

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

September 13, 2016

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 6, 2016.

Public Health & Human Services Committee – Commissioner Boyle, Chair

1. Contract with National Business Systems, Inc., Eagan, MN, in an amount not to exceed \$189,879.82 for the scanning of PHHS closed files in Virginia, Hibbing and Ely. *[16-372]*
2. Application and acceptance of a U.S. Department of Housing and Urban Redevelopment (HUD) grant in the amount of \$93,780 for the local St. Louis County Continuum of Care and its Leadership Council for the period September 1, 2016 through August 31, 2016. *[16-373]*

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

3. Final approval of Registered Land Survey No. 130 located in Government Lot 1, Section 21, Township 63 North, Range 17 West (Unorganized.) *[16-374]*
4. Adopt amendments to Ordinance No. 60, Subdivision Ordinance, effective October 1, 2016. *[16-375]*
5. Amend Ordinance No. 62, Zoning Ordinance, to incorporate and establish a zoning map for Greenwood Township, effective October 1, 2016. *[16-376]*
6. Adopt amendments to Ordinance No. 62, Zoning Ordinance, effective October 1, 2016. *[16-377]*
7. Application for repurchase of state tax forfeited land (homestead) by Carolyn Abrahamson, Duluth, MN. *[16-378]*
8. County Auditor authorized to offer a 45 acre parcel of state tax forfeited land located in the NE ¼ of NW ¼, Section 1, Township 51 North, Range 12 West (Duluth Township), to adjacent property owners for a total price of \$1,310.96; and further, the Land Commissioner shall give at least 30 days' notice of the sale to all adjoining property owners. *[16-379]*

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9. Special sale of state tax forfeited land to the City of Chisholm, described as Lots 13, 14, 15 and 16, Block 27, Pearce Addition to Chisholm, for the purpose of affordable housing, for a total price of \$2,426.92; and further, the County Auditor shall offer the land for sale at public auction if the City of Chisholm does not purchase the land by December 31, 2016. *[16-380]*
10. Approve the classification of state tax forfeited land described as Lots 13 & 14, Block 29, McKinley, to non-conservation and recommend that the Commissioner of Revenue convey the land to the City of McKinley for a water-main maintenance building project, upon total payment of \$572.65. *[16-381]*
11. Authorize the demolition of unsafe and dilapidated structures on certain state tax forfeited lands to aid in selling or conveying the tax forfeited properties. *[16-382]*
12. Non-exclusive right of way and utility easement across state tax forfeited land described as the Westerly 17 feet of Lot 20, Garden Lands, Chisholm, granted to the City of Chisholm upon total payment of \$671. *[16-383]*
13. Non-exclusive right of way and utility easement across state tax forfeited land described as the Southerly 365.32 feet of the Westerly 66 feet of the South ½ of the SE ¼ of NW ¼, except rail yard right of way, Section 22, Township 58 North, Range 20 West, Lakeview Addition, Chisholm, granted to the City of Chisholm upon total payment of \$671. *[16-384]*
14. Non-exclusive access easement across state tax forfeited land located in Section 29, Township 51 North, Range 18 West (Culver Township), granted to Judith Ann and Eric M. Mattson upon total payment of \$416. *[16-385]*
15. Non-exclusive access easement across state tax forfeited land located in Section 29, Township 51 North, Range 18 West (Culver Township), granted to Judith Ann Mattson upon total payment of \$2,020. *[16-386]*
16. Non-exclusive access and utility easement across state tax forfeited land located in the SW ¼ of the NE ¼, Section 27, Township 53 North, Range 14 West (Gnesen Township), granted to Cellular, Inc., Network Corp. d/b/a Verizon Wireless upon total payment of \$977. *[16-387]*
17. Land Commissioner authorized to apply price reductions on current timber contracts impacted by 2016 storm and fire events. *[16-395]*
18. Appraisal reports for the sale of timber to be offered at Public Oral Salvage Timber Auction on September 22, 2016, as submitted by the Land Commissioner.

