

**CONSENT AGENDA**  
**FOR THE MEETING**  
**OF**  
**ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

**September 22, 2015**

**County Board Room, Room No. 200, St. Louis County Courthouse, Duluth, Minnesota**

**All matters listed under the consent agenda are considered routine and/or noncontroversial 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.**

RESOLUTIONS FOR APPROVAL:

**Minutes for September 1, 2015**

**Minutes for September 8, 2015**

**Environment & Natural Resources Committee – Commissioner Rukavina, Chair**

1. Cancellation of contracts for repurchase of state tax forfeited lands by James Smith of Duluth, MN, and the Estate of Forrest J. Richardson of Kasson, MN. (Resolutions numbered 1a and 1b.) *[15-407]*
2. Application to repurchase state tax forfeited land by Dennis and Kimberly Rajkovich of East Bethel, MN, upon total payment of \$1,329.70. *[15-408]*

**Public Works & Transportation Committee – Commissioner Raukar, Chair**

3. Quote accepted from Mattison Contractors, of Knapp, WI, in the amount of \$74,985.00 for two (2) tied guardrail projects located in various locations throughout the county and on Township Road 5702/Sander Dr., both in Brevator Township, CP 0000-269602(Low)/SAP 69-030-037; CP 5702-269692(Tied). *[15-409]*
4. Acquisition of right of way and temporary easements for the reconstruction of a small segment of County Road 189/Eagle Road and the replacement of County Bridge 209 located over the Joula Creek in Cedar Valley Township, CP 0189-243857. *[15-410]*
5. Administration and the Public Works Department directed to develop and implement an interim process for the use of all-terrain vehicles (ATVs) in the road right-of-way and develop and implement an ATV Ordinance by April 5, 2016. *[15-417]*

**Finance & Budget Committee – Commissioner Nelson, Chair**

6. Contract with Amendola Builders, Inc., of Duluth, MN, in the amount of \$67,500 for the repair of the south wall of the A. P. Cook Building on the Public Safety Campus in Duluth. *[15-411]*
7. Professional construction contract with Lenci Enterprises of Virginia, MN, in the amount of \$341,400 for the Sheriff's North Rescue Squad Facility, Phase II for the oversized vehicle cold storage building project. *[15-412]*

## **ST. LOUIS COUNTY BOARD**

### **Consent Agenda**

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8. Lawful gambling application by Gnesen Volunteer Fire Department to conduct off-site gambling (raffle/tipboards) on October 17, 2015, at the Gnesen Town Hall. *[15-413]*
9. Public hearing established for 9:40 a.m., October 6, 2015, at the Duluth Town Hall to consider the issuance of an Off-Sale Intoxicating Liquor License to Myrtle Lake Resort, LLC, Portage Township. *[15-416]*
10. Workers' compensation report dated September 4, 2015, as submitted by Safety and Risk Management.

### **Public Safety & Corrections Committee – Commissioner Dahlberg, Chair**

11. Application and acceptance of the 2014 Homeland Security Operation Stonegarden Grant in an amount not to exceed \$60,907 to enhance the security of the international border and ports of entry between St. Louis County and Canada, with St. Louis County serving as coordinator and fiscal agent. *[15-414]*
12. Application and acceptance of the 2015 State of Minnesota Emergency Management Performance Grant in the amount of \$75,387 for local emergency management programs. *[15-415]*

**Official Proceedings of the County Board of Commissioners**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 1, 2015, are hereby approved.

**Official Proceedings of the County Board of Commissioners**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 8, 2015, are hereby approved.

**Cancellation of Contract for Repurchase of State Tax Forfeited Land - Smith**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The contract with James Smith of Duluth, MN, for the repurchase of state tax forfeited land is in default for nonpayment of taxes; and

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

CITY OF DULUTH  
WLY 1/2 OF LOTS 13 THRU 16, BLOCK 14  
GREYSOLON FARMS 1ST DIVISION OF DULUTH  
Parcel Code: 010-2010-03630  
C22120069; 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 owners 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 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.

