

CONSENT AGENDA

**FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

November 1, 2016

Cotton Town Hall, 9087 Highway 53, Cotton, Minnesota

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

RESOLUTIONS FOR APPROVAL:

Minutes for October 25, 2016.

Health & Human Services Committee – Commissioner Boyle, Chair

1. Contract with the Carlton-Cook-Lake-St. Louis Community Health Board for the period September 30, 2016 through September 28, 2018 to accept additional Community Wellness Grant funds up to the amount of \$206,891 for the period September 30, 2016 through September 29, 2017 (plus \$51,109 in the anticipated 2017 budget for a total of \$258,000); further, maintain the grant-supported 1.0 FTE Public Health Educator and increase the staffing complement of a 1.0 FTE Public Health Nurse for the period September 30, 2016 through September 30, 2017 with the positions eliminated if the grant funding is eliminated; and further, authorize a contract with Community Action Duluth to implement grant activities. *[16-464]*
2. Amendment to the Arrowhead Health Alliance Joint Powers Agreement clarifying the relationship between Arrowhead Health Alliance and the Region 3 Adult Mental Health Initiative, as well as provide clarity on Board quorum and voting rules. *[16-465]*

Environment & Natural Resources Committee – Commissioner Rukavina, Chair

3. Repurchase of state tax forfeited land (non-homestead) by the Estate of Thomas Bussey of Penguilly, MN. *[16-466]*
4. Repurchase of state tax forfeited land (non-homestead) by John D. Byers, Jr., of Hibbing, MN. *[16-467]*
5. Repurchase of state tax forfeited land (homestead) by Darren Wagner of Duluth, MN. *[16-468]*
6. Contracts authorized with PRT, USA of Victoria, Canada, in the amount of \$294,275 for the delivery of 2018-2019 Containerized Tree Seedlings (Bid No. 3541) for Sections 1 - 6 and 11 – 12, and with North Central Reforestation of Evansville, MN, in the amount of \$13,108.50 for Sections 7 - 10. *[16-469]*

ST. LOUIS COUNTY BOARD

Consent Agenda

November 1, 2016

Page 2

7. Special sale of state tax forfeited land described as Lot 264, Block 33, Duluth Proper Second Division, City of Duluth (vacant lot between 1604–1610 West Superior Street, Duluth) to DEDA for the total amount of \$14,887.20 to be used for economic development; and further, the County Auditor may offer for sale at public auction the described land if DEDA does not purchase the land by April 25, 2017. *[16-471]*
8. Special sale of state tax forfeited land described as the Ely 45 feet of Lot 5, Block 19, Hazelwood Addition to Oneota, City of Duluth (4014 Grand Avenue, Duluth) to DEDA for the total amount of \$17,212.13 to be used for economic development; and further, the County Auditor may offer for sale at public auction the described land if DEDA does not purchase the land by April 25, 2017. *[16-472]*
9. Non-exclusive access easement across certain state tax forfeited lands located in Morse Township granted to St. Louis and Lake Counties Regional Rail Authority upon total payment of \$6,375. *[16-473]*
10. Adopt the alternative treatment for the repurchase of non-homestead tax forfeited property, effective November 19, 2016; and further, the Land and Minerals Department is directed to provide the County Board with an evaluation of this policy change at the end of one year. *[16-480]*

Public Works & Transportation Committee – Commissioner Stauber, Chair

11. Acquisition of necessary highway right of way by condemnation proceedings for the reconstruction of a small segment of County State Aid Highway (CSAH) 99 and replacement of County Bridge 460/State Bridge 8861 located over the Water Hen Creek in White Township (CP 0099-287573). *[16-474]*
12. Amendment No. 2 to the Cooperative Agreement with the City of Duluth for additional milling and bituminous pavement on the intersection of CSAH 34/Kenwood Avenue and West Arrowhead Road to cover the additional cost of the project (CP 0034-278317). *[16-475]*

Finance & Budget Committee – Commissioner Nelson, Chair

13. Agreement with The Pines of Kabetogama, LLC d/b/a The Pines of Kabetogama Resort, Kabetogama Township, for an alleged liquor law violation, sale to minor, on August 26, 2016. *[16-476]*

