



COMMITTEE OF THE WHOLE AGENDA
Board of Commissioners, St. Louis County, Minnesota

September 27, 2016
Immediately following the Board Meeting, which begins at 9:30 A.M.
City Hall, 209 East Chapman, Ely, MN

CONSENT AGENDA:

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

Minutes of September 13, 2016

Health & Human Services Committee, Commissioner Boyle, Chair

1. Health and Human Service Annual Conference Facility Payment [16-420]
2. Reallocation of Information Specialist I to Financial Worker [16-421]
3. Reallocation of Information Specialist I to Triage Social Worker [16-422]
4. Respite Services for Children with Autism Grant Agreements [16-423]

Environment & Natural Resources Committee, Commissioner Rukavina, Chair

5. Cancellation of Contract for Repurchase of State Tax Forfeited Land – Vanert [16-424]
6. Repurchase of State Tax Forfeited Land – Friedman/Nelson (Homestead) [16-425]
7. Utility Easement on State Tax Forfeited Land (Ault Township) [16-426]
8. Approval of Registered Land Survey No. 135 (Greenwood Township) [16-427]

Public Works & Transportation Committee, Commissioner Stauber, Chair

9. Amendment to Agreement with Erickson Engineering for Design Services on Bridge 823 (Kabetogama Township) [16-428]

Finance & Budget Committee, Commissioner Nelson, Chair

10. Violation of St. Louis County Ordinance No. 28 – Riverside Inn (French Township) [16-429]
11. Violation of St. Louis County Ordinance No. 28 – Super One (Canosia Township) [16-430]
12. Violation of St. Louis County Ordinance No. 28 – Wayside Bottle Shop, Inc. (New Independence Township) [16-431]
13. Violation of St. Louis County Ordinance No. 28 – El Toro Lounge (Cotton Township) [16-432]
14. Agreement with Twin Ports Mailing [16-433]
15. Abatement List for Board Approval [16-434]

Central Management & Intergovernmental Committee, Commissioner Jewell, Chair

16. Extension of Agreement for Labor Negotiations, Grievance and Arbitration Professional Services [16-435]

ESTABLISHMENT OF PUBLIC HEARINGS:

Environment & Natural Resources Committee, Commissioner Rukavina, Chair

1. Establish a Public Hearing for the Reclassification of State Tax Forfeited Land – Normanna Township (Tuesday, December 20, 2016, 9:40 a.m., St. Louis County Courthouse, Duluth, MN) [16-436]

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

Commissioners may introduce items for future discussion, or report on past and upcoming activities.

ADJOURNED:

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

October 4, 2016	St. Louis County Courthouse, Duluth, MN
October 11, 2016	Lakewood Town Hall, 3110 Strand Road/CR 286, Duluth, MN
October 25, 2016	Cotton Town Hall, 9087 Highway 53, Cotton, MN

BARRIER FREE: *All St. Louis County Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual needs for special services. Please contact St. Louis County Property Management (218-725-5085) early so necessary arrangements can be made.*

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

September 13, 2016

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Jewell, Boyle, Dahlberg, Rukavina, Stauber, Nelson, and Chair Raukar

Absent: None

Convened: Chair Raukar called the meeting to order at 2:46 p.m.

CONSENT AGENDA

Jewell/Boyle moved to approve the consent agenda. The motion passed. (7-0)

- Minutes of September 6, 2016
- Special Sale to the Duluth Housing and Redevelopment Authority and Rescind County Board Resolution No. 15-479 [16-407]
- Request for Free Conveyance of State Tax Forfeited Land to the City of Hermantown [16-408]
- Request for Free Conveyance of State Tax Forfeited Land to the City of Hibbing – Maple Hill Park [16-409]
- Withdrawal of State Tax Forfeited Land from Memorial Forest Status [16-410]
- Permanent Conservation Easements on State Tax Forfeited Land (Cotton Township) [16-411]
- Access Easement across State Tax Forfeited Land to Gerald and Jean Fitzsimmons (North Star Township) [16-412]
- Acquisition of Right of Way – Reclaim and Overlay Project on CSAH 5 (French and Morcom Townships) [16-413]
- Violation of St. Louis County Ordinance No. 28 – Bear River Viking Bar (Morcom Township) [16-414]
- Violation of St. Louis County Ordinance No. 28 – The Landing (Beatty Township) [16-415]
- St. Louis County Courthouse-Virginia HVAC and Roof Replacement – Engineering and Design Services [16-416]

Public Works & Transportation Committee

Nelson/Stauber moved to award a bid to Northland Constructors, of Duluth, MN, in the amount of \$1,061,338.67 for project CP 0059-229537, SAP 69-659-002 Bridge 69A35, located on CSAH 59 (Melrude Road) 0.7 mile west of Junction CR 322, length 0.19 mile, Ellsburg Township. [16-417]. The motion passed. (7-0)

Central Management & Intergovernmental Committee

Jewell/Raukar moved to appoint David Anderson, of Ault Township, to the Planning Commission with a term expiring December 31, 2018. The Committee discussed the established appointment process. After further discussion, the motion passed. (4-3, Dahlberg, Stauber, Nelson)

Commissioner Nelson exited the meeting at 3:25 p.m.

COMMISSIONER DISCUSSION ITEMS AND REPORTS

Commissioner Dahlberg asked if the parcels appearing on the property tax abatement list with a description of fire disaster were a result of the US Forest Service controlled burn in June.

Commissioner Rukavina expressed concern regarding reimbursement for services rendered due to the controlled burn.

County Administer Gray indicated that he would provide an update to the Board regarding the controlled burn reimbursement progress.

At 3:27 p.m., Dahlberg/Jewell moved to adjourn the Committee of the Whole meeting. The motion passed. (6-0, Nelson absent)

Steve Raukar, Chair of the County Board

Phil Chapman, Clerk of the County Board

BOARD LETTER NO. 16 - 420

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Health and Human Service
Annual Conference Facility
Payment

FROM: Kevin Z. Gray
County Administrator

Linnea Mirsch, Interim Director
Public Health and Human Services

RELATED DEPARTMENT GOAL:

To continue emphasis on innovation, productivity and service to the citizens of St. Louis County.

ACTION REQUESTED:

The St. Louis County Board is requested to approve payment of up to \$65,000 to the Duluth Entertainment Convention Center for use of the facility for the annual St. Louis County Health & Human Service Conference.

BACKGROUND:

The St. Louis County Health & Human Service Conference (HHSC) has been held annually since 1982. This year, the 2016 conference dates are October 13-14. Each year, the conference has included presentations and institutes designed to meet the specific continuing education and certification needs of public health and human service professionals. Participants include practitioners from throughout the Midwest, bringing together public and private sector for two days of training and networking, providing a forum for sharing innovative ideas, best practices and strengthening community health and human services. In 2015, attendance exceeded 2,500 participants.

The conference is financed through sponsor and registration fees. The largest expense of the annual conference is use of a facility, currently the Duluth Entertainment Convention Center (DECC). The estimate of the cost of the DECC in 2016 is \$59,844, but the final figure will not be known until closer to the conference date.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve payment of up to \$65,000 to the Duluth Entertainment Convention Center for use of the facility for the annual St. Louis County Health & Human Service Conference, payable from funds available in the conference fund (Fund 855, Agency 855001, Object 634200).

Health and Human Service Annual Conference Facility Payment

BY COMMISSIONER _____

WHEREAS, The St. Louis County Health & Human Service Conference (HHSC) has been held annually since 1982 and has grown through the years to its current enrollment of over 2,500 participants; and

WHEREAS, The mission of the conference is to bring together public and private sector practitioners for two days of training and networking, providing a forum for sharing innovative ideas, best practices and strengthening community health and human services; and

WHEREAS, The 2016 estimate of the cost of the Duluth Entertainment Convention Center for the HHSC is \$59,844, but the final figure will not be known until closer to the conference date;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes payment of up to \$65,000 to the Duluth Entertainment Convention Center for use of the facility for the annual St. Louis County Health & Human Service Conference, payable from funds available in the conference fund (Fund 855, Agency 855001, Object 634200).

BOARD LETTER NO. 16 - 421

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Reallocation of Information Specialist I to Financial Worker

FROM: Kevin Z. Gray
County Administrator

Linnea Mirsch, Interim Director
Public Health and Human Services

James R. Gottschald, Director
Human Resources

RELATED DEPARTMENT GOAL:

To allocate all positions in county employment to appropriate job titles/specifications in the official classification plan.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the reallocation of 1.0 FTE Information Specialist I (IS I) position in the Public Health and Human Services Department to 1.0 FTE Financial Worker classification.

BACKGROUND:

When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or be reallocated to a level more aligned with the needs of the Department and the customers it serves. PHHS conducted this review when an IS I position became vacant in the Children and Family Services Division.

With the increases in children needing Child Protection Services, there have been significant increases of children in out of home care. When a child is placed away from the parental home, the parent's medical insurance no longer provides that child coverage, and requires the county to determine Federal Title IV-E funding and medical eligibility.

In order to maximize the efficiency and performance of the current two Financial Workers who annually manage approximately 1,100 foster children's medical eligibility, it is necessary to reallocate the IS I position to add a third Financial Worker. PHHS

requested a position reallocation review by the Human Resources Department (HR). On July 29, 20016, HR reallocated the IS I position to the Financial Worker classification. Because the reallocation is more than three pay grades, County Board approval is required.

RECOMMENDATION:

It is recommended that the St. Louis County Board reallocate 1.0 FTE Information Specialist I position (Civil Service Basic Unit Pay Plan, pay grade 4), to 1.0 FTE Financial Worker (Civil Service Basic Unit Pay Plan, pay grade 13) in the Public Health and Human Services Department. Funding for the difference in cost of this reallocated position is available in the departmental budget (Fund 230, Agency 231014, Object 540230).

Reallocation of Information Specialist I to Financial Worker

BY COMMISSIONER _____

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or be reallocated to a level more aligned with the needs of the department and the customers it serves; and

WHEREAS, With the increases in children needing Child Protection Services, there have been significant increases of children in out of home care, including the sustained increase in the case load of Financial Workers determining foster children's medical eligibility; and

WHEREAS, PHHS and the Human Resources Department conducted a review when an Information Specialist I (IS I) position become vacant in the Children and Family Services Division and determined that reallocation of the vacant IS I to Financial Worker was appropriate; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go to the County Board for approval; and

WHEREAS, Funding for this reallocation is available in the PHHS budget;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of 1.0 FTE Information Specialist I (Civil Service Basic Unit Pay Plan, pay grade 4), to 1.0 FTE Financial Worker (Civil Service Basic Unit Pay Plan, pay grade 13) in the Public Health and Human Services Department (an increase of \$7,842 annually), which is available in the departmental budget (Fund 230, Agency 231014, Object 540230).

