

OFFICIAL PROCEEDINGS
OF THE
BOARD OF COUNTY COMMISSIONERS
OF ST. LOUIS COUNTY, MINNESOTA

OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 3, 2012

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 3rd day of July, 2012, at 9:30 a.m., in the St. Louis County Board Room, Duluth, Minnesota, with the following members present: Commissioners Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson - 6. Absent: Commissioner Frank Jewell - 1.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety at home and those who protect our freedom, followed by the pledge of allegiance.

Commissioner Forsman gave a public works update in the aftermath of the flood, noting there are 13 roads that are still closed. Administrator Gray said at the peak of the flood disaster there were 94 roads closed. Chair Nelson complimented the good work of administration, public works, the county attorney and all those involved. Commissioner Sweeney thanked Governor Dayton and our state legislators for their prompt action in the wake of the flood and requested letters be sent to recognize their good work.

Administrator Gray said there were no bids for the sale of surplus fee land, however there was interest and this will be offered again in the future.

At 9:51 a.m. a public hearing began to consider suspension and/or penalties for a liquor law violation, sale to a minor, at Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township. Commissioner Nelson disclosed that this establishment is near the convenience store he owns, but does not consider them a direct competitor and asked if anyone on the board thought this was a conflict of interest, and no one came forth. County Attorney Mark Rubin said the owner of the establishment signed an informal agreement, agreeing to a ten day suspension and \$1,000 fine, with nine days of the suspension and \$1,000 of the fine stayed for one year with no same or similar violation, with a recommended suspension date of July 9, 2012. County Attorney Rubin said there was a correction needed on the resolution to change the suspension from one day to ten days. County Attorney Rubin asked County Auditor Donald Dicklich and Chair Keith Nelson to sign the agreement. County Attorney Rubin turned in the public hearing packet, which included proof of publication and all required notices. No one else choose to testify at the public hearing. At 10:01 a.m., Commissioner Dahlberg, supported by Commissioner Raukar moved to close the public hearing; six yeas, zero nays. The clerk read the corrected resolution as recommended by County Attorney Rubin. Commissioner O'Neil, supported by Commissioner Raukar, moved to approve the resolution. After further deliberations, the motion passed; six yeas, zero nays. Resolution No. 12-400.

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

St. Louis County 2010-2011 School Recycling and Waste Reduction Grant Agreement

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between the County of St. Louis and the Chisholm Public Schools.—12-341

Easement for Right-of-Way in Section 8, Township 62 North, Range 19 West for County Projects 142319 and 142320 (Alango and East Olson Roads) in Field Township.—12-342

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 12-396 through 12-399, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 12, 2012, are hereby approved.

Adopted July 3, 2012. No. 12-396

RESOLVED, that the appraisal report for the sale of timber to be offered at SEALED BID BLACK SPRUCE TOPS AUCTION, Tracts 1 through 4 (totaling \$47,701.80), as submitted by the Land and Minerals Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59391, is approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal report.

Adopted July 3, 2012. No. 12-397

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59385:

ILI, LLC d/b/a Island Lake Inn, Gnesen Township, July 20, 21, and 22, 2012;

ILI, LLC d/b/a Island Lake Inn, Gnesen Township, August 17, 18, and 19, 2012.

RESOLVED FURTHER, that said licenses are approved contingent on Gnesen Township approval.

Adopted July 3, 2012. No. 12-398

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59452, is hereby approved and the County Auditor is authorized to issue the license to the applicant:

Grand Lake Volunteer Fire Department, Town of Grand Lake, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1244, for August 11, 2012.

Adopted July 3, 2012. No. 12-399

BY COMMISSIONER O'NEIL:

WHEREAS, the St. Louis County Liquor Licensing Committee met on May 8, 2012, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on April 10, 2012, against Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township; and

WHEREAS, the Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one year with no same or similar violations during that year; and

WHEREAS, after hearing testimony on the matter at a public hearing conducted on July 3, 2012, at 9:40 a.m. in the Courthouse, Duluth, MN, the St. Louis County Board determined the recommendation of the St. Louis County Liquor Licensing Committee to be an appropriate penalty for the liquor law violation.

NOW, THEREFORE, BE IT RESOLVED, that the Off-Sale Intoxicating Liquor License No. OFSL122, issued to Belo Enterprises, Inc., d/b/a Crossroads Convenience and Liquor Store, Clinton Township, is hereby suspended for ten (10) days and a \$1,000 civil penalty is due,

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with nine (9) days of the suspension and \$1,000 of the civil penalty stayed for one (1) year with no same or similar violations during that period.

RESOLVED FURTHER, that the date of suspension of the liquor license will be July 9, 2012.

RESOLVED FURTHER, that a new violation within the next year (ending July 3, 2013) will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Unanimously adopted July 3, 2012. No. 12-400

At 10:15 a.m., July 3, 2012, Commissioner Forsman, supported by Commissioner Dahlberg, moved to adjourn; six yeas, zero nays.

Keith Nelson, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 10, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 10th day of July, 2012, at 9:34 a.m., in the County Board Room, Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson - 7. Absent: None.

Chair Nelson asked for a moment of silence to honor those who protect and serve our communities and those who protect our freedom, followed by the pledge of allegiance.

Chair Nelson opened the meeting to persons who wanted to address the Board concerning issues not on the agenda and Mr. Norm Voorhees chose to do so. Mr. Voorhees was there on behalf of the Iron Workers Local 512 and Duluth Building Trades to express their support of the Northeast Regional Correction Center (NERCC) building project. Mr. Voorhees said the building project would be very positive for the area and to the local trades. Commissioner Sweeney asked that the Building Trades think of ways to get those who are coming out of NERCC more involved in the local building trades and provide them with a "hand up" and not a "hand out".