ST. LOUIS COUNTY BOARD

Consent Agenda

November 1, 2016

Page 3

14. Planning and Economic Development Department authorized to apply for up to \$125,000 in grant funding from the Iron Range Resources and Rehabilitation Board (IRRRB) – Commercial Redevelopment Grant Program for demolition and clearance of the Sabin-O’Neil Hotel and Bar site in Chisholm, MN; and further, authorize matching funds budgeted in the Planning and Economic Development Department and the execution of related documents. *[16-477]*
15. Planning and Economic Development Department authorized to apply for up to \$100,000 in grant funding from the IRRRB – Commercial Redevelopment Grant Program for demolition and clearance of the Tuna’s Bar at 507 Grant Avenue, Eveleth, MN, and Bill’s TV and Audio at 511 Grant Avenue, Eveleth, MN; and further, authorize matching funds budgeted in the Planning and Economic Development Department and the execution of related documents. *[16-478]*
16. Abatement list for Board approval. *[16-479]*
17. Applications for license to sell tobacco products at retail, renewals.
18. Applications for license to sell tobacco products at retail, renewals with past violations.

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

19. Approve the adoption of the Policy on Compliance with the Health Insurance Portability and Accountability Act (HIPAA); designate St. Louis County as a “hybrid entity” for purposes of HIPAA compliance and appoint the County Administrator or designee as the St. Louis County HIPAA Coordinator; and further, rescind the previous HIPAA Policy contained in County Board File No. 58050. *[16-482]*

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of October 25, 2016, are hereby approved.

**Contract with the CHB to Accept Community Wellness Grant Funds
and Enter into a Contract with Community Action Duluth**

BY COMMISSIONER _____

WHEREAS, The Minnesota Department of Health has provided a four (4) year Community Wellness Grant (CWG) in the amount of \$652,000 per year to the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) to implement active living and healthy lifestyles activities with the goal of decreasing obesity and chronic disease rates; and

WHEREAS, Through Resolution No. 16-50, the County Board accepted \$97,657 to implement CWG activities during the grant period ending September 2016; and

WHEREAS, The CHB wishes to enter into a contract with the St. Louis County Public Health and Human Services Department (PHHS) for the period September 30, 2016 through September 29, 2018, with funding available from the Minnesota Department of Health Community Wellness Grant for the period ending September 29, 2017; and

WHEREAS, The CHB has awarded PHHS up to \$258,000 for the period September 30, 2016 through September 29, 2017 as the county's portion of the CWG grant; and

WHEREAS, PHHS has been asked to perform eligible grant activities through the hiring of a 1.0 FTE Public Health Nurse and continuing a current grant-supported position of a 1.0 FTE Public Health Educator; and

WHEREAS, The Human Resources Department has reviewed the assigned duties and agreed that the Public Health Nurse classification is appropriate; and

WHEREAS, St. Louis County is requested to authorize a sub-contract with up to \$80,000 of these grant funds for Community Action Duluth to implement grant activities;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to contract with the Carlton-Cook-Lake-St. Louis Community Health Board for the period September 30, 2016 through September 29, 2018 in order to accept additional Community Wellness Grant funds up to the amount of \$206,891 for the period September 30, 2016 through September 29, 2017 (there is \$51,109 in the anticipated 2017 budget for a total of \$258,000);

RESOLVED FURTHER, That the Board maintains the grant-supported 1.0 FTE Public Health Educator and increases the staffing complement of a 1.0 FTE Public

Health Nurse for the period September 29, 2016 through September 30, 2017, with the understanding that if the grant funding is eliminated, the positions will also be eliminated;

RESOLVED FURTHER, That the Board authorizes the appropriate county officials to enter into a contract with Community Action Duluth to implement grant activities, specifically the Bikes Plus program and the hiring of a Community Health Worker with up to \$80,000 of the \$258,000 CWG funds;

RESOLVED FURTHER, That the PHHS budgeted revenues and expenditures are increased for budget year 2016 and 2017 with any remaining unspent funds at the end of 2016 to be included in the 2017 budget.

