



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

October 4, 2016

Immediately following the Board Meeting, which begins at 9:30 A.M.
Commissioners' Conference Room, St. Louis County Courthouse, Duluth, 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 27, 2016

Environment & Natural Resources Committee, Commissioner Rukavina, Chair

1. Repurchase of State Tax Forfeited Land – Ringsred, Rivet (Non-Homestead) [16-438]
2. Utility Easement across State Tax-Forfeited Land to Lake Country Power (Cedar Valley and Unorganized Township 55-21) [16-439]

Public Works & Transportation Committee, Commissioner Stauber, Chair

3. State Contract Purchase of Field Service Truck Equipment Package [16-440]

Finance & Budget Committee, Commissioner Nelson, Chair

4. Agreement for St. Louis County Website Redesign Discovery Services [16-441]

Central Management & Intergovernmental Committee, Commissioner Jewell, Chair

5. Reschedule Location for October 25, 2016 and November 1, 2016 County Board Meetings [16-442]
6. Transfer of Information Specialist I from the Recorder's Office to the Assessor's Office [16-443]

ESTABLISHMENT OF PUBLIC HEARINGS:

Finance & Budget Committee, Commissioner Nelson, Chair

1. Establish a Public Hearing to Consider Adoption of the 2017 Fee Schedule (Tuesday, November 8, 2016, 9:40 a.m., St. Louis County Courthouse, Duluth, MN) [16-444]

REGULAR AGENDA:

For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

Public Works & Transportation Committee, Commissioner Stauber, Chair

1. **Award of Bids: Guardrail Project at Various County Locations** [16-445]
Resolution awarding a bridge railing transitions guardrail project at various locations in the county to low bidder Northland Constructors, Duluth, MN.
2. **Resolution of Support to Develop and Implement U.S. Bicycle Route 41** [16-446]
Resolution of support for MnDOT's planned United States Bicycle Route 41 which will connect St. Paul to Grand Portage State Park by way of Duluth.
3. **State Contract Purchase of Tandem Axle Diesel Trucks** [16-447]
Resolution authorizing the purchase of ten (10) tandem axle diesel trucks at state contract pricing from Twin Cities Mack & Volvo of Roseville, MN.

4. State Contract Purchase of Dump Bodies with Hydraulic Systems and Snow Fighting Equipment [16-448]

Resolution authorizing the purchase and installation of ten (10) dump bodies with hydraulic systems, and snow fighting equipment at state contract pricing from Towmaster Inc. of Litchfield, MN.

Finance & Budget Committee, Commissioner Nelson, Chair

1. Addendum to St. Louis County Purchasing Rules and Regulations to Comply with “Uniform Administrative Requirements for Federal Awards” [16-449]

Resolution authorizing an addendum to the St. Louis County Purchasing Rules and Regulations identified as “Section VII”, to conform to the “Uniform Administrative Requirements for Federal Awards.”

2. Health and Dental Plan Rates – 2017 [16-450]

Resolution implementing recommended 2017 health and dental plan rates for employees and retirees.

Central Management & Intergovernmental Committee, Commissioner Jewell, Chair

1. Social Media Policy [16-451]

Resolution authorizing a county-wide policy to ensure social media resources are deployed and used in a professional, effective and respectful manner.

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 11, 2016 **Lakewood Town Hall, 3110 Strand Road/CR 286, Duluth, MN**

October 25, 2016 **Cotton Town Hall, 9087 Highway 53, Cotton, MN**

November 1, 2016 **St. Louis County Courthouse, Duluth, 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 27, 2016

Location: Ely City Hall, Ely, Minnesota

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

Absent: Chair Raukar

Convened: Vice-Chair Jewell called the meeting to order at 10:37 a.m.

CONSENT AGENDA

Nelson/Boyle moved to approve the consent agenda. The motion passed. (6-0, Raukar absent)

- Minutes of September 13, 2016
- Health and Human Service Annual Conference Facility Payment [16-420]
- Reallocation of Information Specialist I to Financial Worker [16-421]
- Reallocation of Information Specialist I to Triage Social Worker [16-422]
- Respite Services for Children with Autism Grant Agreements [16-423]
- Cancellation of Contract for Repurchase of State Tax Forfeited Land – Vanert [16-424]
- Repurchase of State Tax Forfeited Land – Friedman/Nelson (Homestead) [16-425]
- Utility Easement on State Tax Forfeited Land (Ault Township) [16-426]
- Approval of Registered Land Survey No. 135 (Greenwood Township) [16-427]
- Amendment to Agreement with Erickson Engineering for Design Services on Bridge 823 (Kabetogama Township) [16-428]
- Violation of St. Louis County Ordinance No. 28 – Riverside Inn (French Township) [16-429]
- Violation of St. Louis County Ordinance No. 28 – Super One (Canosia Township) [16-430]
- Violation of St. Louis County Ordinance No. 28 – Wayside Bottle Shop, Inc. (New Independence Township) [16-431]
- Violation of St. Louis County Ordinance No. 28 – El Toro Lounge (Cotton Township) [16-432]
- Agreement with Twin Ports Mailing [16-433]
- Abatement List for Board Approval [16-434]
- Extension of Agreement for Labor Negotiations, Grievance and Arbitration Professional Services [16-435]

Establishment of Public Hearings

Nelson/Boyle moved 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 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. 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. [16-417]. After further discussion, the motion was amended to change the meeting time to 11:00 a.m. The amended motion passed. (6-0, Raukar absent)

COMMISSIONER DISCUSSION ITEMS AND REPORTS

Commissioner Nelson indicated that volunteer fire departments have expressed concern regarding the inconsistency of 911 emergency signage throughout St. Louis County and said Sheriff Litman was working to secure grant funding for additional signage.

Commissioner Stauber agreed that 911 emergency signage must be improved and discussed the City of Hermantown's effort to improve signage within their jurisdiction.

Commissioner Rukavina commented that a neighbor of his had an emergency and the response was delayed because the emergency responders could not find the location due to the lack of signage.

Commissioner Jewell said that he recently attended a Duluth Harbor Aquatic Invasive Species training session. Commissioner Jewell said that impervious surfaces result in excess rainwater runoff; every inch of rain in the Miller Hill Mall area results in 229,000 gallons of rainwater runoff into Miller Creek. Commissioner Jewell indicated that there is a new pervious surface design for the Miller Hill Mall parking lot that will decrease rainwater run-off.

Commissioner Nelson discussed the opening of the fire brigade in Cook and said the building was funded with private money.

At 11:07 a.m., Nelson/Boyle moved to adjourn the Committee of the Whole meeting. The motion passed. (6-0, Raukar absent)

Steve Raukar, Chair of the County Board

Phil Chapman, Clerk of the County Board

BOARD LETTER NO. 16 - 438

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 1

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Repurchase of State Tax
Forfeited Land – Ringsred,
Rivet (Non-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 applications 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 properties to be repurchased forfeited to the State of Minnesota on November 19, 2015. Eric & Deborah Ringsred of Duluth, MN, and Barbara Jo Rivet, heir of Barbara Skerjance, of Solon Springs, WI, have made application to repurchase these properties and are eligible to repurchase the properties. The repurchase of these non-homestead properties 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 requests of Eric & Deborah Ringsred of Duluth, MN and Barbara Jo Rivet, heir of Barbara Skerjance, of Solon Springs, WI. The repurchase fees listed below are to be deposited into Fund 240 (Forfeited Tax Fund).

Eric & Deborah Ringsred, Duluth, MN

Parcel Code	010-1480-05510
Taxes and Assessments	\$1,824.93
Service Fees	\$114.00
Deed Tax	\$6.02
Deed Fee	\$25.00
Recording Fee	\$46.00
Total Consideration	\$2,015.95

Barbara Jo Rivet, Solon Springs, WI

Parcel Code	141-0010-01130
Taxes and Assessments	\$16,740.04
Service Fees	\$114.00
Deed Tax	\$55.24
Deed Fee	\$25.00
Recording Fee	\$46.00
Locks & Hasps	\$36.00
Total Consideration	\$17,016.28

Repurchase of State Tax Forfeited Land – Ringsred (Non-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, Eric & Deborah Ringsred of Duluth, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF DULUTH
N 100 FT OF LOT 2, BLOCK 84
ENDION DIVISION OF DULUTH
010-1480-05510

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 Eric & Deborah Ringsred of Duluth, MN, on file in County Board File No._____, subject to payments including total taxes and assessments of \$1,824.93, service fee of \$114, deed tax of \$6.02, deed fee of \$25, and recording fee of \$46; for a total of \$2,015.95, 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, Eric Ringsred, 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, N 100 FT of LOT 2, BLOCK 84, ENDION DIVISION OF 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 2011 and remained delinquent and unpaid for the subsequent years of: 2012,2013,2014,2015

That pursuant to Minnesota Statutes, the total cost of repurchase \$1,923.55 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.

Paperwork got lost - per Beebe, Robin (Secretary)

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): Eric Ringsred

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: 1-29 2016

By:  (Signature)

Address: 1510 E 2nd St.
City: Duluth State: Mn Zip: 55812
Phone: 918 260-3099



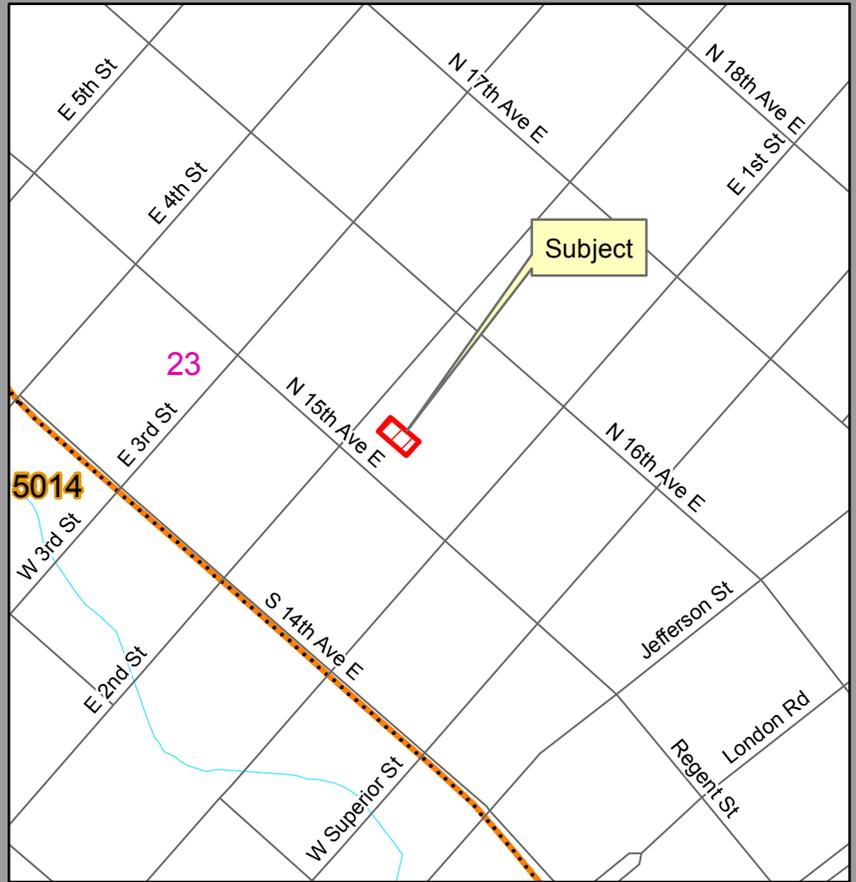
St. Louis County Land & Minerals Department Tax Forfeited Land Sales

Repurchase of Property

Legal : CITY OF DULUTH
N 100 FT of LOT 2, BLOCK 84
ENDION DIVISION OF DULUTH

Parcel Code : 010-1480-05510

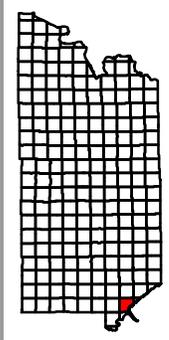
LDKEY : 121878



City of Duluth Sec: 23 Twp: 50 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



Repurchase of State Tax Forfeited Land – Rivet (Non-Homestead)

BY COMMISSIONER: _____

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

WHEREAS, The applicant Barbara Jo Rivet, heir of Barbara Skerjance, of Solon Springs, WI has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
S 5 AC OF N 20 AC OF LOT 12 BEING THE S
142 30/100 FT OF N 570 50/100 FT OF LOT
12 OR SW 1/4 OF SW 1/4
SEC 6 TWP 56 RGE 20
141-0010-01130

WHEREAS, The applicant was the heir of the owner of record at the time of forfeiture and is eligible to repurchase the property; and

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

THEREFORE, BE IT RESOLVED, That the St Louis County Board approves the repurchase application by Barbara Jo Rivet, heir of Barbara Skerjance, of Solon Springs, WI, on file in County Board File No. _____, subject to payments including total taxes and assessments of \$16,740.04, service fee of \$114, deed tax of \$55.24, deed fee of \$25, recording fee of \$46, and locks and hasps of \$36; for a total of \$17,016.28, 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, Barb Rivet, 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 HIBBING, S 5 AC OF N 20 AC OF LOT 12 BEING THE S 142 30/100 FT OF N 570 50/100 FT OF LOT 12 OR SW 1/4 OF SW 1/4, Sec 6 Twp 56 Rge 20

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 2009 and remained delinquent and unpaid for the subsequent years of: 2010,2011,2012,2013,2014,2015

That pursuant to Minnesota Statutes, the total cost of repurchase \$16,871.60 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.