**Cancellation of Contract for Repurchase of State Tax Forfeited Land –  
Estate of Forrest J. Richardson**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The contract with the Estate of Forrest J. Richardson of Kasson, 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:

TOWN OF FAIRBANKS  
N 300 FT OF S 500 FT OF E 300 FT OF SE 1/4 OF SW 1/4  
SECTION 22, TOWNSHIP 56 NORTH, RANGE 12 WEST  
Parcel Code: 335-0010-03755  
C22130116; 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 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.

**Repurchase of State Tax Forfeited Land - Rajkovich**

BY COMMISSIONER: \_\_\_\_\_

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

WHEREAS, The applicants, Dennis & Kimberly Rajkovich of East Bethel, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING  
LOTS 1 & 2, BLOCK 2  
ASPENWOODS THREE CITY OF HIBBING  
Parcel Code: 139-0069-00090; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

WHEREAS, Approving the repurchase will correct undue hardship and promote the use of lands that will best serve the public interest;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Dennis & Kimberly Rajkovich of East Bethel, MN, on file in County Board File No. 60090, subject to payments including total taxes and assessments of \$1,140.92, service fee of \$114.01, deed tax of \$3.77, deed fee of \$25, and recording fee of \$46 for a total of \$1,329.70, to be deposited into Fund 240 (Forfeited Tax Fund).

**Acceptance of Quote: Guardrail Project on St. Louis County Roads and Township Road 5702 (Brevator Township)**

BY COMMISSIONER \_\_\_\_\_

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

CP 0000-269602(Low)/SAP 69-030-037, Various County Highways within St. Louis County,  
CP 5702-269692 (Tied), located East of T.H. 33 in Brevator Township; and

WHEREAS, Quotes were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on August 27, 2015, and the low responsible quote determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project as follows:

<u>LOW QUOTE</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Mattison Contractors	P.O. Box 238 Knapp, WI 54749	\$74,985.00

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

CP 0000-269602(Low)/SAP 69-030-037: Fund 220, Agency 220371, Object 652700	\$43,095.00
CP 5702-269692 (Tied): Fund 200, Agency 203394, Object 652800	\$31,890.00

**Acquisition of Right of Way – Replacement of County Bridge 209 over Joula Creek  
(Cedar Valley Township)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of the Eagle Road/County Road 189 and to replace the existing bridge (County Bridge 209) over the Joula Creek in Cedar Valley Township, County Project 0189-243857; and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right of way, certain lands are required for this construction, together with temporary construction easements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project, payable from Fund 200, Agency 203001;

RESOLVED FURTHER, That pursuant to Minn. Stat. §282.04, Subd. 4, the St. Louis County Board hereby authorizes the County Auditor to grant the necessary easements for highway purposes over the following tax forfeited parcel:

The East Half of the Northeast Quarter (E 1/2 of NE 1/4), EXCEPT the Northeast Quarter of the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4 of NE 1/4), Section 25, Township 53 North, Range 21 West of the Fourth Principal Meridian. (Parcel ID No. 285-0010-03860)

**Interim ATV Permit Process and Ordinance for St. Louis County  
Road Right-of-Way**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, There are many locations in St. Louis County where county roads are the only feasible connection between roads and trails open to all-terrain vehicle (ATV) use; and

WHEREAS, Many road rights-of-way do not have ditches or back slopes that are traversable by ATVs; and

WHEREAS, St. Louis County has received a number of requests from townships and ATV clubs to establish designated corridor access trails in the right-of-way to make connections between trails; and

WHEREAS, Minn. Stat. § 84.928 allows a road authority, by permit, to designate corridor access trails on public road right-of-way for purposes of accessing established ATV trails; and

WHEREAS, Minn. Stat. § 84.928 states that a county, acting through its governing body by ordinance, may allow a person to operate an ATV on a public road or street under its jurisdiction to access businesses and residences and to make trail connections; and

WHEREAS, Robust trail networks that are easy to navigate are attractive to ATV tourists and hunters and ATV-related activities are poised to become an economic driver in St. Louis County's tourist-related economy;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board directs Administration and the Public Works Department to develop and implement an interim ATV permit process that will permit ATV use in the road right-of-way in up to three (3) geographical areas of the county;

RESOLVED FURTHER, That the Public Works Department and Sheriff shall perform an ongoing evaluation and review of ATV activities during the interim permit period;