Budget references:

Fund 230, Agency 233999, Grant 23328, Object 541231, Grant Year 2016

Fund 230, Agency 233999, Grant 23328, Object 610100, Grant Year 2016

Fund 230, Agency 233999, Grant 23328, Object 629900, Grant Year 2016

Fund 230, Agency 233999, Grant 23328, Object 637900, Grant Year 2016

Fund 230, Agency 233999, Grant 23328, Object 633100, Grant Year 2016

Amendment to the Arrowhead Health Alliance Joint Powers Agreement

BY COMMISSIONER _____

WHEREAS, The Arrowhead Health Alliance (AHA) was formed in 2007 as a way to integrate health care and human services in Carlton, Cook, Koochiching and Lake Counties; and

WHEREAS, The St. Louis County Board authorized St. Louis County to join the Alliance and execute a Joint Powers Agreement in 2012; and

WHEREAS, The Joint Powers Agreement requires updates to clarify the relationship between Arrowhead Health Alliance and the Region 3 Adult Mental Health Initiative, as well as provide clarity on Board quorum and voting rules; and

WHEREAS, The Joint Powers Agreement, proposed by the AHA, was approved by that Board on October 12, 2016 and has been reviewed by the St. Louis County Attorney's Office;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute the 3rd amended Arrowhead Health Alliance Joint Powers Agreement, as contained in County Board File No. _____.

Repurchase of State Tax Forfeited Land - Bussey (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, plus penalties, costs, and interest; and

WHEREAS, The applicant, the Estate of Thomas Bussey of Penguilly, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING
LOTS 22, 23 AND 24, BLOCK 14
KOSKIVILLE HIBBING
Parcel Code: 140-0130-03780; and

WHEREAS, The applicant was 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 the Estate of Thomas Bussey of Penguilly, MN, on file in County Board File No. 6-327, subject to payments including total taxes and assessments of \$3,758.52, service fee of \$114, deed tax of \$12.40, deed fee of \$25, recording fee of \$46, court costs of \$379, locks & hasps of \$56, maintenance of \$52.04, for a total of \$4,442.96 to be deposited into Fund 240 (Forfeited Tax Fund).

Repurchase of State Tax Forfeited Land – Byers (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 applicant, John D. Byers, Jr., of Hibbing, MN, has applied to repurchase state tax forfeited land legally described as:

CITY OF HIBBING

SW 1/4 OF SE 1/4

SECTION 16, TOWNSHIP 57 NORTH, RANGE 20 WEST

Parcel Code: 141-0020-02340; and

WHEREAS, The applicant was 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 John D. Byers Jr. of Hibbing, MN on file in County Board File No. 60327, subject to payments including total taxes and assessments of \$5,307.26, service fee of \$114, deed tax of \$17.51, deed fee of \$25, and recording fee of \$46, for a total of \$5,509.77 to be deposited into Fund 240 (Forfeited Tax Fund).

Repurchase of State Tax Forfeited Land – Wagner (Homestead)

BY COMMISSIONER: _____

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

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

CITY OF DULUTH
N 40 FT OF S 70 FT OF LOTS 430 AND 432, BLOCK 115
DULUTH PROPER SECOND DIVISION
Parcel Code: 010-1180-02390; and

WHEREAS, The applicant was the heir to 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 Darren Wagner of Duluth, MN, on file in County Board File No. 60327, subject to payments including total taxes and assessments of \$4,943.27, service fee of \$114, deed tax of \$16.31, deed fee of \$25, recording fee of \$46, eviction costs of \$322, writ cost of \$57, hasp and locks of \$54, and mowing of \$210, for a total of \$5,787.58 to be deposited into Fund 240 (Forfeited Tax Fund).