BOARD LETTER NO. 16 - 422

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 3

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Reallocation of Information Specialist I to Triage Social Worker

FROM: Kevin Z. Gray
County Administrator

**Linnea Mirsch, Interim Director
Public Health and Human Services**

**James R. Gottschald, Director
Human Resources**

RELATED DEPARTMENT GOAL:

To allocate all positions in county employment to appropriate job titles/specifications in the official classification plan.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the reallocation of 1.0 FTE Information Specialist I (IS I) position in the Public Health and Human Services Department to 1.0 FTE Triage Social Worker position.

BACKGROUND:

When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or be reallocated to a level more aligned with the needs of the Department and the customers it serves. PHHS conducted this review when an IS I became vacant in its Administration Division.

Consistently PHHS is seeking efficiencies and better use of resources in order to maintain quality services. One of these efficiencies has been the development of a Central Client Area (CCA) in the Government Services Center-Duluth location, which brings reception to an entirely new level of service by integrating a variety of specialty staff into a team that focuses on two main functions:

Initial Contact: Where clients receive information, assistance, initial consultation and connections to services and community resources; and

Eligibility Determination and Assessment: Where clients needing more than information and referrals apply for programs and services and receive short-term assistance.

It is the desire of PHHS to establish a CCA in its Virginia office location. Although there are plans underway to finance a new building in Virginia, the current objective is to develop a CCA in the current Northland Office Center to ensure careful planning and test the operations prior to a move to new space. This will allow adjustments to be made and different configurations of space and staff to be tested before the new space is occupied.

PHHS has requested a position reallocation review by the Minnesota Merit System. On September 20, 2016, Merit System reallocated the IS I position to a Triage Social Worker position. Because this reallocation is more than three pay grades, County Board approval is required.

RECOMMENDATION:

It is recommended that the St. Louis County Board reallocate 1.0 FTE Information Specialist I position (Civil Service Basic Unit Pay Plan, pay grade 4) to 1.0 FTE Triage Social Worker position (Merit System Basic Unit Pay Plan, pay line step 7) in the Public Health and Human Services Department. Funding for this position will be accounted for in Fund 230, Agency 232013, Object 610100.

Reallocation of Information Specialist I to Triage Social Worker

BY COMMISSIONER _____

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or be reallocated to a level more aligned with the needs of the department and the customers it serves; and

WHEREAS, PHHS and the Human Resources Department conducted a review when an Information Specialist I (IS I) become vacant in the PHHS Administration Division and determined that a reallocation to a Triage Social Worker in the Virginia, MN, office would provide a cost-effective continuum of services and help strengthen the Department's ability to serve the public; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go to the County Board for approval; and

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of 1.0 FTE Information Specialist I (Civil Service Basic Unit Pay Plan, pay grade 4), to 1.0 FTE Triage Social Worker position (Merit System Basic Unit Pay Plan, pay line step 7) in the Public Health and Human Services Department, to be accounted for in Fund 230, Agency 232013, Object 610100.

BOARD LETTER NO. 16 - 423

HEALTH & HUMAN SERVICES COMMITTEE CONSENT NO. 4

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Respite Services for Children
with Autism Grant Agreements

FROM: Kevin Z. Gray
County Administrator

Linnea Mirsch, Interim Director
Public Health & Human Services

RELATED DEPARTMENT GOAL:

Children will be born healthy, live a life free from abuse and neglect, and will have a permanent living arrangement. Parents will be emotionally and financially able to provide for their children.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the Public Health and Human Services Department (PHHS) to enter into agreements with project partners in order to implement the Respite Services for Children with Autism Grant.

BACKGROUND:

On January 12, 2016, the County Board adopted Resolution No. 16-51, authorizing PHHS to apply for a grant in the amount of \$1,550,000 to increase the network of respite service providers with training and experience to successfully serve adults and children with Autism Spectrum Disorder (ASD). The Minnesota Department of Human Services (DHS) selected St. Louis County's proposal as suited to meeting the state's needs as set forth in the Respite for Individuals with Autism Request for Proposal (RFP). The grant will span two years and will involve a part-time project coordinator as well as a multi-disciplinary stakeholder committee and collaborative partners who will be selected through the RFP process.

On April 26, 2016, the County Board adopted Resolution No. 16-256, authorizing the acceptance of funding from DHS for the Respite Services for Children with Autism Grant. The grant awarded to St. Louis County for the period March 1, 2016 through June 30, 2018 is in the amount of \$850,000: \$600,000 for the first year with an additional \$250,000 available in the second year upon completion of agreed upon deliverables. The grant allows for 10% of the funds to be used for grant administration. The PHHS staffing complement was also approved to be increased by a 0.5 FTE Social Worker with the understanding that if the grant funding is eliminated, the position will also be eliminated.

PHHS completed a RFP and competitive bid process to identify project partners and enter into agreements with selected partners to implement the Grant. Project partners include: Susan Larson Kidd, Ed.S, Ed.D and St. Luke's Hospital Department of Occupational Therapy as providers of Training and Curriculum Development; and Trillium Services, Inc. and Duluth Regional Care Center, Inc. as providers of Training and Service Delivery. These identified partners will cooperatively develop and implement a network of respite services for individuals with ASD. This project also addresses the wide variety of service barriers unique to urban, suburban and rural areas of the county.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize PHHS to enter into agreements with the following project partners in order to implement the Respite Services for Children with Autism Grant: Susan Larson Kidd, Ed.S, Ed.D (up to \$100,000) and St. Luke's Hospital Department of Occupational Therapy (up to \$30,000) as providers of Training and Curriculum Development; and Trillium Services, Inc. (up to \$258,200) and Duluth Regional Care Center, Inc. (up to \$256,800) as providers of Training and Service Delivery, to be accounted for in Fund 230, Agency 232999 Grant 23263, Year 2016.

Respite Services for Children with Autism Grant Agreements

BY COMMISSIONER _____

WHEREAS, The Minnesota Department of Human Services (DHS) has grant funds that were authorized by the Minnesota Legislature in 2014, specifically, chapter 312, article 30, section 2, subdivision 4 (e); 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 grant funds can pay for short-term planned and emergency respite care services for individuals with a diagnosis of autism spectrum disorder including Asperger's Syndrome and pervasive developmental disorder; and

WHEREAS, On January 12, 2016, the County Board adopted Resolution No. 16-51, authorizing the Public Health and Human Services Department (PHHS) to apply for these grant funds; and

WHEREAS, DHS selected PHHS's proposal as suited to meeting the state's needs as set forth in the grant application; and

WHEREAS, On April 26, 2016, the County Board adopted Resolution No. 16-256, accepting the Respite Services for Children with Autism Grant funding from DHS for the period March 1, 2016 through June 30, 2018 in the amount of \$850,000: \$600,000 for the first year with an additional \$250,000 available in the second year upon completion of agreed upon deliverables; and

WHEREAS, The grant allows for 10% of the funds to be used for grant administration and for the hiring of a .50 FTE Social Worker with the understanding that if the grant funding is eliminated, the position will also be eliminated; and

WHEREAS, PHHS has completed a Request for Proposal and competitive bid process to identify project partners Susan Larson Kidd, Ed.S, Ed.D and St. Luke's Hospital Department of Occupational Therapy as providers of Training and Curriculum Development; and Trillium Services, Inc. and Duluth Regional Care Center, Inc. as providers of Training and Service Delivery;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to enter into agreements with the following project partners in order to implement the Respite Services for Children with Autism Grant: Susan Larson Kidd, Ed.S, Ed.D (up to \$100,000) and St. Luke's Hospital Department of Occupational Therapy (up to \$30,000) as providers of Training and Curriculum Development; and Trillium Services, Inc. (up to \$258,200) and Duluth Regional Care Center, Inc. (up to \$256,800) as providers of Training and Service Delivery.

Budget References:

Autism Grant: March 1, 2016 – June 30, 2018

Expenditures: 230-232999-610100-23263-99999999-2016

230-232999-629900-23263-99999999-2016

230-232999-603200-23263-99999999-2016

Revenue:

230-232999-530668-23263-99999999-2016

BOARD LETTER NO. 16 - 424

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 5

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Cancellation of Contract for
Repurchase of State Tax
Forfeited Land – Vanert

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

Donald Dicklich
County Auditor/Treasurer

RELATED DEPARTMENT GOALS:

To perform public services; provide financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to cancel a contract for repurchase of state tax forfeited land.

BACKGROUND:

The County Auditor has attached information in reference to a state tax forfeited land contract which has been entered into under the provisions of Minn. Stat. Chapter 282. The repurchase agreement has defaulted due to the purchaser's failure to provide proof of insurance. The purchaser, Michael J. Vanert of Duluth, MN, has been served with Notice of Cancellation of Contract by civil process but has failed to cure the default.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve cancellation of this contract and authorize the disposal of abandoned personal property that may remain on the site.

Michael J. Vanert, Duluth, MN

Legal Description	CITY OF DULUTH LOT: 0025 & 0026 BLOCK:004 GARY FIRST DIVISION DULUTH 010-1800-00550, 00560 C22150126
Purchase Price	\$10,510.79
Principal Amount Remaining	\$8,343.82
Date of Last Payment	3/1/2015
Installment Payments Not Made	\$0
Subsequent Del Taxes and Fees	\$107.48
Amount Needed to Cure Default	\$107.48
Insurance	Failure to provide insurance

Cancellation of Contract for Repurchase of State Tax Forfeited Land - Vanert

BY COMMISSIONER _____

WHEREAS, The contract with Michael J. Vanert of Duluth, MN, for the repurchase of state tax forfeited land is in default for failure to provide proof of insurance; and

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

CITY OF DULUTH
LOT: 0025 & 0026 BLOCK:004
GARY FIRST DIVISION DULUTH
010-1800-00550, 00560
C22150126

WHEREAS, Minn. Stat. § 282.04, Subd, 2(d) and 504B.271 authorizes the County Auditor to dispose of abandoned personal property; and

WHEREAS, The previous owner of the property will be notified by posting of the property or by mail;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the cancellation of contract for the purchase of state tax forfeited land described above, according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21;

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to dispose of abandoned personal property from the above described state tax forfeited property.



