

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON OCTOBER 14, 2014**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 14th day of October 2014, at 9:36 a.m., at the Hermantown City Hall, Hermantown, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Pete Stauber, Keith Nelson, Steve Raukar, and Chair Mike Forsman - 7. Absent: None - 0.

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

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

Commissioner Raukar, supported by Commissioner Jewell, moved to approve the consent agenda without Item #4, Special sale of state tax forfeited land described as Lots 395, 397, and 399, Lower Duluth Minnesota Avenue, City of Duluth, to the Duluth Economic Development Authority (DEDA) authorized for a total cost of \$47,949.86 to be used to promote economic development. The item was pulled because the resolution passed at the October 7, 2014 Committee of the Whole meeting did not include necessary language to reclassify the parcel as non-conservation. The motion passed; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Dahlberg, moved to reclassify the parcels described in County Board File No. 59950 as non-conservation land pursuant to Minn. Stat. § 282.01, as is required for the sale of tax forfeited land; and further, the County Board approves the sale of the parcels and authorizes the County Auditor to offer the parcels at private sale to any single, specific adjoining or adjacent landowner without notifying or offering to sell to all adjoining or adjacent landowners to encourage return of the parcels to the tax rolls. St. Louis County Administration distributed documents detailing parcel information to the Board. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 14-562.

Commissioner Jewell, supported by Commissioner Dahlberg, moved to reclassify the parcel described below as non-conservation land pursuant to Minn. Stat. § 282.01 and approves the sale of state tax forfeited land, as described, to the Duluth Economic Development Authority for the price of \$46,272, plus the following fees: 3% assurance fee of \$1,388.16, deed fee of \$25, deed tax of \$152.70, and recording fee of \$112; for a total of \$47,949.86:

Legal: City of Duluth
LOTS 395, 397 AND 399
LOWER DULUTH MINNESOTA AVENUE
Parcel Code: 010-3110-02040
LDKey: 118415

After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 14-565.

Commissioner Jewell, supported by Commissioner Boyle, moved to approve the proposed settlement in *Griesbach v. County of St. Louis*, Case No. 69DU-CV-14-1464 and authorizes the appropriate county officials to negotiate and execute appropriate settlement documents and to make the payments contemplated by the proposed settlement in the aggregate amount of \$199,500. St. Louis County Civil Division Head Kim Maki discussed incident and the settlement terms. The motion passed; seven yeas, zero nays. Resolution No. 14-563.

Commissioner Jewell, supported by Commissioner Boyle, moved to convene in a closed meeting of the Committee of the Whole on October 14, 2014, for the purpose of discussing labor negotiations strategy in accord with Minn. Stat. § 13D.05, Subd. 3(b). The motion passed; seven yeas, zero nays. Resolution No. 14-564.

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

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-369R, Adjoining Owner Sale.—59950

Kevin Gray, County Administrator, and Mark Rubin, County Attorney, submitting Board Letter No. 14-393, Griesbach Settlement Agreement.—59951

Kevin Gray, County Administrator, submitting Resolution for Closed Session of the Committee of the Whole for Labor Negotiations.—59952

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Donald Dicklich, County Auditor, submitting Board Letter No. 14-370, Special Sale to the Duluth Economic Development Authority.—59953

Kevin Gray, County Administrator, and Ann Busche, Director of Public Health & Human Services, submitting Board Letter No. 14-366, Acceptance of 2014 Minnesota Family Investment Program Innovation Fund Grant – Racial and Ethnic Disparities in Employment Outcomes.—59954

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-374, Updated Road Maintenance Agreement between St. Louis County and the City of Duluth.—59955

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-375, Establishment and Revocation of Certain County State Aid Highways.—59956

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 14-377, Application to Apply for a Grant for a Culvert Survey – Phases II and III.—59957

Kevin Gray, County Administrator, and Tony Mancuso, Property Management Director, submitting Board Letter No. 14-380, Wetlands Dedication Covenant Prior to Sale of Surplus Fee Land (Alborn Township).—59958

Kevin Gray, County Administrator, submitting Board Letter No. 14-387, Establish Public Hearing to Consider Adoption of 2015 Fee Schedule.—59959

Kevin Gray, County Administrator, submitting Board Letter No. 14-391, Appointment to Arrowhead Library System Board of Directors.—59960

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 14-385, Memorandum of Understanding with the City of Duluth for the 2014 Justice Assistance Grant.—59961

Agreement for Professional Services by and between the County of St. Louis and Toltz, King, Duvall, Anderson and Associates, Inc., (TKDA), Duluth, MN, for Downtown Duluth Parking Lot Investigation.—14-1025

Agreement for Professional Services by and between the County of St. Louis and Scalzo Architects, Duluth, MN, for Life Safety/Sprinkler Upgrades project at the Depot in Duluth, MN.—14-1026