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Public Works & Transportation Committee – Commissioner Stauber, Chair

19. Authorize the purchase of gasohol, fuel oil and diesel fuel from four (4) vendors with the lowest net costs (Bid No. 5330). *[16-388]*
20. Bid awarded to Mesabi Bituminous, Inc., Gilbert, MN, in the amount of \$1,051,354.60 to construct a portion of the Mesabi Trail from Eagles Nest Town Hall to Camp Lake Road in Eagle's Nest Township (CP 0000-213215, SP 069-090-030, TA 6916(215)). *[16-396]*
21. Agency agreement between the Minnesota Department of Transportation and St. Louis County to update the St. Louis County Road Safety Plan, which requires a local match of \$20,000. *[16-397]*
22. Resolution supporting the continued implementation of the County Road Safety Plan and other highway safety strategies and authorize the Public Works Director/Highway Engineer to apply for and accept highway safety-related grants consistent with implementation of the County Road Safety Plan. *[16-398]*

Finance & Budget Committee – Commissioner Nelson, Chair

23. Acceptance of a County Veterans Service Office Operational Enhancement Grant in the amount of \$17,500 from the Minnesota Department of Veterans Affairs. *[16-389]*
24. Abatement list for Board approval. *[16-390]*
25. Information Technology Department authorized to purchase a LANDesk Client Asset Management software package from CDW of Vernon Hills, IL, for a one-time cost of \$138,651 with ongoing yearly software maintenance costs starting in year two in the amount of \$34,899. *[16-391]*
26. Lawful Gambling application by Gnesen Volunteer Fire Department, Duluth, MN, to conduct an off-site raffle on October 15, 2016, at the Gnesen Town Hall, Gnesen Township. *[16-392]*
27. Public meetings to gather comments on the proposed property tax levy and operating budget for year 2017 established for December 1, 2016, at 7:00 p.m., at the St. Louis County Courthouse, Virginia, MN, and December 8, 2016, at 7:00 p.m., at the St. Louis County Courthouse, Duluth, MN. *[16-393]*
28. Resolution to appoint St. Louis County to serve as the Local Government Unit (LGU) on behalf of the Mars Lakeview Arena in its efforts to secure a James Metzen Mighty Ducks Grant Program through the Minnesota Amateur Sports Commission for the "Dehumidification Project and Electric Resurfacer and Edger" project. *[16-399]*

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29. Certify the maximum Housing and Redevelopment Authority property tax levy for Fiscal Year 2017. *[16-401]*
30. Workers' compensation report dated September 2, 2016.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

31. Establish a “True County” Assessor System, effective January 1, 2018. *[16-404]*
32. Reappoint five (5) members to the Community Development Block Grant (CDBG) Citizen Advisory Committee with terms expiring April 30, 2019; authorize the County Auditor to advertise and accept applications until November 15, 2016 for seven (7) vacant positions on the committee with terms expiring April 30, 2019; and further, increase the per diem for each meeting attended to \$50 and reimbursement for round-trip mileage at the applicable Federal CONUS rate, effective January 12, 2017. *[16-405]*

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 6, 2016, are hereby approved.

**Contract with Vendor for PHHS Closed File Scanning
In Virginia, Hibbing and Ely**

BY COMMISSIONER _____

WHEREAS, The Public Health and Human Services Department (PHHS) has been in the process of developing an Internal Document Management System in order to conserve building space by the elimination of paper storage and to streamline the business process; and

WHEREAS, Because PHHS lacked the staffing and resources to complete the scanning of paper files internally, the Purchasing Division issued a Request for Proposals to scan all closed Duluth files stored in leased office space in the Arvig Building, resulting in a contract with National Business Systems, Inc., of Eagan, MN; and

WHEREAS, PHHS would now like to convert all remaining closed files into the same system in a final phase which includes the Virginia, Hibbing, and Ely offices; and

WHEREAS, National Business Systems, Inc., has provided a quote of \$189,879.82 to perform this service;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with National Business Systems, Inc., Eagan, MN, in an amount not to exceed \$189,879.82 for the scanning of PHHS closed files in Virginia, Hibbing and Ely, payable from the PHHS Technology Improvements fund balance, Fund 230, Object 311401, to be transferred into Fund 230, Agency 230011, Object 629900.

**Application and Acceptance of Planning Grant Funding
for the Local St. Louis County Continuum of Care**

BY COMMISSIONER _____

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) provides funding to St. Louis County through local Continuum of Care (CoC) grant awards for permanent and rapid re-housing to homeless persons; and

WHEREAS, For the current HUD FY2016 funding cycle, 33 projects in St. Louis County are projected to receive a total of \$3,271,748; and

WHEREAS, In addition to these project grants, HUD planning funds are available to expand the Public Health and Human Services Department's capacity to become more data driven and performance based; and

WHEREAS, The St. Louis County Leadership Council has identified four specific areas as the focus of the funding for next year, to be accomplished through contractors and purchased services;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to apply for accept a grant allocation from HUD in the amount of \$93,780 for the purpose of purchasing the services, professionals, and/or other resources needed to assist the local Continuum of Care and its Leadership Council for the period September 1, 2016 through August 31, 2017, to be accounted for in Fund 230, Agency 232001, Grant 23217, Grant Year 2016.