At 9:42 a.m. a public hearing convened pursuant to Resolution No. 12-359, adopted June 26, 2012, to consider the issuance of an off-sale intoxicating liquor license for A.P. Inc. d/b/a A.P. Liquor, Gnesen Township. Assistant County Attorney Jim Nephew presented the board with a packet of information regarding A.P. Liquor. The packet contained the following items: town board resolution, liquor liability insurance valid through February 5, 2013, notice of liquor licensing committee meeting, minutes from the June 5, 2012 liquor licensing committee meeting, copy of the liquor license checklist, public hearing resolution No. 12-359 adopted June 26, 2012, notice of public hearing published June 29, 2012, in the Duluth News Tribune, notice of public hearing sent to applicant on June 29, 2012, and proof that real estate taxes are current. Chair Nelson then asked if there were any representatives of the entity who would like to appear and give testimony, at which time Adam Riesland of A.P. Inc. came before the Board. Commissioner Sweeney asked if he was aware of the liquor laws of the State of Minnesota and stressed that all of their employees must know and follow these rules. Commissioner Sweeney, supported by Commissioner Forsman, moved to close the hearing at 9:50 a.m.; seven yeas, zero nays. Commissioner Sweeney, supported by Commissioner Forsman, moved to pass the resolution regarding the issuance of an off-sale intoxicating liquor license to A.P. Inc.; seven yeas, zero nays. Resolution No. 12-407.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the consent agenda. The consent agenda was then approved; seven yeas, zero nays.

Commissioner Sweeney, supported by Commissioner O'Neil, moved to suspend the rules so that an agenda item may be added under the Finance & Budget Committee to consider a special event permit in Solway Township. The rules were suspended to allow for this addition to the agenda; seven yeas, zero nays.

Commissioner Sweeney, supported by Commissioner Raukar, moved to pass the resolution approving the application to sell/serve outside the designated serving area of the county liquor license for Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township, for July 14, 2012. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 12-411.

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Commissioner O'Neil, supported by Commissioner Dahlberg, moved to authorize St. Louis County to join the Arrowhead Health Alliance (AHA) and enter into the Joint Powers Agreement, and to appoint the Chair of the Health and Human Services Committee as its representative and appoint one alternate. Administrator Gray explained that the resolution would also authorize the Public Health and Human Services Department to contribute funding in the amount of \$60,480 to the Arrowhead Health Alliance as a joining partner. Commissioner Sweeney made recommendation that there should be both a rural and urban commissioner representation on the AHA board and suggested that Commissioner Forsman be considered for the alternate position. Commissioner O'Neil agreed with Commissioner Sweeney's recommendation. Commissioner O'Neil then thanked Ann Bushey, Director of Health and Human Services, and Administrator Gray for their efforts moving this resolution forward and applauded the AHA for their impressive work and explained the benefits and programs they offer. Commissioner Nelson made recommendation for Commissioner Dahlberg to be named as the alternate. Commissioner Dahlberg expressed that he would enjoy the opportunity to serve as the alternate and said that healthcare is the most important issue facing St. Louis County. Commissioner Jewell agreed with Commissioner Sweeney's recommendation and explained that Commissioner Forsman's understanding of rural St. Louis County would be very beneficial as an alternate. After further discussion, the motion to appoint Commissioner O'Neil as representative and Commissioner Dahlberg as the alternate passed; seven yeas, zero nays. Resolution No. 12-408.

Commissioner Forsman, supported by Commissioner Sweeney, moved to approve the resolution awarding a bid to KGM Contractors, Inc., for combined project SAP 69-600-040(low), CP 111484, grading, aggregate base, bituminous surface and culverts on Stuntz Bay Access Road and SAP 69-600-042, CP 121195, grading and aggregate base on Frith Drive and Access Road near Soudan, MN. Commissioner Forsman explained that the DNR was ok with this project and that Breitung Township had given their approval. Administrator Gray explained that the funding for the project would come from the State Park Road Account and that no additional levying would be required. Commissioner Nelson explained that St. Louis County was currently maintaining five water accesses and that there should be a transition of their maintenance to the DNR. The motion passed; seven yeas, zero nays. Resolution No. 12-409.

Commissioner Jewell, supported by Commissioner Raukar, moved to approve the settlement of litigation with Stephanie Nelson regarding a motor vehicle accident. The motion passed; seven yeas, zero nays. Resolution No. 12-410.

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

Kevin Gray, County Administrator, and Ann Busche, Director of Public Health and Human Services, submitting Board Letter No. 12-281, Arrowhead Health Alliance.—[59492](#)
Home and Community-Based Waiver Services Contract No. 14934 between the St. Louis County Board of Commissioners and Theresa V. Pack.—[12-343](#)

Group Residential Housing Rate Agreement No. 50997 between the St. Louis County Board of Commissioners and Theresa V. Pack.—[12-344](#)

Group Residential Housing Rate Agreement No. 50998 between the St. Louis County Board of Commissioners and Westview Portage II.—[12-345](#)

State of Minnesota Joint Powers Agreement with St. Louis County for Sargent Creek/Becks Road for design features in a culvert replacement project.—[12-346](#)

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Agreement for Professional Services between the County of St. Louis and Erickson Engineering Co., LLC, for bridge design of County Bridge 161 (State Bridge 89072) over the East Savanna River on County Road 834 (CP 158301).—12-347

Contract for County-State Aid Highway Projects between the County of St. Louis and Ulland Brothers, Inc., for Culvert Replacement, Mill Bituminous Surface, Bituminous Pavement Reclamation, Plant Mix Bituminous Surface, Aggregate Base & Aggregate Shouldering - SP 69-621-030, CP 9311, MN Proj. No. STPZX 6912(158).—12-348

Agreement between St. Louis County and Lake County for 2012 Maintenance Striping – MP 97047.—12-349

Upon motion by Commissioner Sweeney, supported by Commissioner Dahlberg, resolutions numbered 12-401 through 12-406, as submitted to this board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 26, 2012, are hereby approved.

Adopted July 10, 2012. No. 12-401

WHEREAS, Minnesota Child Support is a state administered, county run program that works with parents to establish and enforce support orders; and

WHEREAS, Child Support Supervisors from the seven county Arrowhead Region have been meeting over the past year and have suggested a number of enhanced service ideas worthy of exploration; and

WHEREAS, there is a desire among all seven county Public Health and Human Services Directors to test these options by requesting formal support from the MN Department of Human Services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the St. Louis County Public Health and Human Services Director to join with the six other counties of Region 3 in seeking support from the Department of Human Services for a pilot study of a regional collaboration model of the child support program.

Adopted July 10, 2012. No. 12-402

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59401.

