*AMENDED AGENDA

REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF
ST. LOUIS COUNTY, MINNESOTA

Tuesday, September 22, 2015, 9:30 A.M.

County Board Room, Second Floor
St. Louis County Courthouse
100 N. 5th Avenue West
Duluth, Minnesota

PETE STAUBER, Chair
Fifth District

FRANK JEWELL **First District**	**PATRICK BOYLE** **Second District**	**CHRIS DAHLBERG** **Third District**
TOM RUKAVINA **Fourth District**	**KEITH NELSON** **Sixth District**	**STEVE RAUKAR, Vice-Chair** **Seventh District**

County Auditor Donald Dicklich	County Administrator Kevin Gray	County Attorney Mark Rubin	Clerk of the Board Phil Chapman

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx

9:30 A.M. Moment of Silence
Pledge of Allegiance
Roll Call

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

CONSENT AGENDA

All matters listed on the consent agenda are considered routine and/or non-controversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

REGULAR AGENDA

Finance & Budget Committee – Commissioner Nelson, Chair

1. Certification of the 2016 maximum Property Tax Levy. **{15-418} [Without recommendation.]**

2. Establish public meetings to receive comments from the public on the proposed property tax levy and operating budget for the year 2016. **{15-421} [Has not been to committee; requires consent of the Board to be considered.]**

*3. A. P. Cook Building Improvements – Parking Lot/Storm Sewer. **{15-430} [Has not been to committee; requires consent of the Board to be considered.]**

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

4. Request a progress report from the Fredenberg Town Board on the "Fredenberg Park" plan and implementation to date. **{15-419} [Without recommendation.]**

ADJOURNED:

BOARD LETTER NO. 15 - 418

FINANCE & BUDGET COMMITTEE NO. 1

SEPTEMBER 22, 2015 BOARD AGENDA NO. 1

DATE: **September 8, 2015**

RE: **Certification of 2015 Maximum Property Tax Levy**

FROM: **Kevin Z. Gray**
County Administrator

RELATED DEPARTMENT GOAL:
To ensure that board directives are followed and are in full compliance with state laws and regulations.

ACTION REQUESTED:
The St. Louis County Board is requested to move the certification of the 2016 maximum property tax levy to the September 22, 2015, County Board agenda.

BACKGROUND:
Minn. Stat. § 275.065 requires the County Board to adopt a maximum proposed property tax levy for taxes payable in 2016 and certify that amount to the County Auditor on or before September 30, 2015.

RECOMMENDATION:
The 2016 maximum property tax levy recommendation based on a preliminary proposed budget will be provided to the County Board for consideration at the September 22, 2015 County Board meeting.

Certification of 2016 Maximum Property Tax Levy

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board must establish a maximum proposed property tax levy and have this amount certified to the County Auditor by the St. Louis County Board by September 30, 2015;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the maximum property tax levy for 2016 in the amount of $116,631,193.00.

BOARD LETTER NO. 15 - 421

FINANCE & BUDGET COMMITTEE CONSENT NO. 4

SEPTEMBER 22, 2015 BOARD AGENDA NO. 2

DATE: **September 22, 2015**

RE: **Establish Public Meetings on the 2016 Property Tax and Operating Budget**

FROM: **Kevin Z. Gray**
County Administrator

Donald Dicklich
County Auditor/Treasurer

RELATED DEPARTMENT GOAL:
To ensure that board directives are followed and are in full compliance with state laws and regulations.

ACTION REQUESTED:
The St. Louis County Board is requested to establish public meetings to provide opportunity for citizens to have input on the county's proposed 2016 property tax levy and operating budget.

BACKGROUND:
Minn. Stat. § 275.065, more commonly referred to as the Truth in Taxation statute, requires a number of duties to be performed by the various political subdivisions of the state. Included within the statute is the requirement that the County Board hold a meeting to allow the public an opportunity to communicate opinions regarding the proposed property tax levy and budget for the next fiscal year. However, the 2009 Legislature made specific changes to the statute stipulating that such a meeting must be conducted after November 25 and before December 30. Additionally, the meeting must be scheduled to begin on or after 6:00 p.m. on the day selected.