Approval of Registered Land Survey No. 130 (Unorganized Township 63-17)

BY COMMISSIONER _____

WHEREAS, The Registrar of Titles is authorized to require Registered Land Survey No. 130 pursuant to Minn. Stat. § 508.47; and

WHEREAS, The County Surveyor and Examiner of Titles have approved Registered Land Survey No. 130; and

WHEREAS, The final prints have been submitted for filing;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to Registered Land Survey No. 130 located in Government Lot 1 of Section 21, Unorganized Township 63 North, Range 17 West, St. Louis County, Minnesota.

Adoption of Proposed Ordinance No. 60 Amendments, Subdivision Ordinance

BY COMMISSIONER _____

WHEREAS, The St. Louis County Planning Commission, on June 9, 2016, initiated the proposed amendments to Ordinance No. 60, Subdivision Ordinance, and made them available for public comments; and

WHEREAS, The Planning Commission held public hearings regarding the amendments to Ordinance No. 60 on August 11, 2016; and

WHEREAS, The Planning Commission voted to recommend that the St. Louis County Board adopt the proposed amendment to Ordinance No. 60;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts the amendments to Ordinance No. 60, Subdivision Ordinance, contained in County Board File _____; and

RESOLVED FURTHER, That the effective date for these actions will be October 1, 2016.

**Amend Zoning Ordinance No. 62, to Incorporate and
Establish a Zoning Map for Greenwood Township**

BY COMMISSIONER _____

WHEREAS, Greenwood Township residents voted on June 14, 2016, to transition zoning authority from the Township to St. Louis County; and

WHEREAS, The St. Louis County Planning Commission held a public hearing on August 11, 2016, to incorporate and establish the Township map as part of Ordinance No. 62; and

WHEREAS, The Planning Commission recommends approval of the proposed Zoning Ordinance map; and

WHEREAS, The Planning & Economic Development Director and a representative of the County Attorney are working with Greenwood Township to complete all necessary steps to transition zoning authority to St. Louis County;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends Ordinance No. 62, to incorporate and establish a zoning map for Greenwood Township;

RESOLVED FURTHER, That the Planning & Economic Development Director and a representative of the County Attorney's office will work with Greenwood Township officials to resolve all issues related to the transfer of zoning to St. Louis County;

RESOLVED FURTHER, That the effective date of zoning transition authority from Greenwood Township to St. Louis County will be October 1, 2016.

Adoption of Proposed Ordinance No. 62 Amendments, Zoning Ordinance

BY COMMISSIONER _____

WHEREAS, The St. Louis County Planning Commission, on June 9, 2016, initiated proposed amendments to Ordinance No. 62, Zoning Regulations; and

WHEREAS, The Planning Commission held public hearings regarding the amendments to Ordinance No. 62 on August 11, 2016; and

WHEREAS, The Planning Commission voted to recommend that the St. Louis County Board adopt the proposed amendment to ordinance;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners adopts amendments to Ordinance No. 62, Zoning Regulations contained in County Board File No. _____; and

RESOLVED FURTHER, That the effective date for these actions will be October 1, 2016.

Repurchase of State Tax Forfeited Land – Abrahamson (Homestead)

BY COMMISSIONER: _____

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

WHEREAS, The applicant, Carolyn Abrahamson of Duluth, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
LOTS 25 AND 26, BLOCK 9
KOSKIVILLE HIBBING
Parcel Code: 140-0130-02160; and

WHEREAS, The applicant is an heir of the owner of record at the time of forfeiture and is 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 Carolyn Abrahamson of Duluth, MN, on file in County Board File No. 60327, subject to payments including total taxes and assessments of \$3,859.31, service fee of \$114, deed tax of \$12.74, deed fee of \$25, recording fee of \$46 and Eviction Court costs of \$379, for a total of \$4436.05 to be deposited into Fund 240 (Forfeited Tax Fund).