Agreement for Professional Services by and between the County of St. Louis and Scalzo Architects, Duluth, MN, for Duluth Courthouse Exterior Stair Reconstruction and Sidewalk Repair project.—14-1027

Fire Protection and First Responder Services Agreement by and between the County of St. Louis and the City of Babbitt, MN, to provide services in Unorganized Townships 61-12 and 61-13.—14-1028

Fire Protection Services Agreement by and between the County of St. Louis and the City of Chisholm, MN, to provide services in Unorganized Township 59-21.—14-1029

Project Contract No. 2014-008928, between the County of St. Louis and UHL Company, Inc., parent company of ABE Environmental Systems, Maple Grove, MN, for the Hibbing Courthouse Heating, Ventilation and Air Conditions (HVAC) Control System Replacement – Phase I project.—14-1030

Agreement for Professional Services by and between the County of St. Louis and Northland Consulting Engineers, LLP, Duluth, MN, for North Rescue Squad Building Renovation Structural Column Repair Design and Specification.—14-1031

Agreement for Services between the County of St. Louis and Brady Worldwide Headquarters, Milwaukee, WI, to develop Lockout-Tagout procedures.—14-1032

Purchase of Service Agreement, Contract No. 15226, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period January 1, 2014 through March 31, 2014.—14-1033

Purchase of Service Agreement, Contract No. 15227, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1034](#)

Purchase of Service Agreement, Contract No. 15232, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1035](#)

Purchase of Service Agreement, Contract No. 15233, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1036](#)

Purchase of Service Agreement, Contract No. 15234, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1037](#)

Purchase of Service Agreement, Contract No. 15235, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1038](#)

Purchase of Service Agreement, Contract No. 15236, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1039](#)

Purchase of Service Agreement, Contract No. 15239, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1040](#)

Purchase of Service Agreement, Contract No. 15241, between the St. Louis County Board of Commissioners and Great Lakes Excavating, Inc., Duluth, MN, for Chore Services during the period April 1, 2014 through April 30, 2014.—[14-1041](#)

Purchase of Service Agreement, Contract No. 15315, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—[14-1042](#)

Purchase of Service Agreement, Contract No. 15316, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—[14-1043](#)

Purchase of Service Agreement, Contract No. 15317, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—[14-1044](#)

Purchase of Service Agreement, Contract No. 15318, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—[14-1045](#)

Purchase of Service Agreement, Contract No. 15320, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—14-1046

Purchase of Service Agreement, Contract No. 15315, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—14-1047

Purchase of Service Agreement, Contract No. 15322, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—14-1048

Purchase of Service Agreement, Contract No. 15323, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—14-1049

Purchase of Service Agreement, Contract No. 15324, between the St. Louis County Board of Commissioners and Daniel Wiswell, Aurora, MN, for Chore Services during the period August 1, 2014 through May 31, 2015.—14-1050

Purchase of Service Agreement, Contract No. 15334, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1051

Purchase of Service Agreement, Contract No. 15335, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1052

Purchase of Service Agreement, Contract No. 15336, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1053

Purchase of Service Agreement, Contract No. 15337, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1054

Purchase of Service Agreement, Contract No. 15338, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1055

Purchase of Service Agreement, Contract No. 15339, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1056

Purchase of Service Agreement, Contract No. 15340, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1057

Purchase of Service Agreement, Contract No. 15341, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1058

Purchase of Service Agreement, Contract No. 15342, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1059

Purchase of Service Agreement, Contract No. 15343, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1060

Purchase of Service Agreement, Contract No. 15344, between the St. Louis County Board of Commissioners and Timothy Ellison, Chisholm, MN, for Chore Services during the period October 1, 2014 through May 31, 2015.—14-1061

Upon motion by Commissioner Raukar, supported by Commissioner Jewell, resolutions numbered 14-537 through 14-561, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER RAUKAR:

WHEREAS, St. Louis County Public Health and Human Services (PHHS) was notified that the Minnesota Department of Human Services (DHS) would be making MFIP Grant Funds available to address Racial and Ethnic Disparities in Employment Outcomes for Families Served by the Minnesota Family Investment Program; and

WHEREAS, These funds are intended to support initiatives that result in higher numbers of adults securing sustained jobs through the MFIP program; and

WHEREAS, PHHS received permission to apply for this grant via County Board Resolution No. 14-432 dated August 5, 2014; and

WHEREAS, St. Louis County PHHS was notified on August 20, 2014 by DHS that its proposal was selected to receive a grant amount of \$769,708 for the time period of October 1, 2014 to June 30, 2016;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to accept the 2014 MFIP Innovation Fund Grant - Racial and Ethnic Disparities in Employment Outcomes for Families Served by MFIP in the amount of \$769,708 for the time period of October 1, 2014 to June 30, 2016. The budget reference for revenue is: 230-232020-540213-23212-99999999-2014. The budget reference for expenditures is: 230-232020-603800-23212-99999999-2014;

RESOLVED FURTHER, That the County Board authorizes the Public Health and Human Services Department to enter into agreements with Community Action Duluth, and the Arrowhead Economic Opportunity Agency in order to implement the grant.

