

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 9, 2016**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of February 2016, at 9:35 a.m., at the Hermantown City Council Chambers, Hermantown, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Tom Rukavina, Pete Stauber, and Keith Nelson - 5. Absent: Commissioner Chris Dahlberg and Chair Steve Raukar - 2.

Vice-Chair Jewell asked for a moment of silence to honor all those who serve us including military, police, fire, and others, and for all innocent victims of war around the world, followed by the pledge of allegiance.

Commissioner Rukavina presented his Words of Wisdom with the following quotes: “The purpose of government is to serve, never to dominate.”- Dwight D. Eisenhower; “If men were angels, no government would be necessary.” - Alexander Hamilton; “You can’t run a government solely on a business basis. Government should be human. It should have a heart.”- Herbert Henry Lehman; “It has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time” – Sir Winston Churchill.

The Board recognized St. Louis County Auditor Donald Dicklich who was recently honored by the Minnesota Association of County Officers (MACO) as Outstanding Auditor of the Year. St. Louis County Chief Deputy Auditor Nancy Nilsen said that there is over 200 members in the Minnesota Association of County Officers and said that Auditor Dicklich is compassionate, caring, and is always looking to use the taxpayers’ money wisely. Auditor Dicklich said it was humbling to be recognized by his peers and thanked current and past Board members for their support.

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

Commissioner Nelson, supported by Commissioner Boyle, moved to approve the consent agenda. The motion passed; five yeas, zero nays, two absent (Dahlberg, Raukar).

Commissioner Nelson, supported by Commissioner Rukavina, moved to authorize the appropriate county officials to execute a new ten-year lease with the City of Ely for the rental of Sheriff’s Office space in the Ely City Hall, Ely, MN, for the period January 1, 2016 through December 31, 2025, at the annual rate of \$10,678.50, with mutually agreed upon annual utility cost reconciliations. St. Louis County Sheriff Ross Litman provided the Board a handout detailing locations of calls made by the Ely Deputy Sheriff and discussed the thought process involved in determining where the Ely Deputy Sheriff’s office would be located. City of Ely Mayor Chuck Novak addressed the Board and requested that the Sheriff keep the City of Ely informed of the lease decision so they can plan accordingly. After further Commissioner discussion, the motion passed; five yeas, zero nays, two absent (Dahlberg, Raukar). Resolution No. 16-107.

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

Kevin Gray, County Administrator, and Mark St. Lawrence, Environmental Services Director, submitting Board Letter No. 16-55, Authorization to Accept MN Board of Water & Soil Resources FY 2016 Clean Water Fund Competitive Grant to Assist Low-Income Households.—60309

Kevin Gray, County Administrator, and Mark St. Lawrence, Environmental Services Director, submitting Board Letter No. 16-56, Authorization to Accept Small Community Wastewater Treatment Program Technical Assistance Grant on Behalf of the Sand Lake Association.—60310

Intoxicating Liquor Licenses approved during CY 2016.—60311

Kevin Gray, County Administrator, Ross Litman, Sheriff, and Tony Mancuso, Property Management Director, submitting Board Letter No. 16-58, Sheriff's Office Space Lease in Ely City Hall.—60312

New Release: Donald Dicklich wins state honor as Outstanding Auditor of the Year, presented by the Minnesota Association of County Officers (MACO).—60313

Service Contract No. 5284 between the County of St. Louis and Twin Ports Appraisals, Duluth, MN, to appraise eleven (11) shoreland lease lots on Fish Lake, Third Lake, Little Long Lake, Little Paleface and Long Lake (Cotton).—16-159

Amendment No. 4, Original DAMION No. 2010-5564, between the County of St. Louis and Northern Minnesota Recycling, Inc., extending the contract effective October 1, 2015 through September 30, 2017; amending Attachment 1: Scope of Services, Item B 24 – Residual materials; and agree to pay the Contractor a fee of \$300 each week the Contractor fulfills the requirements of the St. Louis County Recyclables Processing Facility Comprehensive Operations and Maintenance Manual.—16-160

Agreement for Professional Services between the County of St. Louis and South St. Louis Soil and Water Conservation District to provide general services and goods as outlined in Attachment A during the period January 1, 2016 through December 31, 2016.—16-161

Fire Protection and First Responder Services Agreement between the County of St. Louis and Ellsburg Volunteer Fire Department, Inc., Cotton, MN, for services in Unorganized Township 55-15 identified as Section 22 through 28, and Sections 31 through 36, during CY 2016.—16-162

