

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Tuesday, September 23, 2014

Location: Babbitt City Hall, Babbitt, Minnesota

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

Absent: None

Convened: Chair Forsman called the meeting to order at 11:23 a.m.

CONSENT AGENDA

Jewell/Raukar moved to approve the consent agenda without Item #1, Reclassification of State Tax Forfeited Lands to Non-Conservation [14-344]. The motion passed. (7-0)

- Minutes of September 9, 2014
- Class I Demolition Waste Haulage Contract Adjustments [14-345]
- Award of Bid – Gasohol, Fuel Oil and Diesel Fuel [14-346]
- Amendment to Agreement for Depot Roof General Obligation Bond Project [14-347]
- Acquisition of Right of Way – CSAH 155/Eighth Avenue East (Ely) [14-348]
- Dedication of Permanent Highway Easements over County Fee Owned Property (Townships 56 North, Range 19 West and 52 North, Range 18 West) [14-349]
- Sale of Non-Conforming Fee Land to Adjoining Property Owner (Lavelle Township) [14-350]
- Easement for Ingress and Egress across County Fee Owned Land (Duluth Township) [14-351]
- Application and Acceptance of 2014 Emergency Management Performance Grant [14-352]
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – Clearwater Grille & Event Center, Duluth Township (Tuesday, October 28, 2014, 9:45 a.m., Mesabi Station, Eveleth, MN) [14-353]
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – Grandview Golf Links, Midway Township (Tuesday, October 28, 2014, 9:50 a.m., Mesabi Station, Eveleth, MN) [14-354]
- Establish Public Hearing to Consider Allegations of Liquor Law Violation – Twig General Store, Grand Lake Township (Tuesday, October 28, 2014, 9:55 a.m., Mesabi Station, Eveleth, MN) [14-355]
- Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License – Fredenberg Township (Tuesday, October 28, 2014, 10:00 a.m., Mesabi Station, Eveleth, MN) [14-356]

Commissioner Nelson commented on Item #13, Establishment of a Public Hearing to Consider Issuance of an Off-Sale Intoxicating Liquor License to Michael Fink and Robert Pierce d/b/a Eagle's Nest Resort, Fredenberg Township [14-356]. Commissioner Nelson disclosed to the Board that he is a friend of Michael Fink's father, Dennis Fink. Commissioner Nelson stated that he did not have any financial interest in the business; no Commissioners felt that there was a conflict of interest.

REGULAR AGENDA

Environment & Natural Resources Committee

Forsman/Jewell moved to request the Commissioner of the Minnesota Department of Natural Resources to consider changing the shoreland management classification of Twin Lake (ID # 69016300), located about five miles south of Ely, MN, from "Natural Environment" to "Recreational Development." [14-357] The following citizens spoke to the proposed classification change: Martin Breaker provided a handout and discussed why he felt the classification should be changed from Natural Environment to Recreational Development. Walt Thompson, Kris Thompson, and John Skolte spoke in opposition of changing the classification to Recreational Development. Commissioner Stauber asked that Administration contact to Morse Township officers to see if they could attend the October 7, 2014 meeting to provide their opinion regarding the proposed classification change. After further discussion, the motion passed. (6-1, Jewell)

