

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 12, 2016**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of January 2016, at 9:36 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Chris Dahlberg, Tom Rukavina, Pete Stauber, Keith Nelson, and Chair Steve Raukar - 7. Absent: None.

Chair Raukar asked for a moment of silence to honor U.S. troops, their families, and for all innocent victims of war and acts of terrorism, followed by the pledge of allegiance.

Commissioner Jewell presented his Words of Wisdom by quoting the following from Albert Einstein: "Any fool can know. The point is to understand." "The important thing is to not stop questioning. Curiosity has its own reason for existence. One cannot help but be in awe when he completes the mysteries of eternity, of life, of the marvelous structure of reality. It is enough if one tries merely to comprehend a little of this mystery each day."

Chair Raukar then opened the meeting to persons who wanted to address the Board concerning issues not on the agenda. Peder Oase of Gnesen Township, discussed the lack of citizen attendance at St. Louis County meetings and encouraged citizen involvement in government.

At 9:47 a.m., a public hearing was conducted pursuant to Resolution No. 15-788, adopted December 15, 2015, to consider issuance of an off-sale intoxicating liquor license to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19. Commissioner Dahlberg stepped out of the meeting at 9:48 a.m. St. Louis County Attorney Mark Rubin gave the initial presentation and submitted a packet for the record that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes and required documents for the license. Commissioner Nelson asked Mark Hraben, owner of Ash-Ka-Nam, Inc., if he read all liquor license requirements and if he will abide by them; Mr. Hraben responded yes. Chair Raukar asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action and no one came forth. At 9:50 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing. The motion passed; six yeas, zero nays, one absent (Dahlberg).

Commissioner Dahlberg returned to the meeting at 9:52 a.m.

Commissioner Rukavina, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating liquor license to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19. The motion passed; seven yeas, zero nays. Resolution No. 16-62.

Commissioner Dahlberg, supported by Commissioner Boyle, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Dahlberg, supported by Commissioner Jewell, moved to reconsider the 2016 appointments to the Arrowhead Regional Development Commissioner Metropolitan Interstate Council and appoint Commissioner Jewell as representative and Commissioners Stauber and Dahlberg as alternates and rescind County Board Resolution No. 16-13, adopted January 5, 2016. The motion passed; seven yeas, zero nays. Resolution No. 16-63.

Commissioner Boyle, supported by Commissioner Rukavina, moved to consider a resolution for an appointment to the Community Development Block Grant (CDBG) Citizen Advisory Committee; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Rukavina, supported by Commissioner Jewell, moved that the St. Louis County Board waives the time line requirements stipulated in the Board Appointment Policy, and hereby appoints David M. Merhar to the Community Development Block Grant Citizen Advisory Committee as the representative of Ely, for a term ending April 30, 2018. The motion passed; seven yeas, zero nays. Resolution No. 16-64.

The following Board and contract files were created resulting from documents received at this Board meeting:

Kevin Gray, County Administrator, and Ann Busche, Public Health and Human Services Director, submitting Board Letter No. 16-15, Contract with CHB to Accept Community Wellness Grant Funds and Rescind Resolution No. 15-494.—60283

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 16-16, Amend Zoning Ordinance No. 62, Zoning Map (White Township).—60284

Cancellations of Contracts for Repurchase of State Tax Forfeited Land (defaults) submitted during CY 2016.—60285

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 16-20, Revocation and Establishment of Certain County State Aid Highways (Mountain Iron).—60286

County Fee Land Sales, Easements, and Rights-of-Way approved during CY 2016.—60287

Abatement lists approved during CY 2016.—60288

Kevin Gray, County Administrator, submitting Board Letter No. 16-27, Reconsider 2016 Appointments to ARDC Metropolitan Interstate Council and Rescind County Board Resolution No. 16-13.—60289

Kevin Gray, County Administrator, and Barbara Hayden, Planning and Community Development Director, submitting Board Letter No. 16-41, Committee Vacancy – Appointment to the CDBG Citizen Advisory Committee.—60290

Chair Raukar’s opening comments from the January 5, 2016 Annual Board Meeting.—60291