St. Louis County Land & Minerals Department Tax Forfeited Land Sales

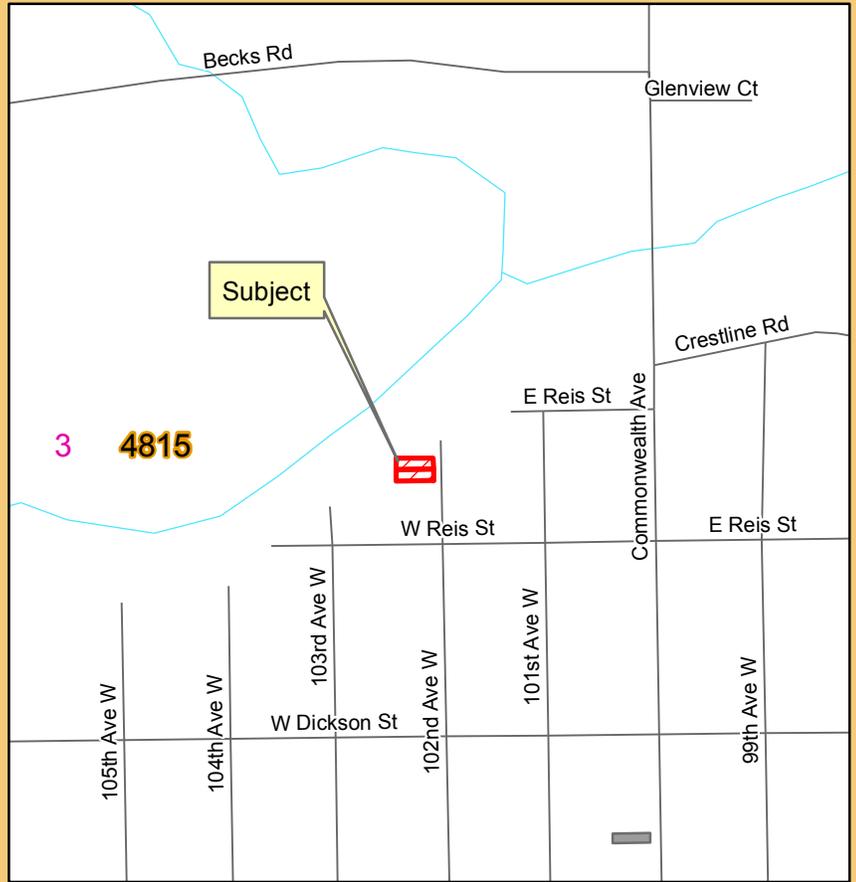
Cancellation of Contract

Legal : CITY OF DULUTH
LOT: 0025 & 0026, BLOCK:004
GARY FIRST DIVISION DULUTH

Parcel Code : 010-1800-00550,560

LDKEY : 120426, 120427

Address: 1509 102nd Ave W
Duluth, MN 55808

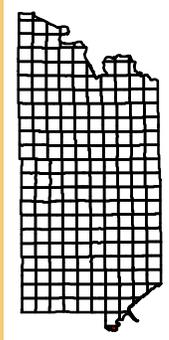


City of Duluth

Sec: 3 Twp: 48 Rng: 15

Commissioner District # 3

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land & Minerals
Department**

2016



2003 NAIP Photo

BOARD LETTER NO. 16 – 425

ENVIRONMENT & NATURAL RESOURCES COMMITTEE
CONSENT NO. 6

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Repurchase of State Tax
Forfeited Land – Friedman/
Nelson (Homestead)

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

RELATED DEPARTMENT GOAL:

To provide financial return to the county and taxing districts.

ACTION REQUESTED:

The St. Louis County Board is requested to approve an application to repurchase state tax forfeited land.

BACKGROUND:

Minn. Stat. § 282.241 provides for state tax forfeited land to be repurchased by the previous owners subject to payment equivalent to the delinquent taxes and assessments, with penalties, costs, and interest. The property to be repurchased forfeited to the State of Minnesota on December 2, 2014. Patricia Friedman and Robin Nelson of Duluth, MN, have made application to repurchase this property and are eligible to repurchase the property.

The repurchase of this property will promote the use of lands that will best serve the public interest.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the repurchase request of Patricia Friedman & Robin Nelson of Duluth, MN. The repurchase fees listed below are to be deposited into Fund 240 (Forfeited Tax Fund).

Patricia Friedman & Robin Nelson, Duluth, MN

Parcel Code	010-4650-00275
Taxes and Assessments	\$1,699.61
Service Fees	\$114.00
Deed Tax	\$5.61
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$1,890.22

Repurchase of State Tax Forfeited Land – Friedman/Nelson (Homestead)

BY COMMISSIONER _____

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

WHEREAS, The applicants, Patricia Friedman and Robin Nelson of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
S1/2 OF LOT 2, BLOCK 4
WOODLAND AVENUE GARDENS DULUTH
010-4650-00275

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Patricia Friedman and Robin Nelson of Duluth, MN, on file in County Board File No. _____, subject to payments including total taxes and assessments of \$1,699.61, service fee of \$114, deed tax of \$5.61, deed fee of \$25, and recording fee of \$46; for a total of \$1,890.22, to be deposited into Fund 240 (Forfeited Tax Fund).

APPLICATION FOR REPURCHASE OF TAX FORFEITED LANDS

Pursuant to Minnesota Statutes 1986, Section 282.241, as amended by Chapter 268, Laws of 1987.

TO THE COUNTY BOARD AND COUNTY AUDITOR OF ST. LOUIS COUNTY, MINNESOTA:

The undersigned, Robin L Nelson, hereby makes application to repurchase from the State of Minnesota the following described land, pursuant to Minnesota Statutes 1987, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

CITY OF DULUTH, S1/2 OF LOT 2, BLOCK 4, WOODLAND AVENUE GARDENS DULUTH

Applicant states and shows that at the time of the forfeiture to the State, he/she was (please check one):

- the owner
- heir(s) of the owner
- the representative of the owner
- the person to whom the right to pay taxes is given by statute, to wit:
- designating under what claim of right, whether mortgage or otherwise the right is exercised

That such taxes became delinquent in 2007 and remained delinquent and unpaid for the subsequent years of: 2008, 2010, 2011, 2013, 2014

That pursuant to Minnesota Statutes, the total cost of repurchase \$1,890.22 which is the greater value of all delinquent taxes and assessments computed under Section 282.241, together with all accrued interest and penalties, including fees. Please contact our office at 218-726-2606 for the current amount due which increases monthly.

That a hardship would result to the petitioner unless said repurchase is allowed, for the reason that:

applicant to state reasons why taxes were not paid.

ins. funds asked my boss to help me pay the taxes.

Please check the appropriate box below:

- There are one or more wells on this property (See enclosed well disclosure information sheet)
- No change since last well certificate Well disclosure completed - \$50.00 enclosed
- There are no wells on this property

APPLICANT REQUESTS THAT REPURCHASE BE MADE IN THE NAME OF:

Name (s):

Are you currently in active military service? no

If you have been discharged within the last 6 months, provide discharge date _____ and documentation.

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

Dated: 8/26 2016

By: Robin Nelson (Signature)

please send copies to 1510 E, 2nd St. 55812 c/o Sandy Pavelka (Statements & notices)

Address: 106 Vassar St. City: Duluth State: Mn Zip: 55803 Phone: 218-730-6482



St. Louis County Land & Minerals Department Tax Forfeited Land Sales

Repurchase of Property

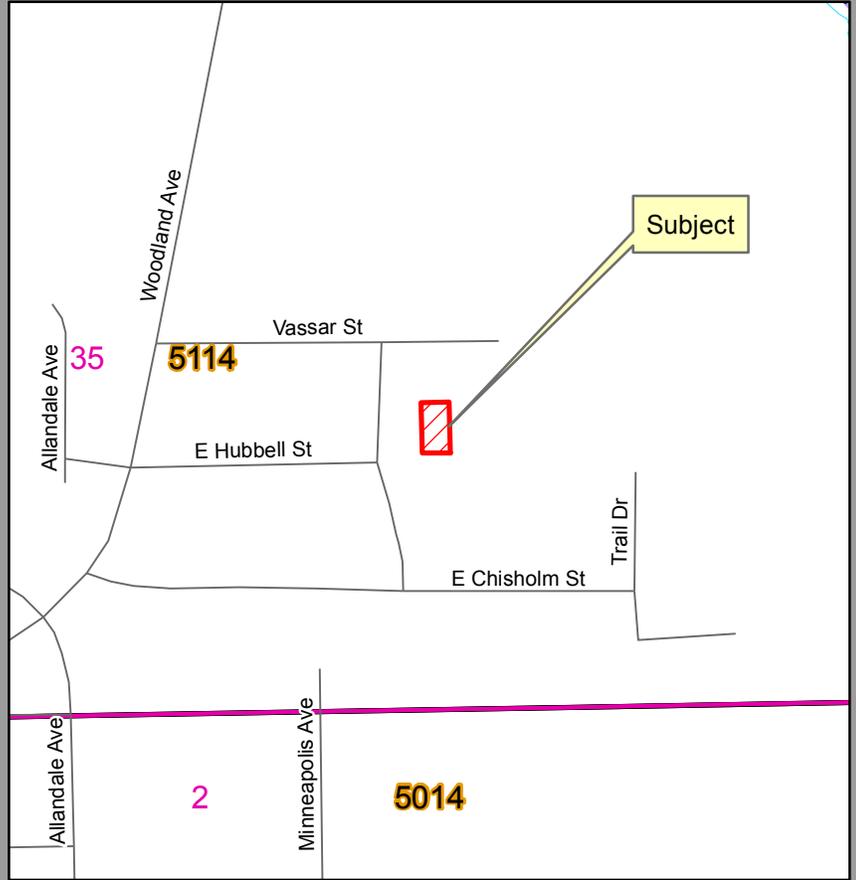
Legal : CITY OF DULUTH
S1/2 OF LOT 2, BLOCK 4
WOODLAND AVENUE GARDENS
DULUTH

Parcel Code : 010-4650-00275

LDKEY : 120483

Acres: .23

Address: behind 106 Vassar St
Duluth, MN 55803

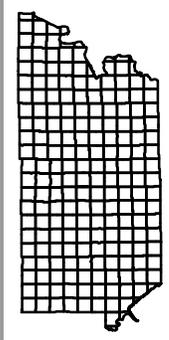


City of Duluth

Sec: 35 Twp: 51 Rng: 14

Commissioner District # 2

- State Tax Forfeited Land
- Water
- Road
- Area of Interest
- Tract



St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County
Land & Minerals
Department**

2016



2003 NAIP Photo

Utility Easement on State Tax Forfeited Land (Ault Township)

BY COMMISSIONER _____

WHEREAS, Imposition of a temporary utility easement on tax forfeited land is required prior to sale to allow for continued occupation and maintenance of a drain field until it is replaced; and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 507.47 and § 282.04, Subd. 4 authorize the St. Louis County Auditor to impose easements on state tax forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to impose a utility easement on state tax forfeited lands for the benefit of the State of Minnesota in trust for the Taxing Districts as described in County Board File _____.