Award of Bid: 2018-2019 Containerized Tree Seedlings

BY COMMISSIONER _____

WHEREAS, The St. Louis County Purchasing Division solicited bids to furnish and deliver containerized tree seedlings for planting on tax forfeited land in the years 2018 and 2019; and

WHEREAS, The offering was divided into 12 sections with the award of bid going to the low bidder of each section; and

WHEREAS, PRT, USA (Victoria, Canada) submitted the low bid for sections 1 thru 6 and 11 thru 12 of the contract in the amount of \$294,275; and

WHEREAS, North Central Reforestation (Evansville, MN) submitted the low bid for sections 7 thru 10 of the contract in the amount of \$13,108.50;

THEREFORE BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute a contract with PRT, USA (Victoria, Canada) for sections 1 thru 6 and 11 thru 12 of Bid No. 5341 in the amount of \$294,275, and with North Central Reforestation (Evansville, MN) for sections 7 thru 10 of Bid No. 5341 in the amount of \$13,108.50, for containerized tree seedling delivery in spring of 2018 and 2019, in accordance with the specifications of Bid No. 5341, payable from Fund 290, Agency 290001, subject to approval by the County Attorney.

**Special Sale to the Duluth Economic Development Authority
(Vacant Lot between 1604 - 1610 West Superior Street, Duluth)**

BY COMMISSIONER _____

WHEREAS, The Duluth Economic Development Authority (DEDA) has requested to purchase the following described state tax forfeited land for the market value of \$14,000, plus fees, for the purpose of economic development:

Legal: City of Duluth
LOT: 0264 BLOCK: 033, DULUTH PROPER SECOND DIVISION
Parcel Code: 010-1120-02240
LDKey: 118170; and

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

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Economic Development Authority (DEDA) for the market value \$14,000 plus the following fees: 3% assurance fee of \$420, deed fee of \$25, deed tax of \$46.20, recording fee of \$46 and appraisal fee of \$350, for a total of \$14,887.20 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax forfeited land described here if DEDA does not purchase the land by April 25, 2017.

**Special Sale to the Duluth Economic Development Authority
(4014 Grand Avenue, Duluth)**

BY COMMISSIONER _____

WHEREAS, The Duluth Economic Development Authority (DEDA) has requested to purchase the following described state tax forfeited land for the market value of \$16,250, plus fees, for the purpose of economic development:

Legal: City of Duluth
ELY 45 FT of LOT 5, BLOCK 19, HAZELWOOD ADDITION TO ONEOTA
Parcel Code: 010-2120-01300
LDKey: 118161; and

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

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the Duluth Economic Development Authority (DEDA) for the market value of \$16,250 plus the following fees: 3% assurance fee of \$487.50, deed fee of \$25, deed tax of \$53.63, recording fee of \$46 and appraisal fee of \$350, for a total of \$17,212.13 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax forfeited land described here if DEDA does not purchase the land by April 25, 2017.

Access Easement across State Tax Forfeited Land to St. Louis and Lake Counties Regional Rail Authority (Morse Township)

BY COMMISSIONER _____

WHEREAS, St. Louis and Lake Counties Regional Rail Authority has requested a non-exclusive easement across state tax forfeited land for the Mesabi Trail; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to grant a non-exclusive easement to St. Louis and Lake Counties Regional Rail Authority across state tax-forfeited lands as described in County Board File No. 60294.

RESOLVED FURTHER, That granting of this easement is conditioned upon payment of \$5,923 land use fee, \$300 administration fee and \$152 recording fee, for a total of \$6,375 to be deposited into Fund 240 (Forfeited Tax Fund).

Alternative Treatment for Repurchase of Non-Homestead Tax Forfeit Property

BY COMMISSIONER _____

WHEREAS, At the County Board Workshop held on October 18, 2016, the Land and Minerals Department presented proposed guidelines for the purchase and repurchase of tax forfeit properties that are designed to expedite the return of these properties to the tax rolls and to reduce the proliferation of blighted tax forfeit properties in cities and townships throughout the county; and

WHEREAS, An integral component of this proposal was a recommendation that the St. Louis County Board adopt an alternative treatment for the repurchase of non-homestead tax forfeit properties; and

