

**OFFICIAL PROCEEDINGS  
OF THE COUNTY BOARD  
LAKE COUNTY, MINNESOTA**

May 13, 2014. Commissioners Chambers, Lake County Courthouse, Two Harbors, Minnesota. Commissioners Present: Goutermont, Hurd, Jones, Sve, Walsh. Absent: None. Also present: County Administrator Matthew Huddleston and Laurel Buchanan, Clerk of the Board.

Meeting was called to order at 1:00 p.m. by Chairperson Rich Sve. Unless otherwise stated, all actions have been approved by unanimous yeas vote. Members of the public were present.

MOTION GOUTERMONT, SECOND WALSH: 01 – Approve agenda.

Lake County Land Commissioner Nate Eide updated the County Board on the gypsy moth quarantine. Since April 2013, the Minnesota Department of Agriculture (MDA) has been working on details with stakeholders. The public comment period started in January 2014. Following the public comment period a few changes were made to the proposed quarantine. The quarantine effective date is delayed to July 1, 2014. There is no longer a requirement to use wood at mill within five days. Firewood will be governed through compliance agreements. A logger training is scheduled for the morning of May 28, 2014, in the Law Enforcement Center in Two Harbors.

Lake County Land Commissioner Nate Eide provided an update on the Northern Long-Eared Bat (NLEB). The U.S. Fish and Wildlife Service is considering listing NLEB as endangered under the Endangered Species Act. Land Commissioner advised how this could affect the forestry industry during the summer months when the bat's habitat is forested and how bat management activities may drive up logging costs and affect bids accordingly. The bat is affected by white-nose syndrome, a fungal disease that can be contracted in the bat's winter hibernacula (caves) and loss or degradation of summer habitat. In the summer, the NLEB roosts in tall trees, snags, buildings and rock shelters and raise their nursery colonies under bark, shingles and in buildings. Overwhelmingly, NLEB are losing numbers because of White-nosed syndrome. While bats live in the forest during summer months, the amount of forest disturbed by logging in the summer is less than 1% of the total forest. Additionally, measures are taken already to protect the most bat preferred trees. Mr. Eide discussed conservation measures and current practices that protect the bat's habitat. He discussed the Minnesota Association of County Land Commissioners (MACLC) efforts as well as the Minnesota Department of Natural Resources' (DNR) efforts for a Habitat Conservation Plan and research that is being done. Several entities are providing feedback to the U.S. Fish and Wildlife Service. A letter has been drafted for the Lake County Board of Commissioners to consider submitting on behalf of Lake County. The letter will encourage the U.S. Fish and Wildlife Service to delay the listing of the NLEB until all forest management partners are engaged. We are confident we can protect the habitat of this species without unintentional adverse impacts to other species of concern and our forest products industries which make forest management possible in Lake County. The NLEB could be added to the federal List of Endangered and Threatened Wildlife. This listing would become effective November 2014. A final decision by the Fish and Wildlife Service is expected in October 2014.

Commissioner Goutermont left the meeting at 1:43 p.m. and returned at 1:51 p.m.

MOTION GOUTERMONT, SECOND WALSH: 02 – Recess County Board meeting at 2:00 p.m. Absent: None

The County Board meeting was reconvened at 2:09 p.m. with all members present.

Lake County Highway Engineer Krysten Foster updated the County Board on Road & Bridge activities and had a discussion on fleet purchases. Ms. Foster discussed some budget transfers to accommodate changes. She advised that Lake County will still have ample gravel stockpiled so can omit crushing at this time. The line item transfer could go to parts, a budget area needing additional dollars at this time.

Commissioner Goutermont left the meeting at 2:15 p.m.

Lake County Highway Engineer discussed equipment needs and the decision to defer the pick-up purchase to accommodate other needs for equipment to keep the budget in the black. One equipment need that took priority was a brush cutter.

Commissioner Goutermont returned at 2:17 p.m.