Chair Initiative submissions for CY 2016: “Words of Wisdom”—60292

Agreement for Professional Services between the County of St. Louis and Norell Property Valuations, Finlayson, MN, for appraisal review services for right-of-way acquisition and condemnation proceedings relating to the reconstruction of County State Aid Highway #4 (Rice Lake Road) in Duluth, MN (SAP 69-605-073, CP 136147).—16-50

Purchase of Service Agreement, Contract No. 15574, between the St. Louis County Board of Commissioners and Tim Ellison, Chisholm, MN, for Chore Services during the period October 1, 2015 to December 31, 2015.—16-51

Purchase of Service Agreement, Contract No. 15618, between the St. Louis County Board of Commissioners and Thomas Allen, Inc., West St. Paul, MN, for Delegated Waiver Case Management services funded by home and community-based waiver services during the period January 1, 2016 to December 31, 2016.—16-52

Purchase of Service Agreement, Contract No. 15627, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc. – Wellstone Center for Recovery, Virginia, MN, for Assertive Community Treatment services during the period January 1, 2016 to December 31, 2016.—16-53

Purchase of Service Agreement, Contract No. 15628, between the St. Louis County Board of Commissioners and Range Mental Health Center, Inc., Virginia, MN, for Assertive Community Treatment services during the period January 1, 2016 to December 31, 2016.—16-54

Group Residential Housing Rate Agreement, Contract No. 53056, by and between the St. Louis County Board of Commissioners and RSI – Midway, Hermantown, MN.—16-55

Agreement for Purchase of Services between St. Louis County and the St. Louis County Historical Society, Duluth, MN, for the promotion of historical work and collection, preservation and publication of historical material, and to disseminate historical information of the county during the period January 1, 2016 to December 31, 2016.—16-56

Cooperative Agreement between the County of St. Louis, the City of Duluth, and the City of Hermantown to complete a traffic signal timing plan update project (SAP 069-030-041, CP 0000-259405, City of Duluth Project Number 1457).—16-57

State of Minnesota Work Order Under Master Partnership Contract, MnDOT Agreement No. 02466, for Professional/Technical Services for Traffic Data Collection, Timing Plan Development, and Implementation for Miller Hill Area Signal Timing Optimization.—16-58

Service Contract between the County of St. Louis and EPC Engineering & Testing, Duluth, MN, for materials testing, special inspection, and reporting for the Final Phase of the Remodeling Project at the A. P. Cook Building.—16-59

Amendment No. 4, Original Damion 2011-006514, between the County of St. Louis and Como Lube

& Supplies, Inc., Duluth, MN, reducing the contracted amount for the collection and disposal of waste oil from \$0.25 per gallon to \$0.00 per gallon through July 1, 2016 unless the oil market rises.—16-60

Upon motion by Commissioner Dahlberg, supported by Commissioner Boyle, resolutions numbered 16-41 through 16-61, as submitted on the Consent Agenda, were unanimously adopted as follows:

BY COMMISSIONER DAHLBERG:

WHEREAS, The St. Louis County Child Support Program has need for court documents to be served on the Child Support parties in a manner that requires Service of Process; and

WHEREAS, Applied Professional Services of Duluth, MN, is a licensed and bonded investigative consulting firm that can deliver this service on behalf of the St. Louis County Child Support Program; and

WHEREAS, To comply with Data Privacy Practices a contract is required for this service;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Applied Professional Services, Duluth, MN, for up to \$70,000 to provide Service of Process for PHHS cases, for the period January 1, 2016 through December 31, 2016, payable from Fund 230, Agency 231009, Object 629900.

Adopted January 12, 2016. No. 16-41

WHEREAS, The St. Louis County Public Health and Human Services Department wishes to purchase intensive Children’s Mental Health Adolescent Services, through the Trauma Assessment and Family Treatment Program, as an alternative to Out-of-Home Placement of children; and

WHEREAS, The Human Development Center, Duluth, MN, is able and willing to provide these services;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a Trauma Assessment and Family Treatment Program contract with the Human Development Center, Duluth, MN, in the amount of \$153,534 for the period January 1, 2016 through December 31, 2016, payable from Fund 230 Social Services, Agency 232008 Children’s Services, Expense Object 601600 Children’s Mental Health Services.