Adopted July 10, 2012. No. 12-403

WHEREAS, the St. Louis County Board adopted a Travel Policy on November 9, 1987, by Board Resolution No. 87-706; and

WHEREAS, meal allowance reimbursement rates were established at that time as part of the policy; and

WHEREAS, there has been no adjustment to the meal allowance reimbursement rates since policy inception; and

WHEREAS, the 2012 U.S. General Services Administration table of CONUS meal allowance reimbursement rates for St. Louis County indicates adjustment is warranted.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes an adjustment to the St. Louis County Board Travel Policy Meal Allowance Reimbursement Rates as follows: Breakfast - \$9.00; Lunch - \$13.00; and Dinner - \$29.00.

RESOLVED FURTHER, that the St. Louis County Board Travel Policy Meal Allowance Reimbursement Rates shall be adjusted annually to reflect changes in the U.S. General

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Services Administration CONUS meal reimbursement rate.
Adopted July 10, 2012. No. 12-404

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59385:

Boondocks-Forbes, LLC d/b/a Boondocks, Clinton Township, July 21, 2012;

Boondocks-Forbes, LLC d/b/a Boondocks, Clinton Township, August 25, 2012.

Adopted July 10, 2012. No. 12-405

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated June 29, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 10, 2012. No. 12-406

BY COMMISSIONER SWEENEY:

WHEREAS, A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

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

WHEREAS, a public hearing was held on July 10, 2012, at 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for said license, A. P. Liquor has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and WHEREAS, the Liquor Licensing Committee of the St. Louis County Board has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number OFSL1327) shall be issued to A. P. Inc. d/b/a A. P. Liquor, Gnesen Township, located in Area 3, for an annual fee of \$500.00.

RESOLVED FURTHER, that said liquor license shall be effective July 10, 2012, through June 30, 2013.

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

RESOLVED FURTHER, that said license is approved contingent upon Gnesen Township and Environmental Services approval, and proof of liquor liability insurance.

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

Unanimously adopted July 10, 2012. No. 12-407

BY COMMISSIONER O'NEIL:

WHEREAS, Arrowhead Health Alliance (AHA) was formed in 2007 as a way to integrate health care and human services in Carlton, Cook, Koochiching and Lake Counties; and

WHEREAS, AHA has used this model to partner with health plans, apply for local, state and federal grants, and connect with local area providers to develop a network of health and human services related organizations; and

WHEREAS, the AHA Board has extended an invitation to St. Louis County to join the AHA; and

WHEREAS, the Public Health and Human Services Department believes there is value in

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joining AHA as St. Louis County has a significant population and medical community and can benefit from the existing AHA structure to bring in non-levy resources to offer needed services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute the Arrowhead Health Alliance (AHA) Joint Powers Agreement, and authorizes the Public Health and Human Services (PHHS) Department to contribute funding to the AHA as a joining partner in the amount of \$60,480, payable from Fund 230, Agency 232006, Object 629900.

RESOLVED FURTHER, that the County Board appoints the Chair of the Health and Human Services Committee to serve as its representative, and appoints Commissioner Dahlberg to serve as an alternate.

RESOLVED FURTHER, that the County Board directs the PHHS Director to work with Administration to provide a report back to the Board on a quarterly basis.

Unanimously adopted July 10, 2012. No. 12-408

BY COMMISSIONER FORSMAN:

WHEREAS, bids have been received by the County Auditor for the following combined projects:

- SAP 69-600-040 (low), CP 111484 located on Stuntz Bay Access Road from 0.5 mi. north of TH 169 to Lake Vermilion, in Breitung Township near Soudan, MN; and
- SAP 69-600-042, CP 121195 located on Frith Drive from Access Road to 500' west and Access Road between 1375' and 2250' north of CR 697 in Breitung Township near Soudan, MN; and

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on June 28, 2012, and KGM Contractors, Inc., Angora, MN, provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Highway 53 Angora, MN 55703	\$687,759.83

RESOLVED FURTHER, that State Park Road Account funds in the amount of \$687,759.83 are reserved for this project. Any funding required in excess of State Park Road Account funds shall be the responsibility of Breitung Township.

RESOLVED FURTHER, that the County Board Chair, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed combined project payable from:

SAP 69-600-040(low): Fund 220, Agency 220267, Object 652700	\$466,193.94
With additional revenue budgeted for expense:	
State Park Road Account: Fund 220, Agency 220267, Rev. Object 521607	\$466,193.94
SAP 69-600-042: Fund 220, Agency 220255, Object 652700	\$221,565.89
With additional revenue budgeted for expense:	
State Park Road Account: Fund 220, Agency 220255, Rev. Object 521607	\$221,565.89

Unanimously adopted July 10, 2012. No. 12-409

BY COMMISSIONER JEWELL:

WHEREAS, Stephanie Nelson has brought a claim against St. Louis County for injuries arising out of a motor vehicle accident occurring on December 10, 2008; and

WHEREAS, the accident has been investigated by the St. Louis County claims investigator, who has determined St. Louis County to be at fault; and

WHEREAS, St. Louis County has received a settlement demand from Ms. Nelson, by and through her attorney, Robert Falsani, in the amount of \$120,000.

NOW, THEREFORE, BE IT RESOLVED, that St. Louis County settle the claim of Stephanie Nelson for the amount of \$120,000 payable from Fund 720, upon the receipt of a

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settlement and release agreement, in such form as approved by the County Attorney.
Unanimously adopted July 10, 2012. No. 12-410

BY COMMISSIONER SWEENEY:

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the County Liquor License, as per applications on file in the office of the County Auditor, identified as County Board File No. 59385:

Kristina Carl d/b/a Saginaw Grand Lake Station, Solway Township, July 14, 2012.

RESOLVED FURTHER, that said license is approved contingent on approval from County Attorney, Auditor, Environmental Services, Planning, Sheriff, Minnesota Department of Health and Solway Township.

Unanimously adopted July 10, 2012. No. 12-411

At 10:29 a.m., July 10, 2012, Commissioner Dahlberg, supported by Commissioner Sweeney moved to adjourn; seven yeas, zero nays.

Keith Nelson, 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)

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**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 24, 2012**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24th day of July, 2012, at 9:33 a.m., in the Floodwood City Hall, Floodwood, Minnesota, with the following members present: Commissioners Frank Jewell, Steve O'Neil, Chris Dahlberg, Mike Forsman, Peg Sweeney, Steve Raukar, and Chair Keith Nelson - 7. Absent: None.

Chair Nelson asked for a moment of silence to honor those who serve and protect our safety at home and those who protect our freedom, followed by the pledge of allegiance.