Adjoining Owner Sale (Duluth Township)

BY COMMISSIONER _____

WHEREAS, St. Louis County desires to offer for sale a certain parcel of tax forfeited land described as:

Town of Duluth
THAT PART OF NE 1/4 OF NW 1/4 LYING N OF THE NORTH SHORE ROAD
EX 1 30/100 ACRES AT WEST SIDE EX HIGHWAY RT OF WAY 5/100 ACRES
Section 1, Township 51 North, Range 12 West
Deeded Acres: .45
Parcel Code: 315-0010-00040
LDKey: 117692
Zoning: SMU-6; and

WHEREAS, The parcel is not withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, The parcel cannot be improved because it is less than the minimum size, shape, frontage and/or access required by the applicable zoning ordinance; and

WHEREAS, The County Auditor has determined that a non-public sale will promote the return of the land to the tax rolls; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of the parcel described here, and the County Auditor is authorized to offer the parcel at private sale to adjacent property owners for the price of \$1,200 plus a 3% assurance fee of \$36, deed fee of \$25, deed tax of \$3.96 and recording fee of \$46, for a total of \$1,310.96 to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the Land Commissioner shall give at least 30 day notice of the sale to all adjoining property owners.

Special Sale to the City of Chisholm

BY COMMISSIONER _____

WHEREAS, The City of Chisholm has requested to purchase state tax forfeited land described as follows for the price of \$2,280, plus fees, for the purpose of affordable housing:

Legal: Lots 13, 14, 15 and 16, Block 27, Pearce Addition to Chisholm
Parcel Codes: 020-0170-01930, 1950
Acres: 0.29
LDKeys: 117272, 117273; and

WHEREAS, These parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1a(d), allows for non-conservation tax forfeited land to be sold to a governmental subdivision for less than market value if the county board determines that a sale at a reduced price is in the public interest because it will lead to the development of affordable housing; and

WHEREAS, These parcels of land have been classified as non-conservation land pursuant to Minnesota Stat. § 282.01;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited lands, as described, to the City of Chisholm for the price of \$2,280 plus the following fees: 3% assurance fee of \$68.40, deed fee of \$25, deed tax of \$7.52, and recording fee of \$46, for a total of \$2,426.92 to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax forfeited land described here if the City of Chisholm does not purchase the land by December 31, 2016.

Request for Free Conveyance of State Tax Forfeited Land to the City of McKinley

BY COMMISSIONER _____

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

WHEREAS, The City of McKinley has requested a free conveyance of state tax forfeited land for a water-main maintenance building, legally described as:

CITY OF MCKINLEY

LOTS 13 AND 14, BLK 29, EX THAT PART WHICH LIES NELY OF A LINE RUN PARALLEL WITH AND DISTANT 90 FT SWLY OF THE FOLLOWING DESCRIBED LINE: FROM A POINT ON THE E AND W QUARTER LINE OF SEC 17 TWP 58 RGE 16 DISTANT 390.52 FT E OF THE W QUARTER CORNER THEREOF; RUN NWLY AT AN ANGLE OF 41 DEG 14' 41" WITH SAID E AND W QUARTER LINE FOR 13.59 FT; THENCE DEFLECT TO THE RIGHT AT AN ANGLE OF 47 DEG 17' 41" FOR 501.77 FT TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE RUN SELY ON THE LAST DESCRIBED COURSE FOR 159.78 FT; THENCE DEFLECT TO THE LEFT 3 DEG 30' FOR 209.37 FT; THENCE DEFLECT TO THE LEFT 0 DEG 11' 00" FOR 171.16 FT; THENCE DEFLECT TO THE LEFT ON A 18 DEG 00' CURVE (DELTA ANGLE 43 DEG 30' 53") FOR 241.75 FT AND THERE TERMINATING.

TOWNSHIP 58 NORTH, RANGE 16 WEST, SECTION 17
PARCEL CODE: 160-0010-02570
0.1 ACRE; and

WHEREAS, The Land Commissioner recommends that this parcel be classified as non-conservation having considered, among other things: the present use of adjacent land; the productivity of the soil; the character of forest or other growth; the accessibility of lands to established roads, schools, and other public services; and the peculiar suitability or desirability of lands for particular uses; and

WHEREAS, This parcel of land is located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The classification of this parcel will be deemed approved if the County Board does not receive notice of the municipality's or town's disapproval of the classification within 60 days of the date on which this resolution is delivered to the clerk;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the classification of state tax forfeited land described herein to non-conservation and recommends that the Commissioner of Revenue convey the land to the City of McKinley for a water-main maintenance building subject to payment of \$250 administrative fee, \$250 Department of Revenue fee, \$1.65 deed tax, \$25 deed fee, and \$46 recording fee, for a total of \$572.65, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the request for approval of the classification of the state tax forfeited parcel described herein shall be transmitted by St. Louis County Land and Minerals Department to the clerk of the City of McKinley.