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis Auditor's Office and Sellman Borland & Siman, PLLC, Hibbing, MN.—16-163

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis Auditor's Office and Info-Pro Lender Services, Inc., Fond du Lac, WI.—16-164

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis Auditor's Office and Daniel T. Schummer, Minocqua, WI.—16-165

Purchase of Service Agreement, Contract No. 15602, between the St. Louis County Board of

Commissioners and Occupational Development Center, Inc., Thief River Falls, MN, to provide Adult Mental Health Integrated Fund services during the period January 1, 2016 to December 31, 2016.—16-166

Group Residential Housing Rate Agreement, Contract No. 53039, by and between the St. Louis County Board of Commissioners and Primrose of Duluth, Duluth, MN.—16-167

Group Residential Housing Rate Agreement, Contract No. 53050, by and between the St. Louis County Board of Commissioners and Heritage Haven I, Duluth, MN.—16-168

Group Residential Housing Rate Agreement, Contract No. 53051, by and between the St. Louis County Board of Commissioners and Heritage Haven II, Duluth, MN.—16-169

Group Residential Housing Rate Agreement, Contract No. 53052, by and between the St. Louis County Board of Commissioners and Heritage Haven III, Duluth, MN.—16-170

Group Residential Housing Rate Agreement, Contract No. 53053, by and between the St. Louis County Board of Commissioners and Heritage Haven IV, Duluth, MN.—16-171

Group Residential Housing Rate Agreement, Contract No. 53057, by and between the St. Louis County Board of Commissioners and New Journey Residence Biwabik, Biwabik, MN.—16-172

Group Residential Housing Rate Agreement, Contract No. 53058, by and between the St. Louis County Board of Commissioners and New Journey Residence Eveleth, Eveleth, MN.—16-173

Agreement between St. Louis County and B 2 Babs, Inc., d/b/a Kountry Krossroads, Virginia, MN, (Pike Township) suspending their Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor Licenses and assessing a civil penalty for an alleged liquor law violation on December 15, 2015, sale to minor.—16-174

Agreement for Professional Services between St. Louis County and the Law Office of Amy E. Lukasavitz, LLC, Duluth, MN, to provide representation for parents in Children in Need of Protective Services (CHIPS), Termination of Parental Rights (TPR), or long term foster care placement matters (LTFC) during the period January 1, 2016 through December 31, 2016.—16-175

Addendum to Family Homeless Prevention Assistance Program Grant, Contract No. 15538A, between the St. Louis County Board of Commissioners and Churches United in Ministry (CHUM), Duluth, MN, for the period July 1, 2015 through June 30, 2017.—16-176

Addendum to Family Homeless Prevention Assistance Program Grant, Contract No. 15541A, between the St. Louis County Board of Commissioners and Life House, Inc., Duluth, MN, for the period July 1, 2015 through June 30, 2017.—16-177

Purchase of Service Agreement, Contract No. 15735, between the St. Louis County Board of Commissioners and REM Arrowhead, Inc., Duluth, MN, for Semi-Independent Living Services during the period November 1, 2015 through June 30, 2016.—16-178

Statewide Health Improvement Program Grant Project Agreement between the Carlton-Cook-Lake-

St. Louis Community Health Board (CHB) and St. Louis County for the period November 1, 2015 – October 31, 2017.—16-179

State of Minnesota Grant Agreement, Federal Sub-Award Agreement, No. 104541/3000088291, between the State of Minnesota, Commissioner of Natural Resources, and Minnesota’s Lake Superior Coastal Program, and St. Louis County Public Works Department, for Culvert Survey – Phase IV, effective January 1, 2016 and expiring December 31, 2016.—16-180

State of Minnesota Department of Human Services County Grant Contract in the amount of \$1,708,926 between the State of Minnesota through its Department of Human Services, Community Living Supports Division, and the County of St. Louis, Public Health and Human Services, as fiscal agent for the Northeast Minnesota Project to End Long-Term Homelessness for the 2016-2017 biennium.—16-181

Amendment No. 1, Original Damion No. 2015-9670, between the County of St. Louis and Alliant Engineering, Inc., Minneapolis, MN, for engineering services to complete a systems engineering analysis for adaptive signal control for the Miller Hill area traffic signals under project CP 0000-259405 amending the termination date to June 30, 2017; increasing the Original Contract value by \$90,000 to \$120,000; and amending the “Responsibilities of the Consultant”.—16-182

