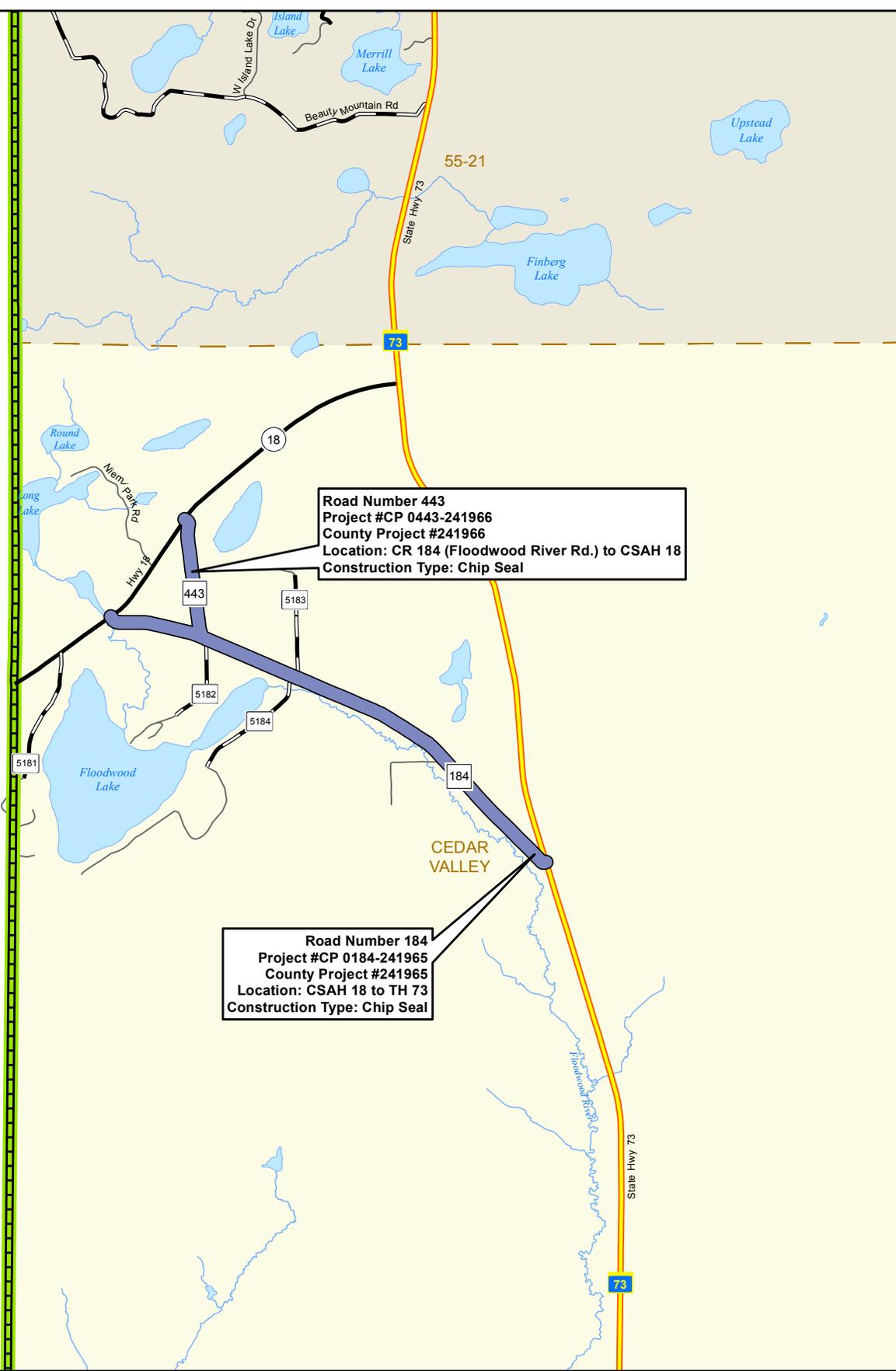


Road Number 133
Project #SAP 069-733-028
County Project #241417
Location: TH 73 to TH 53
Construction Type: Chip Seal