Demolition of Structures on Tax Forfeited Lands

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.04, Subd. 2(c)(1), authorizes the county auditor, with the approval of the county board, to provide for the demolition of a building or structure, which has been determined by the county board to be especially liable to fire or so situated as to endanger life or limb or other buildings or property in the vicinity because of age, dilapidated condition, defective chimney, defective electric wiring, any gas connection, heating apparatus, or other defect; and

WHEREAS, Minn. Stat. § 282.04, Subd. 2(e), authorizes the county auditor, with the approval of the county board, to provide for the demolition of any structure on tax forfeited lands, if in the opinion of the county board, county auditor, and land commissioner, the sale of the land with the structure on it, or the continued existence of the structure by reason of age, dilapidated condition or excessive size as compared with nearby structures, will result in a material lessening of net tax capacities of real estate in the vicinity of the tax forfeited lands, or if the demolition of the structure or structures will aid in disposing of the tax forfeited property; and

WHEREAS, The County Board, the County Auditor and the Land Commissioner have determined that the tax forfeited properties described in County Board File No. _____ contain structures that are in an unsafe and dilapidated condition, and the demolition of these structures will aid in selling or conveying the tax forfeited properties;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to provide for the demolition of structures on state tax forfeited lands described in County Board File No. _____ because the County Board, County Auditor, and Land Commissioner are of the opinion that the structures are in an unsafe and dilapidated condition and the demolition of the structures will aid in selling or conveying the tax forfeited properties.

**Right of Way and Utility Easement Across State Tax Forfeited Land
to the City of Chisholm (Garden Lands)**

BY COMMISSIONER _____

WHEREAS, The City of Chisholm has requested a right of way and utility easement across state tax-forfeited land; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive right of way and utility easement to the City of Chisholm across state tax forfeited lands described as the Westerly 17 feet, Lot 20, Garden Lands, Chisholm;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$500 land use fee, \$125 administration fee, and \$46 recording fee, for a total of \$671 to be deposited into Fund 240 (Forfeited Tax Fund).

**Right of way and Utility Easement across State Tax Forfeited Land to the
City of Chisholm (Lakeview Addition)**

BY COMMISSIONER _____

WHEREAS, The City of Chisholm has requested a right of way and utility easement across state tax-forfeited land; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive right of way and utility easement to the City of Chisholm across state tax forfeited lands described as the Southerly 365.32 feet of the Westerly 66 feet of the S1/2 of the SE1/4 of the NW1/4 except the rail yard right of way, Section 22, Township 58 North, Range 20 West;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$500 land use fee, \$125 administration fee, and \$46 recording fee, for a total of \$671 to be deposited into Fund 240 (Forfeited Tax Fund).

**Access Easement across State Tax Forfeited Land to
Judith Ann and Eric M. Mattson (Culver Township)**

BY COMMISSIONER _____

WHEREAS, Judith Ann and Eric M. Mattson have requested an access easement across state tax-forfeited land; and

WHEREAS, There are no reasonable alternatives to obtain access to the property; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4a, authorizes the County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive access easement to Judith Ann and Eric M. Mattson across state tax forfeited lands as described in County Board File No. 60294;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$270 land use fee, \$100 administration fee, and \$46 recording fee, for a total of \$416 to be deposited into Fund 240 (Forfeited Tax Fund).

**Access Easement across State Tax Forfeited Land to Judith Ann Mattson
(Culver Township)**

BY COMMISSIONER _____

WHEREAS, Judith Ann Mattson has requested an access easement across state tax forfeited land; and

WHEREAS, There are no reasonable alternatives to obtain access to the property; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4a, authorizes the County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive access easement to Judith Ann Mattson across state tax forfeited lands as described in County Board File No. 60294;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$1,874 land use fee, \$100 administration fee, and \$46 recording fee, for a total of \$2,020 to be deposited into Fund 240 (Forfeited Tax Fund).

**Access and Utility Easement across State Tax Forfeited Land to Cellular, Inc.
Network Corp. d/b/a Verizon Wireless (Gnesen Township)**

BY COMMISSIONER _____

WHEREAS, Cellular Inc. Network Corp. d/b/a Verizon Wireless has requested an access and utility easement across state tax-forfeited land; and

WHEREAS, There are no reasonable alternatives to obtain access to the property; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts and will not conflict with public use of land; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4, authorizes the County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive access and utility easement to Cellular Inc. Network Corp. d/b/a Verizon Wireless across state tax forfeited lands as described in County Board File No. 60294;

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$831 land use fee, \$100 administration fee, and \$46 recording fee, for a total of \$977 to be deposited into Fund 240 (Forfeited Tax Fund).