Adopted October 14, 2014. No. 14-537

WHEREAS, St. Louis County is committed to providing comprehensive waste management services including recycling haulage and processing to its residents; and

WHEREAS, The recycling industry has changed considerably over the past 14 years since the county's recycling processing facility was designed and built; and

WHEREAS, More materials have become marketable recyclable commodities possibly requiring changes in the recyclables processing flow and equipment; and

WHEREAS, A full assessment of the existing recyclables collection and processing program, and recommendations for cost effective improvements in process efficiencies and marketed volumes, will position the county to make appropriate plans for future facility and program developments; and

WHEREAS, Foth Infrastructure & Environment, LLC, is qualified, registered, and willing to provide these assessment services;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement with Foth Infrastructure & Environment, LLC, to provide a full assessment of the county's existing recyclables collection and processing program, and make recommendations for cost effective improvements in process efficiencies and marketed volumes at a cost not to exceed \$29,870, payable from Fund 600, Agency 601004 (Recycling).

Adopted October 14, 2014. No. 14-538

WHEREAS, The City of Floodwood has requested to purchase the following described state tax forfeited lands for the price of \$17,000, plus fees, to promote economic development:

Legal: City of Floodwood
LOTS 1 AND 2, BLOCK 42
SAVANNA ADDITION TO FLOODWOOD
Parcel Code: 125-0030-00640
LDKey: 117744; 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, This lot has 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, The parcel described here forfeited to the State of Minnesota on November 30, 2012, for nonpayment of real estate taxes; and

WHEREAS, This parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the City of Floodwood for the price of \$17,000, plus the following fees: 3% assurance fee of \$510, deed fee of \$25, deed tax of \$56.10, recording fee of \$46 and appraisal fee of \$415 for a total of \$18,052.10 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the County Auditor shall offer for sale at public auction the state tax forfeited lands described here if the City of Floodwood does not purchase the land by March 31, 2015.

Adopted October 14, 2014. No. 14-539

WHEREAS, Brandon Myrum of Gilbert, MN, has agreed that the contract for the purchase of state tax forfeited lands should be canceled; and

WHEREAS, The purchaser voluntarily agreed to admission of service and waiver of time to cure default to the State of Minnesota for land legally described as:

CITY OF GILBERT
LOT: 0022 BLOCK: 007
GILBERT 1ST ADD TO THE TOWNSITE
Parcel Code: 060-0020-01710
C22100048; and

WHEREAS, Minn. Stat. §§ 282.04, Subd. 2(d), and 504B.271 authorize 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;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land by Brandon Myrum of Gilbert, MN, listed on file in County Board File No. 59859, 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 Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted October 14, 2014. No. 14-540

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

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested State of Minnesota contract pricing for the Mack GU432; and

WHEREAS, Twin Cities Mack and Volvo of Roseville, MN, responded with the state contract price for two (2) Mack GU432 single axle heavy duty trucks of \$158,230.40;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of two (2) 2015 Mack GU432 single axle heavy duty trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$158,230.40, payable from Fund 441, Agency 441001, Object 666300.

Adopted October 14, 2014. No. 14-541

WHEREAS, The Public Works Department's 2014 equipment budget allows for the purchase of an AZ600B Asphalt Zipper; and

WHEREAS, The Public Works Department received a single source quotation from Asphalt Zipper of Pleasant Grove, UT, in the amount of \$167,490;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase order of one (1) AZ600B Asphalt Zipper from single source provider Asphalt Zipper of Pleasant Grove, UT, in the amount of \$167,490, payable from Fund 441, Agency 441001, Object 665900.

Adopted October 14, 2014. No. 14-542

WHEREAS, The City of Duluth and St. Louis County are responsible for general surface maintenance and snowplowing of certain streets, roadways, and highways within their respective jurisdictions; and

WHEREAS, The location of certain roadways makes it more economical for the respective parties to perform general surface maintenance and/or winter maintenance on certain roadways which would otherwise be the responsibility of the other; and

WHEREAS, A Road Maintenance Agreement has been in place between the city and the county since authorized by County Board Resolution No. 03-334 adopted June 3, 2003, and operational requirements of the existing agreement have been amenable to both the city and the county; and

WHEREAS, The county, and city have been meeting over the last year to update the agreement, and it is desirable by both parties to enter into an updated agreement;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to approve an agreement with the City of Duluth, and approve any amendments authorized by the County Attorney, whereby the county will provide general surface and winter road maintenance on the City of Duluth roads listed in the agreements in Exhibit B, and the City of Duluth will provide general surface and winter road maintenance on the county roads listed in the agreement in Exhibit B, and whereby the definition of the maintenance of these roads is described in Exhibit A (exhibits A and B located in Board File No. 59955). The county portion of \$143,499.86 will be paid from Fund 200, Agency 201005, Object 695100.