St. Louis County 2015 Road & Bridge Construction



Map Components	
2015 Road & Bridge Construction	County Road - Paved
Chip Seal	County Road - Gravel
Interstate Highway	Local Road/City Street
U.S./State Highway	Railroad
	Commissioner District
	Township Boundary
	City/Town
	Lake
	River/Stream



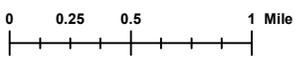
Road Number 443
 Project #CP 0443-241966
 County Project #241966
 Location: CR 184 (Floodwood River Rd.) to CSAH 18
 Construction Type: Chip Seal

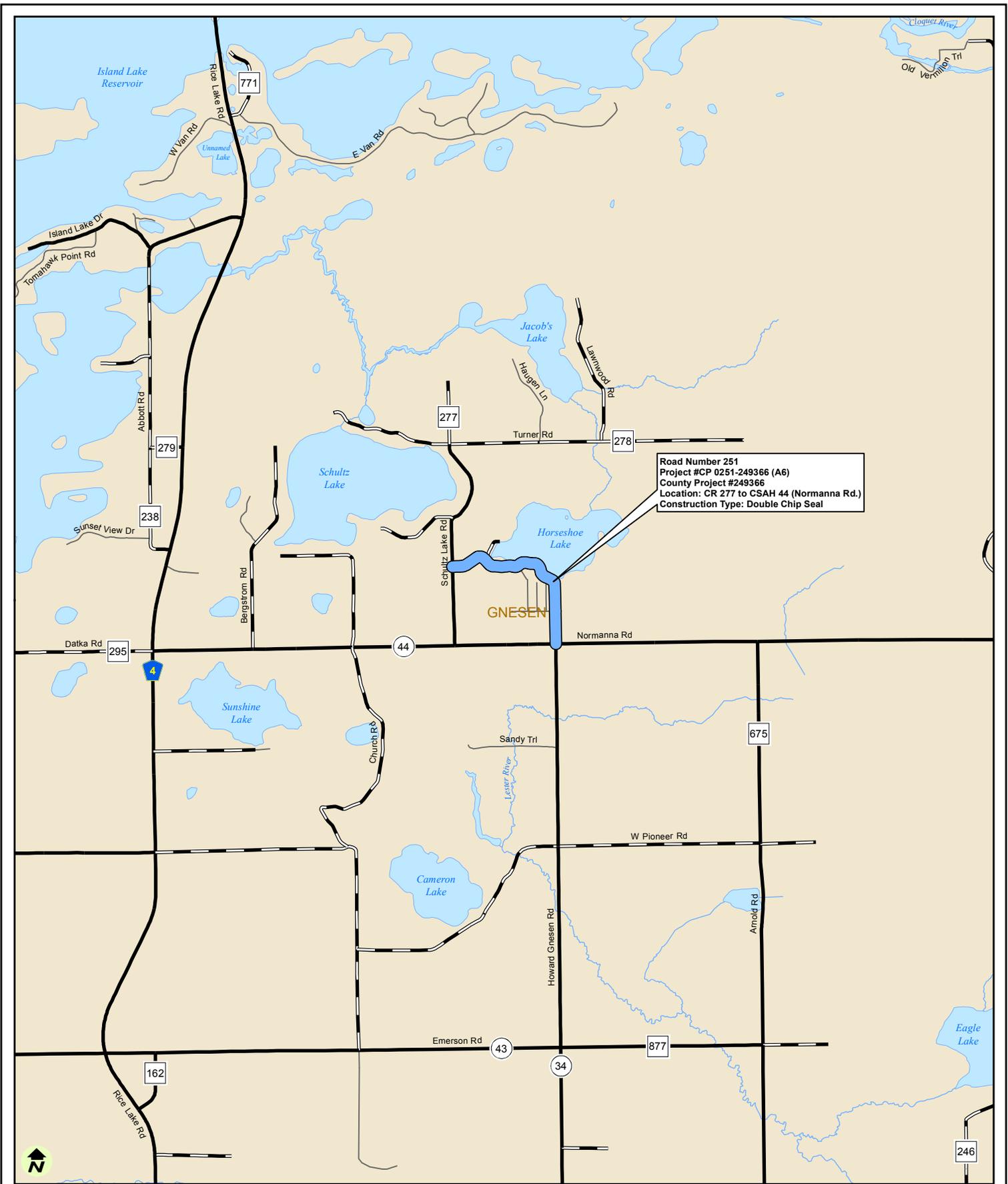
Road Number 184
 Project #CP 0184-241965
 County Project #241965
 Location: CSAH 18 to TH 73
 Construction Type: Chip Seal