MOTION JONES, SECOND HURD: 03 – Request that the County Attorney draft a lease document for continued discussions with the Two Harbors Food Shelf. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 04 – Approve Consent Agenda as follows:

1. Approve County Board meeting minutes from April 22, 2014.
2. Approve claims in the amount of \$79,021.08.
3. Authorize payment in the amount of \$2,775.93 to Zayo Group, LLC, for Transport Duluth to 511 MPLS (Reference 040114).
4. Authorize the following payments totaling \$5,579.00 to CCI Systems for replacement, reconfiguration and support of Cisco ASR-9006 equipment:

	Equipment	Support	Total
0077152-IN	4,624.40	-	4,624.40
0077322-IN	67,398.43	714.00	68,112.43
0077953-CM	(68,742.00)	(298.35)	(69,040.35)
0077196-CM	-	(6,132.75)	(6,132.75)
0077850-CM	(581.29)	-	(581.29)
0077508-IN	-	4,883.76	4,883.76
0077470-IN	-	3,712.80	3,712.80
	<u>2,699.54</u>	<u>2,879.46</u>	<u>5,579.00</u>

5. Authorize the Chair to sign a monitoring agreement with WH International Response Center, LLC for an electronic security alarm signaling system as a subcontractor of ESC Systems. This is a one-year monitoring agreement for the Two Harbors Rescue Squad fire alarm system and allows ESC Monitoring Center the authority to cover the Rescue Squad Building in case of a fire.
6. Approve the abatement of a portion of the 2014 real estate taxes for Parcel I.D. 24-5706-20790 owned by Serine F. Ege Trust. For the 2013 Assessment this parcel was assessed with 245 feet of Lake Superior frontage. For the 2014 Assessment the parcel was reviewed on GIS maps and a lesser number of Lake Superior frontage was determined in the amount of 205 feet. The assessed frontage was changed for the 2014 assessment and it is recommended that it is corrected for the 2013 assessment and an abatement of a portion of the 2014 property taxes be approved.

7. Approve Homestead classification for Parcel I.D. 23-7640-11010 for the 2013 assessment, real estate taxes payable in 2014, for Mark & Katya Gordon. This request is to change from Non-homestead to Homestead.
8. Approve transfer of \$7,928.78 to Highway Dept from the Demolition Landfill Acct for work done at the landfill.
9. Authorize the purchase of printing services from Pro Print, Inc. for an amount not to exceed \$11,865.64 for Lake County's 2014 Plat Book.
10. Approve and award bid prices as listed below for Wildfire Fuel Reduction (Stevens) Grant projects to reduce hazardous balsam fir understory and blow down on private lands in Wildland Urban Interface (WUI) areas adjacent to USFS projects. Contracts will be paid by Lake County and reimbursed by the federal Wildfire Fuel Reduction Grant.

<b>Acres</b>	<b>Project Name</b>	<b>Total Value</b>	<b>Awarded to</b>
12.3	Gerdes	\$12,177.00	Long Haul Tree Service
3.4	Anseth	\$3,740.00	Joe Backen
19.4	Brickner	\$14,297.00	EnviroTrac, LLC
10.1	Hyde	\$8,332.00	Long Haul Tree Service
2.9	Conway	\$1,818.00	Hollow Log Enterprise
20.1	Ott	\$15,034.00	Hollow Log Enterprise
5.9	Laya	\$4,218.00	Hollow Log Enterprise
17.75	Uthe	\$14,058.00	EnviroTrac, LLC
2.4	Breden	\$2,700.00	North Shore Tree & Stump Removal
1.8	Johnson	\$2150.00	North Shore Tree & Stump Removal
<b>96.05</b>		<b>\$78,524.00</b>	

11. Amend County Board Minutes from November 12, 2013, Page 2, Item #11 to correctly read: approve cleaning contract extension for Two Harbors garage to Mitchell Ekstrom for \$10,857/yr.
12. Approve payment to Power Transmission Inc in the amount of \$3,294.50 on Invoice 186304 for repair of unit #4990.
13. Accept fully signed 2014 Maintenance Striping Agreement CP 0000-97112 with St. Louis County.
14. Approve contract with Fahrner Asphalt Sealers, LLC-Eau Claire for 2014 Seal Coat/Fog Seal/Chip Seal through St. Louis County (CP 0000205963), (SAP 038-610-006, 038-611-016 and 038-612-016).