WHEREAS, According to Minnesota statutes “non-homestead property” means all property except that which is classified for property tax purposes as non-homestead property at the time that the repurchase application is approved; and

WHEREAS; The St. Louis County Board wishes to provide for an alternative treatment for the purchase of non-homestead tax forfeit property, according to Minn. Stat. § 282.261, Subd. 3., changing the current manner in which non-homestead tax forfeit properties are made available for repurchase;

THEREFORE, BE IT RESOLVED, That St. Louis County Board adopts the alternative treatment for the repurchase of non-homestead tax forfeit property as provided for in Minn. Stat. § 282.261, Subd. 3., allowing a “minimum down payment of 20 percent of the repurchase price and the balance to be paid in four (4) equal annual installments,” effective November 19, 2016.

RESOLVED FURTHER, That since the statute requires the “resolution to remain in force for at least one year after approval and shall be applied uniformly to all non-homestead property in the county,” the Land and Minerals Department is directed to provide the County Board with an evaluation of this policy change at the end of the one year period, which will include a report on the experience of selling tax forfeit lands using the guidelines for the purchase and repurchase of tax forfeit properties, as presented on October 18, 2016 (County Board File. No. _____).

**Acquisition of Right of Way by Condemnation Proceedings for
Bridge Replacement on CSAH 99 (White Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a small segment of County State Aid Highway (CSAH) 99 and replace County Bridge 460/State Bridge 88611 spanning the Water Hen Creek in White Township; and

WHEREAS, The following described parcel of needed right of way has not been acquired by negotiation and direct purchase:

Parcel 1 **Owners and Interests:**

Jack Ralph Niemi, a single person, fee owner.
P.O. Box 1582
Homer, Alaska 99603

Property Legal Description

The Southerly 240 feet (15 rods) of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) Section 34, Township 57 North, Range 15 West; EXCEPT 2.28 acres for County Highway 16 right of way.
Abstract property
Parcel ID# 570-0012-04880

Property Physical Address:

Highway 99, Aurora, MN 55765 (Town of White)

Rights to be acquired:

All that part of the above described property lying east of a line 50.00 feet west of, and parallel with, the following described line:

Commencing at the Southeast corner of Section 34, Township 57 North, Range 15 West; thence North 00 degrees 36 minutes 42 seconds West, assumed bearing, along the east line of said Section 34 a distance of 80.00 feet to a point; thence South 89 degrees 55 minutes 02 seconds West a distance of 0.82 feet to the point of beginning of the line to be described; thence North 00 degrees 40 minutes 40 seconds West a distance of 321.65 feet and there terminating.

Described easement contains approximately 0.38 acre, of which, 0.25 acre is existing roadway and 0.13 acre is new highway right of way.

TOGETHER with a TEMPORARY Construction Easement over the above described property, 50.00 feet in width, west of and adjacent to the above described permanent

easement and lying between the north right of way line of CSAH 16 and a line drawn perpendicular to the CSAH 99 center line from engineer's station 3+00.

Described temporary easement contains approximately 0.25 acre and shall expire on December 31 2019.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, pursuant to Minn. Stat. Chapter 163.02, et. al., authorizes the County Attorney to proceed under Minn. Stat. Chapter 117.02, et. al., to acquire the remaining necessary highway right of way by condemnation proceedings for County Project 0099-287573, payable from Fund 200, Agency 203001, Objects 636500, 636600, and 637500.

**Cooperative Agreement with City of Duluth, Amendment No. 2 –
Intersection Improvements on CSAH 34/Kenwood Avenue**

BY COMMISSIONER _____

WHEREAS, The City of Duluth and St. Louis County have determined it is necessary to repave County State Aid Highway (CSAH) 34/Kenwood Avenue starting at West Arrowhead Road and continuing north for 1,700 feet; and

WHEREAS, It was determined that additional milling and bituminous pavement is needed to provide a longer service life of the pavement; and

WHEREAS, The actual unit price of the bituminous pavement was higher than the estimated unit price; and

WHEREAS, The original cost participation of St. Louis County for this project was \$75,000 and Amendment No. 1 increased the total cost participation to \$135,000, and Amendment No. 2 will increase the total cost participation to \$210,000;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to approve Amendment No. 2 of the Cooperative Agreement (Damion No. 2016-10112) with the City of Duluth to cover the additional cost of the project on CSAH 34/Kenwood Avenue at the intersection with West Arrowhead Road, resulting in a total cost participation of \$210,000. This project is identified as CP 0034-278317, payable from Fund 200, Agency 203421.