St. Louis County 2015 Road & Bridge Construction

Map Components

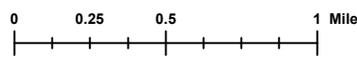
2015 Road & Bridge Construction - Chip Seal	County Road - Paved	Township Boundary
County Road - Gravel	Interstate Highway	City/Town
U.S./State Highway	Local Road/City Street	Lake
Commissioner District	Railroad	River/Stream



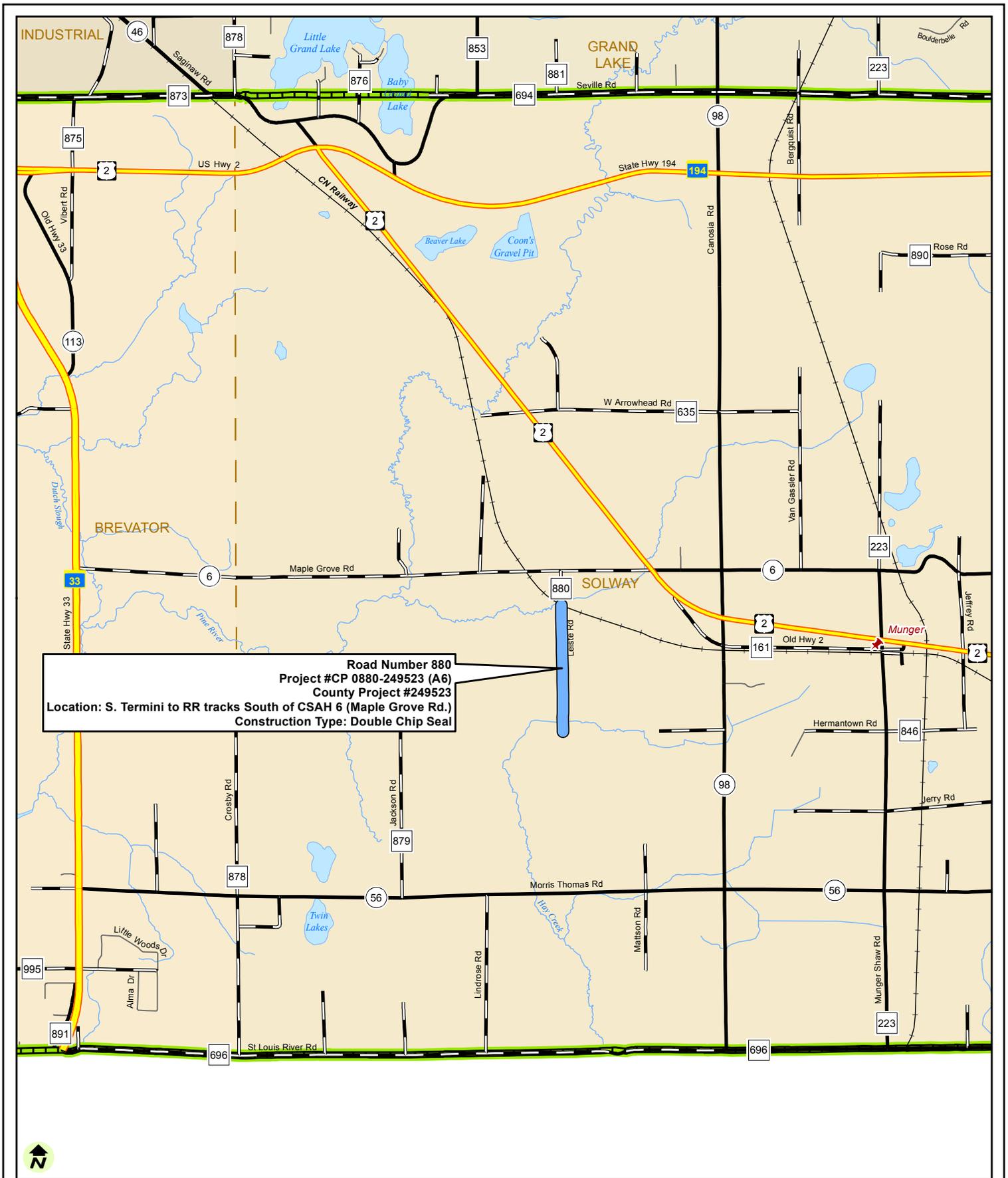


Road Number 251
 Project #CP 0251-249366 (A6)
 County Project #249366
 Location: CR 277 to CSAH 44 (Normanna Rd.)
 Construction Type: Double Chip Seal

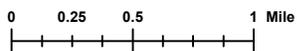
St. Louis County 2015 Road & Bridge Construction



Map Components	
2015 Road & Bridge Construction	County Road - Paved
Double Chip Seal	County Road - Gravel
Interstate Highway	Local Road/City Street
U.S./State Highway	Railroad