RESOLVED FURTHER, That the Public Works Department shall develop and implement the interim ATV permit and shall have discretion to select the road or portions of roads that will be permitted and will also have the discretion to revoke the permit and the permittee shall be an ATV club duly organized under the laws of the State of Minnesota and recognized by the Minnesota Secretary of State;

RESOLVED FURTHER, That if the location of any roads designated under the interim permit process for ATV use are in a duly organized township or city, the Public Works Department shall receive an official resolution or communication from the township or city indicating its general support for ATV use in the county right-of-way;

RESOLVED FURTHER, That the St. Louis County Board directs Administration and the Public Works Department to develop a comprehensive ATV policy or ordinance that may permit ATV use in the road right-of-way by April 5, 2016.

**Wall Repairs – A. P. Cook Building, Public Safety Campus (Duluth)**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The Chris Jensen Health & Rehabilitation Facility and adjoining property was sold in November 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, Structural engineering investigations of the building shell revealed extensive water damage to the south wall from lack of roof maintenance during the building's use as a laundry facility; and

WHEREAS, The Purchasing Division solicited quotes which opened on August 21, 2015, with only one (1) qualified quote from Amendola Builders, Incorporated of Duluth, MN;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Amendola Builders, Incorporated of Duluth, MN, in an amount of \$67,500, for the repair of the south wall of the A. P. Cook Building on the Public Safety Campus in Duluth, payable from Fund 400-400003-630900.

**St. Louis County Sheriff's North Rescue Squad Building –  
Phase II Construction Services**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The former Public Works Virginia motor pool building is being renovated to house the Sheriff's North Rescue Squad operations (Phase I) and is scheduled for completion in September of 2015; and

WHEREAS, The existing building will not accommodate the 14 foot overhead doors necessary to house the squad's rescue equipment, necessitating the construction of a three-bay cold storage building (Phase II); and

WHEREAS, Bids were opened on August 26, 2015, with Lenci Enterprises of Virginia, MN, offering the lowest responsible bid in an amount of \$341,400;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a professional construction contract with Lenci Enterprises of Virginia, MN, for the Sheriff's North Rescue Squad Facility, Phase II oversized vehicle cold storage building project in an amount of \$341,400, payable from Fund 400, Agency 400039.

**Lawful Gambling Application (Gnesen Township)**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners hereby approves the following Lawful Gambling License Application (raffle/tipboards) on file in the office of the County Auditor, identified as County Board File No. 60091, for the following organization:

Gnesen Volunteer Fire Department, 4504 Datka Road, Duluth, MN 55803, to conduct off-site gambling on October 17, 2015, raffle/tipboards, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN 55803, Gnesen Township.

**Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License  
(Portage Township)**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, That a public hearing will be held at 9:40 a.m., on October 6, 2015, in the Duluth Town Hall, 6092 Homestead Road, Duluth, MN, for the purpose of considering an Off-Sale Intoxicating Liquor License to Myrtle Lake Resort, LLC d/b/a Myrtle Lake Resort, LLC, Portage Township.

**Workers' Compensation Report**

BY COMMISSIONER \_\_\_\_\_

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated September 4, 2015, on file in the office of the County Auditor, identified as County Board File No. 60026, is hereby received and ratified as payable from Fund 730, Agency 730001.

**Application and Acceptance of 2014 Homeland Security  
Operation Stonegarden Grant**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The State of Minnesota Department of Public Safety, through the Homeland Security and Emergency Management Division, has made available an Operation Stonegarden grant to enhance the security of the international border and ports of entry between St. Louis County and Canada;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application and acceptance of the 2014 Homeland Security Operation Stonegarden Grant, not to exceed \$60,907, to be accounted for in Fund 100, Agency 129999, Grant 12931, Year 2014;

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the application and acceptance of the 2014 Homeland Security Operation Stonegarden Grant as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for the grant through the Sheriff's Office.

**Application and Acceptance of 2015 Emergency  
Management Performance Grant**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The State of Minnesota has made \$75,387 available through the Emergency Management Performance Grant to assist the St. Louis County Sheriff's Office for local emergency management programs;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application and acceptance of the 2015 State of Minnesota Emergency Management Performance Grant in the amount of \$75,387, to be accounted for in Fund 100, Agency 132999, Grant 13203;

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.