Adopted January 12, 2016. No. 16-42

WHEREAS, St. Louis County purchases employment services for persons with disabilities; and

WHEREAS, The Public Health and Human Services Department has contracted with Occupational Development Center, Inc., (ODC) and Goodwill Industries Vocational Enterprises, Inc., (GIVE) for over 30 years to provide extended employment services for persons with disabilities and wishes to renew these agreements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into purchase of service agreements with the Occupational Development Center, Inc., Virginia, MN, and Goodwill Industries Vocational Enterprises, Inc., Duluth, MN, for extended employment services at the rates listed below for shelter-based work, supported employment, and job coaching at the contract maximum of \$90,408 for each agreement for the period January 1, 2016 through December 31, 2016; payable from Fund 230, Agency 232006, Object 604800.

<u>Agency</u>	<u>Services</u>	<u>Rates</u>
ODC	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour
<u>Agency</u>	<u>Services</u>	<u>Rates</u>
GIVE	Shelter-Based Work	\$15.00/worker/day
	Supported Employment	\$15.00/worker/day
	Job Coaching	\$30.00/hour

Adopted January 12, 2016. No. 16-43

WHEREAS, Human Development Center (HDC) helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, The Public Health and Human Services Department has contracted with HDC to provide needed community mental health services in southern St. Louis County for many years; and

WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of southern St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes two (2) agreements with Human Development Center for the period January 1, 2016 through December 31, 2016. The county's required share is paid as indicated below:

1. Children Mental Health-Targeted Case Management (MH-TCM) contract (30 cases per month)
\$525 per month per client, 50% of which is the county share of the rate Fund 230, Agency 232008, Object 601600
2. Adult MH-TCM contract (170 cases per month) \$393 per month per client, 50% of which is the county share of the rate
Fund 230, Agency 232006, Object 604400

Adopted January 12, 2016. No. 16-44

WHEREAS, Range Mental Health Center (RMHC) helps people with mental illness to remain safe and as independent as possible by providing a full range of community mental health services; and

WHEREAS, The Public Health and Human Services Department has contracted with RMHC to provide needed community mental health services in northern St. Louis County for many years; and

WHEREAS, County funds must be set aside to pay the non-federal share of Medical Assistance for mental health services for residents of northern St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the following agreements with Range Mental Health Center for the period January 1, 2016 through December 31, 2016. The county's required share is paid as indicated below:

1. Children's Mental Health-Targeted Case Management (MH-TCM) contract (7-10 cases per month)
\$688 per month per client, 50% of which is the county share of the rate
Fund 230, Agency 232008, Object 601600
2. Adult MH-TCM contract (maximum 56 cases) \$354 per month per client, 50% of which is the county share of the rate

- Fund 230, Agency 232006, Object 604400
- 3. Other children’s mental health services contract
Not to exceed \$90,000 per year
Fund 230, Agency 232008, Object 601600
- 4. Other adult mental health services
Not to exceed \$101,088 per year
Fund 230, Agency 232006, Object 604400

Adopted January 12, 2016. No. 16-45

WHEREAS, St. Louis County has a variety of children’s services available in the community that are Federal Title IV-E eligible, with the county paying the entire cost for any child who does not have private insurance coverage or is not eligible for Medical Assistance; and

WHEREAS, The Public Health and Human Services Department has contracted with the providers listed below to provide needed children’s services on behalf of the county and wishes to renew these agreements;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes agreements for children’s services for the period January 1, 2016 through December 31, 2016 with the following providers at the per diem rates and non-client specific amounts for sole St. Louis County use listed as follows:

Emergency Shelters:

	<u>Requested Rate</u>	<u>% Increase</u>
<u>LSS - Bethany Crisis Shelter/Duluth</u>		
Shelter Care and Emergency Foster Care	\$ 174.77/day	3%
Diagnostic – 25-day Evaluation	\$ 181.69/day	3%
Family Assessment Fee for Diagnostic	\$ 86.00/day	0%
Health Screening Fee	\$ 70.00/hour	0%
St. Louis County Shelter/Non-Client Specific	\$ 502,006/year	7%
<u>LSS Family Resource Center-Range Youth Shelter Services</u>		
Children’s Shelter	\$ 194.00/day	0%
Health Screening Fee	\$ 50.00/hour	0%
St. Louis County Shelter/Non-Client Specific	\$430,105.00/year	0%