**Violation of St. Louis County Ordinance No. 28 - The Pines of Kabetogama Resort
(Kabetogama Township)**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Liquor Licensing Committee met on October 4, 2016, to consider recommending action to be taken by the County Board as a result of an alleged liquor law violation, sale to minor, on August 26, 2016, against The Pines of Kabetogama, LLC d/b/a The Pines of Kabetogama Resort, Kabetogama Township; and

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

WHEREAS, The Pines of Kabetogama, LLC has agreed to accept the proposal if approved by the County Board;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to execute an agreement suspending the Off-Sale Intoxicating Liquor License No. 17-CTOFSL-00200 issued to The Pines of Kabetogama, LLC d/b/a The Pines of Kabetogama Resort, Kabetogama Township, for ten (10) days and \$1,000 civil penalty, with nine (9) days and \$1,000 of the civil penalty stayed for one (1) year on the condition that the licensee has no same or similar violations during that year;

RESOLVED FURTHER, That the date of suspension of the liquor license will be November 7, 2016;

RESOLVED FURTHER, That a new violation within the next year (ending November 7, 2017), will result in the imposition of the remainder of the suspension and civil penalty, and may also be cause for additional action against the liquor license of the licensee pursuant to St. Louis County Ordinance Number 28, Section 13.

**Authorization to Apply to the IRRRB – Commercial Redevelopment
Grant Program (Chisholm Structure)**

BY COMMISSIONER _____

WHEREAS, The Iron Range Resources and Rehabilitation Board (IRRRB) has a Commercial Redevelopment Grant Program and St. Louis County is an eligible applicant for the program; and

WHEREAS, The Sabin-O'Neil Hotel and Bar located at 2 Lake Street West (PIN# 020-0010-03150) in Chisholm is a tax forfeit commercial structure determined to be blighted and not suitable for rehabilitation; and

WHEREAS, The St. Louis County Board authorized the demolition of these structures in Board Resolution No. 16-558; and

WHEREAS, The City of Chisholm supports the demolition and has expressed interest in acquisition of the site after demolition and clearance has been accomplished for redevelopment; and

WHEREAS, The IRRRB funding is proposed to be matched with St. Louis County funding resources to expand the county's capability to deal with blighted tax forfeit structures;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Economic Development Department to apply for up to \$125,000 in grant funding from the Iron Range Resources and Rehabilitation Board – Commercial Redevelopment Grant Program for demolition and clearance of the Sabin-O'Neil Hotel and Bar site in Chisholm, MN;

RESOLVED FURTHER, That the County Board authorizes matching funds for the IRRRB Grant from funds budgeted in the Planning and Economic Development Department for addressing blight and authorizes the Planning and Economic Development Director to execute the application documents related thereto.

**Authorization to Apply to the IRRRB – Commercial Redevelopment Grant Program
(Eveleth Structures)**

BY COMMISSIONER _____

WHEREAS, The Iron Range Resources and Rehabilitation Board (IRRRB) has a Commercial Redevelopment Grant Program and St. Louis County is an eligible applicant for the program; and

WHEREAS, The Tuna's Bar at 507 Grant Avenue, Eveleth, MN (PIN# 040-0010-00250) and Bill's TV and Audio at 511 Grant Avenue, Eveleth, MN (PIN# 040-0010-00240, 040-0030-00010, 040-0030-00130) are tax forfeit commercial structures determined to be blighted and not suitable for rehabilitation; and

WHEREAS, The St. Louis County Board authorized the demolition of these structures in Board Resolution No. 16-558; and