Timber Contract Price Adjustments in Response to 2016 Storm and Fire Events

BY COMMISSIONER _____

WHEREAS, The Land and Minerals Department has a number of current timber contracts which have been damaged by the July 2016 windstorms and one timber contract damaged by a spring wildfire; and

WHEREAS, The timber within these contract areas has been devalued; and

WHEREAS, The Land and Minerals Department has precedent of reducing sold timber prices after significant storm events in 1995 and 1999 upon receiving County Board authorization;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Land Commissioner to apply price reductions on current timber contracts impacted by 2016 storm and fire events by reducing the damaged portion of the contract volume.

**Appraisal Reports for the Sale of Timber -
Public Oral Salvage Timber Auction**

BY COMMISSIONER _____

RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC ORAL SALVAGE TIMBER AUCTION, Tracts 1 through 11 (totaling \$89,606.58), as submitted by the Land Commissioner, on file in the office of the County Auditor identified as County Board File No. 60295, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Award of Bid: Fuel Deliveries of Gasohol, Fuel Oil and Diesel Fuel

BY COMMISSIONER _____

WHEREAS, The Purchasing Division solicits bids annually for the purchase of fuels for use throughout the county; and

WHEREAS, The Purchasing Division received bids from four (4) different vendors; and

WHEREAS, Each location and fuel type is treated as a separate bid award providing the county with the lowest cost; and

WHEREAS, The vendor location at Cotton received no bids and the Purchasing Division negotiated with Inter City Oil of Duluth, MN, for a bid constant of .435/gallon for both Diesel and Gasohol;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the Purchasing Division to purchase fuels from the vendor with the lowest net cost as indicated on the attached Bid Tabulation (Bid No. 5330).

Award of Bid: Mesabi Trail (Eagles Nest Township)

BY COMMISSIONER _____

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

CP 0000-213215, SP 069-090-030, TA 6916(215), Recreational Trail from Eagles Nest Town Hall to Camp Lake Road in Eagles Nest Township; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on August 11, 2016, 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>
Mesabi Bituminous, Inc.	P.O. Box 728 Gilbert, MN 55741	\$1,051,354.60

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 0000-213215, SP 069-090-030, TA 6916(215), Fund 220, Agency 220406, Object 652700

With additional revenue budgeted for expense:

St. Louis and Lake Counties Regional Railroad Authority	Fund 220, Agency 220406, Rev. Obj. 583101	\$263,354.60
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**Agency Agreement between the Minnesota Department of Transportation and
St. Louis County for Road Safety Plan Updates**

BY COMMISSIONER _____

WHEREAS, After receiving its first County Road Safety Plan from the Minnesota Department of Transportation (MnDOT) in 2012, St. Louis County has invested nearly \$2.2 million dollars in highway safety projects identified by the County Road Safety Plan during the period 2013 through 2016; and

WHEREAS, Because of the county's record of implementing highway safety projects identified in the County Road Safety Plan, St. Louis County was selected to participate in the MnDOT update to the St. Louis County Road Safety Plan; and

WHEREAS, The estimated engineering cost for the update to the St. Louis County Road Safety Plan is \$100,000 with 80 percent of the cost anticipated to be covered by federal funds made available by the Federal Highway Administration and a 20 percent local match of \$20,000 provided by St. Louis County;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation be appointed as Agent of St. Louis County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects;

RESOLVED FURTHER, That the Chair of the County Board and County Auditor are hereby authorized and directed for and on behalf of St. Louis County to execute and enter into an agreement with the Commissioner of Transportation prescribing terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 1026227", a copy of which said agreement was before the County Board and which is made part hereof by reference (County Board File No. _____), with funds for the local match to be provided by Fund 200, Agency 200008, Object 626600.

Implementation of the County Road Safety Plan and other Highway Safety Strategies on the St. Louis County Road System

BY COMMISSIONER _____

WHEREAS, The first priority listed in the St. Louis County Public Works Department mission statement is safety; and

WHEREAS, St. Louis County believes that traffic-related deaths on St. Louis County Roads are unacceptable and is supportive of and active in the Minnesota Toward Zero Deaths partnership; and

WHEREAS, St. Louis County has been recognized by the Minnesota Department of Transportation as a champion of implementing its County Road Safety Plan with its investment of \$3.8 million in highway safety projects between 2009 and 2015 on St. Louis County Roads; and

WHEREAS, As a result of the cumulative efforts of educators, enforcement, engineering and emergency response professionals, there has been a 57 percent reduction in serious crashes on St. Louis County Roads between the years of 2003 and 2015; and

WHEREAS, St. Louis County plans to invest \$6.2 million in additional highway safety projects between 2016 and 2020 to further reduce serious crashes on County Roads; and

WHEREAS, St. Louis County intends to update its County Road Safety Plan in cooperation with the Minnesota Department of Transportation to identify additional highway safety strategies;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners fully supports the efforts of the Public Works Department to continue the implementation of the County Road Safety Plan and other highway safety strategies through multiple funding sources on St. Louis County Roads;

RESOLVED FURTHER, That the St. Louis County Board authorizes the Public Works Director/Highway Engineer to apply for and accept highway safety related grants from federal, state and other sources that are consistent with implementation of the County Road Safety Plan.