Residential Treatment Centers:

	<u>Requested Rate</u>	<u>% Increase</u>
<u>St. James Home of Duluth, Inc., d/b/a</u>		
<u>Woodland Hills and Cambia Hills</u>		
Residential Treatment – Juvenile Justice	\$ 259.16/day	0 %
Chisholm House 30 - Short-Term Consequence	\$ 145.04/day	0 %
Community Transition Program	\$ 188.44/day	0 %
Residential Treatment – Mental Health	\$ 260.22/day	0 %
<u>Northwood Children’s Services</u>		
Residential Services	<u>Requested Rate</u> \$ 260.27/day	<u>% Increase</u> 4%

Diagnostic & Assessment \$ 260.81/day 4%

Budget References for Out-of-Home Placement

Fund	230	Social Services
Agency	232008	Children's Services
Expense Objects	601200	Out-of-Home Placement Costs
	601600	Children's Mental Health Services

RESOLVED FURTHER, That the St. Louis County Board authorizes Purchase of Service Agreements for the period January 1, 2016 through December 31, 2016 with Northwood Children's Services, Fond du Lac Foster Care Licensing and Placement Agency, and LSS Bethany Foster Care Program for Child Foster Care Services. These services include: Child Foster Care, Emergency and Respite Child Foster Care, Therapeutic Foster Care and Licensing and Placement Administration. All Child Foster Care rates shall comply with Northstar Care for Children set by the Minnesota Department of Human Services (DHS). Respite Child Foster Care, Emergency Child Foster Care and the Licensing and Placement Administration fees shall be at the per diem rates listed below:

Foster Care:

	<u>Requested Rate</u>	<u>% Increase</u>
<u>Northwood Children's Services</u>		
Therapeutic Foster Care	DHS Northstar Care for Children Guidelines	
Licensing & Placement Administration	\$ 34.36/day	0%

Fond du Lac Foster Care Licensing & Placement Agency

Foster Care	DHS Northstar Care for Children Guidelines	
Licensing & Placement Administration	\$ 20.00/day	0%
Respite Care (paid to foster home)	\$ 35.00/day	0%

LSS – Bethany Foster Care Program

Foster Care	DHS Northstar Care for Children Guidelines	
Licensing & Placement Administration	\$ 25.00/day	0%

Budget References for Foster Care

Fund	230	Social Services
Agency	232008	Children's Services
Expense Objects	601200	Out-of-Home Placement Costs
	603200	Licensing/Resource Development
		Respite Care Licensing & Resource Development

RESOLVED FURTHER, That the St. Louis County Board authorizes Purchase of Service Agreements with the following provider at the rates listed below for Child Day Treatment services effective January 1, 2016 through December 31, 2016:

Day Treatment:

	<u>Requested Rate</u>	<u>% Increase</u>
<u>St. James Home of Duluth, Inc., d/b/a</u>		
<u>Woodland Hills and Cambia Hills</u>		

Therapeutic Day Treatment		\$ 195.75/day	129%
<u>Budget Reference for Day Treatment</u>			
Fund	230	Social Services	
Agency	232008	Children's Services	
Expense Object	601600	Children's Mental Health Services	
Adopted January 12, 2016. <u>No. 16-46</u>			

WHEREAS, St. Louis County has a variety of children's services available in the community that are Federal Title IV-E eligible, with the county paying the entire cost for any child who does not have private insurance coverage or is not eligible for Medical Assistance; and

WHEREAS, The Public Health and Human Services Department wishes to contract with Lakeview Neuro Rehab Midwest of Waterford, WI, to provide needed children's services on behalf of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a Purchase of Service Agreement for the period January 1, 2016 through December 31, 2016 with Lakeview Neuro Rehab Midwest, Waterford, WI, for an out-of-state contract for Residential Treatment Services to Families and Children at the per diem rates listed below:

Residential Treatment:

<u>Lakeview Neuro Rehab Midwest</u>	<u>Requested Rate</u>
Care and Supervision	\$ 491.14/day
Intensive Supervision	\$ 23.76/hour
School	\$ 225.00/day