	Commissioner District
	Township Boundary
	City/Town
	Lake
	River/Stream



St. Louis County 2015 Road & Bridge Construction



Map Components

- | | | |
|---------------------------------|------------------------|-------------------|
| 2015 Road & Bridge Construction | County Road - Paved | Township Boundary |
| Double Chip Seal | County Road - Gravel | City/Town |
| Interstate Highway | Local Road/City Street | Lake |
| U.S./State Highway | Railroad | River/Stream |
| | Commissioner District | |

Award of Bids: Reconditioning Project on CSAH 103 (Virginia)

BY COMMISSIONER _____

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

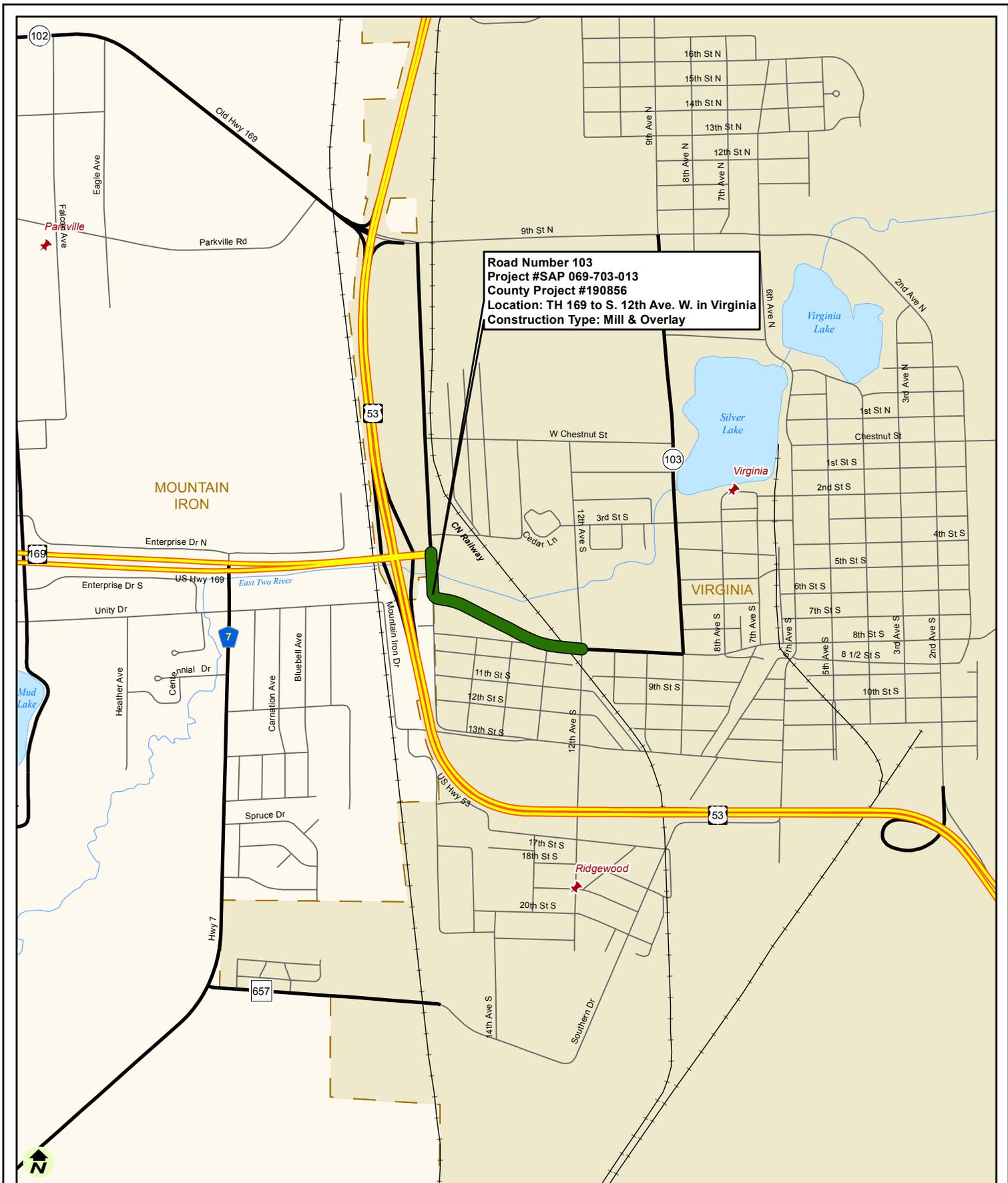
CP 0103-190856, SAP 069-703-013 CSAH 103 from TH 169 to 12th Ave. W. in Virginia, MN, length 0.51 miles