15. Approve utility permit to Northeast Service Cooperative for fiber optic crossing at County Road 106 to TH61.
16. Approve Final Payment to Mesabi Bituminous in the amount of \$3,349.99 for SP 038-090-003, sp 038-626-005 & SP 038-627-002.
17. Approve maintenance contract to Toimi School Community Center Board for Toimi School Wayside Rest cleaning and maintenance in the amount of \$800 per month from May 15 through October 15, 2014.
18. Authorize the following payments totaling \$2,604.29 to Cooperative Light and Power for pole make ready:
  - a Invoice 6702 \$ 1,696.17
  - b Invoice 6704 \$ 908.12
19. Authorize payment in the amount of \$2,785.00 to 7Sigma Systems, Inc. for ISP support services (reference 43014LCN).
20. Authorize payment in the amount of \$211,430.58 to Lake Communications, Inc. for Operations and Management of the Lake County Fiber to the Home Project (Invoice 35).
21. Approve payment to Masimo in the amount of \$4,200.00 for a carbon monoxide pulse oximeter, which was funded by a grant from Coop Light and Power Operation Round-Up.
22. Authorize the Chair of the Board to sign the Homeland Security and Emergency Management (HSEM) Operation Stonegarden 2013 grant agreement.
23. Authorize payments to VISA for the following charges:
  - \$160.00 for registration fee for Minnesota Association of Assessing Officers (MAAO) 2014 Summer Seminars.
  - \$121.00 for registration fee for MAAO 2014 Res Case Study Exam Workshop
  - \$ 93.27 for lodging at Best Western Kelly Inn for Assessor's Office staff attending 2014 Res Case Study Exam Workshop
  - \$186.54 for lodging at Best Western Kelly Inn for Assessor's Office staff attending MAAO Summer Seminars
  - \$ 94.05 for lodging at Arrowwood Resort for Commissioner Walsh attending an Association of Minnesota Counties (AMC) conference
24. Approve payment in the amount of \$132,000.00 to Arrowhead Regional Corrections for Lake County's portion for capital improvement to the Northeast Regional Corrections Center (NERCC) building. (Invoice #IN-00000222).
25. Approve and authorize the chair to sign an agreement with Hildi, Inc. for actuarial services at a cost of \$3,000 for a projection of Lake County's GASB 45 OPEB liability.

26. Authorize payment to Giant Voices in the amount of \$5,000.00 (INV-036382) for monthly retainer through May 31, 2014, for broadband marketing services including coordination and execution of communication priorities outlined in marketing services agreement.

27. Authorize payment in the amount of \$7,335.90 to Innovative Systems for annual IPTV middleware maintenance fee & miscellaneous freight (reference 20279A).

28. Authorize payment in the amount of \$9,344.85 to KGP Logistics for two Optisnap Clearcurve toolkits (reference INV7025155). Absent: None

MOTION JONES, SECOND HURD: 05 – Approve the following resolution for the classifications of said parcels of land to be declared to be non-conservation.

WHEREAS, certain parcels of land in Lake County have been considered for sale described as followed:

parcel #	Parcel ID	Acres	Sect	Twp	Rng	Desc.	Township/ City
1	28-6411-31250	39.55	31	64	11	NE 1/4 OF NW ¼	FALL LAKE TOWNSHIP
2	28-6411-30850	39.98	30	64	11	SW 1/4 OF SE ¼	FALL LAKE TOWNSHIP
3	28-6211-22730	39.43	22	62	11	NE 1/4 OF SE ¼	FALL LAKE TOWNSHIP
4	25-5611-18310	37.97	18	56	11	GOVT LOT 2	UNORGANIZED TERRITORY 2
5	25-5511-25010	39.12	25	55	11	NE 1/4 OF NE ¼	UNORGANIZED TERRITORY 2
6	25-5511-33791	39.00	33	55	11	NW1/4 OF SE1/4 LESS W 67 FT OF S 650 FT OF N	UNORGANIZED TERRITORY 2
7	28-6409-31014	2.60	31	64	9	1/5 Interest of Lot 1, Twp 65, Rng 9, Section 31 - Moose Lake	FALL LAKE TOWNSHIP
8	28-6409-31013	2.60	31	64	9	7/8 of 1/5 Interest of Lot 1, Twp 65, Rng 9, Section 31 - Moose Lake	FALL LAKE TOWNSHIP
9	28-6409-31012	2.60	31	64	9	1/10 Interest of Lot 1, Twp 65, Rng 9, Section 31 - Moose Lake	FALL LAKE TOWNSHIP
10	26-5608-12432	1.00	12	56	8	Polar Circle, Silver Bay MN	BEAVER BAY TOWNSHIP
11	23-7642-56100	NA	36	53	11	827 9th Ave, Two Harbors MN	City of Two Harbors
12	23-7642-42040	NA	36	53	11	814 8th Ave, Two Harbors MN	City of Two Harbors
13	23-7640-31050	NA	6	52	10	217 South Ave, Two Harbors MN	City of Two Harbors
14	23-7600-06325	0.63	6	52	10	610 4th St, Two Harbors, MN	City of Two Harbors
15	22-7440-04110	NA	32	56	7	24 Burk Dr, Silver Bay MN	City of Silver Bay
16	21-7247-13010	1.06	13	56	8	Nly 260 Ft of Outlot A, Slaters Division, Beaver Bay MN	City of Beaver Bay
17	21-7247-12090	0.32	13	56	8	Outlot B, Slaters Division, Beaver Bay MN	City of Beaver Bay
18	20-5908-09732	1.14	9	59	8	9325 Hwy 1, Isabella MN	STONY RIVER TOWNSHIP
19	20-5908-09250	14.06	9	59	8	9367 Hwy 1, Isabella MN	STONY RIVER TOWNSHIP