Budget References for Out-of-Home Placement

Fund	230	Social Services
Agency	232008	Children's Services
Expense Objects	601200	Out-of-Home Placement Costs
	601600	Children's Mental Health Services
Adopted January 12, 2016. <u>No. 16-47</u>		

WHEREAS, St. Louis County has supported detoxification and hold services from the Center for Alcohol and Drug Treatment in Duluth and Range Mental Health Center in Virginia with county funds for over ten years; and

WHEREAS, The Public Health and Human Services Department wishes to continue these grant agreements for Calendar Year 2016 committed for this purpose;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into agreements with the following providers for detoxification and hold services for the period January 1, 2016 through December 31, 2016, payable from Fund 230, Agency 232006, Object 606000:

<u>Provider</u>	<u>2016</u>
Center for Alcohol and Drug Treatment, Duluth, MN	\$1,385,700
Range Mental Health Center, Virginia, MN	\$ 424,730

Adopted January 12, 2016. No. 16-48

WHEREAS, St. Louis County purchases Day Training and Habilitation (DT&H) and Semi-

Independent Living Services (SILS) for residents with developmental disabilities; and

WHEREAS, An annual renewal of these contracts was authorized on July 14, 2015, by Board Resolution No. 15-428; and

WHEREAS, The Public Health and Human Services Department (PHHS) is requesting the addition of REM Arrowhead, Inc., as a new SILS provider at the same rate that other currently contracted providers receive;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute contract documents to purchase Semi-Independent Living Services (SILS) for St. Louis County clients from REM Arrowhead, Inc.;

RESOLVED FURTHER, That the SILS rate for REM Arrowhead, Inc., in the amount of \$27.76 per hour, will be the same as current contracted providers, to be paid from Fund 230, Agency 232006, Object 605200.

Adopted January 12, 2016. No. 16-49

WHEREAS, The Minnesota Department of Health has provided a four year Community Wellness Grant (CWG) in the amount of \$652,000 per year to the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) to implement active living and healthy lifestyles activities with the goal of decreasing obesity and chronic disease rates; and

WHEREAS, The CHB has awarded the St. Louis County Public Health and Human Services Department (PHHS) not less than \$52,000 and not more than \$97,657 for the period September 1, 2015 through September 29, 2016, as the county's portion of the CWG grant; and

WHEREAS, There is a required 10% county match for this grant, and PHHS has dollars in its 2016 budget that can be used for this match; and

WHEREAS, PHHS would perform eligible grant activities through the hiring of a 1.0 FTE Public Health Educator for the northern portion of the county;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to contract with the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) to accept Community Wellness Grant funds in the amount not less than \$52,000 and not more than \$97,657 for the period September 1, 2015 through September 29, 2016;

RESOLVED FURTHER, That the County Board increases the PHHS staffing complement by 1.0 FTE Public Health Educator for the period January 1, 2016 through September 29, 2016, with the understanding that if the grant funding is eliminated the position is also eliminated;

RESOLVED FURTHER, That the PHHS budgeted revenues and expenditures are increased for budget year 2015 and 2016 with any remaining unspent funds at the end of 2015 to be included in the 2016 budget;

RESOLVED FURTHER, That St Louis County Board Resolution No. 15-494, dated August 11, 2015, is hereby rescinded.

Budget references:

Fund 230, Agency 233999, Grant 23328, Object 541231, Grant Year 2015

Fund 230, Agency 233999, Grant 23328, Object 610100, Grant Year 2015

Adopted January 12, 2016. No. 16-50

WHEREAS, The Minnesota Department of Human Services (DHS) is seeking grant applications to increase the network of respite service providers with training or experience to successfully serve adults and children with Autism Spectrum Disorder (ASD); and

WHEREAS, The grant funds would pay for short-term planned and emergency respite care services for individuals with a diagnosis of ASD including Asperger's Syndrome and Pervasive Developmental Disorder; and

WHEREAS, The grant funds were authorized by the Minnesota Legislature in 2014, specifically, Chapter 312, Article 30, Section 2, Subdivision 4(e); and

WHEREAS, Applicants must be a county or tribe and the fiscal host can use up to 10 percent of the grant funds for administration; and