Acceptance of County Veterans Service Office Operational Enhancement Grant

BY COMMISSIONER _____

WHEREAS, During the 2013 Legislative Session, the structure of the County Veterans Service Office Operational Enhancement Grant program was modified and state funding increased to provide an annual base grant to all 87 Minnesota counties in the amount of \$7,500, plus an additional allocation based on each counties' veterans population to be used for the purpose of enhancing the benefits programs and services provided to Minnesota veterans; and

WHEREAS, On July 28, 2016, St. Louis County received notice from the Minnesota Department of Veterans Affairs (MDVA) that the County Veterans Office Operational Enhancement Grant was allocated in the amount of a \$7,500 base grant and an additional \$10,000 based upon the estimated veterans population residing in the county; and

WHEREAS, Counties have until June 30, 2017 to spend the allocated money on qualified items, and by that date, the funds must be spent, documentation of the qualified expenditures received by the MDVA, and any unused funds returned; and

WHEREAS, In order to access the grant funding, a certified County Board Resolution and signed Grant Contract must be received by the Minnesota Department of Veterans Affairs (MDVA);

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a grant contract with the Minnesota Department of Veterans Affairs to conduct the County Veterans Service Office Operational Enhancement Grant, in the amount of \$17,500;

RESOLVED FURTHER, That the grant must be used to provide outreach to the county's veterans; assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the County Veterans Service Office, as specified in Minnesota Laws 2015 Chapter 77, Article 1, Section 37, Subd.2; and that this Grant should not be used to supplant or replace other funding;

RESOLVED FURTHER, That the St. Louis County Veterans Service Office 2016 proposed budget is amended to include receipt of \$17,500 from the MNDVA, with funds deposited into Fund 100, Agency 124999, Grant 12403, Year 2016.

Abatement List for Board Approval

BY COMMISSIONER _____

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.

LANDesk Client Asset Management Software

BY COMMISSIONER _____

WHEREAS, The Information Technology (IT) Department wishes to improve four key metrics in the way it supports county business operations including customer service and support, project management and accountability, risk management, and fiscal responsibility; and

WHEREAS, In 2016 IT has focused on expanding the capabilities of the IT Customer Service division and ticketing system to include the ability to manage county technology assets; and

WHEREAS, Currently, multiple toolsets are used creating inefficient processes that lack the standard client asset management features necessary to properly maintain St. Louis County devices; and

WHEREAS, The IT Department in coordination with the Purchasing Division issued a Request for Proposal for a new IT Client Asset Management software application; and

WHEREAS, A selection committee reviewed two software packages and rated them on features and functionality, vendor qualifications and support, proposed work plan and schedule, ease of management and maintenance, and total cost; and

WHEREAS, The selection process identified LANDesk as the preferred IT Client Asset Management software package with a total one-time cost of \$138,651 with ongoing yearly software maintenance costs starting in year two in the amount of \$34,899;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute purchase agreements and professional service contracts to purchase and implement the LANDesk Client Asset Management software package to be purchased from CDW of Vernon Hills, IL, in the amount of \$138,651, payable from Fund 100, Agency 117001, Object 634801 and to update the 2017 budget to include the annual maintenance cost of \$34,899.

Lawful Gambling Application (Gnesen Township)

BY COMMISSIONER _____

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board approves the following Lawful Gambling License Application (raffle/tipboards) on file in the office of the County Auditor, identified as County Board File No. 60394, for the following organization:

Gnesen Volunteer Fire Department, 4504 Datka Road, Duluth, MN, 55803, to conduct off-site gambling on October 15, 2016, raffle, at Gnesen Town Hall, 4011 West Pioneer Road, Duluth, MN, 55803, Gnesen Township.

**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 2017 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 2017 on Thursday, December 1, 2016, 7:00 p.m., at the St. Louis County Courthouse, Virginia, MN, and Thursday, December 8, 2016, 7:00 p.m., at the St. Louis County Courthouse, Duluth, MN.