Floodwood Mayor Jeff Fletcher welcomed the Board and thanked them for their support of various projects, including the help from various county departments during the recent flood.

Commissioner Raukar recognized Terry Soderberg, Environmental Services Department, as the recipient of the Customer Service Recognition Award. Commissioner Raukar said Terry Soderberg is focused on finding a resolution for customers and has a can-do attitude. Ted Troolin, Environment Services Director, said Mr. Soderberg epitomizes customer service, and looks at situations from the customer's perspective. Terry Soderberg said he enjoys working for St. Louis County and thanked the board for the recognition. An award was given to Mr. Soderberg and pictures were taken.

At 9:55 a.m. a public hearing was held to consider the suspension of a liquor license issued to Mike and Linda Kratt, owners of the Island Lake Inn, Gnesen Township. County Attorney Mark Rubin presented the packet which included the required notices. County Attorney Rubin said the resolution says the suspension is effective at noon today if payment is not made. At 10:58 a.m., Commissioner Sweeney, supported by Commissioner O'Neil, moved to close the public hearing; seven yeas, zero nays. Commissioner Forsman, supported by Commissioner Dahlberg, moved to approve the resolution. Commissioner Sweeney asked for a friendly amendment to change the effective time of the suspension to the end of the business day, or 4:30 p.m., to which the makers agreed. Commissioner Nelson said the Auditor's Office received an e-mail from the owner indicating they were coming in this morning to pay. The motion passed, with the amendment; seven yeas, zero nays. Resolution No. 12-428.

Commissioner Raukar, supported by Commissioner O'Neil, moved to approve the consent agenda. Commissioner Dahlberg requested item 5 be removed for separate consideration. The remainder of the consent agenda passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Sweeney, moved to approve appraisal reports for sale of timber offered at a sealed bid timber auction on August 16, 2012. Commissioner Dahlberg said he pulled this item to recognize the good work of the County Land and Minerals Department. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 12-418.

Chair Nelson called for a recess at 10:07 a.m. to go to the committee of the whole, to reconvene at 11:00 a.m., or thereabouts.

At 2:52 p.m. the county board reconvened.

Commissioner Sweeney, supported by Commissioner Dahlberg, moved to approve the second consent agenda, consisting of all items that passed unanimously with recommendation; seven

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yeas, zero nays.

Commissioner Raukar, supported by Commissioner Jewell, move to authorize a contract with Pictometry International Corporation, Rochester, New York, for the purchase of high resolution oblique and orthogonal aerial photography; four yeas, three nays; Nelson, Forsman and Dahlberg. Resolution No. 12-445.

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

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 12-311, Assistant County Attorney Unit Bargaining Agreement – 2010/2012.—[59493](#)

Kevin Gray, County Administrator, and County Auditor Donald Dicklich, submitting Board Letter No. 12-294, Public Hearing for Suspension/Revocation of Liquor Licenses for Property Tax Non-Payment.—[59494](#)

Kevin Gray, County Administrator, Robert Krepps, Land and Minerals Commissioner, and County Auditor Donald Dicklich, submitting Board Letter No. 12-297, State Tax Forfeited Land Use Lease – Proctor Independent School District No. 704.—[59495](#)

Kevin Gray, County Administrator, and Robert Krepps, Land and Minerals Commissioner, submitting Board Letter No. 12-300, Private Sale of State Tax Forfeited Land – Illila.—[59496](#)

Kevin Gray, County Administrator, and James Gottschald, Human Resources Director, submitting Board Letter No. 12-309, Optional Long Term Disability Coverage thru National Insurance Services.—[59497](#)

Grant Agreement No. 20978 between the St. Louis County Board of Commissioners and Lutheran Social Services for Family Group Decision Making (FGDM) for the period January 1, 2012, through December 31, 2012.—[12-350](#)

Purchase of Service Agreement, Contract No. 14984, between the St. Louis County Board of Commissioners and Range Mental Health Center for Children’s Mental Health-Targeted Case Management for the period January 1, 2012, through December 31, 2012.—[12-351](#)

Purchase of Service Agreement, Contract No. 14983, between the St. Louis County Board of Commissioners and Human Development Center for Child Mental Health-Targeted Case Management for the period January 1, 2012, through December 31, 2012.—[12-352](#)

Service Contract No. 5026 between the County of St. Louis and General Cleaning Corporation for janitorial services for the Northland Office Center in Virginia, MN, for the period July 1, 2012, through June 30, 2013, with two additional one-year extension options.—[12-353](#)

County-State Aid Highway (CSAH) Project Contract between the County of St. Louis and Asphalt Surface Technologies Corp., a/k/a ASTECH Corp., for Crack Sealing (South), MP 97044R.—[12-354](#)

County-State Aid Highway Project Contract between the County of St. Louis and Watters & Sons Excavating, LLC, for Bridge No. 69J86 and approaches located on CSAH 61 (Scenic Hwy. 61) in Duluth Township, SAP 69-661-016, CP 61896.—[12-355](#)

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Agreement for Professional Services between St. Louis County and Braun Intertec Corporation for Geotechnical Evaluation for County Bridge 161, CP 158301.—[12-356](#)

Agreement for Professional Services between St. Louis County and Gale-Tec Engineering, Inc., for analysis of CSAH 4 – Vermilion Trail Slope Stability, SP 069-604-060.—[12-357](#)

State of Minnesota Work Order Under Master Partnership Contract for Special Bridge Inspection and Damage Assessment, Flood Event of June 19 & 20, 2012, MnDOT Agreement No. 92630, Work Order No. 7.—[12-358](#)

St. Louis County On-Line Subscriber Agreement between the Auditor's Office and Usset, Weingarden, & Liebo, PLLP, Minneapolis, MN.—[12-359](#)

Agreement for Professional Services between St. Louis County and Short Elliott Hendrickson, Inc., for Special Bridge Inspection and Damage Assessment Flood Event of June 19th & 20th, 2012.—[12-360](#)

Upon motion by Commissioner Raukar, supported by Commissioner O'Neil, resolutions numbered 12-412 through 12-417 and 12-419 through 12-427, as submitted to this Board on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 3, 2012, are hereby approved.
Adopted July 24, 2012. [No. 12-412](#)

RESOLVED, that the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 10, 2012, are hereby approved.
Adopted July 24, 2012. [No. 12-413](#)