My brother Joseph Anthony Skerjance Jr wa Living in the home and never paid the Taxes. I was totally unaware of him not keeping upon 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): Barbara Jo Rivet (Skerjance)

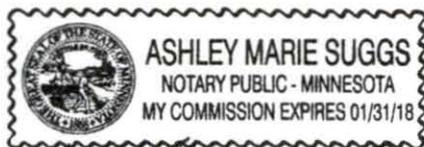
Are you currently in active military service? NO

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: 9-10 2016

By: [Signature] (Signature)

Address: 10740 E Warring Rd
City: Solon Springs State: WI Zip: 54873
Phone: 715-378-2919



Ashley Marie Suggs 9-10-2016



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

Repurchase of Property

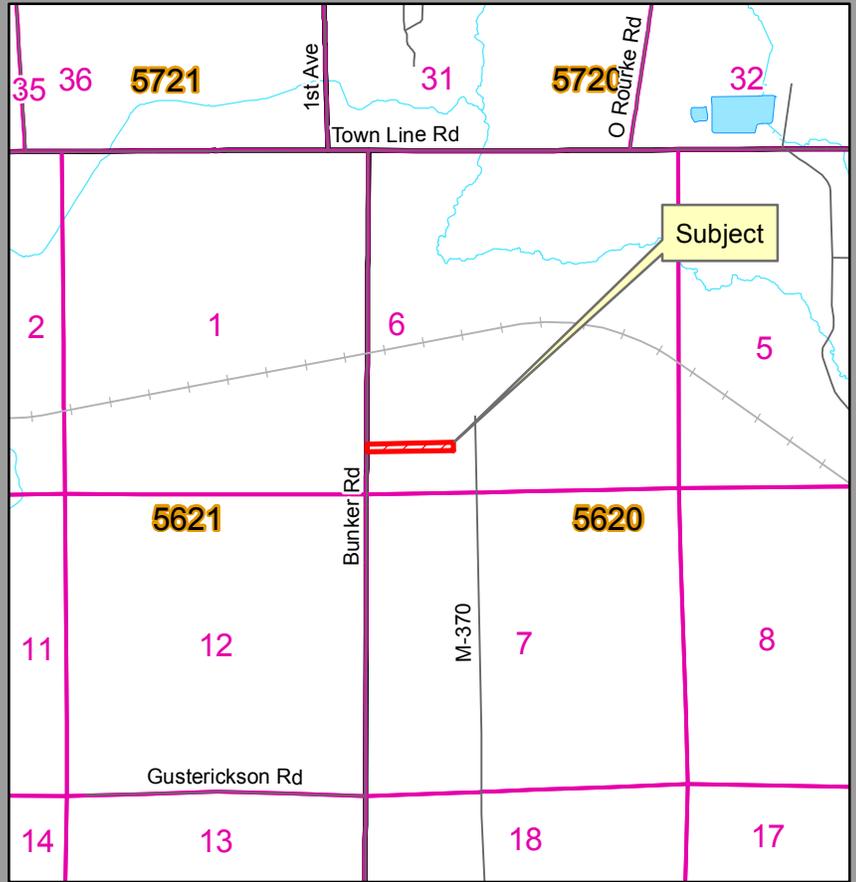
Legal : CITY OF HIBBING
S 5 AC OF N 20 AC OF LOT 12 BEING
THE S142 30/100 FT OF N 570 50/100
FT OF LOT12 OR SW 1/4 OF SW 1/4,
Sec 6 Twp 56 Rge 20

Parcel Code : 141-0010-01130

LDKEY : 122050

Acres: 5.0

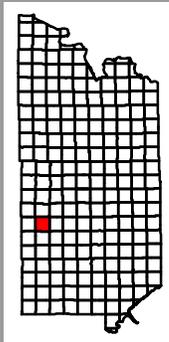
Address: 3326 Bunker Rd
Hibbing, MN 55746



City of Hibbing Sec: 6 Twp: 56 Rng: 20

Commissioner District # 7

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



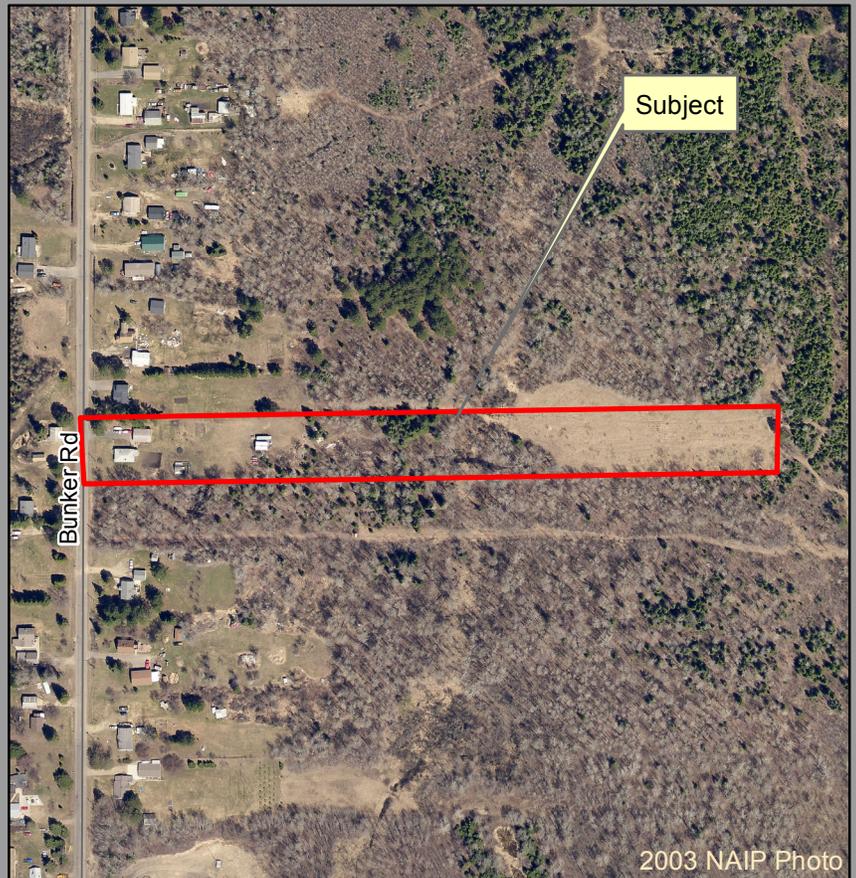
St. Louis County, Minnesota

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



2016



2003 NAIP Photo

BOARD LETTER NO. 16 - 439

ENVIRONMENT & NATURAL RESOURCES COMMITTEE CONSENT NO. 2

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Utility Easement across State
Tax-Forfeited Land to Lake
Country Power (Cedar Valley and
Unorganized Township 55-21)

FROM: Kevin Z. Gray
County Administrator

Mark Weber, Director
Land and Minerals

Donald Dicklich
County Auditor

RELATED DEPARTMENTAL GOAL:

Performing public services.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a utility easement across state tax-forfeited land in Cedar Valley and Unorganized Township 55-21.

BACKGROUND:

Lake Country Power is requesting a utility easement across state tax-forfeited land to replace an existing overhead electrical line. The width of the easement is 50 feet, and the total length is 8,414.02 feet, with a total area of 9.66 acres, excluding two segments of the described easement which cross privately owned land. Exercising the easement will not cause significant adverse environmental or natural resource management impacts, and will not conflict with public use of the land.

RECOMMENDATION:

It is recommended that the St. Louis County Board grant a utility easement across state tax-forfeited land to Lake Country Power for the amount of \$8,230 land use fee, \$100 administration fee and \$46 recording fee; for a total of \$8,376 to be deposited into Fund 240 (Forfeited Tax Fund).

**Utility Easement across State Tax-Forfeited Land to Lake Country Power
(Cedar Valley and Unorganized Township 55-21)**

BY COMMISSIONER _____

WHEREAS, Lake Country Power has requested a utility easement across state tax-forfeited land to replace an existing overhead electrical line; and

WHEREAS, Exercising the easement will not conflict with public use of land; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a utility easement to Lake Country Power over, under and across state tax-forfeited lands as described in County Board File _____.

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$8,230 land use fee, \$100 administration fee and \$46 recording fee; for a total of \$8,376 to be deposited into Fund 240 (Forfeited Tax Fund).

**Utility Easement across State Tax-Forfeited Land to Lake Country Power
(Cedar Valley and Unorganized Township 55-21)**

A 50 foot wide easement for utility purposes over and across all those parts of the SE1/4 of SE1/4, Section 6, AND the SW1/4 of SW1/4, NE1/4 of SW1/4, SE1/4 of NW1/4, SW1/4 of NE1/4, and Government Lot 1, in Section 5, Township 54 North, Range 21 West, St. Louis County, Minnesota, that lies within 25 feet on both sides of the following described centerline:

Assuming the South line of the West half of Section 5 to have a bearing of South 89 degrees 09 minutes 29 seconds West, and commencing at the Southwest corner of said Section 5; thence North 89 degrees 36 minutes 41 seconds West, along the South line of said Section 6, a distance of 413.22 feet to the point of beginning; thence North 4 degrees 40 minutes 31 seconds East, a distance of 157.45 feet; thence North 37 degrees 31 minutes 57 seconds East, a distance of 792.21 feet; thence North 49 degrees 53 minutes 39 seconds East, a distance of 3103.85 feet; thence North 20 degrees 43 minutes 22 seconds East, a distance of 203.16 feet; thence North 49 degrees 55 minutes 59 seconds East, a distance of 1348.90 feet; thence North 40 degrees 48 minutes 16 seconds East, a distance of 189.93 feet; thence North 25 degrees 30 minutes 13 seconds East, a distance of 887.97 feet; thence North 18 degrees 13 minutes 24 seconds East, a distance of 471.61 feet, more or less, to the North line of said Gov't Lot 1. In Section 5 and there terminating. The sidelines of said easement are to be extended to and truncated by the South line of the SE1/4 of SE1/4, Section 6, and the North line of Gov't Lot 1, Section 5. The easement does not include any portion of land lying within the privately owned Gov't Lot 2 and NW1/4 of SW1/4, both In Section 5.