Resolution of LGU for James Metzen Mighty Ducks Ice Arena Grant Application

BY COMMISSIONER _____

WHEREAS, The Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides for general funds to assist political subdivisions of the State of Minnesota for the fulfillment of the purpose and goals of the James Metzen Mighty Ducks Grant Program; and

WHEREAS, The St. Louis County Board of Commissioners desires to complete a project named “Dehumidification Project and Electric Resurfacer and Edger” at Mars Lakeview Arena located at 1201 Rice Lake Road, Duluth, MN;

THEREFORE, BE IT RESOLVED:

- 1) That the total cost of completing the project shall be \$300,000 and the St. Louis County Board of Commissioners is requesting \$150,000 from the James Metzen Mighty Ducks Grant Program and will assume responsibility for a matching contribution of \$150,000 raised by the Mars Lakeview Arena, as outlined in the grant application submission materials.
- 2) That the Mars Lakeview Arena agrees to own, assume 100 percent operational costs for the facility or equipment, and will operate the facility or equipment for its intended purpose for the functional life of the facility or equipment which is estimated to be 20 years.
- 3) That the St. Louis County Board of Commissioners agrees to enter into necessary and required agreements with the MASC for the specific purpose of completing the project.
- 4) That a request for reimbursement be made to the MASC for the amount awarded after the completion of the project.
- 5) That Donald Dicklich, the St. Louis County Auditor/Treasurer is authorized and directed to execute said application and serve as the official liaison with the MASC.

HRA Proposed 2017 Levy

BY COMMISSIONER _____

WHEREAS, The St. Louis County Housing and Redevelopment Authority must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 15, 2016;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the Housing and Redevelopment Authority maximum property tax levy for 2017 in the amount of \$212,074.

Workers' Compensation Report

BY COMMISSIONER _____

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated September 2, 2016, on file in the office of the County Auditor, identified as County Board File No. 60274, is hereby received and ratified as payable from Fund 730, Agency 730001.

Establishment of a “True County” Assessor System

BY COMMISSIONER _____

WHEREAS, Assessing property values is an essential component of Minnesota’s property tax system, with property assessments defining the tax base, and consequently, who pays what share of the overall property tax levy; and

WHEREAS, The St. Louis County Board of Commissioners believes that the county’s property valuation system must be constructed to be timely, uniform, and fair for all of its citizens; and

WHEREAS, To ensure equitable assessing throughout St. Louis County, the County Board established a “Blue Ribbon” Assessment Practices Review Panel charged with reviewing the mixed assessment practices, and proposing a strategy for the future; and

WHEREAS, The Assessment Practices Review Panel found the mixed assessment system to be flawed with many properties across the county being under-valued or over-valued and some not being assessed at all; and

WHEREAS, In February, 2012, the Review Panel recommended a transition to a “True County” system whereby the County Assessor is responsible for all county assessing;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a “True County” Assessor System for the County of St. Louis, Minnesota to ensure that property is fairly and consistently valued in all jurisdictions and that the property tax burden is distributed equitably, as defined by the State Legislature;

RESOLVED FURTHER, That the transition to a “True County” Assessor System shall become effective January 1, 2018, which is the second assessment date following adoption of this resolution.

Appointments to the CDBG Citizen Advisory Committee

BY COMMISSIONER _____

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

WHEREAS, Five (5) current citizen members have requested to serve another term on the CDBG Citizen Advisory Committee; and

WHEREAS, There are seven (7) vacancies on this committee to be filled through an advertised application process; and

WHEREAS, The per diem for participation on the CDBG Citizens Advisory Committee has not been increased since 1992 and a request has been made to increase this amount to \$50 for each meeting attended and include reimbursement for round-trip mileage at the applicable federal conus rate, effective January 1, 2017;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reappoints the following citizens to the CDBG Citizen Advisory Committee with terms expiring April 30, 2019:

- Raymond Svatos (St. Louis County Association of Townships)
- Valerie Strukel (Eveleth)
- John Mulder (Hermantown)
- Ann Taray (At Large - Meadowlands)
- Jessica Rich (At Large - Floodwood)

RESOLVED FURTHER, That the County Auditor is authorized to advertise and accept applications until November 15, 2016, for seven (7) vacant positions on the CDBG Citizen Advisory Committee with terms to expire April 30, 2019 as follows:

- One representative of small cities
- One representative of northern townships
- One representative of southern townships
- One representative of Hibbing
- Three at large representatives

RESOLVED FURTHER, That the per diem for participation on the CDBG Citizens Advisory Committee will be increased to \$50 for each meeting attended and reimbursement for round-trip mileage at the applicable federal CONUS rate, effective January 12, 2017.