Every county must hold such a meeting and the time and place must be established at the same meeting when the preliminary maximum property tax levy is adopted. The specific information regarding the meeting must be subsequently published in the County Board's official minutes.

RECOMMENDATION:
It is recommended that the St. Louis County Board establish public meetings for 7:00 p.m. on Thursday, December 3 at the St. Louis County Courthouse in Virginia MN, and 7:00 p.m. on Thursday, December 10 at the St. Louis County Courthouse in Duluth, MN, to allow the public an opportunity to communicate opinions regarding the proposed property tax levy and operating budget for the next fiscal year.

Establish Public Meetings on the 2016 Property Tax and Operating Budget

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 275.065 requires that counties establish a public meeting date for the purpose of receiving comments from the public on the proposed property tax levy and operating budget for the year 2016 prior to adopting a final levy and budget;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes public meetings to gather comment on the proposed property tax levy and operating budget for year 2016 on Thursday, December 3, 2015, 7:00 p.m., at the St. Louis County Courthouse, Virginia, MN, and Thursday, December 10, 2015, 7:00 p.m., at the St. Louis County Courthouse, Duluth, MN.

BOARD LETTER NO. 15 - 430

FINANCE & BUDGET COMMITTEE

SEPTEMBER 22, 2015 BOARD AGENDA NO. 3

DATE: **September 22, 2015**

RE: **A. P. Cook Building Improvements – Parking Lot/Storm Sewer**

FROM: **Kevin Z. Gray**
County Administrator

Tony Mancuso, Director
Property Management

RELATED DEPARTMENT GOALS:
To execute capital building projects and increase building operational efficiency.

ACTION REQUESTED:
The St. Louis County Board is requested to approve a contract with Ulland Brothers Construction of Cloquet, MN, in the amount of $359,590 for constructing parking lots, curbs, gutters, and a storm sewer collection system at the A. P. Cook Building in Duluth.

BACKGROUND:
The Chris Jensen Health & Rehabilitation Facility and adjoining property were sold by St Louis County Board Resolution No. 13-694, dated November 12, 2013. The County Board distributed a portion of the sale proceeds for improvements to the Public Safety Campus including the A. P. Cook Building.

The A. P. Cook Building was a former laundry building and there is not adequate parking for its repurpose into an office building. St. Louis County Safety & Risk Management and County Extension offices are both in this building. Additionally, the St. Louis County Assessor's Office will soon be occupying space in this building. The parking lot will need to be expanded to meet these additional parking needs.

County Purchasing solicited bids (Bid # 5245-B), opened on September 18, 2015, with the following results:

Ulland Brothers Construction – Cloquet MN	**$359,590.00**
KGM Construction – Angora MN	$577,000.00

RECOMMENDATION:
It is recommended that the St. Louis County Board approve a contract with Ulland Brothers Construction of Cloquet, MN, in the amount of $359,590 for constructing parking lots, curbs, gutters, and a storm sewer collection system at the A. P. Cook Building in Duluth, to be accounted for in Fund 400-400003-630900.

A. P. Cook Building Improvements – Parking Lot/Storm Sewer

BY COMMISSIONER _____

WHEREAS, The Chris Jensen Health & Rehabilitation Facility and adjoining property were sold to Health Dimensions Group by St Louis County Board Resolution No. 13-694, dated November 12, 2013, and the County Board distributed a portion of the sale proceeds for improvements to the Public Safety Campus, including the A. P. Cook Building; and

WHEREAS, The A. P. Cook Building was a former laundry building and there is inadequate parking for its repurpose into an office building; and

WHEREAS, St. Louis County Safety & Risk Management and County Extension offices are both presently residing in this building and the St. Louis County Assessor's Office will soon be occupying space in this building, so the parking lot will need to be expanded to meet these additional parking needs; and

WHEREAS, Bids (Bid # 5245-B) were received on September 18, 2015, with Ulland Brothers Construction of Cloquet, MN, providing the lowest qualified bid of $359,590;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a contract with Ulland Brothers Construction of Cloquet, MN in the amount of $359,590 for constructing parking lots, curbs, gutters, and a storm sewer collection system at the A. P. Cook Building in Duluth, to be accounted for in Fund 400-400003-630900.