Adopted October 14, 2014. No. 14-543

WHEREAS, It appears to the St. Louis County Board that the roads hereinafter described as County State Aid Highways (CSAH) should revert to local jurisdiction under the provisions of Minnesota Laws; to wit:

CSAH 107 - From CSAH 22 to County Road 923 – (CSAH segment # 069-707-010)
CSAH 107 – From County Road 923 to County Road 793 – (CSAH segment # 069-707-020)
CSAH 110 – From Trunk Highway 135 to County Road 341 – (CSAH segment # 069-710-007)
CSAH 110 – From County Road 341 to a point 0.5 mile east – (CSAH segment # 069-710-008)
CSAH 110 – From 0.5 mile east of CR 341 to CSAH 100 – (CSAH segment #069-710-009)
CSAH 78 – From 1.2 miles north of CR 948 to County Road 540 – (CSAH segment # 069-678-035)
CSAH 78 – From CR 540 to 1.4 miles west – (CSAH segment #069-678-040)
CSAH 25 – From CSAH 22 to County Road 923 – (CSAH segment # 069-625-190)
CSAH 25 – From County Road 923 to County Road 958 – (CSAH segment # 069-625-200)
CSAH 25 – From County Road 958 to County Road 668 – (CSAH segment # 069-625-210)
CSAH 65 – From CSAH 5 to 1.7 miles east – (CSAH segment # 069-665-010)
CSAH 65 – From 1.7 miles east of CSAH 5 to 4.3 miles east of CSAH 5 – (CSAH segment #069-665-020); and

WHEREAS, It appears to the St. Louis County Board that the County Roads (CR) and Unorganized Township Roads (UT) hereinafter described should be designated as County State Aid Highways under the provisions of Minnesota Law; to wit:

CR 793 (Lind Road) – From CSAH 107 easterly to TH 73 – designated CSAH 107
CR 431 (Vermilion Lake Road) – From CSAH 115 to CSAH 78 – designated CSAH 78
UT 8149 (Greaney Road) – From CSAH 114 to CSAH 75 – designated CSAH 5
CR 668 (Samuelson Road) – From CSAH 22 to CSAH 25 – designated CSAH 25
CR 656 (Levander Road) – From CSAH 21 to CR 615 – designated CSAH 138
CR 364 (Levander Road) – From CR 615 to TH 135 – designated CSAH 138
CR 730 (East Road) & UT 8175 (Murray Road) – From CSAH 5 to CSAH 65 – designated CSAH 65.

THEREFORE, BE IT RESOLVED, That the first above-described highway segments be, and hereby are, revoked as County State Aid Highways of said St. Louis County subject to the approval of the Commissioner of Transportation of the State of Minnesota;

RESOLVED FURTHER, That the above-described segments of County and Unorganized Township Roads be, and hereby are, established, located, and so designated as County State Aid Highways of St. Louis County, subject to the approval of the Commissioner of Transportation of the State of Minnesota;

RESOLVED FURTHER, That the St. Louis County Auditor is hereby authorized and directed to forward two (2) certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the revocation and designation of said roads or portions thereof, that the same be numbered, constructed, improved and maintained as County State Aid Highways, County Roads, and Unorganized Township Roads as herein described.

Adopted October 14, 2014. No. 14-544

RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into an agreement, and approve any amendments authorized by the County Attorney, with LHB Corporation of Duluth, MN, for the design of bridge reconstruction plans along County State Aid Highway (CSAH) 5 over the Bearskin River in Unorganized Township 62-21, C.P. 0005-204368, SP 69-605-044. The total cost of these services is \$76,317, payable from Fund 220, Agency 220330, Object 626600.

Adopted October 14, 2014. No. 14-545

WHEREAS, The St. Louis County Public Works Department plans to have a Culvert Survey project performed in the southeast part of the county from Chester Creek to the French River for inventory and future anticipated regulatory needs; and

WHEREAS, The State of Minnesota, through the Minnesota Department of Natural Resources - Division of Ecological and Water Resources, administers financial assistance for coastal management purposes, through Minnesota's Lake Superior Coastal Program; and

WHEREAS, The County of St. Louis desires financial assistance under Minnesota's Lake Superior Coastal Program;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the filing of an application to Minnesota's Lake Superior Coastal Program; and

RESOLVED FURTHER, That the Public Works Director/Highway Engineer is hereby authorized and directed to execute and file an application with the Minnesota Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance; and

RESOLVED FURTHER, That the Board Chair, County Auditor, Public Works Director/Highway Engineer, and Assistant County Attorney have signatory authority to enter into an agreement with the State of Minnesota; and

RESOLVED FURTHER, That the St. Louis County Board agrees to act as legal sponsor and obligate funds from Fund 200, Agency 200008, Object 626600, in the amount not to exceed \$38,000 for CP 0000-232133 to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Minnesota's Lake Superior Coastal Program.