AND

A 50 foot wide easement for utility purposes over and across all those parts of the SE1/4 of SE1/4, NE1/4 of SE1/4, and NW1/4 of SE1/4, in Section 32, Township 55 North, Range 21 West, St. Louis County, Minnesota, that lies within 25 feet on both sides of the following described centerline:

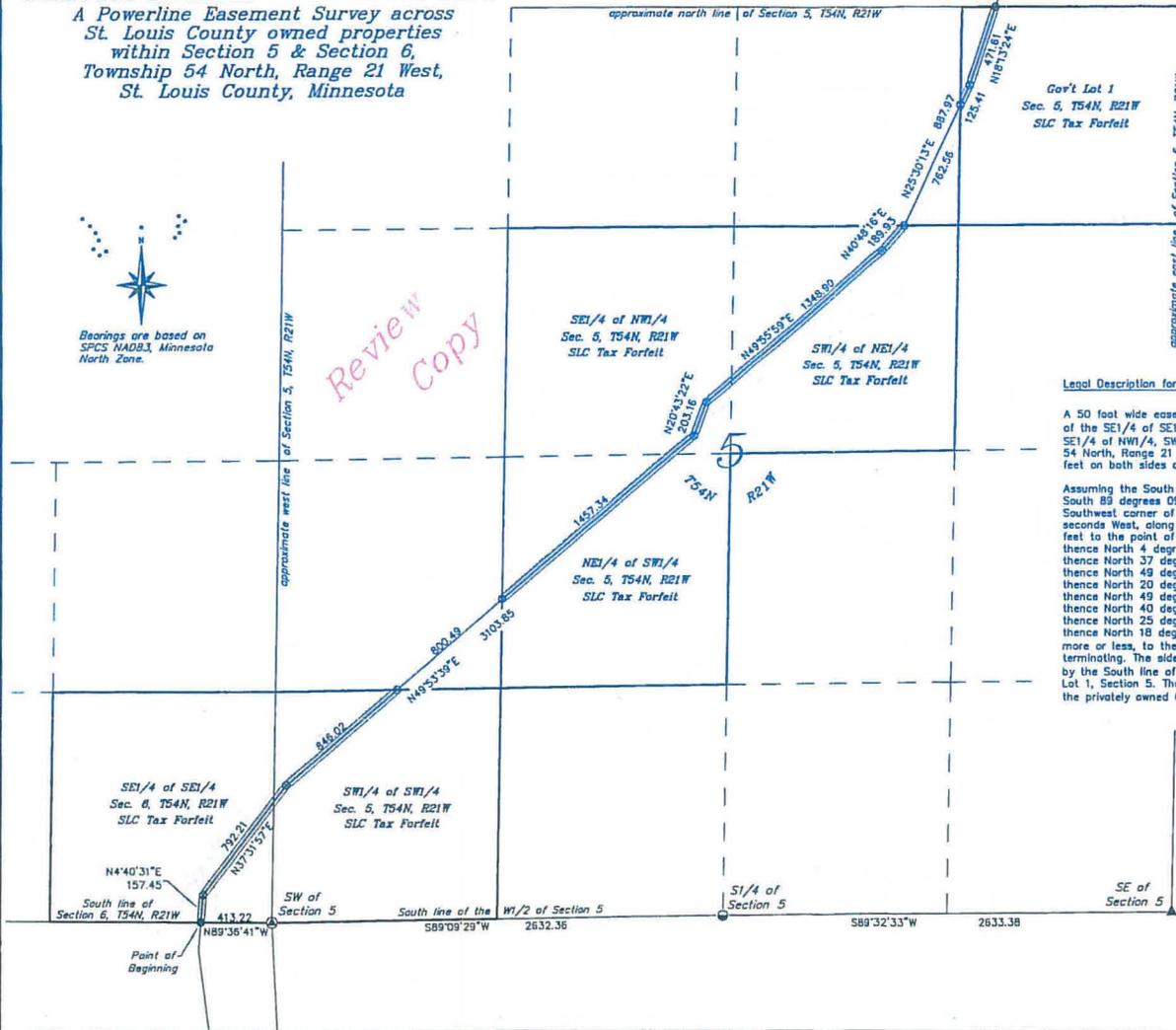
Assuming the North line of the East half of Section 32 to have a bearing of South 89 degrees 53 minutes 47 seconds West, and commencing at the Northwest corner of said East 1/2 of Section 32; thence South 29 degrees 43 minutes 53 seconds East, a distance of 2991.70 feet to a point on the approximate North line of the NE1/ of SE1 /4 and the the point of beginning; thence South 48 degrees 30 minutes 01 seconds West, a distance of 133.75 feet; thence South 37 degrees 43 minutes 47 seconds West, a distance of 284.50 feet; thence South 15 degrees 02 minutes 18 seconds West, a distance of 284.34 feet; thence South 15 degrees 29 minutes 17 seconds East, a distance of 276.51 feet; thence South 22 degrees 45 minutes 23 seconds East, a distance of 551.98 feet; thence South 15 degrees 19 minutes 21 seconds East, a distance of 738.34 feet; thence South 9 degrees 03 minutes 54 seconds East, a distance of 307.96 feet; thence South 18 degrees 13 minutes 24 seconds West, a distance of 244.61 feet, more or less, to the South line of said SE1/4 of SE1/4 and there terminating. The sidelines of said easement are to be extended to and truncated by the North line of said NE1/4 of SE1/4, and the South line of said SE1/4 of SE1/4, Section 32.

CERTIFICATE OF SURVEY

A Powerline Easement Survey across
St. Louis County owned properties
within Section 5 & Section 6,
Township 54 North, Range 21 West,
St. Louis County, Minnesota



Review Copy



- LEGEND**
- ⊙ Aluminum Capped Pipe
 - ▲ Steel Fence Post
 - ⊙ Capped Rebar marked RLS 18089
 - ⊙ Calculated Position

Legal Description for Powerline Easement across St. Louis County Tax Forfeit Land

A 50 foot wide easement for utility purposes over and across all those parts of the SE1/4 of SE1/4, Section 6, AND the SW1/4 of SW1/4, NE1/4 of SW1/4, SE1/4 of NW1/4, SW1/4 of NE1/4, and Government Lot 1, in Section 5, Township 54 North, Range 21 West, St. Louis County, Minnesota, that lies within 25 feet on both sides of the following described centerline:

Assuming the South line of the West half of Section 5 to have a bearing of South 89 degrees 09 minutes 29 seconds West, and commencing at the Southwest corner of said Section 5; thence North 89 degrees 36 minutes 41 seconds West, along the South line of said Section 6, a distance of 413.22 feet to the point of beginning; thence North 4 degrees 40 minutes 31 seconds East, a distance of 157.45 feet; thence North 37 degrees 31 minutes 57 seconds East, a distance of 792.21 feet; thence North 49 degrees 53 minutes 39 seconds East, a distance of 3103.85 feet; thence North 20 degrees 43 minutes 22 seconds East, a distance of 203.16 feet; thence North 49 degrees 55 minutes 59 seconds East, a distance of 1348.90 feet; thence North 40 degrees 48 minutes 16 seconds East, a distance of 189.93 feet; thence North 25 degrees 30 minutes 13 seconds East, a distance of 887.97 feet; thence North 18 degrees 13 minutes 24 seconds East, a distance of 471.61 feet, more or less, to the North line of said Gov't Lot 1, in Section 5 and there terminating. The sidelines of said easement are to be extended to and truncated by the South line of the SE1/4 of SE1/4, Section 6, and the North line of Gov't Lot 1, Section 5. The easement does not include any portion of land lying within the privately owned Gov't Lot 2 and NW1/4 of SW1/4, both in Section 5.



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mike Smith License No. 48557
Date: _____



1518 8th St. So.
Virginia, MN, 55792
Phone: (218) 741-2573
northernlights@survey.com

PREPARED FOR:
Lake Country Power

SECTION: 6 & 8
TOWNSHIP: 54 NORTH
RANGE: 21 WEST
COUNTY: St. Louis

DATE: 6/16/2018
DRAWN BY: MFS
JOB NO.: 20016-018
DRAWING NO.: 20016018

Exhibit B

CERTIFICATE OF SURVEY

A Powerline Easement Survey across
St. Louis County properties
within the SE 1/4 of Section 32
Township 55 North, Range 21 West,
St. Louis County, Minnesota

Legal Description for Powerline Easement across St. Louis County Tax Forfeit Land

A 50 foot wide easement for utility purposes over and across all those parts of the SE1/4 of SE1/4, NE1/4 of SE1/4, and NW1/4 of SE1/4, in Section 32, Township 55 North, Range 21 West, St. Louis County, Minnesota, that lies within 25 feet on both sides of the following described centerline:

Assuming the North line of the East half of Section 32 to have a bearing of South 89 degrees 53 minutes 47 seconds West, and commencing at the Northwest corner of said East 1/2 of Section 32; thence South 29 degrees 43 minutes 53 seconds East, a distance of 2991.70 feet to a point on the approximate North line of the NE1/4 of SE1/4 and the point of beginning; thence South 48 degrees 30 minutes 01 seconds West, a distance of 133.75 feet; thence South 37 degrees 43 minutes 47 seconds West, a distance of 284.50 feet; thence South 15 degrees 02 minutes 18 seconds West, a distance of 284.34 feet; thence South 15 degrees 29 minutes 17 seconds East, a distance of 276.51 feet; thence South 22 degrees 45 minutes 23 seconds East, a distance of 551.98 feet; thence South 15 degrees 19 minutes 21 seconds East, a distance of 738.34 feet; thence South 9 degrees 03 minutes 54 seconds East, a distance of 307.96 feet; thence South 18 degrees 13 minutes 24 seconds West, a distance of 244.61 feet, more or less, to the South line of said SE1/4 of SE1/4 and there terminating. The sidelines of said easement are to be extended to and truncated by the North line of said NE1/4 of SE1/4, and the South line of said SE1/4 of SE1/4, Section 32.

LEGEND

- ⊗ Aluminum Capped Pipe
- Steel Pipe
- ⊗ Calculated Position



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

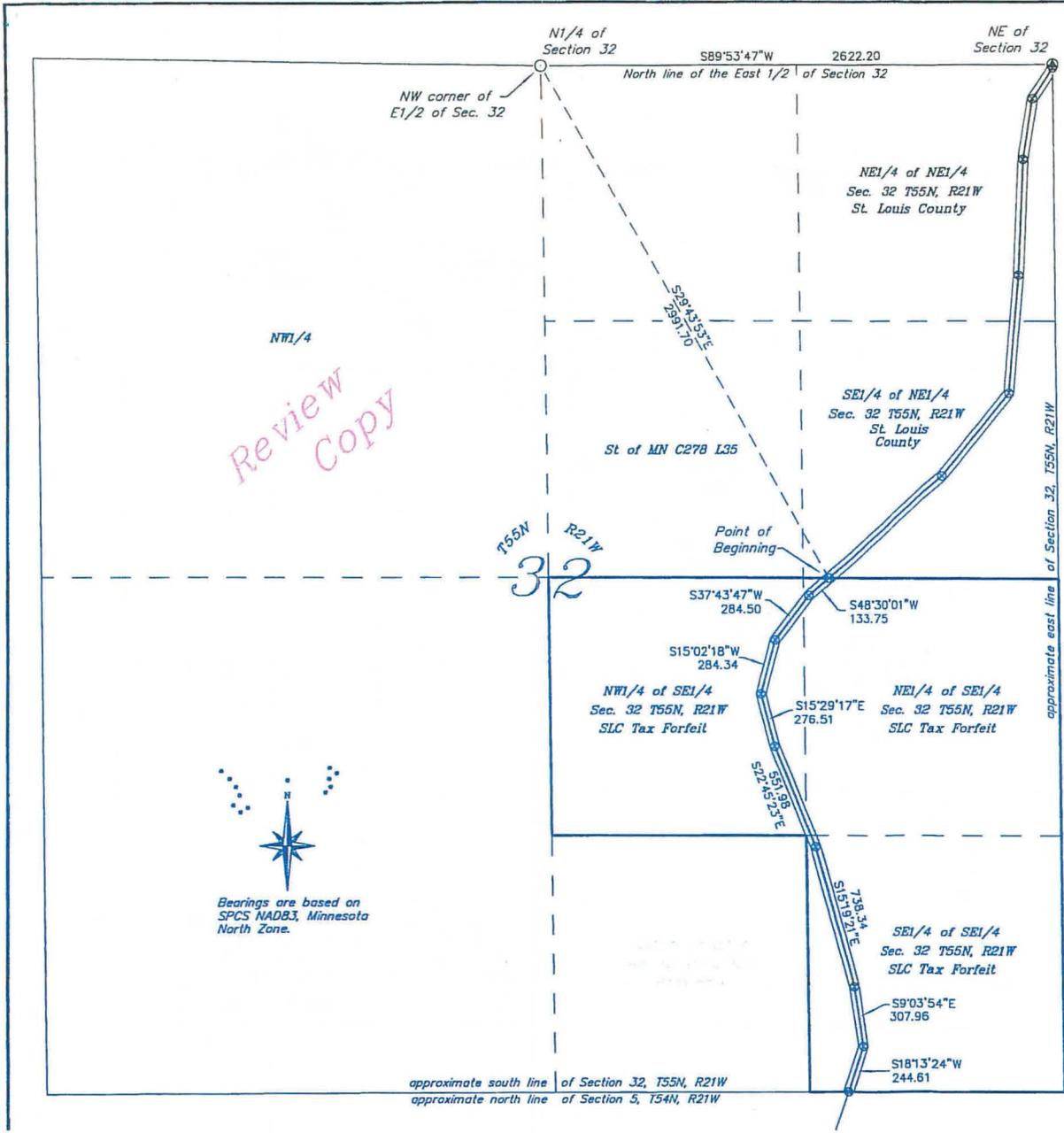
Mike Smith
Date: _____ License No. 46557