BOARD LETTER NO. 15 - 419

CENTRAL MANAGEMENT AND INTERGOVERNMENTAL COMMITTEE NO. 1

SEPTEMBER 22, 2015 BOARD AGENDA NO. 4

DATE: **September 8, 2015**

RE: **Request for Progress Report on "Fredenberg Park" Plan**

FROM: **Kevin Z. Gray**
County Administrator

ACTION REQUESTED:
The St. Louis County Board is requested to approve a resolution requesting a progress report from the Fredenberg Town Board regarding implementation of its public park plan for the area known as "Fredenberg Park."

BACKGROUND:
Commissioner Jewell has requested that the County Board have an opportunity to discuss requesting an update from the Fredenberg Town Board of Supervisors with regard to its design and implementation of a public park plan for the 80 acres of tax forfeited land that were free conveyed to the township by County Board Resolution No. 14-535, dated October 7, 2014. The resolution noted that Fredenberg Township had requested to use the land as "pristine park land for public use."

On its application requesting that the County Land and Minerals Department withhold the land from public sale pending acquisition, the township described the public purpose for a free conveyance in detail: *"The Town Board wishes to use this 80 acres parcel as parkland for public use. The Board's intent at this time is to leave the land in the natural state it currently is in for the public enjoyment for hiking, cross country skiing, and snowmobiling, dog sledding."*

At its March 4, 2015 Town Board Meeting the township approved a 17 point park plan as proposed in February, and added that a final point "to not allow any businesses to operate on the park land now or in the future." The park plan was passed unanimously. The meeting minutes and the park plan are both attached.

A subsequent special meeting of the Town Board was set for March 23, 2015 to "discuss rules/regulations/penalties and postings for the park." Commissioner Jewell is asking that the County Board request, by resolution, that Fredenberg Township provide a progress report on the "Fredenberg Park" plan design and implementation to date.

RECOMMENDATION:
Should Commissioners wish to request a progress report on the design and implementation of the “Frendenberg Park” plan, a resolution is provided to accomplish this by October 31, 2015.

Request for Progress Report on "Fredenberg Park" Plan

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board free conveyed 80 acres of tax forfeited land to Fredenberg Township by County Board Resolution No. 14-535, dated October 7, 2014, with the resolution noting that Fredenberg Township had requested to use the land as "pristine park land for public use;" and

WHEREAS, On its application requesting that the county withhold the land from public sale pending acquisition, the township described the public purpose for a free conveyance in detail, as follows: *"The Town Board wishes to use this 80 acres parcel as parkland for public use. The Board's intent at this time is to leave the land in the natural state it currently is in for the public enjoyment for hiking, cross country skiing, and snowmobiling, dog sledding;"* and

WHEREAS, On March 4, 2015 the town board unanimously approved a 17 point park plan, adding a final point "to not allow any businesses to operate on the park land now or in the future," and set a special meeting of the Town Board for March 23, 2015 to "discuss rules/regulations/penalties and postings for the park;"

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby requests that the Fredenberg Town Board provide a progress report on the "Fredenberg Park" plan design and implementation to date, no later than October 31, 2015.

9/23/14 COW. Clayton Cich Handout

LD Withhold 9/02

Date: 6 Aug 14.

To: St. Louis County Board
c/o Land and Minerals Department
320 West 2nd Street, Room 208
Duluth, MN 55802

From: Town of Fredenberg.
City/Town Clerk

Re: **Application to Withhold Tax Forfeited Land From Sale Pending Acquisition**

The Town Board (City Council/Town Board) of Fredenberg (City/Town) does hereby request the following-described parcel of tax forfeit land be withheld from public sale for six (6) months. #365-000-02320.

Legal Description

E ½ of SE ¼ of Section 13, Township 52.0.

Type of Acquistion

X Free conveyance for an authorized public use.

_____ Purchase for appraised value for an authorized public purpose.

Describe public purpose or use in detail:

The Town Board wishes to use this 80 acres parcel as parkland for Public Use. The Board's intent at this time is to leave the land in the natural state it currently is in for the public enjoyment for hiking, cross country skiing, and snowmobiling. Dag Sleling

Note: Please attach a certified copy of a City Council/Town Board Resolution specifying the means of acquisition and a description of the proposed public *purpose* (for purchase) or proposed public *use* (for free conveyance), and a copy of the statute, law, or local charter which authorizes the intended public purpose or use.