WHEREAS, The Public Health and Human Services Department (PHHS) has written a grant application in the amount of \$1,555,000 over the two-year grant period which will involve a part-time project coordinator, multi-disciplinary stakeholder committee and collaborative partners who will be selected through a Request for Proposal process; and

WHEREAS, PHHS will also reach out to Carlton, Lake and Cook counties to collaborate regionally; and

WHEREAS, Initial focus of the grant will be to increase the network of providers that have training in working with children with autism in order to better meet the current needs in the community through person centered and culturally competent service delivery to the target population which is defined as children ages six to sixteen with autism, children at risk of experiencing disruption at home and/or school and children who have a moderate, severe or profound intellectual disability;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to apply for a grant in the amount of \$1,555,000 to increase the network of respite service providers with training and experience to successfully service individuals with autism.

Adopted January 12, 2016. No. 16-51

WHEREAS, The St. Louis County Planning Commission initiated a zoning map amendment for the NW ¼ except part platted as White Pine Acres, Section 7, Township 58 North, Range 15 West (White Township); and

WHEREAS, The St. Louis County Planning Commission, on November 12, 2015, held a public hearing to consider amending the zoning map, T58N-15W; and

WHEREAS, The Planning Commission recommends approval of the proposed amendments;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends Ordinance 62, NW ¼ except part platted as White Pine Acres, Section 7, Township 58 North, Range 15 West (White Township), as follows:

Industrial (IND)-4 and Shoreland Multiple Use (SMU)-11 to Multiple Use (MU)-4;

RESOLVED FURTHER, That the effective date of this zoning change will be January 15, 2016.

Adopted January 12, 2016. No. 16-52

WHEREAS, The contract with Thomas J. Rother and Dori A. Rother of Orr, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

WHEREAS, The purchasers were properly served with Notice of Cancellation of Contract by civil process and have failed to cure the default for lands legally described as:

UNORGANIZED TOWNSHIP 68-19

LOT: 0008 BLOCK: 000

VON DRUSKA HOMESITES 68-19

Parcel Code: 731-0200-00080
C22150081; 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 St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.

Adopted January 12, 2016. No. 16-53

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

CP 0009-276016 TST, Tree Clearing, 4th Street in Duluth, and;

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

WHEREAS, The original contract planned for the removal of 153 trees but an additional 23 trees were designated for removal at a cost of \$11,017;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves extra work on the above project to the vendor offering the low quote:

<u>LOW QUOTE</u>	<u>ADDRESS</u>		<u>AMOUNT</u>
Rick's Tree & Stump Removal	P.O. Box 238	Original quote:	\$77,427.00
	Knapp, WI 54749	Additional:	\$11,017.00
		Total:	\$88,444.00

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 from:

CP 0009-276016 TST:

Fund 444, Agency 444059, Object 652808 \$88,444.00

Adopted January 12, 2016. No. 16-54

WHEREAS, The St. Louis County Public Works Department plans to have a Culvert Survey project performed (Phase IV, CP 0000-266621) in the southeast part of the county from Carlton County to the Keene Creek watershed 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 approves filing an application to Minnesota's Lake Superior Coastal Program for up to \$98,100;

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;

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;

RESOLVED FURTHER, That the St. Louis County Board does agree to act as legal sponsor and obligate funds from Fund 200, Agency 200008, Object 626600, in the amount not to exceed \$49,050 for CP 0000-266621 to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Minnesota Lake Superior Coastal Program.

Adopted January 12, 2016. No. 16-55

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

CSAH 102 - From 0.49 mile north of CSAH 103 to 0.93 mile north of CSAH 103

CSAH segment #069-702-050, length 0.44 mile

CSAH 102 - From 0.93 mile north of CSAH 103 to 1.2 miles north of CSAH 103

CSAH segment #069-702-051, length 0.27 mile

CSAH 102 - From 1.2 miles north of CSAH 103 to Sixth Street

CSAH segment #069-702-052, length 0.10 mile

CSAH 102 - From Sixth Street to 0.35 mile north

CSAH segment #069-702-060, length 0.35 mile

CSAH 102 - From 0.35 mile north of Sixth Street to 0.67 mile north of Sixth Street