Adopted October 14, 2014. No. 14-546

WHEREAS, The St. Louis County Public Works Department plans to have a Culvert Survey

project performed in the southeast part of the county from Keene Creek to Chester Creek for inventory and future anticipated regulatory needs; and

WHEREAS, The State of Minnesota, through the Minnesota Department of Natural Resources - Division of Ecological and Water Resources, administers financial assistance for coastal management purposes, through Minnesota's Lake Superior Coastal Program; and

WHEREAS, St. Louis County desires financial assistance under Minnesota's Lake Superior Coastal Program;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the filing of an application to Minnesota's Lake Superior Coastal Program; and

RESOLVED FURTHER, That the Public Works Director/Highway Engineer is hereby authorized and directed to execute and file an application with the Minnesota Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance; and

RESOLVED FURTHER, That the Board Chair, County Auditor, Public Works Director/Highway Engineer, and Assistant County Attorney have signatory authority to enter into an agreement with the State of Minnesota; and

RESOLVED FURTHER, That the St. Louis County Board agrees to act as legal sponsor and obligate funds from Fund 200, Agency 200008, Object 626600, in the amount not to exceed \$33,000 for CP 0000-232134 to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Minnesota's Lake Superior Coastal Program.

Adopted October 14, 2014. No. 14-547

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

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested State of Minnesota contract pricing for the Mack GU713, due to its quality, department experience, savings in inventory, and mechanic familiarity; and

WHEREAS, Twin Cities Mack & Volvo of Roseville, MN, responded with the state contract price for six (6) Mack GU713 tandem axle trucks of \$662,559.72;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of six (6) 2015 Mack GU713 tandem trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$662,559.72, payable from Fund 441, Agency 441001, Object 666300 until funds in Agency 441001 are exhausted. Any additional funds required will be payable from Fund 407, Agency 407001, Object 666300.

Adopted October 14, 2014. No. 14-548

WHEREAS, The Property Management Team has approved the public sale of the following property:

All that part of Government Lot 1, (NE ¼ of NE ¼), Section 3, Township 57 North of Range 16 West of the Fourth Principal Meridian described as follows: The North 433 feet of said Government Lot 1, lying between a line that is parallel with and 500 feet West of the East boundary line of said Government Lot 1 and West of right of way of County Highway No. 4, except for the North 33 feet which is highway right of way; and

WHEREAS, A review of assessed value and sales has determined a minimum bid amount for this property to be \$6,200;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Property

Management Director to advertise for written bids for the above described property, a parcel approximately 1.8 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01;

RESOLVED FURTHER, That the Board establishes the time for bid consideration to be at 9:40 a.m. on Tuesday, December 16, 2014, at the Morse Town Hall.

Adopted October 14, 2014. No. 14-549

WHEREAS, The Property Management Team has approved the public sale of the following property, legally described as follows:

That part of the SE ¼ of SE ¼ and NE ¼ of SE ¼ of Section 9, Township 52 North, Range 18 West, lying northeasterly of the former Duluth, Missabe and Iron Range Railway right of way and easterly and southerly of the following described line:

Commencing at the southeast corner of said Section 9; thence South 85 degrees 34 minutes 08 seconds West, along the south line of said Section 9 a distance of 467.47 feet; thence North 22 degrees 14 minutes 03 seconds West a distance of 271.73 feet; thence northerly along a tangential curve concave to the east, having a radius of 1091.34 feet and central angle of 6 degrees 10 minutes 57 seconds a distance of 117.76 feet to the point of beginning of the line to be described; thence northerly, continuing along said curve having a central angle of 49 degrees 18 minutes 00 seconds a distance of 939.04 feet; thence North 33 degrees 14 minutes 53 seconds East a distance of 246.78 feet; thence northeasterly along a tangential curve concave to the northwest, having a radius of 1091.34 feet and a central angle of 7 degrees 13 minutes 11 seconds, a distance of 137.52 feet; thence South 63 degrees 58 minutes 18 seconds East, on a radial line a distance of 33.23 feet; thence southeasterly along a tangential curve concave to the southwest, having a radius of 272.84 feet and a central angle of 60 degrees 13 minutes 43 seconds, a distance of 286.80 feet to the east line of said Section 9 and there terminating;

EXCEPT the Southerly 250.0 feet of that part of the SE ¼ of SE ¼, lying northeasterly of the former Duluth, Missabe and Iron Range Railway right of way, as currently embodied in Certificate of Title number 283844; and

WHEREAS, A review of assessed value and sales has determined a minimum bid amount for this property to be \$16,200;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Property Management Director to advertise for written bids for the above described property, a parcel approximately 14.6 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01.

