

**Carlton County
Board of Commissioners
REGULAR SESSION - Rough Draft
Tuesday, July 14, 2015
8:30 a.m.**

The Carlton County Board of Commissioners met this 14th day of July, 2015, in Regular Session at the Carlton County Transportation Building.

Members present: Bodie, Peterson, Proulx, and Zmyslony. Absent: Brenner.

The meeting opened with The Pledge of Allegiance to the Flag.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to approve the Agenda as amended.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes to approve the Minutes of the June 22, 2015, Adjourned Board Meeting.

An Employee Service Award was presented as follows:

Kimberly Hedquist	Public Health/Human Services	20 Years
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Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to authorize the submission of a Letter of Support (to the State of Minnesota, Department of Human Services), on behalf of the Cloquet Community Memorial Hospital as part of their Planned Closure Rate Adjustment Application (de-licensing) process.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes, except Brenner, who was absent, to adopt the following resolution: (15-062)

WHEREAS, the Carlton County Board of Commissioners did previously take action to enter into an Agreement for the Collection of Recyclable Electronics (August 12, 2014) with Retrofit Companies (TRC); and

WHEREAS, said Agreement provides for an extension (for one year at the same rate) of the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby approve a one year extension of the Agreement for the Collection of Recyclable Electronics with Retrofit Companies (TRC).

Motion by Proulx, seconded by Peterson, and carried by all yea votes, except Brenner, who was absent, to adopt the following resolution: (15-063)

WHEREAS, the County Board of Commissioners of the County of Carlton, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for nonpayment of taxes; and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners hereby certifies that all parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 - Subdivision 8, 282.018, and the 1991 Laws of Minnesota Chapter 354, Article 10, Section 9, amending Minnesota Statute Section 282.018, Subdivision 2 (1990). The County Board of Commissioners hereby certifies that either the County Land Commissioner or the Soil and Water Conservation Board of the district where the land is located has reviewed Landsale List No. 132 and identified any and all non-forested marginal wetlands; and

BE IT FURTHER RESOLVED that this Landsale will be held at 10:00 a.m., October 15, 2015, in the Carlton County Transportation Department Building Boardroom, Carlton, Minnesota.

Motion by Proulx, seconded by Peterson, and carried by all yea votes, except Brenner, who was absent, to adopt the following resolution: (15-064)

WHEREAS, Minnesota Statutes 282.01, Subdivision 7A, provides for the County Auditor to sell certain tax-forfeited properties at a restricted landsale; and

WHEREAS, Carlton County has received requests to purchase several small parcel of tax-forfeited lands described as follows:

See EXHIBIT A

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby authorize the sale of the following parcels of tax-forfeited lands as allowed by Minnesota Statutes 282.01, subdivision 7A:

See EXHIBIT A;

BE IT FURTHER RESOLVED to set a bid opening date of October 15, 2015, at 10:00 a.m., in the Carlton County Transportation Department Building Boardroom with minimum bid amounts as indicated in EXHIBIT A; and

BE IT FURTHER RESOLVED that the bidding be restricted to adjacent property owners; and

BE IT FURTHER RESOLVED that if payment is not received from the successful bidder within forty-five (45) days of October 15, 2015, the next highest bidder will be awarded the sale of said parcel at bid offering.

Motion by Proulx, seconded by Peterson, and carried by all yea votes, except Brenner, to adopt the following resolution: (15-065)

WHEREAS, the County Board of Commissioners of the County of Carlton, State of Minnesota, offered for sale on Tax Forfeited Landsale Number 131 certain parcels of land that have forfeited to the State of Minnesota for nonpayment of taxes; and

WHEREAS, said parcels of land have been offered at public sale as required by MN Statutes 282 and remain unsold.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners hereby removes Tax Forfeited Landsale Number 131 from active landsale status pursuant to Minnesota Statutes 282.

BE IT FURTHER RESOLVED that the parcels removed from sale will be reappraised and offered for sale pursuant to Minnesota Statutes 282 at the next Tax Forfeited Landsale in the Carlton County Boardroom in the Courthouse at Carlton, Minnesota.

Motion by Proulx, seconded by Peterson, and carried by all yea votes, except Brenner, to adopt the following resolution: (15-066)

WHEREAS, The Greater Minnesota Regional Parks and Trails Commission is soliciting applications for Designation of Regional Significance, and

WHEREAS, the Fond du Lac Band of Lake Superior is committed to ensuring its paved trail system provides connections to destinations such as parks, schools, businesses, and other regionally significant facilities for all community members and visitors, and

WHEREAS, the Fond du Lac Band of Lake Superior recognizes achieving the designation of Regional Significance for its trail system positions the Tribal Government to be eligible for Legacy Parks & Trails funding for future projects, benefiting the area's residents and visitors.

NOW, THEREFORE, BE IT RESOLVED THAT, the Fond du Lac Band of Lake Superior supports the Designation of Regional Significance Application for the Big Lake Trail to the Greater Minnesota Regional Parks and Trails Commission.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes, except Brenner, to adopt the following resolution: (15-067)

WHEREAS, Carlton County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. L1230; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$234,018.75 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Carlton County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, §174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes, except Brenner, to adopt the following resolution: (15-067)

WHEREAS, bids have been received by the County Auditor/Treasurer for the construction of Bridge Reconditioning; replacement of bridge L1230 over the Kettle River in Sec 29, T47N R20W, S.A.P. 009-598-016; and

WHEREAS, said bids or proposals were duly opened in the Carlton County Engineer's Office at 10:00 a.m., Monday, July 13, 2015 and this Board has, with the County Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgment of this Board, it is for the best interest of Carlton County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carlton County, Minnesota, in regular session duly convened, that they hereby approve the award of the contract on the above project to the lowest bidder:

M & K Bridge Construction, Inc	\$248,196.00
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BE IT FURTHER RESOLVED that the Chairperson of the County Board, the County Auditor/Treasurer, and the County Attorney, on behalf of the County of Carlton, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes to approve Wet Bar (Special Event) Permits for TJ's Mahtowa on August 7, and September 5, 2015.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to enter into a Contract Agreement with the City of Cloquet, whereby the County will administer the Small Cities Development Program on behalf of the City. The terms and conditions of the Contract Agreement are on file in the Economic Development Offices.

Motion by Zmyslony, seconded by Proulx, and carried by all yea votes to accept and approve the Carlton County Lobbying Policy.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to enter into an Agreement with Candy Swedberg (Swedberg, LLC) for the placement of a food concession trailer at the Carlton County/Chub Lake Park.

Motion by Zmyslony, seconded by Proulx, and carried by all yea votes to set a closed session to discuss labor negotiations and pending litigation following the close of regular business this meeting.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to table consideration of a review of the Sappi real estate appraisal.

Motion by Peterson, seconded by Bodie, and carried by all yea votes to authorize and instruct the County Coordinator to direct the vendor selling produce on the County parking lot (Chestnut Avenue, Carlton) to cease and desist this practice.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes to close this session to discuss labor negotiations and pending litigation.

The Regular Meeting closed at 9:00 a.m., to discuss labor negotiations. The meeting reconvened at 10:25 a.m.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to authorize utilizing outside legal counsel to assist the county with a Civil Rights Complaint and an ongoing employee investigation.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to approve the appropriation of up to \$20,000 from the General Revenue Fund Balance for the purpose of utilizing outside legal counsel.

Motion by Proulx, seconded by Peterson, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Paul G. Gassert
County Auditor/Treasurer

Marv Bodie
County Board Chairperson