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 12, 2015, 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.

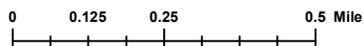
<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$448,761.97

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 220346, Object 652700.



Road Number 103
Project #SAP 069-703-013
County Project #190856
Location: TH 169 to S. 12th Ave. W. in Virginia
Construction Type: Mill & Overlay

St. Louis County 2015 Road & Bridge Construction



Map Components	
2015 Road & Bridge Construction	County Road - Paved
Mill & Overlay	County Road - Gravel
Interstate Highway	Local Road/City Street
U.S./State Highway	Railroad
	Commissioner District
	Township Boundary
	City/Town
	Lake
	River/Stream

BOARD LETTER NO. 15 – 117

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 2

BOARD AGENDA NO.

DATE: March 24, 2015 **RE:** Minnesota Pollution Control
Agency Stipulation Agreement
– Haines Road Project (Duluth)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Highway Engineer/Public Works Director

RELATED DEPARTMENTAL GOAL:

To provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a Stipulation Agreement for resolution of alleged violations of the National Pollutant Discharge Elimination System (NPDES) permit issued by the Minnesota Pollution Control Agency (MPCA) relative to the Haines Road Project in Duluth, MN.

BACKGROUND INFORMATION:

As part of the Haines Road Project, the county and its contractor, Hammerlund Construction, Inc., of Grand Rapids, MN (collectively, the "Regulated Parties"), were required to obtain a NPDES permit for the management of stormwater at the construction site. During the pendency of the project, the MPCA conducted inspections of the site, which resulted in the MPCA alleging that a number of violations of the NPDES permit had occurred. The Regulated Parties dispute the alleged violations. As a means of settling the dispute, the MPCA proposed a Stipulation Agreement whereby the alleged violations would be fully resolved in exchange for the Regulated Parties' payment of a penalty in the amount of \$46,000 and agreement to certain other terms.

Assuming the Stipulation Agreement is approved by the St. Louis County Board, Hammerlund has agreed to pay to the county the entire penalty amount of \$46,000. In turn, and once the county receives Hammerlund's payment, the county has agreed to submit payment of the full penalty amount to the MPCA.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve and authorize the appropriate county officials to execute the proposed Stipulation Agreement and the

proposed Hammerlund agreement, to accept payment from Hammerlund Construction, Inc., of Grand Rapids, MN, for the full amount of the penalty of \$46,000, and to submit payment of the full penalty amount to the MPCA.