CSAH segment #069-702-070, length 0.32 mile

CSAH 102 - From 0.67 mile north of Sixth Street to 0.97 mile north of Sixth Street

CSAH segment #069-702-071, length 0.30 mile

CSAH 102 - From 0.97 mile north of Sixth Street to 0.40 mile west of CSAH 109

CSAH segment #069-702-072, length 0.98 mile

CSAH 102 - From 0.40 mile west of CSAH 109 to Trunk Highway 53

CSAH segment #069-702-080, length 1.30 miles

CSAH 109 - From U.S. 169 Expressway to CSAH 102

CSAH segment #069-709-020, length 1.20 miles

Total reversion to St. Louis County local road jurisdiction – 5.26 miles; and

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

Mineral Avenue (now CSAH 102) – From 0.49 mile north of CSAH 103 to new intersection with CR 102 – to be designated CSAH 102, length 0.33 mile

CR 102 (new construction) – From Mineral Avenue (now CSAH 102) to Nichols Avenue (now CSAH 109) – to be designated CSAH 102, length 1.79 mile

Nichols Avenue (now CSAH 109) – From CR 102 (new construction/Park Ridge Drive) to U.S. 169 Expressway – to be designated CSAH 102, length 0.22 mile

Total new CSAH designation – 2.34 miles;

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 concurrence by the City of Mt. Iron and approval of the Commissioner of Transportation of the State

of Minnesota;

RESOLVED FURTHER, That the above-described segments of City Streets and County Roads be, and hereby are, established, located, and so designated 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 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, the same be numbered, constructed, improved and maintained as County State Aid Highways and County Roads as herein described.

Adopted January 12, 2016. No. 16-56

WHEREAS, The Public Works Department administers a state-aid funded pavement marking project to install ground-in-wet-reflective pavement markings on the County State Aid Highway (CSAH) system; and

WHEREAS, Lake County has requested to participate in this project to maintain pavement markings on its CSAH system; and

WHEREAS, The Public Works Department will prepare the plan, specifications and perform all necessary contract administration from contract award to certification of final payment; and

WHEREAS, Lake County will pay St. Louis County for the cost of its share as detailed in the Proposal/Plan package, schedule of prices and as referenced in the cooperative agreement;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County Officials to enter into an agreement, and any amendments approved by the County Attorney’s Office, with Lake County where Lake County will pay its local share for items listed in the Schedule of Prices in the Proposal/Plan Package and Plan described as SAP 069-030-030, CP 0000-187079, 2016 State Aid Pavement Marking Project, with the funds to be receipted into Fund 220, Agency 220378.

Adopted January 12, 2016. No. 16-57

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

CP 0052-153455 TST, SAP 69-652-018: CSAH 52 from 0.3 miles west of CSAH 7 to TH 53; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on December 17, 2015, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$1,547,052.88

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 from:

Fund 444, Agency 444060, Object 652806	\$773,526.44
Fund 220, Agency 220376, Object 652700	\$773,526.44

Adopted January 12, 2016. No. 16-58

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied projects:

CP 0108-279350 TST (Low): CSAH 108 (Lost Lake Road) from CSAH 16 to 0.75 miles south of CR 334 (East Barker Road);

CP 0315-279348 TST (Tied): CR 315 (Elbow Lake Road) from CR 452 (Iron Junction Road) to CSAH 101; CP 0642-279346 TST (Tied): CR 642 (Hayes Road) from CSAH 5 to CSAH 25; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on December 17, 2015, and the low responsible bid determined;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Ulland Brothers, Inc.	P.O. Box 340 Cloquet, MN 55720	\$704,600.00

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 from:

CP 0108-279350 TST (Low):	Fund 200, Agency 203401, Object 652805	\$150,000.00
	Fund 444, Agency 444061, Object 652806	\$ 46,284.80
CP 0315-279348 TST (Tied):	Fund 200, Agency 203402, Object 652805	\$150,000.00
	Fund 444, Agency 444062, Object 652806	\$ 76,188.20
CP 0642-279346 TST (Tied):	Fund 200, Agency 203403, Object 652805	\$150,000.00
	Fund 444, Agency 444063, Object 652806	\$132,127.00