WHEREAS, the State of Minnesota has requested to purchase the following described state tax forfeited land for the improvement of Trunk Highway 35:

That part of Tract A described below:

Tract A. Lots 35, 36, and 37, Block 111, West Duluth Fifth Division, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota; together with that part of the vacated avenue accruing to said Lots 36 and 37 by reason of the vacation thereof; which lies southeasterly of Line 1 described below and northerly of Line 2 described below:

Line 1. Beginning at the point of intersection of a line run parallel with and distant 15 feet southeasterly of the northwesterly line of said Block 111 and the northeasterly line of said Lot 35; thence southwesterly on said 15 foot parallel line to its intersection with the westerly line of said Block 111; thence southwesterly to the intersection of the easterly line of Block 8, West End Addition to Duluth and the southwesterly extension of the northwesterly line of said Block 111, and there terminating;

Line 2. Beginning at the point of intersection of a line run parallel with and distant 65 feet southeasterly of the northwesterly line of said Block 111 and its southwesterly extension and the northeasterly line of said Lot 35; thence southwesterly along said 65 foot parallel line to an intersection with the southwesterly line of said Lot 37; thence northwesterly along said southwesterly line and its northwesterly extension to an intersection with Line 1 described above and there terminating;

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together with all right of access, being the right of ingress to and egress from all that portion of the above described tract, not acquired herein, to the above described strip; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1(a), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, these lands have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, Lots 35 and 36, Block 111, West Duluth Fifth Division, have been classified as conservation land pursuant to Minnesota Stat. § 282.01; and

WHEREAS, these parcels are 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 these 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 within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, the Land Commissioner recommends that these parcels be reclassified as non-conservation and offered for sale having considered, 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 the peculiar suitability or desirability of lands for particular uses.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the reclassification and sale of state tax forfeited land to the State of Minnesota for the appraised value of \$965 plus the following fees: administration fee of \$100, 3% assurance fee of \$28.95, deed fee of \$25, deed tax of \$3.18, recording fee of \$46; for a total of \$1,168.13, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, that the request for approval of the reclassification of Lots 35 and 36, Block 111, West Duluth Fifth Division, shall be transmitted by the Land and Minerals Department to the clerk of the City of Duluth.

Adopted July 24, 2012. No. 12-414

WHEREAS, Enbridge Energy Limited Partnership has requested a non-exclusive easement to use tax forfeited parcels for construction of a cathodic protection system ground bed and wiring for petroleum pipeline corrosion protection; and

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

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements for such purchases.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 4, to grant a non-exclusive easement to Enbridge Energy Limited Partnership described as follows:

An easement over, under and across all that part of the southeast quarter of the southeast quarter (SE 1/4 of SE 1/4) of Section Seven (7), Township Fifty (50) North, Range Nineteen (19) West of the Fourth Principal Meridian lying between two lines zero (0) and twenty-five (25) feet southeasterly of and parallel with the following described line:

Commencing at the southeast corner of said Section 7, thence North 02 degrees 29 minutes 10 seconds East along the east line of said se 1/4 of se 1/4; thence North 87 degrees 30 minutes 50 seconds West to the point of beginning of the line to be described; thence South 25 degrees 44 minutes 49 seconds West, a distance of 77.44 feet; thence South 28 degrees 19 minutes 06 seconds West, a distance of 85.86 feet; thence South 36 degrees 14 minutes 56 seconds West,

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a distance of 26.75 feet to a point hereinafter referred to as point "a" and said line there terminating.

Together with:

An easement over, under and across all that part of the southeast quarter of the southeast quarter (SE 1/4 of SE 1/4) of Section Seven (7), Township Fifty (50) North, Range Nineteen (19) West of the Fourth Principal Meridian lying between two lines zero (0) and fifty (50) feet southeasterly of and parallel with the following described line:

Beginning at the aforementioned point "a", thence South 36 degrees 14 minutes 56 seconds West, a distance of 50.00 feet, said line there terminating.

RESOLVED FURTHER, that the granting of this easement is conditioned upon payment of \$115 land use fee, \$50 administrative fee and \$46 recording fee; for a total of \$211, to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted July 24, 2012. No. 12-416

WHEREAS, Evelina Bennett, the mother of James Bennett (deceased), has agreed that the contract for the purchase of state tax forfeited lands should be cancelled and agreed to admission of service and waiver of time to cure default to the State of Minnesota; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by publication for lands legally described as:

CITY OF MT. IRON

N 1/2 OF LOT 22 & ALL OF LOT 23

BLOCK 5, SOUTH GROVE ADDITION TO MT. IRON

Parcel Code: 175-0055-01035

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner(s) of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the St. Louis County Board authorizes the County Auditor to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted July 24, 2012. No. 12-417

RESOLVED, that the appraisal report for sale of timber, numbered Tract 1, as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 59391, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted July 24, 2012. No. 12-419

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, for the purchase of design services from LHB Corp., Duluth, MN, for the reconstruction of County Bridge 24 along County State Aid Highway 37 (Jean Duluth Road) over the Lester River in Lakewood Township, MN, C.P. 161399. The total cost of these services is \$41,000, payable from Fund 225, Agency 161399, Object 626600.

Adopted July 24, 2012. No. 12-420

RESOLVED, that the St. Louis County Board authorizes an agreement, and any amendments authorized by the County Attorney, for the purchase of design services from LHB Corp.,

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Duluth, MN, for the reconstruction of County Bridge 17 along County Road 290 over the Big Sucker River in Duluth Township, MN, C.P. 161400. The total cost of these services is \$36,500, payable from Fund 225, Agency 161400, Object 626600.
Adopted July 24, 2012. No. 12-421

RESOLVED, that the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59401.
Adopted July 24, 2012. No. 12-422

RESOLVED, that the application for a temporary on-sale 3.2 percent malt liquor license, on file in the office of the County Auditor, identified as County Board File No. 59425, is hereby approved and the County Auditor is authorized to issue the license to the applicant: Babbitt Lions Club, Town of Embarrass, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1245, for August 25 and 26, 2012.
Adopted July 24, 2012. No. 12-423

RESOLVED, that the application for a Temporary On-Sale 3.2 Percent Malt Liquor License, on file in the office of the County Auditor, identified as County Board File No. 59452, is hereby approved and the County Auditor is authorized to issue the license to the applicant: Buyck Volunteer Fire Department, Town of Portage, Temporary On-Sale 3.2 Percent Malt Liquor License No. TB1246, for August 4, 2012.
Adopted July 24, 2012. No. 12-424

RESOLVED, that pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby approved for the following applications to sell/serve outside the designated serving area of the county liquor license, as per applications on file in the office of the County Auditor, identified as County Board File No. 59385:

- Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, August 18, 2012;
- Oveson Kab-Con, Inc., d/b/a Kettle Falls Hotel, Unorganized Township 70-18, August 25, 2012.