COUNTY BOARD FILE NO. _____

Utility Easement on State Tax-Forfeited Land (Ault Township)

A temporary easement for the occupation and maintenance of a septic drain field on Lot 17, Block 1, Stump Lake North, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

Commencing at the Northeast corner of said Lot 17, thence South 43 degrees 11 minutes 37 seconds East, a distance of 35 feet to the Point of Beginning of the parcel to be described; thence continue South 43 degrees 11 minutes 37 seconds East, a distance of 55 feet; thence South 61 degrees 02 minutes 31 seconds West, a distance of 10 feet; thence North 43 degrees 11 minutes 37 seconds West, a distance of 55 feet; thence North 61 degrees, 02 minutes, 31 seconds East, a distance of 10 feet, more or less, to the Point of Beginning and there terminating. Said parcel contains 0.012 acres more or less.

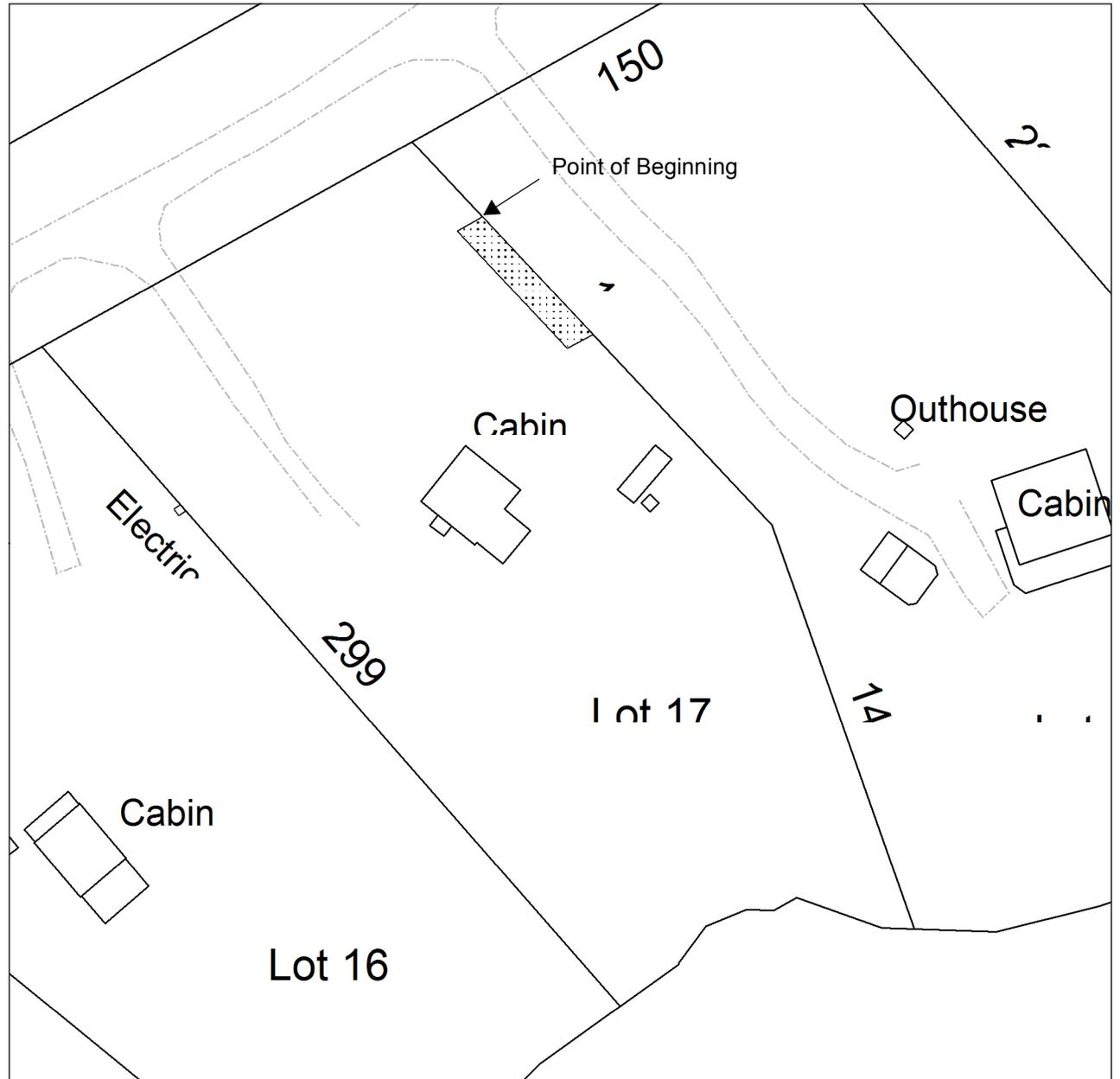
EASEMENT SKETCH
LOT 17, BLOCK 1, STUMP LAKE SOUTH
SECTION 23, T55N, R12W
4th P.M. ST. LOUIS COUNTY, MN



A temporary easement for the occupation and maintenance of a septic drain field on Lot 17, Block 1, Stump Lake North, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

Commencing at the Northeast corner of said Lot 17, thence South 43 degrees 11 minutes 37 seconds East, a distance of 35 feet to the Point of Beginning of the parcel to be described; thence continue South 43 degrees 11 minutes 37 seconds East, a distance of 55 feet; thence South 61 degrees 02 minutes 31 seconds West, a distance of 10 feet; thence North 43 degrees 11 minutes 37 seconds West, a distance of 55 feet; thence North 61 degrees, 02 minutes, 31 seconds East, a distance of 10 feet, more or less, to the Point of Beginning and there terminating.

Said parcel contains 0.012 acres more or less.





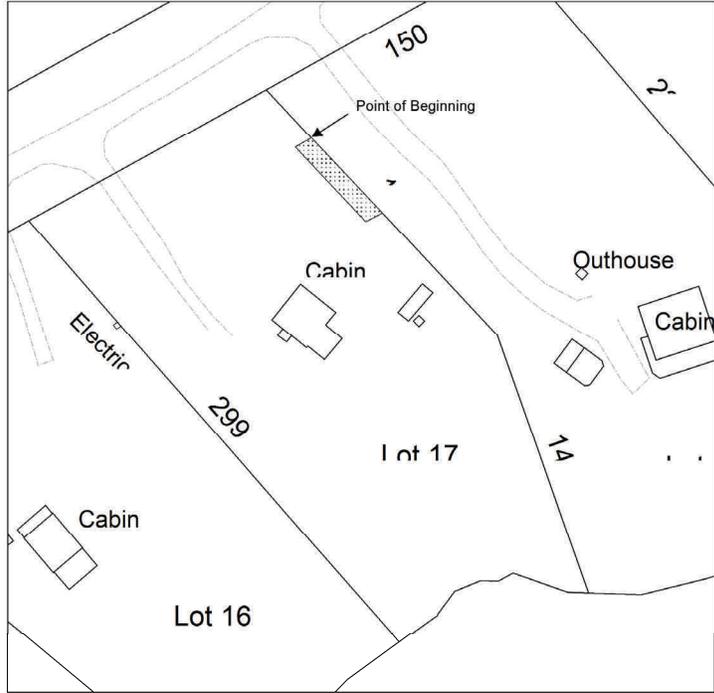
EASEMENT SKETCH
LOT 17, BLOCK 1, STUMP LAKE SOUTH
SECTION 23, T55N, R12W
4th P.M. ST. LOUIS COUNTY, MN



A temporary easement for the occupation and maintenance of a septic drain field on Lot 17, Block 1, Stump Lake North, according to the plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

Commencing at the Northeast corner of said Lot 17, thence South 43 degrees 11 minutes 37 seconds East, a distance of 35 feet to the Point of Beginning of the parcel to be described; thence continue South 43 degrees 11 minutes 37 seconds East, a distance of 55 feet; thence South 61 degrees 02 minutes 31 seconds West, a distance of 10 feet; thence North 43 degrees 11 minutes 37 seconds West, a distance of 55 feet; thence North 61 degrees, 02 minutes, 31 seconds East, a distance of 10 feet, more or less, to the Point of Beginning and there terminating.

Said parcel contains 0.012 acres more or less.



Affects parcel 230-0050-00170

4th Commissioner District

- State Tax Forfeited
- Easement
- Project location

St. Louis County
Minnesota



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

St. Louis County
Land and Minerals
Department



BOARD LETTER NO. 16 - 427

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 8

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Approval of Registered Land
Survey No. 135 (Greenwood
Township)

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

RELATED DEPARTMENT GOAL:

Promptly record real estate documents in accordance with Minnesota Statutes and county policies.

ACTION REQUESTED:

The St. Louis County Board is requested to grant final approval to Registered Land Survey No. 135.

BACKGROUND:

Pursuant to Minn. Stat. 508.47, the Registrar of Titles is authorized to require a Registered Land Survey to re-name parcels where legal descriptions have become unmanageable. Mike Smith, Licensed Land Surveyor, has submitted the final print and it has been approved by the County Surveyor and the Examiner of Titles. Registered Land Survey No.135 is located in Government Lot 5, Section 25, Township 63 North Range 17 West, St. Louis County, Minnesota (Greenwood Township).

RECOMMENDATION:

It is recommended that the St. Louis County Board grant final approval to Registered Land Survey No. 135.

Approval of Registered Land Survey No. 135 (Greenwood Township)

BY COMMISSIONER _____

WHEREAS, The Registrar of Titles is authorized to require Registered Land Survey No. 135 pursuant to Minn. Stat. 508.47; and

WHEREAS, The County Surveyor and Examiner of Titles have approved Registered Land Survey No. 135; 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. 135 located in Government Lot 5, Section 25, Township 63 North Range 17 West, St. Louis County, Minnesota (Greenwood Township).