**Minnesota Pollution Control Agency Stipulation Agreement –
Haines Road Project (Duluth)**

BY COMMISSIONER _____

WHEREAS, As part of the Haines Road Project, the county and its contractor, Hammerlund Construction, Inc., of Grand Rapids, MN (collectively, the "Regulated Parties"), were required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for the management of stormwater at the construction site; and

WHEREAS, During the pendency of the project, the Minnesota Pollution Control Agency (MPCA) conducted inspections of the site, which resulted in the MPCA alleging that a number of violations of the NPDES permit had occurred; and

WHEREAS, The Regulated Parties dispute the alleged violations; and

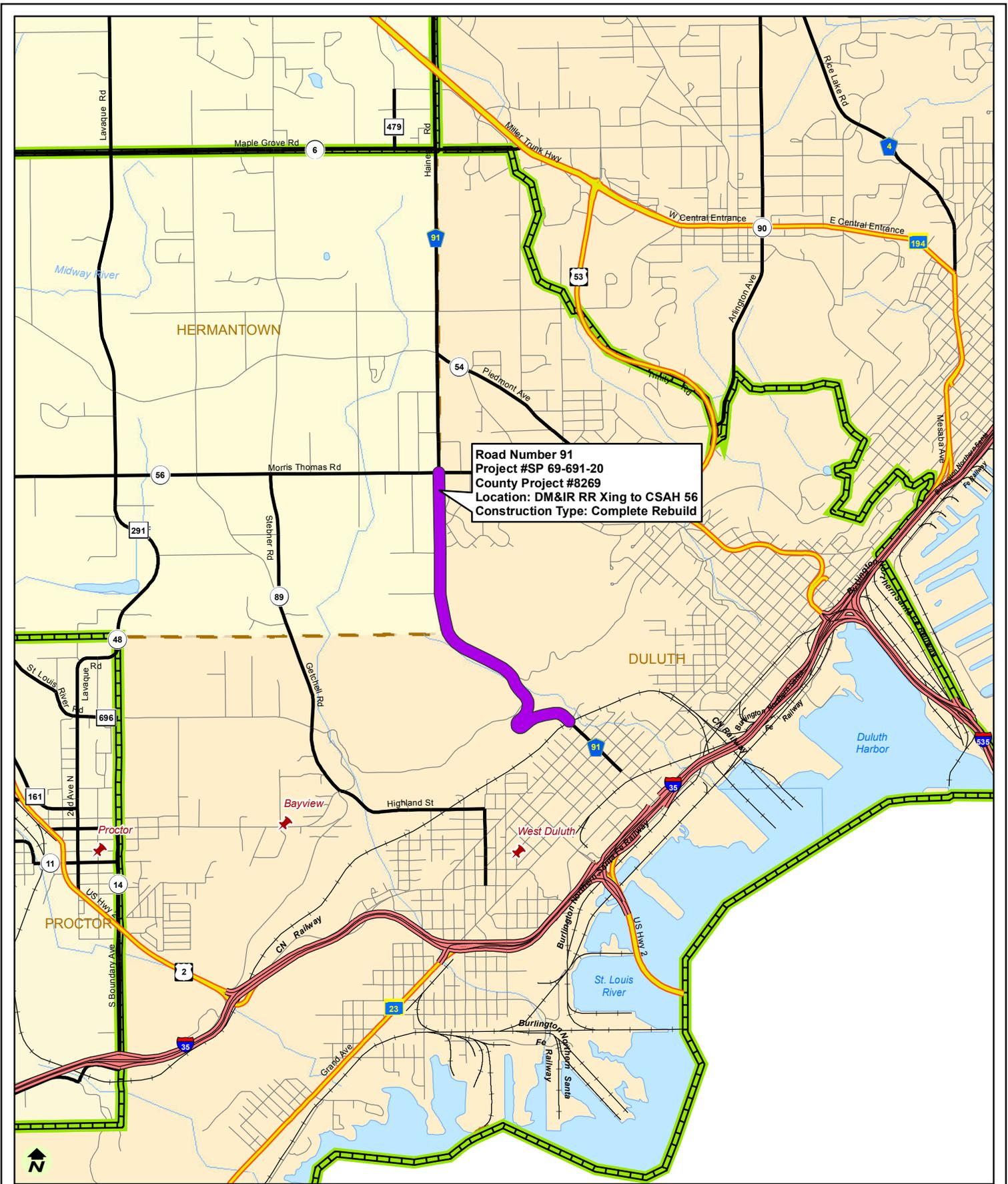
WHEREAS, As a means of settling the dispute, the MPCA proposed a Stipulation Agreement whereby the alleged violations would be fully resolved in exchange for the Regulated Parties' payment of a penalty in the amount of \$46,000 and agreement to certain other terms; and