Nelson/Dahlberg moved that the Commissioner of Revenue convey certain state tax forfeited land to the Township of Fredenberg for an authorized public use, upon payment of \$250 administrative fee, \$250 Department of Revenue fee, \$25 deed fee, \$1.65 deed tax, and \$46 recording fee; for a total of \$572.65, to be deposited into Fund 240 (Forfeited Tax Fund). Should the Township of Fredenberg fail to develop and implement the authorized public use stipulated in the Minnesota Department of Revenue Conditional Use Deed within the statutory time period allowed, the land will revert to the state of Minnesota tax forfeited trust, and be sold at public auction by the St. Louis County Land and Minerals Department, providing that all easements and trails currently existing are protected prior to the sale. [14-358] St. Louis County Land Commissioner Mark Weber discussed the proposed land conveyance. Chair Forsman stepped out of the meeting from 12:31 p.m. to 12:32 p.m. Clayton Cich, Fredenberg Township Supervisor, submitted to the Committee a copy of an application to withhold tax-forfeited land from sale pending acquisition and a committee sign-up sheet. Mr. Cich discussed the application and the addition of dog sledding to the application. Commissioner Raukar asked Attorney Mark Rubin if the language contained in the Board letter was binding language. Attorney Rubin explained that once the Board approves the conveyance, control is relinquished to the Department of Revenue to approve public use of the land. Commissioner Raukar requested that the item be moved without recommendation; the maker of the motion (Commissioner Nelson) denied the request. Commissioner Jewell stepped out of the meeting from 12:53 p.m. to 12:56 p.m. A recess was taken from 1:03 p.m. to 2:20 p.m. After recess, the following citizens spoke to the motion: Dan Fuchs thought the process is moving too fast and stated that use of the land should be clearly defined. Blake Cazier expressed concern regarding application wording and was concerned about the number of people who signed up for the committee who testified against Positive Energy at the Conditional Use Permit meeting. Ann Cich said they were happy that Stephanie Love joined the team and replied that anyone could sign-up for the committee. After further discussion, the motion passed. (4-3) Yeas: Dahlberg, Stauber, Nelson, Forsman; Nays: Jewell, Boyle, Raukar.

Nelson/Forsman moved to divide the question regarding Reclassification of State Tax Forfeited Lands to Non-Conservation. [14-344] After further discussion, the motion passed. (7-0)

Nelson/Stauber moved that the state tax forfeited parcels described in County Board File No. 59937 shall be reclassified as non-conversation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located. The motion passed. (7-0)

Nelson/Forsman moved that the state tax forfeited parcels described in County Board File No. 59938 shall be reclassified as non-conversation and offered for sale, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located. Dennis Fink discussed the reclassification and asked that no action be taken until more information is gathered. Ken Kollodge spoke to the proposed reclassification. After further discussion, the motion passed without recommendation. (7-0)

Finance & Budget Committee

Commissioner Jewell exited the meeting at 3:26 p.m.

Nelson/Dahlberg moved to authorize the appropriate county officials to execute a Memo of Understanding with the City of Duluth for the repair of the Duluth Courthouse front entrance stairs and sidewalk in an amount of \$87,862.50. [14-359] After further discussion, the motion passed. (6-0, Jewell absent)

Commissioner Jewell entered the meeting at 3:29 p.m.

Central Management & Inter-Governmental Committee

Nelson/Jewell moved to reappoint the following citizens to the CDBG Citizen Advisory Committee with a term expiring April 30, 2017: Rudy Semeja (At Large - Virginia), Laurence Cuffe (Virginia); and further, that the County Auditor is authorized to advertise and accept applications until November 15, 2014, for two vacant positions on the Community Development Block Grant Citizen Advisory Committee, one representing Rice Lake Township and one At-Large representative, serving three-year terms expiring April 30, 2017. [14-360] After further discussion, the motion passed. (7-0)

COMMISSIONER DISCUSSION ITEMS

Commissioner Dahlberg said that a house warming event for U.S. Marine Corporal Mark Litynski, a triple amputee survivor of the Afghanistan war, will take place this Thursday at 10:00 a.m. at 6340 Arnold Road, Duluth, MN. The home is being provided by the Gary Sinise Foundation. Commissioner Dahlberg also said a fundraiser will be held on October 15th at the West Duluth American Legion.

Commissioner Stauber commented on today's Duluth News Tribune article featuring Administrator Kevin Gray. Commissioner Stauber praised the work of Senator Tom Bakk and Representative Mary Murphy in securing \$250,000 of pre-planning funds for the Arrowhead Health and Wellness Center project.

Commissioner Nelson discussed a recent vote by the ARC (Arrowhead Regional Corrections) Board for approval of a signing bonus for a former supervisor who was retired at the time the labor agreement was signed. Commissioner Nelson requested that a thorough exam of St. Louis County/ARC membership take place during the first quarter of 2015.

At 3:43 p.m., Raukar/Jewell moved to adjourn the Committee of the Whole meeting. The motion passed. (7-0)



Mike Forsman, Chair of the County Board



Phil Chapman, Clerk of the County Board