By Clayton Cich

CONTROLLED DOCUMENT

9/23/14
C.O.W.
Clayton cich
Handout

Committee Sign-Up

Name	Contact info
Phil Hackett	218-348-9161
Stephanie Love	218-391-0147
Kathy Stingl	721-4225
Michael Boyer	612-578-6445
Julie Boyer	612-578-6164
Debra Pawlowicz	218 428 4539
Tom Pawlowicz	218 391 0467
Belle Lithca	218.348.0649
James Anderson	218-348-4172
Lynn VanDeelen	218 393-2097

Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota
Adopted on: October 7, 2014 Resolution No. 14-535
Offered by Commissioner: Dahlberg

Request for Free Conveyance of State Tax Forfeited Land to the Township of Fredenberg

WHEREAS, Pursuant to Minn. Stat. § 282.01, Subd. 1a, upon recommendation of the County Board, the Commissioner of Revenue may convey state tax forfeited land to another governmental subdivision for an authorized public use; and

WHEREAS, The Township of Fredenberg has requested a free conveyance of eighty acres of state tax forfeited land to use as pristine park land for public use, legally described as:

TOWNSHIP OF FREDENBERG
E ½ of SE ¼, Township 52 North, Range 15 West, Section 13
Parcel Code: 365-0010-02320
80 Acres

THEREFORE, BE IT RESOLVED, That the St. Louis County Board recommends that the Commissioner of Revenue convey the above described 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).

Commissioner Dahlberg moved the adoption of the Resolution and it was declared adopted upon the following vote:
Yeas – Commissioners Jewell, Boyle, Dahlberg, Stauber, Nelson, Raukar and Chair Forsman - 7
Nays – None

STATE OF MINNESOTA
Office of County Auditor, ss.
County of St. Louis

I, **DONALD DICKLICH**, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 7th day of October, A.D. 2014, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 7th day of October, A.D., 2014.

DONALD DICKLICH, COUNTY AUDITOR

By

Deputy Auditor/Clerk of the County Board

2/4/15

PARK COMMITTEE REPORT

FINAL RECOMMENDATIONS

The Park Committee makes the following recommendations to Fredenberg Township Board of Governors for the design and operation of the property described as follows:

W ½ of SE ¼ of SE ¼ of Sec. 18 T52N R15W

1. The park will be known as FREDENBERG PARK
2. Signage for park; one suggestion is: FREDENBERG PARK PLEASE RESPECT OUR PARKLAND AND FELLOW PARK USERS.
3. The park shall be maintained as close as possible to its present near pristine condition.
4. The existing trails will be open to the public at all times unless otherwise posted. The exception is the Reservoir Riders Trail which is snowmobile use only from Dec 1st to Apr 1st.
5. There will be no new trails made on the park
6. If any trails run onto private property will be posted or allowed to grow in, which ever the land owner prefers, and will not be included as a park trail.
7. Trails will be maintained by volunteers as they are now.
8. Any wetlands will be posted to keep them from harm (exception Reservoir Riders Trail)
9. Hunting both gun and bow are allowed.
10. Trapping is allowed with a setback of 20 ft. from trails and 50 feet from adjacent land owners
11. Volunteers will be asked to help with fundraising/grant writing etc. when needed.
12. No overnight camping
13. No fires
14. Parking will be at the crescent off the N. Datka Rd. (across from Bog) and allow for 4-5 cars
15. Parking lot will not be maintained in winter months.
16. No bathroom facilities on site
17. No garbage receptacles on site
18. Business use; the committee is not in unanimous agreement on this issue. Therefore, it will be left for the township board members to decide this outcome.

FREDENBERG TOWN BOARD
SAINT LOUIS COUNTY, MINNESOTA

MINUTES OF PROCEEDINGS **TIME & PLACE: 7:00 PM**
March 4, 2015 **COMMUNITY CENTER/TOWN HALL**

The monthly meeting was CALLED TO ORDER at 7:00 p.m. by Chairman Jeff Blix. Board members present: Supervisors Liz Blix, Clay Cich, Mark Toms and Clerk Sherri Armstrong. Thirteen residents and guests stood with the Board to recite the Pledge of Allegiance.