Northern Lights
Surveying Co.
1518 8th St. So.
Virginia, MN, 55792
Phone: (218) 741-2575
northernlights@nlsurvey.com

PREPARED FOR:
Lake Country Power

SECTION: 32
TOWNSHIP: 55 NORTH
RANGE: 21 WEST
COUNTY: St. Louis

DATE: 6/16/2018
DRAWN BY: MWS
JOB NO: VE018-018



Review Copy

Bearings are based on
SPCS NAD83, Minnesota
North Zone.

approximate south line of Section 32, T55N, R21W
approximate north line of Section 5, T54N, R21W

BOARD LETTER NO. 16 – 440

PUBLIC WORKS & TRANSPORTATION COMMITTEE
CONSENT NO. 3

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** State Contract Purchase of
Field Service Truck Equipment
Package

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 approve the State Contract purchase of one field service truck equipment package from Towmaster Equipment Company of Litchfield, MN.

BACKGROUND:

The Public Works Department's 2016 equipment budget includes the purchase and installation of a field service equipment package for one truck chassis purchased separately. This unit will be replacing an old unit at the Public Works Pike Lake Facility.

The field service equipment package will include a crane, generator-welder, torches, air compressor, tool storage, hose reels, and work lights along with all necessary miscellaneous gear for field repairs. The equipment package and installation will be purchased from Towmaster Inc. of Litchfield, MN, through the Minnesota State Contract for a purchase price of \$89,501, which is within that budgeted for the purchase.

RECOMMENDATION

It is recommended that the St. Louis County Board authorize the State Contract purchase and installation of one field service equipment package from Towmaster Inc. of Litchfield, MN, in the amount of \$89,501, payable from Fund 407, Agency 407001, and Object 665900.

State Contract Purchase of Field Service Truck Equipment Package

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department equipment budget includes a field service truck package for a truck chassis purchased separately; and

WHEREAS, Towmaster Inc. of Litchfield, MN responded with the State Contract quotation for one field service truck package for \$89,501;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase and installation of one field service truck equipment package from Towmaster Inc. of Litchfield, MN for \$89,501, payable from Fund 407, Agency 407001, Object 665900.

BOARD LETTER NO. 16 – 441

FINANCE & BUDGET COMMITTEE CONSENT NO. 4

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Agreement for St. Louis
County Website Redesign
Discovery Services

FROM: Kevin Z. Gray
County Administrator

Jeremy Craker, Director
Information Technology

RELATED DEPARTMENT GOAL:

To ensure that the St. Louis County website provides information and resources to county citizens in a user friendly format.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize a professional services contract for research and graphic design as the Information Technology (IT) Department works to redesign the St. Louis County website.

BACKGROUND:

The St. Louis County website is a key source of information for residents and businesses in the county, averaging over 300,000 visitors on a monthly basis and growing. Also growing is the number of people accessing the county's website from a mobile device. The website has not undergone a major redesign in more than five years, and does not adapt well for people using a smart phone or tablet.

This was reflected in the results of the February 2016 Citizen Survey, in which respondents were asked to rate various county services. The accessibility and functionality of the county website (e.g., property information, program registration, meeting agendas/materials) received an average rating of only 52 out of a possible 100, far below the national average. This number has remained relatively constant over the last two citizen surveys.

Seeing an opportunity for improvement, the IT Department and Administration will be partnering with Creative Arcade, a marketing and graphic design firm headquartered in Duluth, to provide initial discovery services, including analysis of the current website, make recommendations for the organization of content, and design of a new website. The redesign will address the usability and accessibility of the website and its contents while providing mobile compatibility.

The key deliverables from this initial discovery will be a website design that is consistent with the county's other marketing outreach materials, and a framework that will aid the IT Department in considering options and overall cost to develop the recommended design during the implementation phase of the project.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize a professional services agreement with Creative Arcade of Duluth, MN, for the initial discovery work necessary to generate a website redesign plan, with a total onetime cost of \$43,800, payable from Fund 100, Agency 117001, Object 629900, with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139.

Agreement for St. Louis County Website Redesign Discovery Services

BY COMMISSIONER _____

WHEREAS, In 2016 the results of a Citizens Survey identified the need for St. Louis County to update its website to make information more readily accessible; and

WHEREAS, The Information Technology (IT) Department in coordination with Administration began a search for an agency that St. Louis County could partner with to provide initial discovery services for the purpose of analyzing the current website and helping develop a plan for a future website redesign; and

WHEREAS, The key deliverable from this initial discovery will be a website design framework which will aid the IT Department in considering options and overall cost to develop the recommended design during a future implementation phase of the project; and

WHEREAS, Creative Arcade was selected as the preferred professional services partner to complete the initial discovery of the St. Louis County Website Redesign with a total onetime cost of \$43,800;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a professional services agreement with Creative Arcade of Duluth, MN, for initial discovery services for a future county website redesign, in the amount of \$43,800, payable from Fund 100, Agency 117001, Object 629900, with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139.

APPENDIX C

St. Louis County "Sole Source" Procurement Justification

Competitive bidding is not required when by reason of a copyright, patent, or exclusive franchise, purchases can be only made at a standard, fixed, or uniform price and no advantage can be secured by advertisement and competitive bidding because of the noncompetitive nature of the item(s) to be purchased.

This form must be approved by the Purchasing Division Procurement Manager for any "sole source" procurement estimated to exceed \$25,000. The purpose of this justification is to demonstrate why it is impractical or impossible to seek competitive bids for this purchase.

Estimated amount of this purchase \$43,800

Please answer the following questions on a separate sheet in detail (referencing each question by number):

1. What vendor or business will be providing the item(s) requested to be purchased?
Include address and other contact information. Please attach the quote received from the vendor.

Creative Arcade (Jeff Ruprecht and Phil Davidson – partners)
371 Canal Park Drive, Duluth, MN 55802
creativearcade.design
218-393-3151
jeff@creativearcade.design

2. What is it about this purchase that makes it unique? (i.e., patents/copyrights, need compatibility with existing - why?, space constraints, must match equipment with another public jurisdiction, consequences if this were put out for bid, etc.)

For consistency in branding, it is important that our outreach efforts share a similar look and feel. Brand consistency is important because people are more likely to recognize messages that they've seen before, which leads to faster and more effective communications. Creative Arcade has been involved in designing all of the county's major marketing pieces in the last two to three years, including brochures, billboards and other materials, providing a consistent look and more polished and professional image. The one glaring exception to this is the county's website, which is arguably our most important outreach tool. As we work to redesign the website to make it more mobile friendly, this is the ideal time to match the brand of our other marketing materials.

3. What steps have you taken to determine this is the only product/service that will meet your particular needs? (i.e., professional opinions/correspondence, trade publications, trade shows, personal visits or correspondence with vendor, other institutions that have installed the same product, other site visitations, etc.)

Dana Kazel has been working in the marketing field for more than 10 years prior to coming to the County, and she know's from experience the importance of brand consistency. Significant research has been done regarding how many times a person needs to see a message before finally noticing it. To have

our website designed by the same company that produces our other external marketing materials will greatly enhance the effectiveness of both.

4. Will this purchase tie St. Louis County to this particular vendor for future purchases? (Either in terms of maintenance that only this vendor will be able to perform and/or if we purchase this item, will we then need more "like" items in the future to match this one?)

Brands and messaging do need to evolve or change over time so as not to grow stale and lose effectiveness. There is nothing in this project that ties us to Creative Arcade beyond the scope of the project, should we determine it's time to change our image/message in the future. Worth noting – the scope of the project is to design templates for various types of pages on the website. It will be the responsibility of our staff who serve as content managers to input information using these various design templates. So we are responsible in-house for maintaining the website moving forward.

5. On your attachment, please affirmatively state, "No other vendor can provide the same or a similar product/service," and enclose any other information which will help make the determination that this is a sole source procurement.

Based on Creative Arcade's previous design services provided, as well as their knowledge and experience working with us, we can state that no other vendor can provide the same or a similar product/service – a website design that is consistent with our brand message.

I am aware that Minnesota statutes require procurements to be competitively bid whenever practicable. The preceding statements are complete and accurate, based on my professional judgment and investigations. I also certify that no personal advantage will accrue to me or any member of my immediate family as a result of this procurement.

Procurement Manager: Donna M Viskoe

Signature of Procurement Manager: Donna M Viskoe, CPPD, CPPB

Department contact person and phone: Jeremy Craker

IT Director 218-726-2333

Purchasing representative assigned to project: Donna M Viskoe 09/28/2016

Date: 03/16/2016

BOARD LETTER NO. 16 - 442

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 5

BOARD AGENDA NO.

DATE: October 4, 2016

RE: Reschedule Location for
October 25, 2016 and
November 1, 2016 County
Board Meetings

FROM: Kevin Z. Gray
County Administrator

RELATED DEPARTMENT GOAL:

To provide effective and efficient government.

ACTION REQUESTED:

The St. Louis County Board is requested to reschedule the locations of the October 25, and November 1, 2016 County Board meetings.

BACKGROUND:

Due to unexpected location scheduling difficulties, it is necessary for the October 25 and November 1 meetings of the St. Louis County Board to re-located by reversing the proposed locations between the Cotton Town Hall and the County Courthouse in Duluth.

RECOMMENDATION:

It is recommended that the St. Louis County Board adjust its 2016 Board Meeting Schedule to substitute the location of its October 25th meeting from the Cotton Town Hall to the County Courthouse, Duluth. It is further recommended that the November 1st meeting location be changed from the County Courthouse, Duluth, to the Cotton Town Hall. The meetings will begin at 9:30 a.m. as previously scheduled.

**Reschedule Location for October 25, 2016 and November 1, 2016
County Board Meetings**

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board will adjust its 2016 Board Meeting Schedule to substitute the meeting location of its October 25th meeting from the Cotton Town Hall to the County Courthouse, Duluth.

RESOLVED FURTHER, That the St. Louis County Board will adjust its 2016 Board Meeting Schedule to substitute the meeting location of its November 1st meeting from the County Courthouse, Duluth to the Cotton Town Hall.