RESOLVED FURTHER, That the County Board establishes the time for bid consideration to be at 9:40 a.m. on Tuesday, December 2, 2014, at the St. Louis County Courthouse, Duluth, MN.

Adopted October 14, 2014. No. 14-550

WHEREAS, St. Louis County is planning to sell the following described real property that is subject to a requirement to maintain into perpetuity, a wetlands mitigation area required by the Department of the Army Permit Number 91-751-02-IP-TWP:

That part of the SE ¼ of SE ¼ and NE ¼ of SE ¼ of Section 9, Township 52 North, Range 18 West, lying northeasterly of the former Duluth, Missabe and Iron Range Railway right of way and easterly and southerly of the following described line:

Commencing at the southeast corner of said Section 9; thence South 85 degrees 34 minutes 08 seconds West along the south line of said Section 9 a distance of 467.47 feet; thence North 22 degrees 14 minutes 03 seconds West a distance of 271.73 feet; thence northerly along a tangential curve concave to the east, having a radius of 1091.34 feet and central angle of 6 degrees 10 minutes 57 seconds, a distance of 117.76 feet to the point of beginning of the line to be described; thence northerly continuing along said curve having a central angle of 49 degrees 18 minutes 00 seconds, a distance of 939.04 feet; thence North 33 degrees 14 minutes 53 seconds East a distance of 246.78 feet; thence northeasterly along a tangential curve concave to the northwest having a radius of 1091.34 feet and a central angle of 7 degrees 13 minutes 11 seconds, a distance of 137.52 feet; thence South 63 degrees 58 minutes 18 seconds East on a radial line a distance of 33.23 feet; thence southeasterly along a tangential curve concave to the southwest, having a radius of 272.84 feet and a central angle of 60 degrees 13 minutes 43 seconds, a distance of 286.80 feet to the east line of said Section 9 and there terminating;

EXCEPT the Southerly 250.0 feet of that part of the SE ¼ of SE ¼, lying northeasterly of the former Duluth, Missabe and Iron Range Railway right of way, as currently embodied in Certificate of Title number 283844; and

WHEREAS, A Declaration of Restrictions and Covenants for Project Specific Wetland Replacement must be executed and recorded with the Registrar of Titles for St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a Declaration of Restrictions and Covenants for Project Specific Wetland Replacement document pursuant to the requirements and procedures of Minn. Stat. § 373.01.

Adopted October 14, 2014. No. 14-551

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 59797.

Adopted October 14, 2014. No. 14-552

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (raffle) on file in the office of the County Auditor, identified as County Board File No. 59802, for the following organization:

Gnesen Volunteer Fire Department, 4504 Datka Road, Duluth, MN, 55803, to conduct off-site gambling on October 18, 2014, raffle, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN 55803, Gnesen Township.

Adopted October 14, 2014. No. 14-553

WHEREAS, The North St. Louis Soil & Water Conservation District (SWCD) has requested to lease office space in the Northland Office Center and St. Louis County Property Management has reassigned space within the building to accommodate the needs of SWCD; and

WHEREAS, The lease terms are for 256 square feet of space, with the 2014 rate of \$8.58 per square foot, with an annually renewed term commencing November 1, 2014 and being renewed December 31, 2015;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an annually renewed lease for 256 square feet of space, with the 2014 rate of \$8.58 per square foot, with the

North St. Louis Soil & Water Conservation District at the Northland Office Center in Virginia. Proceeds from rent will be applied to the Northland Office Center operating accounts, Fund 100, Agency 128006.

Adopted October 14, 2014. No. 14-554

RESOLVED, That the St. Louis County Board will convene a public hearing at 9:40 a.m. on Tuesday, November 4, 2014, St. Louis County Courthouse, Duluth, MN, to consider the adoption of the fee schedule for various county services for the year 2015.

Adopted October 14, 2014. No. 14-555

WHEREAS, The County Board annually reviews health insurance trends, expected claims, and its self-insured health and dental fund to establish funding levels for the employee and retiree medical and dental plans; and

WHEREAS, The County Board believes a 0% percent rate increase for the self-funded health and dental plans in 2015 is reasonable based on projections prepared by its claims administrators and the County Auditor and as recommended by its Health Insurance Committee;

THEREFORE BE IT RESOLVED, That the St. Louis County Board authorizes 2015 monthly premium rates for the self-funded employee and retiree health insurance as follows:

For groups in 2014 paying \$687.00 for Single Coverage and \$1,595.57 for Family Coverage:

	<u>2015 Rate</u>
SINGLE COVERAGE:	\$ 687.00
FAMILY COVERAGE:	\$1,595.57

For groups in 2014 paying \$665.06 for Single Coverage and \$1,573.63 for Family Coverage:

	<u>2015 Rate</u>
SINGLE COVERAGE:	\$ 665.06
FAMILY COVERAGE:	\$1,573.63

For retirees:

	<u>2015 Rate</u>
SINGLE COVERAGE:	\$ 665.06
FAMILY COVERAGE:	\$1,573.63

RESOLVED FURTHER, That the 2015 stop-loss rate payable to Blue Cross Blue Shield of Minnesota of \$7.21 per contract per month is approved;

RESOLVED FURTHER, That a 2015 per contract per month administrative service fee of \$32.61 payable to Blue Cross Blue Shield of Minnesota is approved;

RESOLVED FURTHER, That the 2015 monthly premium rate for the self-insured dental plan is approved, with a 0% increase, in the amount of \$37.01;

RESOLVED FURTHER, That the 2015 per contract per month administrative service fee of \$2.18 payable to Delta Dental Plan of Minnesota is approved;

RESOLVED FURTHER, That the Board authorizes the appropriate county officials to execute a contract for administrative services of the medical and dental plans for the time period covering January 1 – December 31, 2015, as set forth above.

Adopted October 14, 2014. No. 14-556

WHEREAS, The County Auditor’s Office requested that a position audit be conducted for an employee in the Accountant classification; and

WHEREAS, The Accountant classification is compensated at Grade B21 of the Civil Service Basic Unit Pay Plan; and

WHEREAS, The Financial Analyst classification is compensated at Grade E25 of the Civil Service Supervisory Unit Pay Plan; and

WHEREAS, The annual cost of reallocating the Accountant position to a Financial Analyst position will be an additional \$5,090;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the reallocation of an Accountant position (Civil Service Basic Unit Pay Plan, Grade B21) to a Financial Analyst position (Civil Service Supervisory Unit Pay Plan, Grade E25) at an increased cost of \$5,090 annually. Funding for this reallocation is available in Fund 100, Agency 115001.

Adopted October 14, 2014. No. 14-557

WHEREAS, Whenever a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the department and the customers it serves; and

WHEREAS, PHHS, in cooperation with the Human Resources Department, conducted a review when an Information Specialist I position became vacant in the Income Maintenance program area of the Financial Assistance Division; and

WHEREAS, It has been determined that reallocating the Information Specialist I (Civil Service Basic Unit Plan, pay grade B4) to an Information Specialist II position (Civil Service Basic Unit Plan, pay grade B10) would assist the program to more effectively and efficiently manage its duties; and

WHEREAS, The annual cost of reallocating the Information Specialist I position to an Information Specialist II position will be an additional \$5,070; and

WHEREAS, Funding for this reallocation is available in the PHHS budget; and

WHEREAS, This reallocation is more than three pay grades therefore County Board approval is required;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the reallocation of an Information Specialist I position (Civil Service Basic Unit Plan, pay grade B4) to an Information Specialist II position (Civil Service Basic Unit Plan, pay grade B10) in the Public Health and Human Services Department, Income Maintenance program at an increased cost of \$5,070 annually. Funding for this reallocation is available in Fund 230, Agency 230007, Object 610100.

Adopted October 14, 2014. No. 14-558

RESOLVED, That the St. Louis County Board appoints Marjorie McPeak of Tower, MN, to the Arrowhead Library System Board of Directors for a three-year term beginning January 1, 2015 and expiring on December 31, 2018.

Adopted October 14, 2014. No. 14-559

WHEREAS, The federal government, through the Bureau of Justice Assistance, has made available \$40,288 in funding from the Justice Assistance Grant for approved prevention and controlling of crime; and

WHEREAS, The Bureau of Justice Assistance requires a Memorandum of Understanding between St. Louis County and the City of Duluth for purposes of outlining the cooperative agreement

and allocation of funds;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a Memorandum of Understanding with the City of Duluth for the 2014 Justice Assistance Grant.

Adopted October 14, 2014. No. 14-560

WHEREAS, The State of Minnesota Bureau of Criminal Apprehension and the FBI are requiring two (2) methods for secure access to law enforcement mobile data on January 1, 2015; and

WHEREAS, VASCO of Marlborough, MA, provides an affordable “two-factor” identification solution that would integrate easily with Northeastern Minnesota Enforcement Safety Information Systems (NEMESIS) Mobile Data Computer system; and

WHEREAS, The NEMESIS board has approved this expense;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the purchase of hardware and software provided by VASCO in the total of \$30,617.20 to be accounted for in Fund 150, Agency 150004, Object 634800;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all required agreements and contracts necessary;

RESOLVED FURTHER, That \$30,617.20 will be transferred from the NEMESIS fund balance to Fund 150, Agency 150003, Object 634800.