1) ITEMS FROM THE FLOOR: The Chairman announced there would be no further comments taken from the floor on the park project as they had listened to both sides of the issue at last month's meeting.

2) APPROVAL OF MINUTES: Mark Toms moved to accept the minutes with the correction of the receipt numbers listed, Liz Blix seconded and minutes from the February 4 meeting were approved as otherwise written.

3) TREASURER'S REPORT: Treasurer was not present.

4) CORRESPONDENCE: Eleven (11) total items of correspondence were received during the month and reviewed.

5) REVIEW OF BILLS: Jeff Blix moved to pay vouchers #8138 – 8153 in the amount of $7,220.44, Clay Cich, seconded and motion passed. (NOTE: the claims list for approval at the meeting actually had t months of claims on. So motion passed with the stipulation the clerk would re-run the report.) two-

6) REPORTS:

The Clerk reported that Connie and Mort had helped her clear out the old monitors, printers, computers and copier from the file room and had hauled them to the reclamation center. The dot matrix printer – which some couldn't even recognize – was still in the board room. She reported that the issue with the assessor and the claims against her is in process. She asked who would be attending short course (Clay and herself). She also reported on a phone call from a small township in southern Minnesota who had called asking questions about impeachment after locating information on it from our website. Approximately 40 minutes of conversation ensured and she sent out some information she hoped would help him.

Road Report - the roads have just been driven on Thursday and were in good shape at that time.

Fire Department – the department had a quiet month with 1 report of a brush fire which was in actuality a permit burn and 1 mutual aid call to Grand Lake for a train derailment which was eventually found to be in Northland Township. They have 2 members attending a Firefighter I & II class and one attending an EMT refresher. They paid honor to fallen firefighter Randy Hiti from Rice Lake as part of the escort from both the ME's office and during the funeral procession. They also helped with funeral preparation and support for the Rice Lake Department.

Law Enforcement - nothing at this time

Cemetery - nothing at this time

Parks & Rec - Liz asked if we had heard from the Reservoir Riders about a donation request she had submitted for hockey nets – we haven't. The season is pretty much over for the rink this year.

Community Center - nothing from here.

Recycling Center – things are fine. The clerk indicated she had received an email that day about the recycling grant with the note that paper copies were coming.

Other Meetings Attended – Supervisors Cich and Toms attended the audit committee; the clerk attended the

SLATCO meeting.

7) OLD BUSINESS:

a) **Datka Road Park Update** – Having received the committee's recommendations and listened to comments at the February meeting with a month to consider the comments, Clay Cich moved to approve suggestions 1-17 of the proposed recommendations as written and to not allow any businesses to operate on the park land now or in the future. Mark Toms seconded and motion **PASSED** unanimously. (List of recommendations is attached to these minutes.) The board then set a special meeting for March 23rd at 7pm to discuss rules/regulations/penalties and postings for the park.

b) **Independent Audit** – Fran Williams, speaking for the audit committee, stated that records had been reviewed for the last six years. No fraudulent activities or other misappropriation of assets were identified. Fran reported that the auditor had recommendations for adjustments to the book and had been working with the deputy clerk on these and the simplified budget report was an example of the changes. The clerk noted she had not been in touch with Mr. Christensen recently. There will be a final meeting with the auditor.

8) NEW BUSINESS:

a) **Resolution # 15-002, Concerning liquor licenses for 2 one-day special events from the Eagles Nest -** Mark Toms moved to adopt the resolution granting the Eagles Nest approval for selling alcohol outside for these two events, Clay Cich seconded and motion **PASSED** unanimously.

b) **Budget/Levy Amounts -** the board decided to keep the amounts essentially the same as the 2015 amounts with the removal of the $2000 in law enforcement. They also wanted to ensure that we had $20,000 in a deferred maintenance fund. The clerk noted that we would be seeing the parcel with the old fire hall and old Town Hall on the tax rolls this year.

9) ADJOURNMENT: The board was reminded of all upcoming meetings. Jeff Blix moved to adjourn the meeting; Liz Blix seconded and we adjourned at 7:44 pm.

Respectfully submitted,

Sherri A. Armstrong,
Clerk