**ST. LOUIS COUNTY BOARD
2016 BOARD MEETING SCHEDULE
All meetings at 9:30 a.m. unless otherwise indicated**

BOARD MEETING DATE	MEETING LOCATION
January 5	Duluth Courthouse
January 12	Duluth Courthouse
January 26	Fayal Town Hall
February 2	Duluth Courthouse
February 9	Hermantown City Council Chambers
February 16	Hibbing City Council Chambers
March 1	Duluth Courthouse
March 8	Babbitt City Hall
March 22	Duluth Courthouse
April 5	Duluth Courthouse
April 12	Rice Lake City Hall
April 26	McDavitt Town Hall
May 3	Duluth Courthouse
May 10	Duluth Courthouse
May 24	Hibbing City Council Chambers
June 7	Duluth Courthouse
June 14	Duluth Courthouse
June 28	Pike Town Hall
July 5	Duluth Courthouse
July 12	Proctor City Hall
July 26	Mt. Iron Community Center
August 2	Duluth Courthouse
August 9	Hibbing City Council Chambers
September 6	Duluth Courthouse
September 13	Duluth Courthouse
September 27	Ely City Hall
October 4	Duluth Courthouse
October 11	Lakewood Town Hall
October 25	Cotton Town Hall
November 1	Duluth Courthouse
November 8	Duluth Courthouse
November 22	Hibbing City Council Chambers
December 13	Hoyt Lakes Community Center
December 20	Duluth Courthouse

**NACo Legislative Conference
Duluth SLC Days at the Capitol
AMC Legislative Conference
NACo Annual Conference
AMC Annual Conference**

**February 20-24, 2016, Washington, DC
March 23-24, 2016, St. Paul
March 10-11, 2016, St. Paul
July 22-25, 2016, Long Beach, CA
December 5-6, 2016, Minneapolis, MN**

BOARD LETTER NO. 16 - 443

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE CONSENT NO. 6

BOARD AGENDA NO.

DATE: October 4, 2016

RE: Transfer of Information
Specialist I position from the
Recorder's Office to the
Assessor's Office

FROM: Kevin Z. Gray
County Administrator

Mark Monacelli, Director
Public Records & Property Valuation

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 authorize the transfer of a current 1.0 FTE Information Specialist I position from the Recorder's Office to the Assessor's Office including corresponding budget adjustments.

BACKGROUND:

Over the years, the Recorder's Office has made significant strides creating an efficient and streamlined service delivery system by transitioning from a paper business model to an electronic business model. Because of this, the Recorder's Office has reduced the FTE staff compliment accordingly and is now in a position to reduce the FTE staff compliment by another 1.0 Information Specialist I position.

To create efficiencies and provide assessors access to property valuation and classification records in the field, and provide clerical support staff improved access using their desktop computers, it is necessary to convert the County Assessor's paper based records to an electronic digital file format. To assist with this conversion, the transfer of a 1.0 FTE Information Specialist I position from the Recorder's Office to the Assessor's Office is being requested.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the transfer of a 1.0 FTE Information Specialist I position from the Recorder's Office to the Assessor's Office effective the first day of the next pay period, October 15, 2016. It is further recommended that the funding for the remainder of 2016 for this position be transferred from Recorder, Fund 121001 to Assessor, Fund 118001.

**Transfer of Information Specialist I Position from the Recorder's Office
to the Assessor's Office**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Recorder's Office has advanced from a paper based business model to an electronic business model that has resulted in reduced time to record, process and retrieve a real estate transaction and is now able to reduce the FTE staff compliment by another 1.0 Information Specialist I position; and

WHEREAS, To provide assessors access to property valuation and classification information using their mobile devices in the field and also provide clerical support staff the with the enhanced capability to review converted paper based records and files using their computer desk top, it is necessary to convert County Assessor's paper based records and files into an electronic digital file format; and

WHEREAS, To accomplish the goal of converting paper based records an additional 1.0 FTE Information Specialist I in the Assessor's Office is required;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of a 1.0 FTE Information Specialist I position from the County Recorder's Office to the County Assessor's Office and that funding for the remainder of 2016 for this position be transferred from the Recorder, Fund 121001 to Assessor, Fund 118001 effective upon the first day of the next pay period, October 15, 2016.

BOARD LETTER NO. 16 – 444

ESTABLISHMENT OF PUBLIC HEARINGS FINANCE & BUDGET COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Establish a Public Hearing to
Consider Adoption of the 2017
Fee Schedule

FROM: Kevin Z. Gray
County Administrator

RELATED DEPARTMENT GOAL:

To manage the preparation of the County Budget and make budget recommendations to the County Board.

ACTION REQUESTED:

The St. Louis County Board is requested to establish a public hearing to receive comment on and adopt the 2017 Fee Schedule.

BACKGROUND:

County departments were asked to review current fees and submit to Administration fees reflecting increased costs due to inflationary pressures or specific products necessary to perform services. Some departments determined that current fees adequately covered the cost of services, and justification for this decision was included in their submittals. Administration reviewed revisions and compiled a proposed fee schedule for various county services which was presented to the County Board as part of its budget discussion at the July 19, 2016 Board Workshop. It is necessary to hold a public hearing on these fees, which have been included in the projected revenues proposed for the 2017 budget.

RECOMMENDATION:

It is recommended that the St. Louis County Board establish a public hearing for Tuesday, November 8, 2016 at 9:40 a.m., St. Louis County Courthouse, Duluth, MN, for the purpose of obtaining public comment and adopting the 2017 fee schedule.

Establish a Public Hearing to Consider Adoption of the 2017 Fee Schedule

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board will convene a public hearing at 9:40 a.m. on Tuesday, November 8, 2016, St. Louis County Courthouse, Duluth, MN, to consider the adoption of the fee schedule for various county services for the year 2017.

BOARD LETTER NO. 16 – 445

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Award of Bids: Guardrail
Project at Various County
Locations

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 award a bridge railing transitions guardrail project to the low qualifying bidder.

BACKGROUND:

County staff is authorized under Resolution No. 88-381, dated May 24, 1988, to call for bids on projects which are already included in the budget document. Bids were requested for a Bridge Railing Transitions with W-Beam Guardrail Bridge project throughout St. Louis County at 39 locations, funded with St. Louis County Transportation Sales Tax funds.

A call for bids was received by the St. Louis County Public Works Department on September 29, 2016, for the project in accordance with the plans and specifications on file in the office of the County Highway Engineer:

1. Project: CP 0025-275062 TST (Prime)

Location:	39 Locations throughout St. Louis County (see attached map)
Traffic:	N.A.
PQI:	N.A.
Construction:	Bridge Railing Transitions with W-Beam Guardrail
Funding:	Fund 204, Agency 204068, Object 652806
Anticipated Start Date:	December 5, 2016
Anticipated Completion Date:	September 29, 2017
Engineer's Estimate:	\$917,580.75

BIDS:

Northland Constructors, Duluth, MN	\$1,210,038.00 (+\$292,457.25, +31.87%)
Mattison Contractors, Knapp, WI	\$1,240,174.96
Redstone Construction, LLC, Mora, MN	\$1,352,217.06

RECOMMENDATION:

It is recommended that the St. Louis County Board award County Project 0025-275062 TST (Prime) for bridge railing transitions at 39 locations in the county, to low bidder Northland Constructors of Duluth, in the amount of \$1,210,038.00 payable from Fund 204, Agency 204068, Object 652806, Transportation Sales Tax Funds.

Award of Bids: Guardrail Project at Various County Locations

BY COMMISSIONER _____

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

CP 0025-275062 TST (Prime), 39 Locations throughout St. Louis County; and

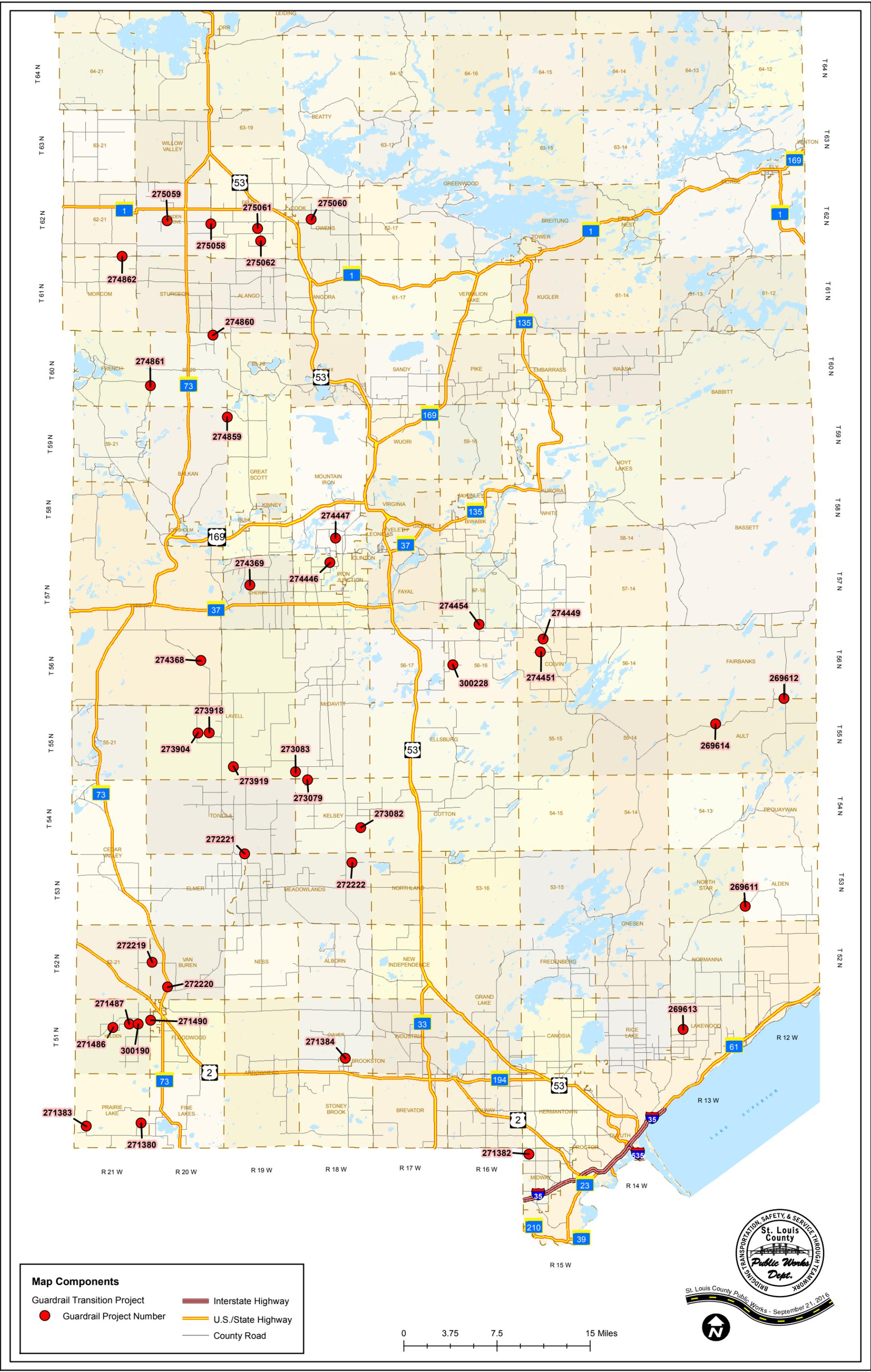
WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on September 29, 2016, and the low responsible bid determined;

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

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors, LLC	4843 Rice Lake Rd. Duluth, MN 55803	\$1,210,038.00

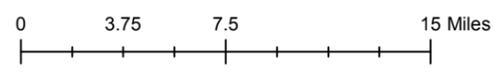
RESOLVED FURTHER, That the appropriate county officials are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

CP 0025-275062 TST (Prime), Fund 204, Agency 204068, Object 652806, \$1,210,038.00



Map Components

Guardrail Transition Project	Interstate Highway
● Guardrail Project Number	U.S./State Highway
	County Road



St. Louis County Public Works - September 21, 2016

BOARD LETTER NO. 16 – 446

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 2

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Resolution of Support to
Develop and Implement U.S.
Bicycle Route 41

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 has been requested by the Minnesota Department of Transportation (MnDOT) to pass a resolution supporting United States Bicycle Route 41 which MnDOT will use to support the route application to the American Association of State Highway and Transportation Officials (AASHTO).

BACKGROUND:

Bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion a year nationally to the economies of communities that provide facilities for this recreational activity. AASHTO has designated a corridor connecting St. Paul, to Grand Portage State Park, through Duluth. MnDOT, in cooperation with road and trail authorities, has proposed a specific route to be designated as United States Bicycle Route 41, a map of which is attached.