WHEREAS, M.S. 282.01 calls for classification of said parcels to conservation or non-conservation:

NOW, THEREFORE, BE IT RESOLVED, that the classifications of said parcels of land are hereby declared to be non-conservation. Absent: None

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MOTION WALSH, SECOND GOUTERMONT: 06 – Approve the 67-day temporary appointment of Bradley Johnson, Truck Driver for Highway Department, at \$15.50 per hour including maximum return incentive effective May 27, 2014. Absent: None

MOTION HURD, SECOND GOUTERMONT: 07 – Approve the 67-day temporary appointment of James Larsen, Shop Helper/Mechanic for Highway Department, at \$11.00 per hour including first year return incentive effective May 27, 2014. Absent: None

MOTION WALSH, SECOND HURD: 08 – Approve the 67-day temporary appointment of Adam Selhorst, Laborer for Highway Department, at \$8.50 per hour effective May 27, 2014. Absent: None

MOTION HURD, SECOND JONES: 09 – Approve the appointment of Corey Carlson to full-time Dispatcher/Corrections Officer effective May 24, 2014. Absent: None

MOTION JONES, SECOND GOUTERMONT: 10 – Accept the quote from Libal Construction in the amount of \$4,800.00 for removal and replacement of the concrete floor at the Sentence-to-Serve (STS) Building shop area. Absent: None

MOTION WALSH, SECOND HURD: 11 – Approve and authorize the Chairperson to sign the Grant Agreement between the State of Minnesota, acting by and through the Office of the Commissioner of Iron Range Resources and Rehabilitation Board (IRRRB), and Lake County (Document PO ID # 300002936). Absent: None

MOTION GOUTERMONT, SECOND JONES: 12 – Approve and authorize the Chairperson to sign the Settlement Agreement between Lake County, Minnesota d/b/a Lake Connections (“Lake County”) and Citizens Telecommunications Company of Minnesota LLC (“Frontier”) to resolve their pending pole attachment dispute before the Federal Communications Commission (File No. EB-13-MD-005) and the on-going pole attachment disputes in the City of Two Harbors (“City” or “Two Harbors”) and Lake County generally. Absent: None

MOTION HURD, SECOND WALSH: 13 – Authorize the Chairperson to sign a letter from the Lake County Board of Commissioners to the U.S. Fish & Wildlife Service (USFWS) regarding the USFWS endangered species determination of the northern long-eared bat. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 14 – Authorize Forestry Department to sell a 1996 Chevy Truck (VIN#1CGEK14W3TZ149202). Absent: None

MOTION GOUTERMONT, SECOND HURD: 15 – Authorize the following payments totaling \$362,692.48 to Cooperative Light and Power for pole make ready:

- a Invoice 6688 \$ 47,021.24
- b Invoice 6687 \$ 78,929.25
- c Invoice 6638 \$ 51,886.90
- d Invoice 6641 \$129,852.63
- e Invoice 6686 \$ 55,002.46 Absent: None

MOTION JONES, SECOND GOUTERMONT: 16 – Approve resolution for approving the contracts for HBO and Cinemax. Absent: None

MOTION JONES, SECOND WALSH: 17 – Authorize payment in the amount of \$2,880.00 to Conrow Law Office (Invoice 10133) for services from March 25, 2014 through May 9, 2014 in the matter of the Lake County fiber network. Absent: None

MOTION GOUTERMONT, SECOND JONES: 18 – Adjourn meeting at 2:45 p.m. Absent: None

The County Board will meet as a Committee of the Whole on Tuesday, May 20, 2014, at 6:00 p.m. in the Law Enforcement Center, 613 Third Avenue, Two Harbors, Minnesota. A regular County Board meeting will be held on Tuesday, May 27, 2014, at 1:00 p.m. in the Commissioners' boardroom at the Lake County Courthouse, 601 Third Avenue, Two Harbors, Minnesota.

ATTEST:

Laurel D. Buchanan  
Clerk of the Board

Rich Sve, Chairperson  
Lake County Board of Commissioners