Adopted October 14, 2014. No. 14-561

BY COMMISSINER JEWELL:

WHEREAS, The St. Louis County Land and Minerals department has sought and received special legislation to conduct a private sale of the parcels described in County Board File No. 59950; and

WHEREAS, Minnesota Session Laws 2014, Chapter 217, Sec. 30 and 32, allows the direct sale of state tax forfeited lands bordering public waters on Minnesota Point which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage, or access, and, at the discretion of the St. Louis County Auditor, be offered and sold by the county auditor to any single, specific or adjacent landowner without notifying or offering to sell to all adjoining or adjacent landowners; and

WHEREAS, These parcels of land 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;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby reclassifies these parcels as non-conservation land pursuant to Minnesota Stat. § 282.01, as is required for the sale of tax forfeited land.

RESOLVED FURTHER, That the County Board approves the sale of the parcels described in County Board File No. 59950, and the County Auditor is authorized to offer the parcels at private sale to any single, specific adjoining or adjacent landowner without notifying or offering to sell to all adjoining or adjacent landowners to encourage return of the parcels to the tax rolls. Funds from the sales are to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That if the single, specific adjoining or adjacent landowner does not purchase said lot within the specified billing terms, the property may be offered to the remaining adjoining or adjacent owners.

Unanimously adopted October 14, 2014. No. 14-562

BY COMMISSIONER JEWELL:

WHEREAS, In June 2012, Rebecca Griesbach, David Griesbach, and Michelle Steines (formerly known as Michelle Griesbach) commenced an action against St. Louis County, the St. Louis County Sheriff's Office, and a former employee of St. Louis County; and

WHEREAS, The action, captioned *Griesbach v. County of St. Louis*, Case No. 69DU-CV-14-1464, is pending before the Minnesota District Court for the Sixth Judicial District in Duluth, Minnesota; and

WHEREAS, The parties to the action have reached agreement on a proposed settlement that is subject to the approval of the St. Louis County Board; and

WHEREAS, Under the proposed settlement, the plaintiffs will release their claims against the defendants, and St. Louis County will make settlement payments in the aggregate amount of \$199,500; and

WHEREAS, The St. Louis County Board wishes to approve the proposed settlement to avoid the expense and risk associated with further litigation;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the proposed settlement and authorizes the appropriate county officials to negotiate and execute appropriate settlement documents and to make the payments contemplated by the proposed settlement in the aggregate amount of \$199,500, payable from Fund 720, Agency 720001, Object 636200, with funds transferred in from available Tort Fund Balance, Fund 720, Object 311500.

Unanimously adopted October 14, 2014. No. 14-563

BY COMMISSIONER JEWELL:

WHEREAS, Minn. Stat. § 13D.03, allows meetings of the governing body of a public employer to be closed to consider strategy for labor negotiations; and

WHEREAS, The County Labor Relations Negotiator and the Human Resources Director have requested to meet with the County Board in a closed session of the Committee of the Whole to discuss labor negotiations for a particular issue on October 14, 2014, at the Hermantown City Hall, 5105 Maple Grove Road, Hermantown, MN;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners will recess in a closed meeting of the Committee of the Whole on October 14, 2014, in the Hermantown City Hall for the purpose of discussing labor negotiations strategy in accord with Minn. Stat. § 13D.03.

Unanimously adopted October 14, 2014. No. 14-564

BY COMMISSIONER JEWELL:

WHEREAS, The Duluth Economic Development Authority has requested to purchase the following described state tax forfeited land for the price of \$46,272, plus fees, to promote economic development:

Legal: City of Duluth
LOTS 395, 397 AND 399
LOWER DULUTH MINNESOTA AVENUE
Parcel Code: 010-3110-02040
LDKey: 118415

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, Laws of Minnesota, 2013, Chapter 73, Section 31, authorizes the sale of state tax forfeited land that is described above bordering public water under the remaining provisions of Minnesota Statutes, Chapter 282; and

WHEREAS, The parcel described here forfeited to the State of Minnesota on December 2, 1968, for nonpayment of real estate taxes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby reclassifies this parcel as non-conservation land pursuant to Minnesota Stat. § 282.01, as is required for the sale of tax forfeited land.

RESOLVED FURTHER, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Economic Development Authority for the price of \$46,272, plus the following fees: 3% assurance fee of \$1,388.16, deed fee of \$25, deed tax of \$152.70, and recording fee of \$112; for a total of \$47,949.86, to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the St. Louis County Auditor shall offer for sale to adjacent landowners the state tax forfeited land described here if the Duluth Economic Development Authority does not purchase the land by March 31, 2015.

Unanimously adopted October 14, 2014. No. 14-565

At 10:12 a.m., October 14, 2014, Commissioner Nelson, supported by Commissioner Raukar, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.


Mike Forsman, Chair of the Board
of County Commissioners

Attest:


Donald Dicklich, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)