BOARD LETTER NO. 16 – 428

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 9

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Amendment to Agreement with
Erickson Engineering for
Design Services on Bridge 823
(Kabetogama Township)

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

To provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an amendment to an agreement with Erickson Engineering for design services on Bridge 823 in Kabetogama Township.

BACKGROUND:

The St. Louis County Public Works Department has an agreement with Erickson Engineering of Bloomington, MN, for design services for County Bridge 823 design under project CP 0523-243941. This professional services agreement was originally for \$36,600 and was authorized by Resolution No. 15-329, dated June 2, 2015.

Last minute changes to the plan were required because of right of way concerns at the site. Realignment of the road and associated drafting/design were requested by the Public Works Department to eliminate any need to acquire new permanent right of way on the south side of the project due to proximity of cabins to the existing road and the potential loss of screening. The alignment was adjusted to the north to push all the permanent right of way effects onto the adjacent resort and a parcel of state owned property.

In addition, it has been determined that it is necessary to extend the length of the professional services agreement to December 31, 2016.

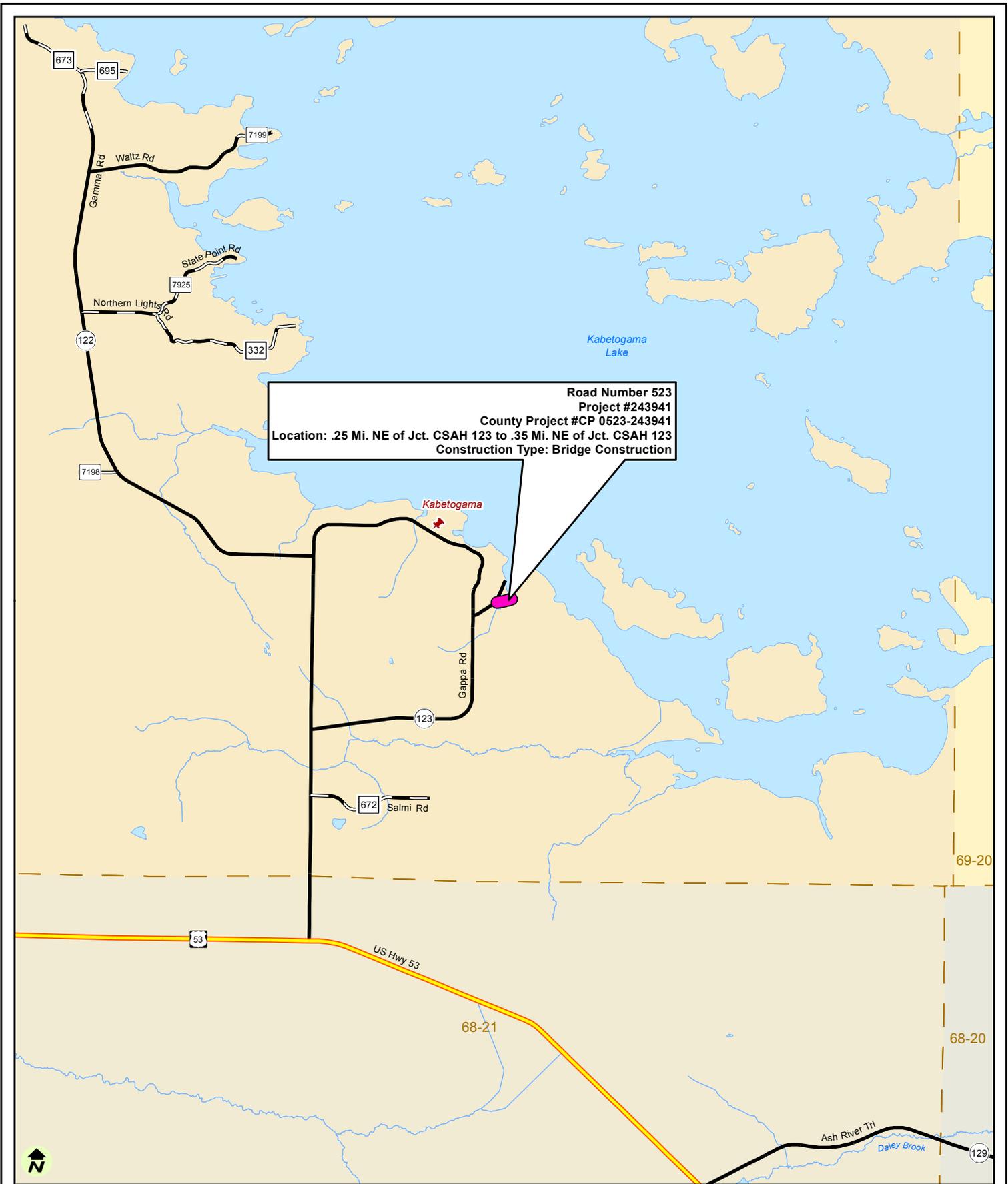
RECOMMENDATION:

It is recommended the St. Louis County Board authorize an amendment to an agreement with Erickson Engineering of Bloomington, MN, whereby the county will increase the cost of services and extend the contract to December 31, 2016. The total cost of these additional services is \$7,103.50, payable from St. Louis County Local Fund 200, Agency 200008, Object 626600.

**Amendment to Agreement with Erickson Engineering for Design Services on
Bridge 823 (Kabetogama Township)**

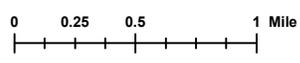
BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board authorizes an amendment to an agreement with Erickson Engineering of Bloomington, MN, whereby the county will increase the cost of design services under project CP 0523-243941, and extend the contract period through December 31, 2016. The total cost for additional services is \$7,103.50, payable from Fund 200, Agency 200008, Object 626600. The total contract cost shall not exceed \$43,703.50.



Road Number 523
Project #243941
County Project #CP 0523-243941
Location: .25 Mi. NE of Jct. CSAH 123 to .35 Mi. NE of Jct. CSAH 123
Construction Type: Bridge Construction

St. Louis County 2017 Road & Bridge Construction



Map Components	
2017 Road & Bridge Construction	
Bridge Construction	County Road - Paved
Interstate Highway	County Road - Gravel
U.S./State Highway	Railroad
Commissioner District	Township Boundary
	City/Town
	Lake
	River/Stream

BOARD LETTER NO. 16 – 429

FINANCE & BUDGET COMMITTEE CONSENT NO. 10

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Violation of St. Louis County
Ordinance No. 28 – Riverside
Inn (French Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor/Treasurer

Mark Rubin
County Attorney

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider penalties and/or suspension of liquor license for an alleged violation of St. Louis County Ordinance No. 28 by Murmac, LLC d/b/a Riverside Inn, French Township, sale to minor, July 26, 2016.

BACKGROUND:

The County Attorney and the County Auditor have received reports from the St. Louis County Sheriff's Office of an alleged violation of St. Louis County Ordinance No. 28 on July 26, 2016, by Murmac, LLC d/b/a Riverside Inn, French Township.

On September 6, 2016, the St. Louis County Liquor Licensing Committee met to discuss the alleged Ordinance No. 28 violation against Murmac, LLC. After consideration of the allegations and circumstances, the committee recommended a ten (10) day license suspension and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year. The date of the one (1) day suspension will be October 10, 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Murmac, LLC d/b/a Riverside Inn, suspending its liquor license as recommended by the St. Louis County Liquor Licensing Committee.

**Violation of St. Louis County Ordinance No. 28 – Riverside Inn
(French Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on September 6, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on July 26, 2016, against Murmac, LLC d/b/a Riverside Inn, French township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one (1) year with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to Murmac, LLC; and

WHEREAS, Murmac, LLC has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License No. 17-CTCMBS-00178 issued to Murmac, LLC d/b/a Riverside Inn, French Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be October 10, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending October 4, 2017), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Minutes
September 6, 2016
ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING

The meeting was called to order at 8:31 a.m., by Chair Don Dicklich, with the following members present: Commissioner Frank Jewell, Commissioner Tom Rukavina, Assistant County Attorney James Nephew, Lt. Dave Rolland, and Deputy Auditor Phil Chapman; Sheriff Ross Litman entered the meeting at 8:34 a.m.

Rolland/Rukavina moved to approve the minutes of the August 2, 2016, meeting. (5-0)

There was discussion regarding the alleged liquor law violation at Murmac, LLC d/b/a Riverside Inn, French Township, sale to minor on July 26, 2016. Dianne MurrerMcLaughlin and Martin McLaughlin appeared on behalf of Murmac, LLC. Commissioner Rukavina, made a motion, supported by Commissioner Jewell, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion regarding the alleged liquor law violation at Miner's Incorporated d/b/a Super One Foods #571, Canosia Township, sale to minor on August 8, 2016. Bruce Anderson, Legal Counsel and Andy Bakker, Manager, appeared on behalf of Miner's Incorporated. Mr. Anderson submitted a copy of Super One Foods Employee Handbook and Policy Statement – Sale of Alcoholic Beverages. He stated every employee is required to read and sign the documents. Lt. Rolland, made a motion, supported by Commissioner Jewell, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion concerning the Temporary On-Sale Intoxicating Liquor License application submitted by YMCA Camp du Nord and the subsequent denial of the application by the County Board. Commissioner Jewell feels that this is a policy issue and stated he will bring a resolution to the County Board.

The meeting was adjourned at 9:21 a.m. (Rukavina/Litman) (5-0)

Donald Dicklich, Chair

Wendy M. Johnson, IS II

BOARD LETTER NO. 16 – 430

FINANCE & BUDGET COMMITTEE CONSENT NO. 11

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Violation of St. Louis County
Ordinance No. 28 – Super One
(Canosia Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor/Treasurer

Mark Rubin
County Attorney

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider penalties and/or suspension of liquor license for alleged violation of St. Louis County Ordinance No. 28 by Miner's Incorporated d/b/a Super One Foods #571, Canosia Township, sale to minor, August 8, 2016.

BACKGROUND:

The County Attorney and the County Auditor have received reports from the St. Louis County Sheriff's Office of an alleged violation of St. Louis County Ordinance No. 28 on August 8, 2016, by Miner's Incorporated d/b/a Super One Foods #571, Canosia Township.