Adopted July 24, 2012. No. 12-425

RESOLVED, that the workers' compensation report of claims by employees for work-related injuries, dated July 13, 2012, on file in the office of the County Auditor, identified as County Board File No. 59383, is hereby received and ratified as payable from Fund 730, Agency 730001.
Adopted July 24, 2012. No. 12-426

WHEREAS, the State of Minnesota has available tower space at its Sax Communications Facility near the City of Zim; and
WHEREAS, the St. Louis County Sheriff's Office is in need of communications space on the tower for the Allied Radio Matrix for Emergency Response (ARMER) systems.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into a ten-year agreement with the State of Minnesota for the county's use of tower and shelter space at the Sax Communications Facility at no cost, beginning September 1, 2012, through August 31, 2022.
Adopted July 24, 2012. No. 12-427

BY COMMISSIONER DAHLBERG:

RESOLVED, that the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, Tracts 1 through 37 (totaling \$936,200.19), as submitted by the Land

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and Minerals Commissioner, on file in the office of the County Auditor, identified as County Board File No. 59391, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.
Unanimously adopted July 24, 2012. No. 12-418

BY COMMISSIONER FORSMAN:

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 4.15, requires all licensed establishments to pay all real and personal property taxes when due; and
WHEREAS, ILI, LLC d/b/a Island Lake Inn, Gnesen Township, was issued Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses for the period of July 1, 2012, through June 30, 2013; and
WHEREAS, the establishment has past due or delinquent real or personal property taxes for the first half of 2012; and
WHEREAS, a public hearing was held on July 24, 2012, to consider suspension of the intoxicating liquor licenses for the establishment for failure to pay real or personal property taxes when due.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board suspends the Combination On/Off-Sale License No. CMB13130 and Sunday On-Sale Intoxicating Liquor License No. SUN13130 issued to ILI, LLC d/b/a Island Lake Inn, Gnesen Township, effective July 24, 2012, at 4:30 p.m.
RESOLVED FURTHER, that said licenses will remain suspended until such time as the taxes are paid in full or the licenses expire or are revoked.
Unanimously adopted July 24, 2012. No. 12-428

Upon motion by Commissioner Sweeney, supported by Commissioner O'Neil, resolutions numbered 12-429 through 12-444, and 12-446 through 12-449, as submitted on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER SWEENEY:

WHEREAS, significant rainfall on June 19 – 23 created emergency conditions involving flooding and related damages to private and public infrastructure; and
WHEREAS, St. Louis County, through its Environmental Services Department, operates a network of waste collection sites including sites in the flood affected area; and
WHEREAS, St. Louis County can assist residents currently challenged with responding to flood impacts by providing free disposal of flood damaged property.
NOW, THEREFORE, BE IT RESOLVED, that the Environmental Services Department is directed to waive tipping fees for flood-related waste at its Brookston Transfer Station through Tuesday, July 31, 2012.
Adopted July 24, 2012. No. 12-429

WHEREAS, the Land and Minerals Department's principle long term goal is to improve the total stand age structure of the forest resource on the tax forfeited land base; and
WHEREAS, a Low Resolution Inventory is necessary to provide a mature tree inventory geared to minimal data-collection about species size, age, allowable cut, and species percent composition by stand; and
WHEREAS, the St. Louis County Purchasing Division solicited bids for a three year Low Resolution Inventory contract for September 4, 2012, through December 25, 2015; and
WHEREAS, Chandler Johnson submitted the low bid in the amount of \$711,322 for the contract.
NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Chandler Johnson of Fairmont, MN, in accordance with the specifications of Bid No. 4961-1, payable from Fund 290, Agency 290001 (Forest Resources Fund), subject to approval by the County Attorney.

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Adopted July 24, 2012. No. 12-430

WHEREAS, Minn. Stat. §282.04, Subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease state tax forfeited land to individuals, corporations or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, Proctor Independent School District No. 704 has requested to lease state tax forfeited land described below for the purpose of a school forest to be developed in a manner consistent with Minn. Stat. § 89.41 and the existing Bay View School Forest:

NE 1/4 OF SE 1/4 EX 1 65/100 ACRES FOR BLVD
SECTION 11, TOWNSHIP 49 NORTH, RANGE 15 WEST; and

SE 1/4 OF SE 1/4 LYING NWLY OF RY RT OF WAY
EX 3 18/100 ACRES FOR BLVD
SECTION 11, TOWNSHIP 49 NORTH, RANGE 15 WEST

WHEREAS, the Land and Minerals Department has reviewed the request and recommends a lease fee not to exceed \$250 per year for a ten year term to pay for administration costs, should they occur.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the County Auditor to lease state tax forfeited land described above to Proctor Independent School District No. 704 for a school forest under the terms and conditions described here and more specifically set forth in the lease agreement.

Adopted July 24, 2012. No. 12-431

WHEREAS, the contract with Terry and Mary Johnson of Aurora, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes and installments and failure to provide proof of insurance; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by civil process and has failed to cure the default for lands legally described as:

CITY OF VIRGINIA
LOT: 0019 BLOCK: 005
VIRGINIA/RAINY LAKE COS ADDN TO VIRGINIA
Parcel Code: 090-0160-00830
C22080333

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owners of the property will be notified by posting of the property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted July 24, 2012. No. 12-432

WHEREAS, the contract with Leslie A. Nilsson of Mt. Iron, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by publication and has failed to cure the default for lands legally described as:

CITY OF MT. IRON
NLY 62 FT OF LOT 10, BLOCK 7
MERRITTS 1ST ADDITION TO MOUNTAIN IRON

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Parcel Code: 175-0020-00865
C22110021

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner of the property will be notified by posting of the property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the repurchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted July 24, 2012. No. 12-433

WHEREAS, the contract with Robert Koch of Carlton, MN, for the purchase of state tax forfeited land is in default for nonpayment installments; and

WHEREAS, the purchaser was properly served with Notice of Cancellation of Contract by publication and has failed to cure the default for lands legally described as:

TOWN OF FLOODWOOD
ALL THAT PART OR STRIP LYING N OF SAVANAH RIVER ABOUT 3 TO 4
AC OF SE 1/4 OF NE 1/4
SECTION 7, TOWNSHIP 51 NORTH, RANGE 20 WEST
Parcel Code: 360-0010-01150
C22090184

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d) and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, the previous owner of the property will be notified by posting of property or by mail.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21.