Contract for County-State Aid Highway (CSAH) Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for culvert replacement, full depth reclamation, aggregate base, aggregate base stabilization, plant mixed bituminous surface, aggregate shouldering, and bituminous seal coat on CSAH 2/West Tischer Road (CP 0002-244409 TST); CSAH 2/West Tischer Road (CP 0002-261283 TST); CR 259/W. Beyer Road (CP 0259-153437 TST); CR 280/Riley Road (CP 0280-153456 TST); and CR 289 Woodland Avenue (CP 0289-153458 TST) located in the City of Rice Lake and Lakewood Township.—16-183

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for culvert replacement, mill bituminous surface, full depth reclamation, plant mixed bituminous surface, aggregate shoulders and bituminous seal coat on CSAH 52/Arkola Road (CP 0052-153455 TST, SAP 069-652-018) in Kelsey and Cotton Townships.—16-184

St. Louis County Safety & Risk Management Training Contract between St. Louis County and Forrest Co., LLC, for First Aid Training during February and March 2016.—16-185

Amendment to Agreement for Purchase of Forfeited Lands by and between Donald Dicklich, County Auditor of the County of St. Louis, State of Minnesota, SELLER, and John Shenett (Primary Lessee) and Vicky L. Shenett (Joint Lessee), PURCHASER, correcting the legal description of the property.—16-186

Purchase of Service Agreement, Contract No. 15655, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-187

Purchase of Service Agreement, Contract No. 15656, between the St. Louis County Board of

Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-188

Purchase of Service Agreement, Contract No. 15657, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-189

Purchase of Service Agreement, Contract No. 15658, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-190

Purchase of Service Agreement, Contract No. 15659, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-191

Purchase of Service Agreement, Contract No. 15660, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-192

Purchase of Service Agreement, Contract No. 15661, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-193

Purchase of Service Agreement, Contract No. 15699, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-194

Purchase of Service Agreement, Contract No. 15700, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-195

Purchase of Service Agreement, Contract No. 15701, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-196

Purchase of Service Agreement, Contract No. 15702, between the St. Louis County Board of Commissioners and Scooters Snow and Lawn, Hibbing, MN, for Chore Services during the period January 1, 2016 to June 30, 2016.—16-197

Upon motion by Commissioner Nelson, supported by Commissioner Boyle, resolutions numbered 16-100 through 16-106, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 2, 2016, are hereby approved.

Adopted February 9, 2016. No. 16-100

WHEREAS, On July 9, 2015, the Minnesota Board of Water and Soil Resources (BWSR) notified the Environmental Services Department that FY 2016 Clean Water Fund grant funding was available to assist low-income residents with the repair or replacement of Subsurface Sewage Treatment Systems identified as Imminent Threat to Public Health; and

WHEREAS, On August 11, 2015, the St. Louis County Board authorized the Environmental Services Department to submit a grant application to BWSR for funding assistance; and

WHEREAS, On January 13, 2016, BWSR notified St. Louis County that it was awarded a \$200,000 Clean Water Fund Grant for FY 2016;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Environmental Services Department to accept \$200,000 in Clean Water Fund Competitive Grant funding from the Minnesota Board of Water and Soil Resources to assist low-income residents with the repair or replacement of Subsurface Sewage Treatment Systems identified as Imminent Threat to Public Health, to be accounted for in Fund 616, Agency 616999, Grant 61602, Grant Year 2016;

RESOLVED FURTHER, That matching funds in the amount of \$50,000 for this grant have been secured from Housing and Redevelopment Fund 250, Agency 251001.

Adopted February 9, 2016. No. 16-101

WHEREAS, On September 8, 2015, the County Board authorized the Environmental Services Department to submit an application, on behalf of the Sand Lake Association, to the Minnesota Public Facilities Authority (PFA) for a \$60,000 Small Community Wastewater Treatment Program Technical Assistance Grant; and

WHEREAS, The Environmental Services Department was recently notified by the PFA that St. Louis County was awarded the grant;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Environmental Services Department to accept a \$60,000 Small Community Wastewater Treatment Program Technical Assistance Grant from the Minnesota Public Facilities Authority to fund a Community Assessment Report to assess the need for a community sanitary sewer project for properties on Sand Lake, to be accounted for in Fund 616, Agency 616999, Grant 61604, Grant Year 2016.