On September 6, 2016, the St. Louis County Liquor Licensing Committee met to discuss the alleged Ordinance No. 28 violation against Miner's Incorporated. After consideration of the allegations and circumstances, the committee recommended a ten (10) day license suspension and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year. The date of the one (1) day suspension will be October 10, 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Miner's Incorporated d/b/a Super One Foods #571, suspending its liquor license as recommended by the St. Louis County Liquor Licensing Committee.

**Violation of St. Louis County Ordinance No. 28 – Super One
(Canosia Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on September 6, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on August 8, 2016, against Miner's Incorporated d/b/a Super One Foods #571, Canosia township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one (1) year with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to Miner's Incorporated; and

WHEREAS, Miner's Incorporated has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the Off-Sale 3.2 Percent Malt Liquor License No. 17-CT3.2OFSL-00182 issued to Miner's Incorporated d/b/a Super One Foods #571, Canosia Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be October 10, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending October 4, 2017), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Minutes
September 6, 2016
ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING**

The meeting was called to order at 8:31 a.m., by Chair Don Dicklich, with the following members present: Commissioner Frank Jewell, Commissioner Tom Rukavina, Assistant County Attorney James Nephew, Lt. Dave Rolland, and Deputy Auditor Phil Chapman; Sheriff Ross Litman entered the meeting at 8:34 a.m.

Rolland/Rukavina moved to approve the minutes of the August 2, 2016, meeting. (5-0)

There was discussion regarding the alleged liquor law violation at Murmac, LLC d/b/a Riverside Inn, French Township, sale to minor on July 26, 2016. Dianne MurrerMcLaughlin and Martin McLaughlin appeared on behalf of Murmac, LLC. Commissioner Rukavina, made a motion, supported by Commissioner Jewell, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion regarding the alleged liquor law violation at Miner's Incorporated d/b/a Super One Foods #571, Canosia Township, sale to minor on August 8, 2016. Bruce Anderson, Legal Counsel and Andy Bakker, Manager, appeared on behalf of Miner's Incorporated. Mr. Anderson submitted a copy of Super One Foods Employee Handbook and Policy Statement – Sale of Alcoholic Beverages. He stated every employee is required to read and sign the documents. Lt. Rolland, made a motion, supported by Commissioner Jewell, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion concerning the Temporary On-Sale Intoxicating Liquor License application submitted by YMCA Camp du Nord and the subsequent denial of the application by the County Board. Commissioner Jewell feels that this is a policy issue and stated he will bring a resolution to the County Board.

The meeting was adjourned at 9:21 a.m. (Rukavina/Litman) (5-0)

Donald Dicklich, Chair

Wendy M. Johnson, IS II

BOARD LETTER NO. 16 – 431

FINANCE & BUDGET COMMITTEE CONSENT NO. 12

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Violation of St. Louis County Ordinance No. 28 – Wayside Bottle Shop, Inc. (New Independence Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor/Treasurer

Mark Rubin
County Attorney

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider penalties and/or suspension of liquor license for alleged violation of St. Louis County Ordinance No. 28 by Wayside Bottle Shop, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township, sale to minor, August 15, 2016.

BACKGROUND:

The County Attorney and the County Auditor have received reports from the St. Louis County Sheriff's Office of an alleged violation of St. Louis County Ordinance No. 28 on August 15, 2016, by Wayside Bottle Shop, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township.

On September 13, 2016, the St. Louis County Liquor Licensing Committee met to discuss the alleged Ordinance No. 28 violation against Wayside Bottle Shop, Inc. After consideration of the allegations and circumstances, the committee recommended a ten (10) day license suspension and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year. The date of the one (1) day suspension will be October 10, 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Wayside Bottle Shop, Inc. d/b/a Wayside Bottle Shop, Inc., suspending its liquor license as recommended by the St. Louis County Liquor Licensing Committee.

**Violation of St. Louis County Ordinance No. 28 - Wayside Bottle Shop, Inc.
(New Independence Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on September 13, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on August 15, 2016, against Wayside Bottle Shop, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$1,000 of the civil penalty stayed, for one (1) year with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to Wayside Bottle Shop, Inc.; and

WHEREAS, Wayside Bottle Shop, Inc. has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the Off-Sale Intoxicating Liquor License No. 17-CTOFSL-00199 issued to Wayside Bottle Shop, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be October 10, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending October 4, 2017), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Minutes
September 13, 2016
ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING

The meeting was called to order at 8:30 a.m., by Chair Dicklich, with the following members present: Commissioner Frank Jewell, Commissioner Tom Rukavina, Assistant County Attorney James Nephew, Lt. Dave Rolland, Supervising Deputy Shannon Schultz, and Deputy Auditor Phil Chapman,

Jewell/Rukavina moved to approve the minutes of the September 6, 2016 meeting. (5-0)

There was discussion regarding the alleged liquor law violation at Wayside Bottle Ship, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township, sale to minor on August 15, 2016. John Engen, President, and Holly Elmer, alleged violator, appeared on behalf of Murmac, LLC. Lt. Rolland informed the Committee members that Ms. Elmer has not been to court. Assistant County Attorney Nephew said that all questions should be directed to Mr. Engen. Lt. Rolland, made a motion, supported by Commissioner Rukavina, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion regarding the alleged liquor law violation at Wilbert, Inc. d/b/a Wilbert Café and El Toro Lounge, Cotton Township, sale to minor on August 15, 2016. Sandra and Steven Simek, owners, and Joseph Keough, alleged violator, appeared on behalf of Wilbert, Inc. It was noted that Mr. Keough has not been to court. Assistant County Attorney Nephew said that all questions should be directed to Sandra and Steven Simek. Commissioner Jewell, made a motion, supported by Commissioner Rukavina, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$800.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

At the request of Sheriff Litman, Debra Sanders, Owner, and Tim Galligher appeared on behalf of Frontier One, LLC d/b/a Frontier Resort, Unorganized Township 69-19, regarding the compliance check that took place August 26, 2016. There was discussion regarding the behavior of the owner and her son towards the underage buyer. Ms. Sanders said that she was aware of the compliance checks and expressed concern regarding the professionalism of the Deputy Sheriff. Lt. Rolland said compliance check can happen at any time and license holders do not dictate when or how a check is done. Assistant County Attorney Nephew said that the method by which we test licensees is a discreet way to find out if employees are doing their job; the facility must be available, when open, for compliance checks; and that a business owner be responsible. The Committee encouraged Ms. Sanders to discuss her concerns regarding the professionalism of the Deputy Sheriff with Supervising Deputy Schultz after the meeting.

The meeting was adjourned at 9:32 a.m. (Jewell/Rukavina) (5-0)

Donald Dicklich, Chair

Wendy M. Johnson, IS II

BOARD LETTER NO. 16 – 432

FINANCE & BUDGET COMMITTEE CONSENT NO. 13

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Violation of St. Louis County
Ordinance No. 28 – El Toro
Lounge (Cotton Township)

FROM: Kevin Z. Gray
County Administrator

Donald Dicklich
County Auditor/Treasurer

Mark Rubin
County Attorney

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider penalties and/or suspension of liquor license for alleged violation of St. Louis County Ordinance No. 28 by Wilbert, Inc. d/b/a Wilbert Cafe & El Toro Lounge, Cotton Township, sale to minor, August 15, 2016.

BACKGROUND:

The County Attorney and the County Auditor have received reports from the St. Louis County Sheriff's Office of an alleged violation of St. Louis County Ordinance No. 28 on August 15, 2016, by Wilbert, Inc. d/b/a Wilbert Cafe & El Toro Lounge, Cotton Township.

On September 13, 2016, the St. Louis County Liquor Licensing Committee met to discuss the alleged Ordinance No. 28 violation against Wilbert, Inc. After consideration of the allegations and circumstances, the committee recommended a ten (10) day license suspension and \$1,000 civil penalty, with nine (9) days and \$800 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year. The date of the one (1) day suspension will be October 11, 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Wilbert, Inc. d/b/a Wilbert Cafe & El Toro Lounge, suspending its liquor license as recommended by the St. Louis County Liquor Licensing Committee.

**Violation of St. Louis County Ordinance No. 28 – El Toro Lounge
(Cotton Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on September 13, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on August 15, 2016, against Wilbert, Inc. d/b/a Wilbert Cafe & El Toro Lounge, Cotton Township; and

WHEREAS, The Liquor Licensing Committee recommended a ten (10) day suspension and \$1,000 civil penalty, with nine (9) days of the suspension and \$800 of the civil penalty stayed, for one (1) year with no same or similar violations during that year, and recommended that the County Attorney's Office propose this penalty to Wilbert, Inc.; and

WHEREAS, Wilbert, Inc. has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the Combination On/Off-Sale and Sunday On-Sale Intoxicating Liquor License No. 17-CTCMBS-00173 issued to Wilbert, Inc. d/b/a Wilbert Cafe & El Toro Lounge, Cotton Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$800 of the civil penalty stayed for one (1) year on the condition that the licensee have no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be October 11, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending October 4, 2017), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

Minutes
September 13, 2016
ST. LOUIS COUNTY LIQUOR LICENSING COMMITTEE MEETING

The meeting was called to order at 8:30 a.m., by Chair Dicklich, with the following members present: Commissioner Frank Jewell, Commissioner Tom Rukavina, Assistant County Attorney James Nephew, Lt. Dave Rolland, Supervising Deputy Shannon Schultz, and Deputy Auditor Phil Chapman,

Jewell/Rukavina moved to approve the minutes of the September 6, 2016 meeting. (5-0)

There was discussion regarding the alleged liquor law violation at Wayside Bottle Ship, Inc. d/b/a Wayside Bottle Shop, Inc., New Independence Township, sale to minor on August 15, 2016. John Engen, President, and Holly Elmer, alleged violator, appeared on behalf of Murmac, LLC. Lt. Rolland informed the Committee members that Ms. Elmer has not been to court. Assistant County Attorney Nephew said that all questions should be directed to Mr. Engen. Lt. Rolland, made a motion, supported by Commissioner Rukavina, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$1,000.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

There was discussion regarding the alleged liquor law violation at Wilbert, Inc. d/b/a Wilbert Café and El Toro Lounge, Cotton Township, sale to minor on August 15, 2016. Sandra and Steven Simek, owners, and Joseph Keough, alleged violator, appeared on behalf of Wilbert, Inc. It was noted that Mr. Keough has not been to court. Assistant County Attorney Nephew said that all questions should be directed to Sandra and Steven Simek. Commissioner Jewell, made a motion, supported by Commissioner Rukavina, to recommend to the County Board a ten (10) day suspension and \$1,000.00 fine, nine (9) days and \$800.00, stayed, if no same or similar violations occur within one year, subject to additional penalties that may be imposed by the County Board. The motion passed. (5-0)

At the request of Sheriff Litman, Debra Sanders, Owner, and Tim Galligher appeared on behalf of Frontier One, LLC d/b/a Frontier Resort, Unorganized Township 69-19, regarding the compliance check that took place August 26, 2016. There was discussion regarding the behavior of the owner and her son towards the underage buyer. Ms. Sanders said that she was aware of the compliance checks and expressed concern regarding the professionalism of the Deputy Sheriff. Lt. Rolland said compliance check can happen at any time and license holders do not dictate when or how a check is done. Assistant County Attorney Nephew said that the method by which we test licensees is a discreet way to find out if employees are doing their job; the facility must be available, when open, for compliance checks; and that a business owner be responsible. The Committee encouraged Ms. Sanders to discuss her concerns regarding the professionalism of the Deputy Sheriff with Supervising Deputy Schultz after the meeting.