RESOLVED FURTHER, that the County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted July 24, 2012. No. 12-434

WHEREAS, pursuant to Laws of Minnesota 2011, Chapter 3, Section 31, St. Louis County may sell by private sale the following described state tax forfeited parcel:

The South 150 feet of the Northeast Quarter of the Southeast Quarter
Section 5, Township 55 North, Range 18 West
Parcel Code 435-0020-01021

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the sale of state tax forfeited land described above to Eugene Ollila for an appraised value of \$5,460, appraisal fee of \$500, 3% assurance fee of \$163.80, deed fee of \$25, deed tax of \$18.02, and recording fee of \$46; for a total of \$6,212.82, to be deposited in Fund 240 (Forfeited Tax Fund).

Adopted July 24, 2012. No. 12-435

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-607-045, CP 9310 located on CSAH 7 from CSAH 101 to TH 169 in Mt. Iron, MN.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 12, 2012, and KGM Contractors, Inc., Angora, MN, provided the low responsible bid.

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NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Highway 53 Angora, MN 55703	\$1,867,853.61

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney 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 220227, Object 652700.

Adopted July 24, 2012. No. 12-436

WHEREAS, bids have been received by the County Auditor for the following projects:

MP 148960 Gravel Road Improvement Project (GRIP) South located on:

- A.) CSAH 8 from CR 965 to CSAH 5, Floodwood and Arrowhead Townships;
- B.) CR 294 (West Pioneer Road) from CSAH 48 (Lavaque Road) to CSAH 43, Fredenberg Township;
- C.) CR 859 (Caribou Lake Road) from CSAH 6 (Maple Grove Road) to TH 194, Solway Township;
- D.) CR 890 (Rose Road) from CR 223 (Munger Shaw Road) to CR 859 (Caribou Lake Road), combined length 9.92 mi., Solway Township.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 12, 2012, and the KGM Contractors, Inc., Angora, MN provided the low responsible bid.

NOW, 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>
KGM Contractors, Inc.	P.O. Box 7 Angora, MN 55703	\$663,041.99

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Construction Funds:	Fund 200, Agency 203261, Object 652800	\$367,161.19
GRIP Funds:	Fund 200, Agency 203261, Object 652805	\$295,880.80

Adopted July 24, 2012. No. 12-437

WHEREAS, bids have been received by the County Auditor for the following combined project:

- MP 44-154917(low), CP 154917 located on CSAH 44 (Normanna Road) from CSAH 34 (Howard Gnesen Road) to CSAH 37 (Jean Duluth Road), in Gnesen Township, and;
- MP 55-145550, CP 145550 located on CSAH 55 (Two Harbors-Brimson Road) from CSAH 44 to Lake County border in Ault Township.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 12, 2012 and Ulland Brothers, Inc., Cloquet, MN provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$514,000.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed combined project payable from:

MP 44-154917:	Fund 200, Agency 203270, Object 652800	\$253,000.00
MP 55-145550:	Fund 200, Agency 203271, Object 652800	\$261,000.00

Adopted July 24, 2012. No. 12-438

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WHEREAS, bids have been received by the County Auditor for the following project:

MP 409-155964, CP 155964 located on CR 409 (Rivers Road) from 950' north of CR 411 to 1,500' north of CR 411 in Kugler Township.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 12, 2012, and Hoover Construction Co., Virginia, MN, provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the lowest bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Hoover Construction Co.	P.O. Box 1007 302 S. Hoover Rd. Virginia, MN 55792	\$91,890.00

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203272, Object 652800.

Adopted July 24, 2012. No. 12-439

WHEREAS, bids have been received by the County Auditor for the following project:

MP 90-144630, CP 144630 located on CSAH 90 (Arlington Ave.) from Central Entrance to Myrtle Street in Duluth, MN.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 19, 2012, and KTM Paving, Inc., Hermantown, Minnesota, provided the low responsible bid.

NOW, 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>
KTM Paving, Inc.	5513 Hwy. 2 Hermantown, MN 55810	\$62,937.17

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203274, Object 652800.

Adopted July 24, 2012. No. 12-440

WHEREAS, bids have been received by the County Auditor for the following project:

MP 116-1284, CP 1284 located on CSAH 116 (Echo Trail) from 0.6 miles north of CR 803 to 1.0 miles north of CR 644 north of Ely, MN.

WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN, on July 19, 2012, and KGM Contractors, Inc., Angora, Minnesota, provided the low responsible bid.

NOW, 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>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$1,707,506.97

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 200, Agency 203102, Object 652800.

Adopted July 24, 2012. No. 12-441

WHEREAS, bids have been received by the County Auditor for the following project:

SAP 69-030-023(low)/SAP 69-637-020, CP 161480 located on CR 293 (North Tischer Road) from CSAH 10/CR 286 (Strand Road) to CSAH 43 (Zimmerman Road).

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WHEREAS, bids were opened in the St. Louis County Courthouse, Duluth, MN July 23, 2012 and Northland Constructors of Duluth, LLC, Duluth, Minnesota provided the low responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board approves the award on the above combined project to the low bidder.

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$1,084,848.25

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 225, Agency 161480, Object 652706.