The route will travel through St. Louis County along the shoulder of Scenic Highway 61, however, the county will incur no cost for the route or signage. MnDOT has convened several public open houses and offered online public comment opportunities throughout the corridor to gather information and review route alternatives. They will continue to maintain statewide mapping and information regarding this bicycle route convene meetings and facilitate resolving issues and future alignment revisions within the state.

RECOMMENDATION:

It is recommended that the St. Louis County Board pass a resolution for support of United States Bicycle Route 41 through St. Louis County and authorize the resolution to be included in the application to the American Association of State Highway and Transportation Officials for the route.

**A Resolution of St. Louis County
Stating its Support to Develop and Implement U.S. Bicycle Route 41**

BY COMMISSIONER _____

WHEREAS, Bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion a year nationally to the economies of communities that provide facilities for this recreational activity; and

WHEREAS, The American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor connecting St. Paul, to Grand Portage State Park, through Duluth, to be developed as United States Bicycle Route 41; and

WHEREAS, The Minnesota Department of Transportation (MnDOT) has convened several public open houses and offered online public comment opportunities throughout the corridor to gather information and review route alternatives; and

WHEREAS, MnDOT, in cooperation with road and trail authorities, has proposed a specific route to be designated as United States Bicycle Route 41, a map of which is herein incorporated into this resolution by reference; and

WHEREAS, The proposed United States Bicycle Route 41 traverses through St. Louis County and is expected to provide a benefit to local residents and businesses; and

WHEREAS, MnDOT will continue to maintain statewide mapping and information regarding United States Bicycle Route 41, convene meetings and facilitate resolving issues and future alignment revisions within the state; and

WHEREAS, St. Louis County has duly considered said proposed route and determined it to be a suitable route through the county and desires that the route be formally designated so that it can be appropriately mapped and signed, thereby promoting bicycle tourism locally and throughout Minnesota along the corridor;

THEREFORE BE IT RESOLVED, That the St. Louis County Board hereby expresses its approval and support for the development of United States Bicycle Route 41 and requests that the appropriate government officials take action to officially designate the route accordingly as soon as possible.



Draft

South Duluth Area

- USBR 41 Route on City Roads
- USBR 41 Route on City Trails
- USBR 41 Route on Other Jurisdiction Facilities
- City of Duluth

0 2,000 4,000 8,000 Feet August 15, 2016



Draft

North Duluth Area

- USBR 41 Route on City Roads
- USBR 41 Route on City Trails
- USBR 41 Route on Other Jurisdiction Facilities
- City of Duluth

0 2,000 4,000 8,000 Feet

July 18, 2016





W Knife River Rd

Stanley Rd

Hegberg Rd

E Pioneer Rd

Korkki Rd

Holmstead Rd

Lake Co

Hawkhill Rd

Ryan Rd

Berquist Rd

Shilhon Rd

Shilhon Rd

St. Louis Co



Scenic Dr

13th Ave

Lismore Rd

12th Ave

CR-290

Roberg Rd

Smith River Rd

Cant Rd

McQuade Rd

Ryan Rd

Berquist Rd

N Shore Dr

Stoney Point Rd

Lakewood Rd

CR-281

Old North Shore Rd

Lester River Rd

Evans Rd

Cant Rd

McQuade Rd

CSAH 61

N Shore Dr

Strand Rd

McDonnell Rd



Congdon Blvd

Lake Superior

Duluth

Draft

Brighton Beach Rd

St. Louis County

- USBR 41 Route on County Roads
- USBR 41 Route on Other Jurisdiction Roads
- St. Louis County



July 18, 2016

BOARD LETTER NO. 16 – 447

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 3

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** State Contract Purchase of
Tandem Axle Diesel Trucks

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 approve the purchase of ten (10) Mack GU713 tandem axle diesel trucks.

BACKGROUND:

The Public Works Department's revised 2016 equipment budget includes replacement of ten (10) tandem trucks for snow and ice control, and for hauling gravel. These units will replace aging trucks at Public Works facilities. The units that are being replaced are over 20 years old, and either can no longer pass Department of Transportation inspection due to cracked frames etc., or are worn and rusted to the point of needing replacement. State of Minnesota contract pricing was requested for this purchase.

The Mack GU713 was specified for three reasons:

1. The Department has purchased the Mack GU713 for the past nine years and experience with the Mack GU 713 has shown it to be a high quality truck which has been the most reliable and trouble free of the tandems purchased.
2. Reducing the number of different models of trucks in the fleet reduces the amount of parts that are needed on hand, thereby reducing inventory costs.
3. Reducing the number of different models of trucks in the fleet allows mechanics to become familiar with the trucks reducing time spent maintaining, diagnosing and repairing the trucks.

The trucks will be purchased from Twin Cities Mack & Volvo of Roseville, MN, using the available State of Minnesota contract. Warranty service and parts support for the trucks will be provided by Lake Superior Mack and Volvo of Duluth. The purchase will total \$1,143,770 plus 6.5% state sales tax of \$74,345.05 plus Vehicle Excise Tax of \$200 for a total cost of \$1,218,315.05. The cost is within that budgeted for this purchase.

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the purchase of ten (10) 2017 Mack GU713 Tandem Axle Diesel Trucks from Twin Cities Mack & Volvo of Roseville, MN, at the State of Minnesota contract price of \$1,218,315.05, payable from Fund 407, Agency 407001, Object 666300.

State Contract Purchase of Tandem Axle Diesel Trucks

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department's revised equipment budget includes replacement of ten (10) tandem trucks for snow and ice control, and gravel hauling; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested State of Minnesota contract pricing for the Mack GU713, due to its quality, Department experience, savings in inventory, and mechanic familiarity; and

WHEREAS, Twin Cities Mack & Volvo of Roseville, MN, responded with the state contract price for ten (10) Mack GU713 tandem trucks of \$1,143,770, plus 6.5% state sales tax of \$ 74,345.05, plus Vehicle Excise Tax of \$200, for a total cost of \$1,218,315.05;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase of ten (10) 2017 Mack GU713 tandem trucks from Twin Cities Mack and Volvo Trucks of Roseville, MN, for a total cost of \$1,218,315.05, payable from Fund 407, Agency 407001, and Object 666300.

BOARD LETTER NO. 16 – 448

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 4

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** **State Contract Purchase of
Dump Bodies with Hydraulic
Systems and Snow Fighting
Equipment**

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 approve the purchase of ten (10) dump bodies with hydraulic systems and snow fighting equipment from Towmaster Equipment Company of Litchfield, MN.

BACKGROUND:

The Public Works Department's revised 2016 equipment budget includes the purchase and installation of ten (10) dump bodies with hydraulic systems and snow fighting equipment (including plows, hitches, wings, sanders, brine distribution, GPS/AVL and underbody scrapers) for the ten (10) tandem cab and chassis purchased separately.

The equipment and installation will be purchased from Towmaster Inc. of Litchfield, MN, using the available State of Minnesota Contract. The purchase price for this equipment is estimated to be \$1,051,904, which is within that budgeted for the purchase.

RECOMMENDATION

It is recommended that the St. Louis County Board authorize the purchase and installation of ten (10) dump bodies with hydraulic systems, and snow fighting equipment from Towmaster Inc. of Litchfield, MN, in the amount of \$1,057,156, payable from Fund 407, Agency 407001, and Object 666300.

State Contract Purchase of Dump Bodies with Hydraulic Systems and Snow Fighting Equipment

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department's revised equipment budget includes ten (10) dump bodies with hydraulic systems, and snow fighting equipment for trucks purchased separately; and

WHEREAS, Towmaster Inc. of Litchfield, MN, responded with the State of Minnesota contract price for this equipment in the amount of \$1,057,156;

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the purchase and installation of ten (10) dump bodies with hydraulic systems and snow fighting equipment from Towmaster Inc. of Litchfield, MN, for \$1,057,156, payable from Fund 407, Agency 407001, Object 666300.

BOARD LETTER NO. 16 – 449

FINANCE & BUDGET COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: October 4, 2016

RE: Addendum to St. Louis County Purchasing Rules and Regulations to Comply with “Uniform Administrative Requirements for Federal Awards”

FROM: Kevin Z. Gray
County Administrator

Donna M. Viskoe, Procurement Manager
Purchasing Division

RELATED DEPARTMENT GOAL:

To maintain a fundamental procurement policy for vendors and all St. Louis County employees who procure goods and services for the county.

ACTION REQUESTED:

The St. Louis County Board is requested to approve an addendum to the 2015 St. Louis County Purchasing Rules and Regulations to incorporate the stipulations found in the federal government’s new “Uniform Administrative Requirements for Federal Awards.”

BACKGROUND:

The 2015 St. Louis County Purchasing Rules and Regulations were revised and adopted by the County Board on November 10, 2015 (Resolution No. 15-685). On March 22, 2016, the County Board acknowledged the need to update its Purchasing Rules and Regulations to comply with the new “Uniform Administrative Requirements for Federal Awards” by January 1, 2017 (Resolution No. 16-18). These requirements include the need for all entities receiving federal grant funding to have a written procurement policy which reflects applicable state and local laws and regulations, and conforms to applicable federal statutes and procurement requirements.

Also required are written standards of conduct covering conflicts of interest and rules governing the performance of employees engaged in the selection, award, and administration of contracts. The Purchasing Division, the County Auditor’s Office, and the County Attorney’s Office have reviewed the “Uniform Administrative Requirements for Federal Awards” and determined an entire section should be added to the St. Louis County Purchasing Rules and Regulations to ensure compliance with the rules relating to the use of federal grant dollars.

The attached addendum identified as “Section VII. UNIFORM GUIDANCE PROCUREMENT POLICY APPLICABLE TO FEDERAL AWARDS,” was developed based on stipulations in the new federal procurement standards within the “Uniform Administrative Requirements for Federal Awards.”

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the proposed addendum, identified as “Section VII,” to the St. Louis County Purchasing Rules and Regulations to conform to the “Uniform Administrative Requirements for Federal Awards,” effective December 31, 2016.

Addendum to St. Louis County Purchasing Rules and Regulations to Comply with “Uniform Administrative Requirements for Federal Awards”

BY COMMISSIONER _____

WHEREAS, St. Louis County Purchasing Rules and Regulations were revised and adopted by the St. Louis County Board on November 10, 2015 (County Board Resolution No. 15-685); and

WHEREAS, St. Louis County Board Resolution No. 16-181, dated March 22, 2016, acknowledges the need to update the St. Louis County Purchasing Rules and Regulations to comply with the new “Uniform Administrative Requirements for Federal Awards” by January 1, 2017; and

WHEREAS, The addition of proposed “Section VII. UNIFORM GUIDANCE PROCUREMENT POLICY APPLICABLE TO FEDERAL AWARDS” to the St. Louis County Purchasing Rules and Regulations, complies with the new federal procurement standards within the “Uniform Administrative Requirements for Federal Awards;”

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes “Section VII. UNIFORM GUIDANCE PROCUREMENT POLICY APPLICABLE TO FEDERAL AWARDS” found in County Board File No. _____ as an addendum to the 2015 St. Louis County Purchasing Rules and Regulations in compliance with the “Uniform Administrative Requirements for Federal Awards,” effective December 31, 2016.