The meeting was adjourned at 9:32 a.m. (Jewell/Rukavina) (5-0)

Donald Dicklich, Chair

Wendy M. Johnson, IS II

BOARD LETTER NO. 16 – 433

FINANCE & BUDGET COMMITTEE CONSENT NO. 14

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Agreement with Twin Ports Mailing

FROM: Kevin Z. Gray
County Administrator

Jeremy Craker, Director
Information Technology

RELATED DEPARTMENT GOAL:

To ensure that St. Louis County postage and mail delivery are handled in the most economical, and expedient manner.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an agreement for services with Taura, Inc. d/b/a Twin Ports Mailing to complete full service mailing of United States Postal Service (USPS) mail for offices located within the Government Services Center and the St. Louis County Courthouse in Duluth, MN.

BACKGROUND:

The St. Louis County Print Shop has processed daily mail for internal departments located in the Government Services Center and St. Louis County Courthouse. As a result of retirements that took place in May, 2016, the IT Department, in coordination with Administration, made the strategic decision to restructure mailing room and print shop operations. This restructuring included the discontinuation of internal employees postmarking and preparing outbound USPS mail.

At that time, an emergency contract was executed with Twin Ports Mailing in Duluth, to provide mail pickup, sorting, postmarking and delivery to the Duluth USPS Processing Center. The IT Department, in coordination with the Purchasing Division solicited bids for mail services which were opened on Friday, September 9, 2016. Twin Ports Mailing was the sole bidder.

The total cost of daily service and processing of outbound USPS mail for the county using Twin Port Mailing will be \$1,750 per month, which equates to \$21,000 per year. This processing fee excludes the cost of postage as this amount will vary monthly based on the number of parcels and the current cost of postage as determined by USPS. This is offset by forgoing the replacement of an employee in the print shop.

Benefits of this service agreement include: postage rate discounts, mail pre-sortment which allows for faster routing and delivery of mail destined for many St. Louis County zip codes and eliminates the need to route outbound mail to the Twin Cities for processing as was previously done.

Because mail delivery is considered a cost of conducting daily business, it is recommended that the contract be allowed to continue indefinitely with the written provision that, if either party wishes to make changes to this agreement there is a clause allowing for negotiations to be held up to 90 days prior to the anniversary date each year.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an agreement with Twin Ports Mailing of Duluth, MN, for full service mailing with an ongoing annual processing fee of \$21,000, payable from Fund 100, Agency 117020, Object 620200. The IT Department budgeted for this investment in 2016 and will include the ongoing cost beginning in the 2017 budget.

Agreement with Twin Ports Mailing

BY COMMISSIONER _____

WHEREAS, The IT Department, in coordination with Administration, made the strategic decision to restructure mailing room and print shop operations which includes discontinuation of internal employees postmarking and preparing outbound United States Postal Service (USPS) mail for offices located at the Government Services Center and Courthouse in Duluth, MN; and

WHEREAS, The IT Department, in coordination with the Purchasing Division, solicited a Request for Bids to acquire USPS outbound mail services for the Duluth based Government Services Center and the County Courthouse including pickup, postmarking, sorting, delivery to the Duluth USPS Processing Facility; and

WHEREAS, The IT Department is recommending the contract be awarded to Twin Ports Mailing based on its bid response;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an agreement with Twin Ports Mailing of Duluth, MN, with an ongoing yearly processing fee of \$21,000, payable from Fund 100, Agency 117020, Object 620200, and to update the 2017 budget to include the annual processing cost.

BOARD LETTER NO. 16 - 434

FINANCE & BUDGET COMMITTEE CONSENT NO. 15

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Abatement List for Board Approval

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

David L. Sipila
County Assessor

RELATED DEPARTMENT GOAL:

The County Assessor will meet all state mandates for classifying and valuing taxable parcels for property tax purposes as outlined in Minn. Stat. § 270 through 273.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the attached abatements.

BACKGROUND:

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 16-82, dated January 26, 2016, outlining the Board's policy on abatement of ad valorem taxes. This Policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the attached list of abatements.

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.

Abatements Submitted for Approval by the St. Louis County Board
on 10/4/2016

<u>PARCEL CODE</u>			<u>AUD NBR</u>	<u>NAME</u>	<u>TYPE</u>	<u>LOCATION</u>	<u>APPRAISER</u>	<u>REASON</u>	<u>YEAR</u>	<u>REDUCTION</u>	
10	4570	2090	0	15950	CARLSON, CYNTHIA	R	City of Duluth	Anne Sims	HOMESTEAD	2016	360.00
520	19	230	0	15965	COUNTY AUDITOR	R	Rice Lake	County Auditor	CANCEL FORFEITURE	2016	
535	10	3150	0	15964	COUNTY AUDITOR	R	Stoney Brook	County Auditor	CANCEL FORFEITURE	2016	
387	31	1374	0	15949	ELLISON, THOMAS	R	Greenwood	Mason Couvier	HOMESTEAD	2016	580.00
10	0	0	00594	15955	ELLWOOD, MARGIE	M	City of Duluth	Margaret Dunsmore	HOMESTEAD	2016	58.00
290	10	3222	0	15961	FREDRICKSON, JOHN	R	Cherry	Tim Marolt	HOMESTEAD	2016	568.00
100	80	380	0	15948	FURRY, KATHERINE	R	Aurora	Paul Cherry	HOMESTEAD	2016	918.00
90	30	2200	0	15956	GARCIA, BEN	R	Virginia	Jacob Fronden	HOMESTEAD	2016	458.00
142	10	450	0	15962	JARVIS, MICHAEL	R	Hoyt Lakes	David Hillstrom	HOMESTEAD	2016	672.00
140	140	1230	0	15966	JOHNSON, CHERYL	R	Hibbing	Tim Marolt	HOMESTEAD	2016	454.00
10	760	1575	0	15946	KIME, BRANDON	R	City of Duluth	Anne Sims	HOMESTEAD	2016	236.00
10	3903	160	0	15953	KUETTEL, ADAM	R	City of Duluth	Lana Anderson	HOMESTEAD	2016	81.00
10	3830	18950	0	15947	MOORE, JOHN	R	City of Duluth	Lana Anderson	HOMESTEAD	2016	388.00
165	20	320	0	15945	MOREHOUSE, LOREN	R	Meadowlands C.	Bruce Sodahl	HOMESTEAD	2016	756.00
10	4110	670	0	15957	MOSINIAK, ELIZABETH	R	City of Duluth	Anne Sims	HOMESTEAD	2016	358.00
350	10	3320	0	15959	NEIL POGACHNIK	R	Field	Joel Kreiner	HOMESTEAD	2016	306.00
10	4220	3635	0	15952	POPOVICH, LEE	R	City of Duluth	Anne Sims	HOMESTEAD	2016	326.00
10	0	0	00664	15954	RAMOS, VERONICA	M	City of Duluth	Margaret Dunsmore	HOMESTEAD	2016	80.00
10	760	1365	0	15951	SAAMANEN, NATHANIEL	R	City of Duluth	Anne Sims	HOMESTEAD	2016	252.00
90	150	670	0	15963	SALMI, WILLIAM W	R	Virginia	Jacob Fronden	HOMESTEAD	2016	766.00
10	0	0	12375	15958	TOMASEK, DEWAYNE	P	City of Duluth	Dave Sipila	EXEMPT	2016	1,276.00
140	60	270	0	15960	WENTZ, MICHAEL & AMB	R	Hibbing	Tim Marolt	HOMESTEAD	2016	710.00

BOARD LETTER NO. 16 - 435

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 16

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Extension of Agreement for
Labor Negotiations, Grievance
and Arbitration Professional
Services

FROM: Kevin Z. Gray
County Administrator

Mark Rubin
County Attorney

James R. Gottschald
Human Resources Director

RELATED DEPARTMENT GOAL:

To play a key role on behalf of the county in negotiations with employees represented by bargaining units, including final written labor agreements.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize the execution of an extension of the agreement with Madden Galanter Hansen LLP for labor negotiations, grievances and arbitration proceedings in 2017 and 2018.

BACKGROUND:

St. Louis County conducted an RFP for labor negotiations, grievance and arbitration proceedings in 2014 and awarded the professional services contract to Madden Galanter Hansen LLP. Since October 2014, Madden Galanter Hansen LLC has provided these services for a flat hourly fee of \$135 per hour for labor relations matters and \$140 per hour for representation in grievance arbitration cases, interest arbitration proceedings and other administrative hearings. Susan Hansen has proven to be a critical resource to Administration and Human Resources in leading negotiations and in preparing the county's response to the bargaining units' proposals and has represented the county with respect and diplomacy at the bargaining table. She has further been timely and thorough with responses to complicated issues and questions that have been raised.

Madden Galanter Hansen LLP has submitted a proposal to extend the current professional services agreement, which expires on December 31, 2016, through 2018 at the rate of \$150 per hour for labor negotiations and \$155 per hour for representation in grievance and interest arbitration proceedings. Fees and expenses would be held flat through the end of 2016.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize an extension of the professional services agreement with Madden Galanter Hansen LLP for labor negotiations and for grievance and arbitration proceedings effective January 1, 2017 through December 31, 2018, at the hourly fee of \$150 for labor negotiations and at the hourly fee of \$155 for grievance and interest arbitration proceedings, payable from Fund 100, Agency 107001, Object 629900.