Adopted July 24, 2012. No. 12-442

WHEREAS, the Public Works and Planning and Community Development Departments budgeted for an overall study of county maintenance facilities in the Fourth Maintenance District, as well as economic development analysis for potential redevelopment of vacant or underused sites in the district; and

WHEREAS, Oertel Architects, Ltd., St. Paul, Minnesota, is qualified to provide these services.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute the professional service agreement and any amendments approved by the County Attorney's Office with Oertel Architects, Ltd., St. Paul, Minnesota, in the amount of \$76,004 for the Public Works Fourth Maintenance District facilities study, payable as follows: \$51,004 payable from Fund 405, Agency 405055, Object 629900, and \$25,000 payable from Economic Development Funds, Fund 178, Object 311200. Adopted July 24, 2012. No. 12-443

WHEREAS, the St. Louis County Jail in Duluth was constructed in 1995 and still has the original roof; and

WHEREAS, the roof is experiencing water infiltration and has reached the end of its life cycle; and

WHEREAS, St. Louis County Purchasing solicited bids for project construction services for the roof replacement, and Thelen Heating and Roofing, Inc., of Brainerd, Minnesota, supplied the low qualified bid in an amount of \$434,000.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Thelen Heating and Roofing, Inc., Brainerd, Minnesota, in an amount of \$434,000 for the Duluth Jail roof replacement project, payable from Fund 402, Agency 402005, Depreciation.

Adopted July 24, 2012. No. 12-444

WHEREAS, St. Louis County owns three cemetery sites on the Public Safety Campus, historically known as the St. Louis County Poor Farm and Almshouse, and later as the Cook Poor Farm, the Cook Home, and Chris Jensen Health & Rehabilitation Center; and

WHEREAS, the cemeteries (labeled pauper cemeteries) were used from 1891-1947 to bury Almshouse residents and county residents without means for other burial options; and

WHEREAS, in 2002 Property Management conducted an investigation with the University of Minnesota Duluth Library Archives staff, a licensed surveyor, and the Minnesota Historical Society to identify the exact cemetery locations (boundaries), and identify those people buried at Greenwood and its ancillary cemeteries, and determined there are approximately 5,000 unmarked graves and others with numbered concrete plugs; and

WHEREAS, the list of burials was found to be very inaccurate, and a subsequent 2010 to 2012 investigation confirmed the inaccuracy of the burial records, causing continual confusion

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over the number of burials, the identifying numbers assigned to the grave sites, duplicate grave numbers, unmarked graves, and burials of unnamed individuals.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board designates the Greenwood Cemetery and its ancillary cemeteries as "Inactive and Historical," and prohibits future upright or in ground grave marking at these sites.

RESOLVED FURTHER, that the Property Management Department will permanently house the accurate list of known names and boundary maps of the cemetery sites, and will also make this information available at the Public Safety Campus, the St. Louis County Courthouse in Duluth, and the information will also be linked to the county web page and the Duluth Public Library's web page.

RESOLVED FURTHER, that Property Management will ensure there is a permanent receptacle/container for flowers and other memorial offerings located at the Greenwood Cemetery monument.

Adopted July 24, 2012. No. 12-446

WHEREAS, St. Louis County does not presently offer an optional long term disability and income replacement insurance for employees to purchase; and

WHEREAS, the Human Resources Department and the Purchasing Division requested long term disability insurance proposals in April 2012 to evaluate carrier alternatives; and

WHEREAS, eleven competitive proposals were submitted and considered for the optional long term disability coverage; and

WHEREAS, a selection committee was established and recommended that the proposal submitted by National Insurance Services on behalf of Madison National Life offered the best overall value.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes the appropriate county officials to execute an agreement for professional services and authorizes employee payroll deductions for optional long term disability coverage through National Insurance Services.

RESOLVED FURTHER, that the County Board approves the schedule of fixed premium rates through December 31, 2014.

RESOLVED FURTHER, that a special open-enrollment period will be conducted from September 4 – September 28, 2012, with an October 1, 2012, effective date and a second open enrollment during the November 2012 with an effective date of January 1, 2013.

RESOLVED FURTHER, that enrollment will be offered during the month of November of each year for the following plan year, subject to application approval, starting in November 2013.

Adopted July 24, 2012. No. 12-447

WHEREAS, by Resolution No. 09-500, dated November 3, 2009, St. Louis County provided Lake County with a \$20,000 loan to assist in that county's fiber optic broadband internet service initiative; and

WHEREAS, by Resolution No. 627, dated November 22, 2011, St. Louis County agreed to allow Lake County to use up to the \$20,000 owed to St. Louis County for the purpose of providing a local match for the Cloquet Valley Internet Initiative.

NOW, THEREFORE, BE IT RESOLVED, that should Lake County transfer the \$20,000 or any part thereof to the Cloquet Valley Internet Initiative, Lake County shall be relieved of any obligation to repay that amount to St. Louis County.

RESOLVED FURTHER, that should additional funding become available to the Cloquet Valley Internet Initiative and/or its partners for development of a broadband network in the region represented by the Cloquet Valley Internet Initiative, the \$20,000 loan transferred from Lake County to the Cloquet Valley Initiative shall be repaid to St. Louis County by the Cloquet Valley Internet Initiative.

Adopted July 24, 2012. No. 12-448

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RESOLVED, that the arbitration award for the 2010/2011 Assistant County Attorney's Unit is ratified and the appropriate county officials are authorized to execute the Bargaining Unit Agreement, a copy of which is on file in County Board File No. 59493.
Adopted July 24, 2012. No. 12-449

BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County makes extensive use of aerial photography for business operations using Geographical Information Systems (GIS); and

WHEREAS, St. Louis County is in need of an updated high resolution aerial photography product to assist with business operations; and

WHEREAS, St. Louis County has identified Pictometry International Corporation as a sole provider of an applicable oblique and orthogonal air photography product and related technologies.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board authorizes a contract with Pictometry International Corporation, Rochester, New York, for 2013 oblique and orthogonal aerial photography and related technologies, in an amount of \$392,006.00 plus \$26,950.41 in sales tax for the first capture of photos and the option for a second capture of photos in three years.

RESOLVED FURTHER, that the purchase shall be made from the Planning/GIS Fund 100, Agency 109003, and that \$418,956.41 be transferred from the Recorder's equipment/technology fund balance 100-311014 to Technology Fund, Fund 100, Agency 121002, and then transferred to Planning/GIS, Fund 100, Agency 109003.

Yeas – Commissioners Jewell, O'Neil, Sweeney, and Raukar – 4

Nays – Commissioners Dahlberg, Forsman, and Chair Nelson – 3

Adopted July 24, 2012. No. 445

At 3:00 p.m., July 24, 2012, Commissioner Sweeney, supported by Commissioner Dahlberg, moved to adjourn; seven yeas, zero nays.

Keith Nelson, 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)