WHEREAS, Hammerlund has agreed to pay to the county the entire penalty amount of \$46,000; and

WHEREAS, In turn, and once the county receives Hammerlund's payment, the county has agreed to submit payment of the full penalty amount to the MPCA;

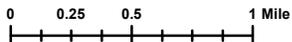
THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the proposed Stipulation Agreement with the Minnesota Pollution Control Agency and authorizes the Public Works Director and the County Attorney to execute a MPCA Penalty Payment Agreement with Hammerlund Construction Inc., of Grand Rapids, MN, outlining the terms of payment from Hammerlund to the county;

RESOLVED FURTHER, That the St. Louis County Board authorizes the acceptance of a payment of the full penalty amount of \$46,000 from Hammerlund to be deposited into Fund 220, Agency 220182, Object 583100, and the county's payment to the MPCA of the full penalty amount from Fund 220, Agency 220182, Object 637900.



Road Number 91
Project #SP 69-691-20
County Project #8269
Location: DM&IR RR Xing to CSAH 56
Construction Type: Complete Rebuild

St. Louis County 2010 Road & Bridge Construction



Map Components	
	Interstate Highway
	U.S./State Highway
	Paved County Road
	Gravel County Road
	Railroad
	Complete Rebuild
	Commissioner District
	Township
	City/Town
	Lake

BOARD LETTER NO. 15 - 118

CENTRAL MANAGEMENT AND INTERGOVERNMENTAL COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: March 24, 2015

RE: Resolution Requesting
Changes in Legislative
Decisions Affecting
Distribution of the Taconite
Production Tax

FROM: Kevin Z. Gray
County Administrator

ACTION REQUESTED:

The St. Louis County Board is requested to approve a resolution asking the State Legislature to restore the \$.05 per ton distribution of Taconite Production Tax proceeds to counties, and to ask for a review of the decision to reduce the Iron Range fiscal disparities distribution if the production tax is insufficient to service bonds.

BACKGROUND:

Commissioner Rukavina has requested that the County Board be given the opportunity to consider a resolution related to changes made by the 2014 Minnesota Legislature regarding the Taconite Production Tax formula and distribution methods. The topic was discussed at the County Board Workshop held on March 17, 2015. The attached memo from MICA Executive Director Keith Carlson provides an overview of the impact of the Taconite Production Tax changes on St. Louis County and the region.

Two focal points of the workshop discussion were a decision to reduce the distribution of Taconite Production Tax proceeds to counties by \$.05 per ton, which accounted for a loss of \$1,679,209 to St. Louis County in 2015, and legislative changes related to the service of bonds that will impact Iron Range fiscal disparities distribution.

As highlighted in the MICA memo, "if the distribution from the taconite production tax is insufficient to service any bonds that are issued, then the Iron Range fiscal disparities distribution is reduced proportionately to all local government recipients and the difference used to fill the gap." Commissioner Rukavina indicated this would have a detrimental effect on annual budgets of municipalities, schools and townships located in the taconite relief area.

Another theme of the workshop discussion was the significant dilution of the county's

share of taconite tax proceeds in the past 30 years. Overall, St. Louis County's share of taconite tax proceeds from taconite mined within the county has been reduced over the years from 25% down to about 8%, with the inflation factor eliminated in 1986.