Adopted January 12, 2016. No. 16-59

WHEREAS, The St. Louis County Public Works Department and the Property Management Team have approved the sale of the following property, legally described as:

That part of the Southwest Quarter of the Southwest Quarter (SW ¼ of SW ¼), Section 11, Township 57 North, Range 18 West, lying 75.00 feet westerly of the following described centerline of Highway # 7. Said centerline described as follows: Commencing at the Southwest corner of said Southwest Quarter of Southwest Quarter (SW ¼ of SW ¼), Section Eleven (11); thence on an assumed bearing of South 84 degrees, 53 minutes, 40 seconds East, along the south line of said SW ¼ of SW ¼ a distance of 1,181.28 feet to the point of beginning of the line to be described; thence North 34 degrees, 56 minutes, 30 seconds West a distance of 1,531.75 feet and there terminating.

Except the Northerly 400 feet of said above described property; and

WHEREAS, A review of assessed value and sales has determined a minimum bid amount for this property to be \$15,500;

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 17.8 acres in size, pursuant to the requirements and procedures of Minn. Stat. § 373.01;

RESOLVED FURTHER, The County Board establishes the time for bid consideration to be at 9:40 A.M. on Tuesday, March 1, 2016, at the St. Louis County Courthouse, Duluth, MN.

Adopted January 12, 2016. No 16-60

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. 60288.

Adopted January 12, 2016. No. 16-61

BY COMMISSIONER RUKAVINA:

WHEREAS, Ash-Ka-Nam Resort & Lodge, LLC, Unorganized Township 68-19, St. Louis County, Minnesota, was destroyed by fire on January 6, 2015, and the Off-Sale Intoxicating Liquor License held by the establishment was designated for the lodge structure; and

WHEREAS, Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam has applied for an off-sale intoxicating liquor license establishing the serving area to be permanently designated for a pole-barn structure on the premises; and

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

WHEREAS, A public hearing was held on January 12, 2016, at 9:40 a.m., in the St. Louis County Courthouse, Duluth, MN, for the purpose of considering the off-sale intoxicating liquor license; and

WHEREAS, With regard to the application for said license, Ash-Ka-Nam has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application;

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to Ash-Ka-Nam Resort & Lodge, LLC d/b/a Ash-Ka-Nam, Unorganized Township 68-19, located in Area 3, and in accordance with the St. Louis County Fee Schedule, the annual fee is \$150;

RESOLVED FURTHER, That said liquor license shall be effective January 12, 2016 through June 30, 2016;

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

RESOLVED FURTHER, That upon use of the newly designated serving area (i.e. the pole barn) the previously licensed designated serving area premises (i.e. the lodge) will cease to be licensed as a serving area;

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

Unanimously adopted January 12, 2016. No. 16-62

BY COMMISSIONER DAHLBERG:

RESOLVED, That the St. Louis County Board hereby appoints the following as its representatives to the **ARDC Metropolitan Interstate Council** for a one-year term expiring December 31, 2016:

Commissioner Jewell, Representative

Commissioner Stauber, Alternate

Commissioner Dahlberg, Alternate
RESOLVED FURTHER, That County Board Resolution No. 16-13 is rescinded.
Unanimously adopted January 12, 2016. No. 16-63

BY COMMISSIONER RUKAVINA:

WHEREAS, The St. Louis County Board appoints citizens to serve on the Community Development Block Grant (CDBG) Citizen Advisory Committee; and

WHEREAS, One individual, David M. Merhar of Ely, MN, has applied for the vacancy on the committee as the representative of Ely; and

WHEREAS, The CDBG Citizen Advisory Committee meets only four times each year in the month of January; therefore, Mr. Merhar's participation on the Committee necessitates a waiver of the timelines required in the County Board Appointment Policy;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board waives the timeline requirements stipulated in the Board Appointment Policy, and hereby appoints David M. Merhar to the Community Development Block Grant Citizen Advisory Committee as the representative of Ely, for a term ending April 30, 2018.

Unanimously adopted January 12, 2016. No. 16-64

At 10:03 a.m., January 12, 2016, Commissioner Nelson, supported by Commissioner Jewell, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Steve Raukar, 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)