WHEREAS, The City of Eveleth supports the demolition and has expressed interest in acquisition of the sites after demolition and clearance has been accomplished for redevelopment; and

WHEREAS, The IRRRB funding is proposed to be matched with St. Louis County funding resources to expand the county's capability to deal with blighted tax forfeit structures;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Economic Development Department to apply for up to \$100,000 in grant funding from the Iron Range Resources and Rehabilitation Board – Commercial Redevelopment Grant Program for demolition and clearance of the Tuna's Bar at 507 Grant Avenue, Eveleth, MN and Bill's TV and Audio at 511 Grant Avenue, Eveleth, MN;

RESOLVED FURTHER, That the County Board authorizes matching funds for the IRRRB Grant from funds budgeted in the Planning and Economic Development Department for addressing blight and authorizes the Planning and Economic Development Director to execute the application documents related thereto.

Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board approves the applications for abatements, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 60288.

Applications for License to Sell Tobacco Products at Retail – Renewals

BY COMMISSIONER _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 60372, are hereby approved and the County Auditor is authorized to issue the licenses to the following establishments:

Hi Banks Resort, Inc., d/b/a Hi Banks Resort, Fredenberg Township;

SKF Friendly Liquors, Inc., d/b/a SKF Friendly Liquors, City of Hoyt Lakes.

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

**Applications for License to Sell Tobacco Products at Retail –
Renewals with Violations**

BY COMMISSIONER _____

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the applications for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 60372, are hereby approved and the County Auditor is authorized to issue the licenses to the establishments listed below.

The following license holders were issued a tobacco violation citation on the dates as stated:

Wieber & Associates, Inc., d/b/a Ash Trail Lodge, Unorganized Township
68-19, August 16, 2003;

Caywood Country Store, LLC, d/b/a Caywood Country Store, LLC,
Brevator Township, September 27, 2016;

Belo Enterprises, Inc., d/b/a Crossroads Convenience/Liquor Store,
Clinton Township, December 10, 2002, November 15, 2007, and
December 16, 2010;

Stutzman Group, Inc., d/b/a Hoyt Lakes IGA, City of Hoyt Lakes,
December 16, 2010;

Inter City Oil Co., Inc., d/b/a Inter City Oil Co., Inc., Cotton Township,
November 6, 2012, October 5, 2013, and November 8, 2014;

Susan/Patrick Carey d/b/a Lakeland Store, Biwabik Township, December
15, 2002, and August 11, 2015;

Leon Polley d/b/a Polley's Resort, Unorganized Township 63-17,
September 13, 1998, and December 13, 2014:

DM Stokke, Inc., d/b/a Stokke's Lakewood Market, Lakewood Township,
November 14, 2012, and November 8, 2014;

Miner's Incorporated d/b/a Super One Foods, Canosia Township, October
30, 2012, and October 25, 2015.

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

Health Insurance Portability and Accountability Act (HIPAA) Policy

BY COMMISSIONER: _____

WHEREAS, The St. Louis County Health Insurance Portability and Accountability Act (HIPAA) Compliance Committee has completed a comprehensive review of its policy and compliance with the federal Health Insurance Portability and Accountability Act (HIPAA) to ensure appropriate safeguards are in place to protect the privacy and security of protected health information; and

WHEREAS, The County has reaffirmed its designation as a “hybrid entity” for purposes of HIPAA implementation; and

WHEREAS, The Administrator’s Office has worked with the HIPAA Compliance Committee to conduct a thorough assessment of current practice and policy updates, and

WHEREAS, St. Louis County will make all reasonable efforts to comply fully and consistently with all applicable laws and regulations relating to the privacy and security of protected health information;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the adoption of the Policy on Compliance with the Health Insurance Portability and Accountability Act (HIPAA) as contained in County Board File No. _____.

RESOLVED FURTHER, That St. Louis County is designated as a “hybrid entity” for purposes of HIPAA compliance and the County Administrator or designee shall be the St. Louis County HIPAA Coordinator.

RESOLVED FURTHER, That the St. Louis County Board rescinds the previous HIPAA policy contained in County Board File No. 58050.