Adopted February 9, 2016. No. 16-102

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of County Road 523/Burma Road and to replace the existing bridge (County Bridge 823, State Bridge 93018) over an unnamed flowage adjacent to Lake Kabetogama in Kabetogama Township, County Project 0523-243941; and

WHEREAS, These improvements consist of replacing the existing structure with a similar structure 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 the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across State of Minnesota Lands located in Section 27, Township 69 North, Range 21 West of the Fourth Principal Meridian adjacent to the

present course of County Road 523/Burma Road, parcel code 402-0010-01981.

Adopted February 9, 2016. No. 16-103

WHEREAS, St. Louis County approved a septic loan from Fund 280 in the amount of \$17,650 in November 2009 to Peter and Monica Palen for property located at 6648 Industrial Road, Saginaw, MN 55779 (St. Louis County Parcel Identification Number 380-0010-04305); and

WHEREAS, The mortgage deed was forwarded to Consolidated Abstract & Title for recording as a second mortgage; and

WHEREAS, Following bankruptcy proceedings for both individuals, the first mortgage was foreclosed by Wells Fargo by a Sheriff's Sale; and

WHEREAS, Minn. Stat. §§ 580.24 and 580.25 (Creditor Redemption) states that the holder of the second mortgage may redeem the first mortgage by bidding an amount higher than the value of the first mortgage, should the holder of the second mortgage believe there is adequate market equity in the property; and

WHEREAS, At the time of the Sheriff's Sale, the county decided not to redeem the first mortgage given the appraised value of the property was considerably less than the balance of the first mortgage; and

WHEREAS, Following the Sheriff's Sale and the subsequent redemption period, all junior liens, including the second mortgage held by the county, were extinguished and the liens were removed from the property title;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to write-off the septic loan of Peter and Monica Palen. The write-off will credit Fund 280, Object 111600 - Loans Receivable and debit Fund 280, Agency 280001, Object 629900 to expense this write-off in the amount of \$16,715.71.

Adopted February 9, 2016. No. 16-104

WHEREAS, Pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 60311; and

WHEREAS, Said license is approved contingent upon license holder paying real estate or personal property taxes when due; and

WHEREAS, If named license holder sells their licensed place of business, the County Board may, at its discretion after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder;

THEREFORE, BE IT RESOLVED, That said license shall be effective through June 30, 2016:

Shane Clemens d/b/a Alborn Rail Station, Alborn Township, On-Sale and
Sunday On-Sale Intoxicating Liquor License, transfer.

RESOLVED FURTHER, That said license is approved contingent upon proof of liquor liability and workers' compensation insurance and Minnesota Department of Health approval.

Adopted February 9, 2016. No. 16-105

WHEREAS, Pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in

the office of the County Auditor, identified as County Board File No. 60311; and

WHEREAS, Said license is approved contingent upon license holder paying real estate or personal property taxes when due; and

WHEREAS, If named license holder sells their licensed place of business, the County Board may, at its discretion after an investigation, transfer the license to a new owner, but without pro-rated refund of the license fees to the license holder;

THEREFORE, BE IT RESOLVED, That said license shall be effective March 1, 2016 through June 30, 2016:

Cast Iron, LLC d/b/a Cast Iron, LLC, Grand Lake Township, On-Sale and Sunday On-Sale Intoxicating Liquor License, new.

RESOLVED FURTHER, That said license is approved contingent upon proof of liquor liability insurance and Minnesota Department of Health approval.

Adopted February 9, 2016. No. 16-106

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Sheriff's Office has maintained a duty station in the Ely City Hall, Ely, MN, for over 20 years, with the most recent lease expiring on December 31, 2015; and

WHEREAS, The Sheriff desires to continue to occupy this space in order to serve this area of the county for the long-term future;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a new ten-year lease with the City of Ely for the rental of Sheriff's Office space in the Ely City Hall, Ely, MN, for the period January 1, 2016 through December 31, 2025, at the annual rate of \$10,678.50, with mutually agreed upon annual utility cost reconciliations, to be paid from Virginia Sheriff's Agency 129007, Object 634200.

Unanimously adopted February 9, 2016. No. 16-107

At 10:15 a.m., February 9, 2016, Commissioner Nelson, supported by Commissioner Boyle, moved to adjourn the meeting. The motion passed; five yeas, zero nays, two absent (Dahlberg, Raukar).



Frank Jewell, Vice-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)