**Extension of Agreement for Labor Negotiations, Grievance
and Arbitration Professional Services**

BY COMMISSIONER _____

WHEREAS, St. Louis County has entered into labor negotiations with bargaining units for labor contracts expiring at the end of 2016; and

WHEREAS, St. Louis County currently has a contract with Madden Galanter Hansen LLC for labor negotiation services, grievance arbitration and interest arbitration proceedings through December 31, 2016; and

WHEREAS, Ms. Susan Hansen of Madden Galanter Hansen LLC has valuable knowledge and experience from previous negotiations that will assist the county in resolution of its labor contracts and representation in grievance and interest arbitrations;

THEREFORE, BE IT RESOLVED, That the appropriate county officials are authorized to execute an extension of the agreement with Madden Galanter Hansen LLC to act as the exclusive labor negotiator for St. Louis County, effective January 1, 2017 through December 31, 2018, at the hourly fee of \$150 for labor negotiations and at the hourly fee of \$155 for grievance and interest arbitration proceedings, payable from Fund 100, Agency 107001, Object 629900.

BOARD LETTER NO. 16 – 436

ESTABLISHMENT OF PUBLIC HEARINGS ENVIRONMENT & NATURAL RESOURCES COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: September 27, 2016 **RE:** Establish a Public Hearing for
the Reclassification of State
Tax Forfeited Land (Normanna
Township)

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

RELATED DEPARTMENTAL GOAL:

To perform public services.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing for the purpose of reclassifying state tax forfeited land.

BACKGROUND:

The St. Louis County Board recently approved the reclassification to non-conservation and sale of state tax forfeited land located in Normanna Township (County Board Resolution No. 16-378, adopted on June 14, 2016). The Normanna Town Board has objected to the reclassification and sale of this tax forfeited parcel.

If the town board or governing body disapproves of the reclassification and sale of state tax forfeited land, the County Board must hold a public hearing for the purpose of reclassifying the land. Prior to a public hearing, the County Board must give notice of its intent to meet for that purpose as provided by Minn. Stat. § 282.01, Subd. 1.

At the public hearing, “the county board must allow any person or agency possessing pertinent information to make or submit comments and recommendations about the reclassification. In addition, representatives of governmental entities must be allowed to describe plans, ideas, or projects that may involve use or acquisition of the property by the governmental entity. The county board must solicit and consider any relevant components of current comprehensive land use plans that incorporate the area in which the land is located. After allowing testimony, the county board may classify, reclassify, or delay taking action on any parcel or parcels under consideration.”

RECOMMENDATION:

It is recommended that the St. Louis County Board hold a public hearing on Tuesday, December 20, 2016, 9:40 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, so that the reclassification of state tax forfeited land can be resolved in accordance with Minn. Stat. 282.01, Subd.1.

**Establish a Public Hearing for the
Reclassification of State Tax Forfeited Land**

BY COMMISSIONER _____

WHEREAS, St. Louis County Board Resolution No. 16-378, dated June 14, 2016, approved the reclassification to non-conservation and sale of state tax forfeited land in Normanna Township described as:

That portion of the SE1/4 of the SE1/4, Section 5, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State-Aid Highway 44, Pequaywan Lake Road,

AND

The north 330 feet of the NE1/4 of the NE1/4, Section 8, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State-Aid Highway 44, Pequaywan Lake Road.

WHEREAS, Normanna Resolution No. 2016-04, dated July 28, 2016, disapproved the reclassification to non-conservation and the sale of state tax forfeited land located within the township; and

WHEREAS, Pursuant to Minn. Stat. § 282.01, Subd. 1, the St. Louis County Board must hold a public hearing if a town board or governing body disapproves of the classification or reclassification of state tax forfeited land, and must cause to be published a notice of the date, time, location and purpose of the required public hearing; and

WHEREAS, At the public hearing, the St. Louis County Board may classify, reclassify, or delay taking action on any parcel or parcels after allowing testimony from any person or agency possessing pertinent information;

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 282.01, Subd. 1, a public hearing shall be scheduled on Tuesday, December 20, 2016, 9:40 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, to allow testimony in regard to the reclassification of state tax forfeited land described above;

RESOLVED FURTHER, That the County Board shall give notice of its intent to meet for the reclassification of state tax forfeited land in accordance with Minn. Stat. § 282.01, Subd. 1.



Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota
Adopted on: June 14, 2016 Resolution No. 16-378
Offered by Commissioner: Boyle

Special Sale to the St. Louis County Housing and Redevelopment Authority

WHEREAS, The St. Louis County Housing and Redevelopment Authority (HRA) has requested to purchase the following described 25 acre parcel of state tax forfeited land for the appraised value of \$42,000, plus fees, for economic development and educational purposes:

That portion of the SE1/4 of the SE1/4, Section 5, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road,

AND

the north 330 feet of the NE1/4 of the NE1/4, Section 8, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1a (b), authorizes the sale of state tax forfeited land to an organized governmental subdivision for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, This parcel of land has 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, This parcel of land has been classified as conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, The Land Commissioner recommends that this parcel be reclassified as non-conservation and offered for sale 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, The 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 reclassification and sale 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 reclassification and sale within 60 days of the date on which this resolution is delivered to the clerk; and

WHEREAS, This parcel of land is currently included in an established memorial forest; and, pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established memorial forest and found more suitable for other purposes may by resolution of the County Board be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land;

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcel described above is more suitable for purposes other than forest management and shall be withdrawn from Island Lake Memorial Forest;

RESOLVED FURTHER, That the St. Louis County Board approves the reclassification to non-conservation and sale of a 25 acre parcel of state tax forfeited land, as described, to the St. Louis County HRA for the appraised value of \$42,000 plus appraisal and survey costs and other fees, to be deposited into Fund 240 (Forfeited Tax Fund);

RESOLVED FURTHER, That the request for approval of the reclassification of the state tax forfeited parcel described above shall be transmitted by the St. Louis County Land and Minerals Department to the Clerk of Normanna Township.

Commissioner Boyle moved the adoption of the Resolution and it was declared adopted upon the following vote:

Yeas – Commissioners Boyle, Dahlberg, Rukavina, Stauber, Nelson and Vice-Chair Jewell – 6

Nays – None

Absent – Chair Raukar – 1

STATE OF MINNESOTA

Office of County Auditor, ss.
County of St. Louis

I, **DONALD DICKLICH**, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 14th day of June, A.D. 2016, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 14th day of June, A.D., 2016.

DONALD DICKLICH, COUNTY AUDITOR

By

Deputy Auditor/Clerk of the County Board

Date:

To: St. Louis County Board
c/o Land and Minerals Department
320 W 2nd Street, Suite 302
Duluth, MN 55802

From: Ellen Hanson
City/Town Clerk

Re: **Disapproval of Classification / Reclassification of Tax Forfeited Land**

As required by and in accordance with those reasons as specified in Minn. Stat. §282.01, subd.

I, the Township of Normanna does hereby

disapprove of the classification/reclassification for the following described parcels of tax
forfeited land.

Legal Description:

See attached Normanna Resolution No. 2016-04.

Reason for Disapproval:

See attached Normanna Resolution No. 2016-04.

Note: Please attach a certified copy of a City Council/Town Board Resolution specifying the disapproval of the classification/reclassification of State tax forfeited land.

Normanna Resolution #2016-04
Resolution Pertaining To St. Louis County Resolution No. 16-378
Adopted On: June 14, 2016

Disapproval of the sale and reclassification of tax forfeited Island Lake Memorial Forest land.

Whereas, the tax forfeited land described as:

That portion of the SE1/4 of the SE1/4, Section 5, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road,

AND

the north 330 feet of the NE1/4 of the NE1/4, Section 8, Township 52 North, Range 13 West, lying southeasterly of the southeasterly right-of-way of County State Aid Highway 44, Pequaywan Lake Road,

AND

is located within the boundaries of the incorporated Township of Normanna, hereinafter referred to as Town; and

Whereas, Minn. Statute 282.01 provides for the town to give its approval or disapproval of any reclassification and sale of tax forfeited land within 60 days of the date on which the county resolution is delivered to the clerk of the town; and

Whereas, St. Louis County encouraged, participated and dedicated significant resources to organize, develop, review and approve comprehensive land use plans throughout the county with maximal resident participation; and

Whereas, St. Louis County adopted, in 2003, the Normanna Comprehensive Land Use Plan (NCLUP) into county law in Article 11, Section 30, Ordinance 27; and

Whereas, The Town established a land use committee in 2003; and

Whereas, The Town Land Use Committee has reviewed, researched, discussed and reached a conclusion as to the reclassification and sale of the above described parcel;

Therefore, Be It Resolved, That the Town strongly disapproves of the reclassification and sale of the parcel of land;

Resolved Further, That the Town believes that the best use of this parcel is to remain as a part of the Island Lake Memorial Forest;

Resolved Further, That the reclassification and sale of this parcel violates the intent, both explicit and implied, of the NCLUP;

Resolved Further, That the Town will take the opportunity to review and perhaps exercise available options.

Adopted this 28th day of July 2016

Attest: Ellen Hanson

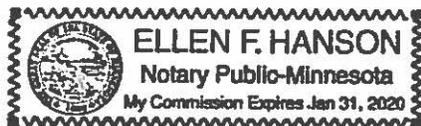
Town Clerk
Ellen Hanson

BY THE TOWN BOARD

Dan Johnson Dan Johnson

Kimberly Grubb Kimberly Grubb

Dennis Gunsolus Dennis Gunsolus



To: Mark Weber, St. Louis County Land Commissioner

29 July 2016

From: Dan Johnson, Chair, Normanna Town Board

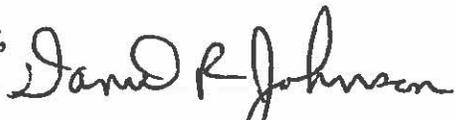
Sir:

Pursuant to St. Louis County informing us of reclassification and sale of land along Highway 44 described in the attached resolution, Normanna Township wishes to exercise its right to comment on this action.

After our land use committee researched and reviewed the reclassification and sale with respect to our land use plan and after discussions with a significant number of residents, the committee recommended and the town board agreed that we should disapprove of the county's action.

We encourage you to contact us at 525-1526 or 340-8076 with any questions.

Sincerely,

A handwritten signature in cursive script that reads "David R. Johnson". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

cc: Gary Eckenberg, Deputy County Administrator
St. Louis Commissioners