VII. UNIFORM GUIDANCE PROCUREMENT POLICY APPLICABLE TO FEDERAL AWARDS

A. § 200.318 GENERAL PROCUREMENT STANDARDS

1. The County shall use its own documented procurement procedures which reflect applicable state and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.
2. The County shall maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
3. The County shall maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, awards and administration of contracts. No employee, officer, or agent of the County must participate in the selection, award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the County must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the County may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the County.
 - a. If the County has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the County shall also maintain written standards of conduct covering organizational conflicts of interest. –
“Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the County is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.”
4. The County’s procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
5. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the County shall consider entering into state and local intergovernmental agreements or inter-entirety agreements where appropriate for procurement or use of common or shared goods and services.
6. The County shall consider using Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

7. The County shall consider using value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
8. The County shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also V.I.D.
9. The County shall maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
10. The County may use a time and material type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and material type contract means a contract whose cost to the County is the sum of:
 - a. The actual cost of materials; and
 - b. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.
 - c. Since the formula generates an open- ended contract price, a time- and materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the County awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
11. The County alone shall be responsible, in accordance with good administrative practice and sound business judgement, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes and claims. These standards do not relieve the County of any contractual responsibilities under its contracts. The federal awarding agency will not substitute its judgement for that of the County unless the matter is primarily a federal concern. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

B. § 200.319 COMPETITION

1. All Procurement transactions shall be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- a. Placing unreasonable requirements on firms in order for them to qualify to do business;
 - b. Requiring unnecessary experience and excessive bonding;
 - b. Noncompetitive pricing practices between firms or between affiliated companies;
 - c. Noncompetitive contracts to consultants that are on retainer contracts;
 - d. Organizational conflicts of interest;
 - e. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurements; and
 - f. Any arbitrary action in the procurement process.
2. The County shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal, geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
3. The County shall adhere to the following procedures for procurement transactions. All solicitations shall:
- a. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use; and
 - b. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - c. The County shall identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
4. The County shall ensure that all prequalified list of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also the County shall not preclude potential bidders from qualifying during the solicitation period.

C. § 200.320 METHODS OF PROCUREMENT TO BE FOLLOWED

The County shall use one of the following methods of procurement:

1. Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$3,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act) § 200.67 Micro-purchase. To the extent practicable, the County shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the County considers the price to be reasonable.
2. Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
3. Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (3)(a.) of this section apply.
 - a. In order for sealed bidding to be feasible, the following conditions should be present:
 - i. A complete, adequate, and realistic specification or purchase description is available;
 - ii. Two or more responsible bidders are willing and able to compete effectively for the business; and
 - iii. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
 - b. If sealed bids are used, the following requirements apply:
 - i. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publically advertised;
 - ii. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - iii. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - iv. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be

considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

v. Any or all bids may be rejected if there is a sound documented reason.

4. Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
 - a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - b. Proposals shall be solicited from an adequate number of qualified sources;
 - c. The County shall have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. The County may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.
5. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the County; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

D. § 200.321 CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

1. The County shall take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
2. Affirmative steps must include:
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e) of this section.

E. § 200.322 PROCUREMENT OF RECOVERED MATERIALS

1. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

F. § 200.323 CONTRACT COST AND PRICE

1. The County shall perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the County must make independent estimates before receiving bids or proposals.

2. The County shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
3. Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the County under Subpart E - Cost Principles of 2 CFR - Part 200. The County may reference its own cost principles that comply with the Federal cost principles.
4. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

G. § 200.324 FEDERAL AWARDING AGENCY OR PASS-THROUGH ENTITY REVIEW

1. The County shall make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the County desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.
2. The County shall make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:
 - a. The County's procurement procedures or operation fails to comply with the procurement standards in this part;
 - b. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
 - c. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
 - d. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
 - e. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

3. The County is exempt from the pre-procurement review in paragraph 2 of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.
 - a. The County may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;
 - b. The County may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the County that it is complying with these standards. The County must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

H. § 200.325 BONDING REQUIREMENTS

1. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the County provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:
 - a. A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
 - b. A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
 - c. A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

I. § 200.326 CONTRACT PROVISIONS

1. The County's contracts must contain the applicable provisions described in Appendix II to Part 200 - Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

APPENDIX II TO PART 200 CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS

In addition to other provisions required by the Federal agency or County, all contracts made by the County under the Federal award shall contain provisions covering the following, if applicable.

1. Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
2. All contracts in excess of \$10,000 must address termination for cause and for convenience by the County including the manner by which it will be effected and the basis for settlement.
3. Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
4. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by the County must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The County shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The County shall report all suspected or reported violations to the Federal awarding agency. The contracts shall also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The County shall report all suspected or reported violations to the Federal awarding agency.
5. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the County in excess of \$100,000 that involve

the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

6. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
7. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
8. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.G. 6201 (/uscode/text/2/6201)).
9. Debarment and Suspension (Executive Orders 12549 and 12689) — A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
10. Pursuant to Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) — Each contractor must certify that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal

contract, grant or any other award covered by 31 U.S.C. 1352 Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award and furthermore will certify all subcontractors to do the same.

11. See §200.322 Procurement of recovered materials.

BOARD LETTER NO. 16 - 450

FINANCE & BUDGET COMMITTEE NO. 2

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Health and Dental Plan Rates 2017

FROM: Kevin Z. Gray
County Administrator

James R. Gottschald, Director
Human Resources

RELATED DEPARTMENT GOAL:

To maintain a strong county infrastructure through innovation, responsible stewardship of county resources, and cost-effective and efficient programs.

ACTION REQUESTED:

It is requested that the St. Louis County Board approve the self-insurance rates for 2017 employee and retiree medical and dental plans, the stop-loss medical insurance coverage fee, and the per contract per month administrative fees for the medical and dental plans.

BACKGROUND:

Each year, the county reviews health insurance trends and its self-insured health and dental fund to establish health and dental plan rates for the subsequent calendar year. The county also purchases stop-loss insurance to protect itself from financial losses due to individual catastrophic medical claims.

Health Insurance

The annual actuarial projection provided by Blue Cross Blue Shield of Minnesota (BCBSM) indicated a 0% increase in expected health insurance claims in 2017 as a result of the implementation of a tiered health plan design, which was approximately 10.5% lower than the projection would have been on the current health plan. However, rising claim costs and flat revenues have resulted in a significant negative impact to the county health fund balance. A financial report prepared by the County Auditor's Office projected that based on 2016 year-to-date claims payments, it was likely that the self-insured health fund would have a reserve balance only sufficient to cover just over one month of the current year medical claims payments. Johnson Insurance Consultants, the county's health care consultant, has reported that a 4 - 6 month reserve level is considered a healthy fund balance. While the St. Louis County Health Insurance Committee did not reach consensus on a specific funding level based on the information presented, members agreed to recommend a rate increase in excess of preliminary budget guidelines of 12.5% to 15% in the medical premium to address the projected year-end fund balance. Since the county's

health plan includes both employees and retirees, the recommended 2017 rate will apply to retirees as well as to employees.

As part of the 2010 – 2011 collective bargaining process, the county agreed to reduce the additional employee contribution amount for the single portion of the health premium for each of the bargaining units with this premium share arrangement. There was no reduction made to the county's contribution as a result, but it is important to note that at the time the agreement was reached with the units, it was further agreed that the county would not assume the difference between the current employee contribution and the amount of what the unreduced employee contribution would have been (\$26.85 per month as of 2016). As part of the 2014-2016 collective bargaining process, the Teamster's bargaining unit employees agreed to pay \$21.94 per month for the single portion of health coverage. The proposed total premium rates already reflect the employee premium contributions. All St. Louis County collective bargaining agreements expire December 31, 2016.

For purposes of establishing the 2017 medical premium rate, the calculation will be based on a full premium rate, which is unreduced by the amounts not being collected as a result of agreements reached with represented employees. The actual amounts collected will be in accord with the various collective bargaining agreements. Therefore, authority is also being requested to make adjustments in the premium amounts collected as deemed necessary to be in compliance with collective bargaining agreements and compensation plans.

As a point of information, the pattern of rate increases in the last five years is as follows:

2012:	+ 0.0%
2013:	+ 0.0%
2014:	+ 1.75%
2015:	+ 0.0%
2016	+ 3.75%
2017:	+ 12.5%-15.0% Recommended

The medical plan rates for employees and retirees, if approved for 2017, would be as follows:

If the adopted increase for 2017 is 12.5%, the total unadjusted premiums would be:

Single Coverage: \$ 801.86
Family Coverage: \$1,862.33

If the adopted increase for 2017 is 15.0%, the total unadjusted premiums would be:

Single Coverage: \$ 819.67
Family Coverage: \$1,903.71

Stop-Loss Coverage

St. Louis County currently purchases \$750,000 specific stop-loss coverage per member contract, with no aggregate stop-loss. The proposed rate from BCBSM for the same coverage in 2017 will increase to \$8.84 per contract per month (PCPM) from \$7.89 in 2016.

BCBSM's stop-loss coverage is pooled for the member groups purchasing this coverage. The rates are based on the pool's experience and the group's stop-loss benefit level. The estimated cost for 2017, based on the 2,010 projected contracts, is \$213,144.

BCBSM Administrative Fee

The 2017 administrative fee will increase to \$35.61 PCPM (from \$33.59 in 2016) for an estimated total annual cost of \$858,802.

Dental Insurance & Delta Dental Administrative Fee

For dental coverage in 2017, the Health Insurance Committee agreed to recommend a 2.0% increase in the monthly premium to \$38.41 for the self-insured dental plan.

The 2017 administrative service charge payable to Delta Dental of Minnesota will increase to \$2.23 PCPM (from \$2.18 in 2016). Dental coverage is not a high-risk insurance due to limitations in the plan and capitation of expenses and Delta Dental has agreed to a three-year rate lock on the administrative service charge amount through 2020.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the following for 2017:

- Increase its comprehensive major medical health plan premiums by 12.5%;
- Medical plan stop-loss insurance fee of \$8.84 per contract per month;
- BCBSM administrative service fee of \$35.61 per contract per month;
- Health Insurance Committee's recommendation for a 2.00% increase to its self-insured dental plan premiums; and
- Delta Dental of Minnesota's administrative service fee of \$2.23 per contract per month.
- Authorize the appropriate county officials to execute contracts for administrative services of the medical and dental plans for the time period covering January 1 – December 31, 2017.

Health and Dental Plan Rates 2017

BY COMMISSIONER _____

WHEREAS, The County Board annually reviews health insurance trends, expected claims, and its self-insured health and dental fund to establish funding levels for the employee and retiree medical and dental plans; and

WHEREAS, The County Board believes a 12.5% percent rate increase for the self-funded health and dental plans in 2017 is reasonable based on projections prepared by its claims administrators and the County Auditor and as recommended by its Health Insurance Committee;

THEREFORE BE IT RESOLVED, That the St. Louis County Board authorizes 2017 monthly premium rates for the self-funded employee and retiree health insurance as follows:

SINGLE COVERAGE:	\$ 801.86
FAMILY COVERAGE:	\$1,862.33

RESOLVED FURTHER, That the Board authorizes the appropriate county officials to make necessary adjustments to the premium collected consistent with collective bargaining agreements and compensation plans;

RESOLVED FURTHER, That the 2017 stop-loss rate payable to Blue Cross Blue Shield of Minnesota of \$8.84 per contract per month is approved;

RESOLVED FURTHER, That a 2017 per contract per month administrative service fee of \$35.61 payable to Blue Cross Blue Shield of Minnesota is approved;

RESOLVED FURTHER, That the 2017 monthly premium rate for the self-insured dental plan is approved, with a 2.0% increase, in the amount of \$38.41;

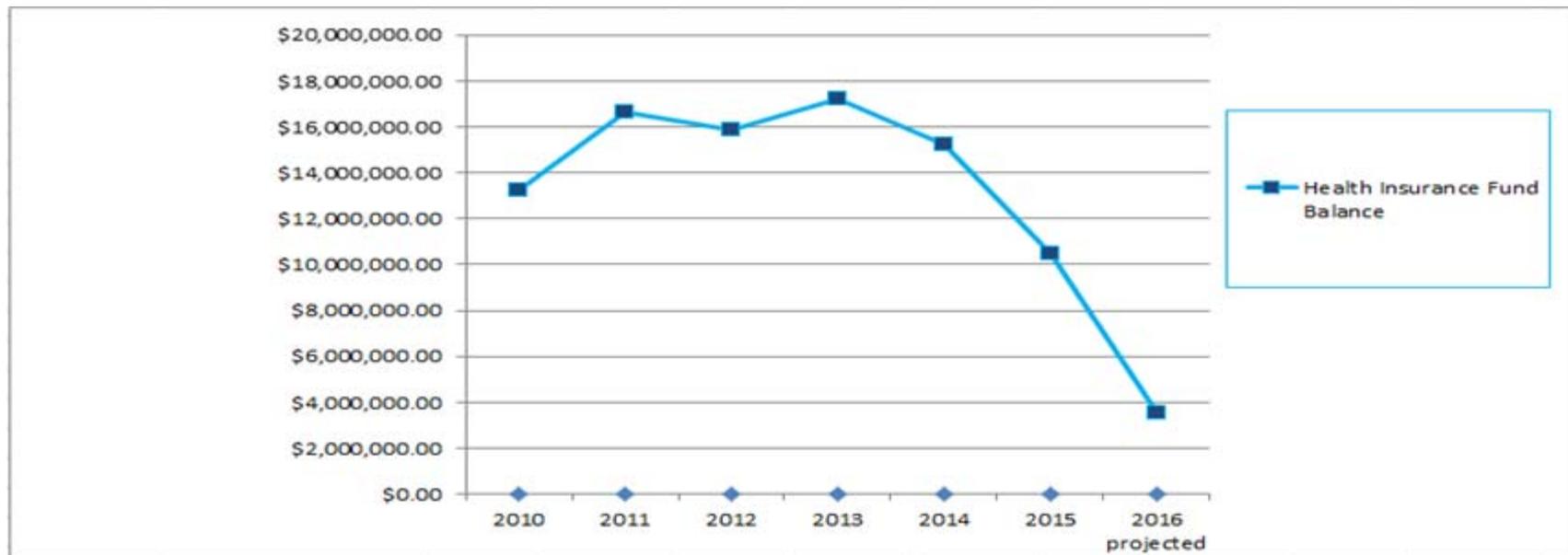
RESOLVED FURTHER, That the 2017 per contract per month administrative service fee of \$2.23 payable to Delta Dental Plan of Minnesota is approved;

RESOLVED FURTHER, That the Board authorizes the appropriate county officials to execute a contract for administrative services of the medical and dental plans for the time period covering January 1 – December 31, 2017 as set forth above.