RECOMMENDATION:

Should Commissioners wish to request that the State Legislature to restore the \$.05 per ton taconite production tax distribution to counties and also ask the Range Legislative Delegation to review the negative impacts of reducing the Iron Range fiscal disparities distribution if the production tax is insufficient to service bonds, a resolution is attached.

**Resolution Requesting Changes in Legislative Decisions
Affecting Distribution of the Taconite Production Tax**

BY COMMISSIONER _____

WHEREAS, Changes made by the 2014 Minnesota Legislature regarding the Taconite Production Tax formula and distribution methods have negatively affected St. Louis County and could impact the annual budgets of municipalities, schools and townships located in the taconite relief area; and

WHEREAS, The decision to reduce the distribution of Taconite Production Tax to counties by \$.05 per ton accounted for a loss of \$1,679,209 to St. Louis County's anticipated revenues for 2015; and

WHEREAS, The decision to fill any insufficiency needed to service bonds from the taconite production tax by reducing the Iron Range fiscal disparities distribution to local government recipients will create unexpected budgetary distress on these entities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board respectfully requests the State Legislature to restore the \$.05 per ton Taconite Production Tax distribution to counties.

RESOLVED FURTHER, That the St Louis County Board requests the Iron Range Legislative Delegation review the decision and the anticipated negative impacts of reducing the Iron Range fiscal disparities distribution, if the Taconite Production Tax is insufficient to service bonds.



minnesota inter-county association

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benton-blue earth-carver-crow wing-dakota-olmsted-otter tail-rice-st. louis-scott-sherburne-stearns-washington-winona

MEMORANDUM

DATE: March 2, 2015

TO: Commissioner Tom Rukavina

FROM: Keith Carlson

SUBJECT: Update on Impact of Taconite Production Tax Changes on St. Louis County

Effective for distribution in 2015, the distribution of taconite production tax was amended so as to:

1. reduce the distribution to counties by \$.05 per ton,
2. reduce the distribution to the taconite economic development fund by \$.05 per ton,
3. eliminate the indexing of (and reduce) the distribution of the **\$.03 per ton distribution to towns,** and the \$.065 per ton distribution to the IRRRB for three years,
4. eliminate the indexing of (and reduce) the \$.0335 per ton distribution to the Douglas J. Johnson economic protection trust fund for three years, and
5. create a new \$.10 per ton distribution to an Iron Range School Consolidation and Cooperatively Operated School Account. The account also receives a distribution equal to 2/3 of the reduced distribution under #3 and #4. The Douglas J. Johnson economic protection trust fund receives a distribution equal to 1/3 of the reduced distribution under #3 and #4. Finally, the account receives the equivalent of \$.06 per ton from the occupation tax. Expenditures from the account shall be made to assist school districts with the payment of bonds that are issued for school projects within the taconite assistance area as defined in section 273.1341, which are (1) approved, by referendum, after December 7, 2009; and (2) approved by the commissioner of education. **If the distribution from the taconite production tax are insufficient to service any bonds that are issued then the Iron Range fiscal disparities distribution is reduced proportionately to all local government recipients and the difference used to fill the gap.**

At the time of enactment, the legislation was estimated to have the following impact on all counties:

2015	2016	2017
(\$1,980,00)	(\$1,990,000)	(\$2,020,000)

I have now calculated the 2015 impact of the changes **using 2014 production figures** that were not available when I wrote the previous memo. They are as follows:

Cook	0
Itasca	(\$171,118)
Lake	(\$121,521)
St. Louis	(\$1,679,209)
<hr/>	
TOTAL	(\$1,971,848)

The loss or gain for the other affected funds are as follows:

Doug Johnson Economic Protection Trust Fund	(\$85,747)
Taconite Economic Development Fund	(\$1,971,848)
\$.03 per Ton Township Distribution	(\$18,562)
Iron Range School Consolidation Account	\$3,943,697

Please contact me if you have questions.

cc: Kevin Gray
John Ongaro