Increased Health Care Costs

The County has experienced an increase in the number of high-claims, which is dramatically lowering its fund balance dedicated to such expenses.

Projected Fund balance 12/31/16 = \$3.5M



BOARD LETTER NO. 16 - 451

CENTRAL MANAGEMENT & INTERGOVERNMENTAL COMMITTEE NO. 1

BOARD AGENDA NO.

DATE: October 4, 2016 **RE:** Social Media Policy

FROM: Kevin Z. Gray
County Administrator

James R. Gottschald, Director
Human Resources

RELATED DEPARTMENT GOAL:

To ensure a strong county infrastructure through innovation, responsible stewardship of county resources, and cost-effective and efficient programs.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the proposed Social Media Policy.

BACKGROUND:

Social media forums have established themselves to be a fast and effective way to communicate information with target audiences. Social networking in government serves two primary functions: to communicate and deliver messages directly to citizens and to encourage citizen involvement, interaction and feedback. With the rapid growth and application of social media in county operations and information sharing, it is fundamental that a county-wide policy be developed to ensure that social media resources are deployed and used in a professional, effective and respectful manner.

Adoption of the proposed Social Media Policy will ensure consistency across departments for use of social media forums and establish responsibilities of the employees using social media in their work. It will also ensure that social media use complies with all federal and state laws as well as supports the mission and vision of St. Louis County.

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the proposed Social Media Policy.

Social Media Policy

BY COMMISSIONER: _____

WHEREAS, St. Louis County desires to establish a positive and informative social media presence and ensure compliance with all federal and state laws with respect to social media uses.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the adoption of the Social Media Policy as contained in Board File No. _____.

St. Louis County Social Media Policy

Policy

It is the policy of St. Louis County ("County") to determine, at its discretion, how its web-based social media resources will be designed, implemented and managed as part of its overall communication and information sharing strategy. Additionally, this policy provides guidance on best practices for personal use of social media sites.

Scope

This policy applies to all County employees, officials, appointed commission members, volunteers, consultants and contractors. Further, this policy applies to professional or personal use of any existing or proposed social media sites sponsored, established, registered or authorized by St. Louis County as well as personal social media use by County employees and its agents.

Definitions

Administrator: A County employee responsible for managing a County social media website.

Agents: County employees, officials, appointed commission members, volunteers, consultants, contractors or anyone who represents the county in an official capacity. Also may be referred to as representatives.

Social media: Internet and mobile-based applications, websites and functions, other than email, for sharing and discussing information, where users can post photos, video, comments and links to other information to create content on any imaginable topic. This may be referred to as "user-generated content" or "consumer-generated media." Social media includes, but is not limited to:

- Social networking sites such as Facebook, LinkedIn, Twitter, and online dating services/mobile apps
- Blogs
- Social news sites such as Reddit and BuzzFeed
- Video and photo sharing sites such as YouTube, Instagram, SnapChat, and Flickr
- Wikis, or shared encyclopedias such as Wikipedia
- An ever-emerging list of new web-based platforms generally regarded as social media or having many of the same functions as those listed above

Protected Class: Protected class is a term that describes characteristics or factors that cannot be targeted for discrimination and harassment, which include: race, color, creed, religion, national origin, sex, marital status, age, sexual orientation, status with regard to public assistance, disability, genetic information, veteran status or activity in a local Human Rights Commission or any other characteristic protected by law in all terms, conditions, and privileges of employment.

Responsibilities

Representatives have the responsibility to use social media resources in an efficient, effective, ethical and lawful manner pursuant to all existing County and departmental policies. Stating, sharing or posting discriminatory comments that would have the effect of creating a hostile or abusive working environment based on a protected class status or that would impact the County's ability to serve the public in a non-discriminatory fashion is prohibited.

All individuals covered by this policy are expected to become familiar with it and comply with all of its provisions. Enforcement of this policy is a shared responsibility of all employees and agents.

New employees will receive a copy of this policy with their New Employee Orientation packet. Current employees will receive a copy of this policy via County-wide email. Supervisors will be asked to discuss the policy with their employees. Any violation of this policy may result in disciplinary action up to and including discharge.

Background

Social networking in government serves two primary functions: to communicate and deliver messages directly to citizens and to encourage citizen involvement, interaction, and feedback. Information that is distributed via social networking must be accurate, consistent, and timely and meet the information needs of the County's customers. Since social media is used for social networking, this policy seeks to ensure proper use of the County's social media sites by its representatives.

St. Louis County wishes to establish a positive and informative social media presence. County representatives have the responsibility to use social media resources in an efficient, effective, ethical and lawful manner pursuant to all existing County and departmental policies. This policy also provides guidelines and standards for County representatives regarding the use of social media for communication with residents, colleagues and all other followers.

Procedures

St. Louis County Social Media Use

Employees and other agents with administrator access are responsible for managing social media websites. Facilities or departments wishing to have a new social media presence must initially submit a request to the County's Communications Manager in order to ensure social media accounts are kept to a sustainable number and policies are followed. All approved sites will be clearly marked as the St. Louis County site and will be linked with the official County website www.stlouiscountymn.gov. No one may establish social media accounts or websites on behalf of the County unless authorized in accord with this policy. Third-party social media websites should not be the only place in which the public can view St. Louis County information. Any information posted to a third-party media website must also be provided in another publicly available format, such as the St. Louis County website.

Administration of all social media websites must comply with applicable laws, regulations, and policies as well as proper business etiquette. No employee or agent may administer any county social media account without express written approval from the Communications Manager or the County Administrator, and completion of any required training.

County social media accounts accessed and utilized during the course and scope of an employee's performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political or policy issues or to express personal views or concerns pertaining to County employment relations matters.

No social media website may be used by any County employee or agent to disclose private or confidential information. No social media website should be used to disclose sensitive information; if there is any question as to whether information is private, confidential or sensitive, contact Human Resources.

When using social media sites as a representative of the County, employees and agents will act in a professional manner. Examples include but are not limited to:

- Adhere to all County personnel and Computer Use policies
- Use only appropriate language
- Not provide or use private or confidential information as part of any content added to a site.
- Not negatively comment on community partners or their services, or do so as part of any content added to a site.
- Not provide information related to pending decisions that would compromise collective bargaining.
- Be aware that content added to a site is subject to open records/right to know laws and discovery in legal cases.
- Be mindful regarding the appropriateness of content.
- Comply with any existing code of ethical behavior established by the County.

Be aware that content will not only reflect on the writer, but also on St. Louis County as a whole, including elected officials and other County employees and agents. Make sure information is accurate and free of spelling and grammatical errors.

Social media forums which have a moderation of comments feature should be used over those that do not, whenever possible. Where moderation is available, comments from the public will be moderated by designated County staff with administrative rights before posting. Where moderation prior to posting is not an option, sites will be regularly monitored by designated staff with administrative rights.

St. Louis County staff with administrative rights will not edit any posted comments. However, comments posted by members of the public will be removed if they are abusive, obscene, defamatory, in violation of the copyright, trademark right or other intellectual property right of any third party, or otherwise inappropriate or incorrect. The following are examples of content that may be removed by County staff before or shortly after being published:

- Potentially libelous comments
- Obscene or racist comments
- Personal attacks, insults, or threatening language
- Plagiarized material
- Private, personal information published without consent
- Comments totally unrelated to the topic of the forum
- Commercial promotions or spam
- Hyperlinks to material that is not directly related to the discussion

Personal Social Media Use

St. Louis County respects employee's and agents' rights to post and maintain personal websites, blogs and social media pages and to use and enjoy social media on their own personal devices during non-work hours. The County encourages employees and agents to exercise good judgement and common sense, and act in a prudent manner with regard to website and internet postings that reference St. Louis County, its employees, its agents, its operation or its property. Employees and agents and others affiliated with the County are not permitted to use a County brand, logo or other County identifiers on their personal sites, nor post information that purports to be the position of the County without prior authorization.

County employees and its agents are discouraged from: 1) using a county email address when registering, creating or posting on a social media account; or 2) identifying themselves as County representatives when responding to or commenting on blogs with personal opinions or views. If an employee chooses to identify him or herself as a St. Louis County employee, and posts a statement on a

matter related to County business, a disclaimer similar to the following must be used: “These are my own opinions and do not represent those of the County.”

Personal use of social media websites during business hours should be limited to break and lunch periods, and employees and agents must adhere to the guidelines outlined in the County’s Computer Use and the County’s Respectful Workplace policies. Employees and agents should also be familiar with the Data Ownership section of this policy (outlined below).

There may be times when personal use of social media (even if it is off-duty or using the employee’s own equipment) may impact the workplace and become the basis for employee coaching or discipline.

Examples of situations where this might occur include, but are not limited to:

- Cyber-bullying, stalking or harassment
- Release of confidential or private data; if there are questions about what constitute confidential or private data, contact Human Resources.
- Unlawful activities
- Misuse of County-owned social media
- Inappropriate use of the County’s name, logo or the employee’s position or title
- Using County-owned equipment or County-time for extensive personal social media use
- Dating, romance or break-ups between co-workers

Each situation will be evaluated on a case-by-case basis because the laws in this area are complex. If you have any questions about what types of activities might result in discipline, please discuss the type of usage with the Human Resources Advisor assigned to your Department.

Data Ownership

All social media communications or messages composed, sent, or received on County equipment in an official capacity are the property of St. Louis County and will be subject to the Minnesota Government Data Practices Act (“MGDPA”). This law classifies certain information as available to the public upon request. St. Louis County also maintains the sole property rights to any image, video or audio captured while an employee or agent is representing the County in any capacity.

The County retains the right to monitor social media use by employees and agents on County equipment and will exercise its right as necessary. Users should have no expectation of privacy. Social media is not a secure means of communication. Any social media communications or messages composed, sent, accessed or received on County equipment for personal use may be subject to the MGDPA. Even if a matter is a public record, employees and agents may not repeat, disseminate, or share information that they learned in the course of their employment that they would otherwise have no reason to know. This applies to both County and personal social media communications.

Violations of the MGDPA may be prosecuted in accordance with Minnesota Statutes § 13.09 and can constitute just cause for termination of employment or other disciplinary or administrative sanction.

Policy Violations

Violations of the Policy may subject the employee or agent to disciplinary or administrative action up to and including discharge from employment.

Social Media Policy

RESOLUTION NO. 16-xxx

MM DD, 2016