

AGENDA

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA



Tuesday, June 14, 2011, 9:30 A.M.

**County Board Room, Second Floor
St. Louis County Courthouse
100 N. 5th Avenue West
Duluth, Minnesota**

**STEVE O'NEIL, Chair
Second District**

**FRANK JEWELL
First District**

**CHRIS DAHLBERG
Third District**

**MIKE FORSMAN
Fourth District**

**PEG SWEENEY
Fifth District**

**KEITH NELSON, Vice-Chair
Sixth District**

**STEVE RAUKAR
Seventh District**

County Auditor
Don Dicklich

County Administrator
Kevin Gray

County Attorney
Mark Rubin

Clerk of the Board
Patricia Stolee

The St. Louis County Board of Commissioners welcomes you to this meeting. This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Board when a motion is on the floor. If you wish to speak on a matter which does not appear on the agenda, you may do so during the public comment period at the beginning of the meeting. Except as otherwise provided by the Standing Rules of the County Board, no action shall be taken on any item not appearing in the agenda.

When addressing the Board, please sign in at the podium and state your name and address for the record. Please address the Board as a whole through the Chair. Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify Property Management 72 hours prior to the meeting at (218)725-5085.****

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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- 9:30 A.M. Pledge of Allegiance
Roll Call
Recognition of Excellence in the Arts & Sciences – Commissioner Chris Dahlberg, Third District

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

- 9:40 A.M. Public hearing, pursuant to Resolution No. 294, adopted May 24, 2011, to consider the issuance of an Off-Sale Intoxicating Liquor license for Ballz Deep, Inc., d/b/a The Other Place Bar & Grill, Rice Lake Township, transfer. {11-225}

CONSENT AGENDA: Approval of business submitted on the Consent Agenda.

REPORTS OF BOARDS AND COMMITTEES

Health & Human Services Committee – Commissioner Dahlberg, Chair

1. Resolution adopting changes in the leadership and committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness. [**Without recommendation.**] {11-220}

Public Works & Transportation Committee – Commissioner Forsman, Chair

2. Highway project bid awarded to **Hoover Construction Co.**, Virginia, MN, on their low bid of **\$5,599,994.89** for SP 69-604-060, CP 9282 - Grading, Aggregate Base, Curb & Gutter, and Bituminous Surfacing on County State Aid Highway 4 near Markham, MN. [**Tabled from the April 12, April 26, May 3, May 10, May 24, & June 7, 2011, meetings.**] {11-124R}
3. Highway project bid awarded to **Northland Constructors**, Duluth, MN, on their low bid of **\$2,750,095.71** for SP 69-613-032, CP 61938 – Mill Bituminous Surface, Bituminous Surface and Shoulders, and Aggregate Shoulders on County State Aid Highway (CSAH) 13 (Midway Rd.) in Hermantown, MN. [**Without recommendation.**] {11-226}

BOARD LETTER NO. 11 – 220

HEALTH & HUMAN SERVICES COMMITTEE NO. 1

JUNE 14, 2011 BOARD AGENDA NO. 1

DATE: June 7, 2011 **RE:** Heading Home St. Louis
County Plan

FROM: Kevin Z. Gray
County Administrator

Ann M. Busche, Director
Public Health & Human Services

RELATED DEPARTMENT GOALS:

Adults will be self sufficient, providing for their own welfare and that of their children. Adults will live in the least restrictive living arrangement that meets their health and safety needs.

ACTION REQUESTED:

The St. Louis County Board is requested to approve a structural change to the Heading Home St. Louis County Plan.

BACKGROUND:

In August of 2005 the St. Louis County Board authorized the creation of the Committee to End Homelessness in Ten to develop a Ten Year Plan to End Chronic Homelessness. A consultant was hired and over the next year, input was solicited from across the county through focus groups and direct dialogue. The committee worked with the City of Duluth, other municipalities, private and public entities, and professionals in the areas of mental health, chemical dependency, human services, youth programs, anti-poverty initiatives, domestic violence, employment & training, housing development, education, corrections, homeless shelters and homeless services, and the faith community to develop a plan. The final document was a fully integrated plan that addressed both rural and urban systems. In January of 2007 the Public Health and Human Services (PHHS) Advisory Committee approved recommending the plan to the County Board, which gave final approval in March 2007.

Since then, implementation of the Heading Home St. Louis County Plan has been moving forward. The work of numerous committees has resulted in better integration of homeless prevention efforts and funding. Some evolution has taken place, but the original plan has been kept intact as a guide for reaching its homeless prevention goals. The recent passage of the federal HEARTH Act has now changed the approach to the county's homeless prevention efforts. It requires communities to use consistent data, collaboration, and strong leadership in order to remain competitive in future federal funding opportunities. Over the last few months multiple community focus groups were

held both on the Range and in Duluth to determine how to change leadership and committee structures to meet this new challenge. Individuals from the Implementation Team, Committee to End Homelessness, Fair and Rural Housing Coalition, and the Affordable Housing Coalition have met to discuss how these changes will impact progress. Representatives from the Planning and Community Development Department, PHHS, and City of Duluth Planning have worked together to reconfigure future homeless funds and processes.

The outcome is a proposal to restructure the larger system by reducing the number of committees, combining advisory and other planning groups together, and creating a more formal community-wide, data-driven approach. Proposed is a new leadership structure that includes both county and City of Duluth appointed members whose role is to guide, evaluate, and make recommendations for all homeless funds. The ultimate goal is to assure that all funding projects are in alignment with the Heading Home St. Louis County priorities, gaps, and available resources. Presentations regarding these changes and recommendations were made to the County Board on April 19, 2011 and will be made to the City of Duluth on June 13, 2011.

The former structure and the new proposed structure are as follows:

Previous Structure

Implementation Team – 20 Members
(Monitor progress of Plan)
|
Prevention Committee
Rapid Re-Housing Committee
Access Committee
Supportive Services Committee
Evaluation Committee
Public Education Committee
Funding Committee

Proposed New Structure

Leadership Council – 15 Members
(Monitor progress of Plan)
|
Rural Housing Coalition - North
Affordable Housing Coalition - South

Proposed Leadership Council Members - Appointed by City of Duluth (City) and St. Louis County (SLC):

- Homeless/Formerly Homeless (City)
- Veteran Representative (City)
- Homeless Advocate, per funding statute (SLC)
- MN Interagency Council on Homelessness (MICH) representative (SLC)
- Education Representative, per funding statute (SLC)
- Local Representative/Providers: 1 Rural Housing (SLC) & 1 Affordable Housing (City)
- At large (foundations/private funding sources) 2 (SLC) & 1 (City)
- Tribal representation: 1 Bois Forte (SLC) & 1 Fond du Lac (City)
- Corrections representative (SLC)
- Faith representation (City)
- Business community representation (SLC)

Attached is an appendix that outlines the recommended new structure with a list of questions that were raised at various community forums and planning meetings related to that structure, as well as a mapping of the previous and proposed structures.

RECOMMENDATION:

It is recommended that the St. Louis County Board adopt the proposed recommendations for a change in the leadership and committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness.

Heading Home St. Louis County Plan

BY COMMISSIONER _____

WHEREAS, in March 2007 the St. Louis County Board gave final approval to the Heading Home St. Louis County Ten Year Plan to End Homelessness; and

WHEREAS, implementation of the Heading Home St. Louis County Plan has been moving forward through the work of numerous assigned committees and county staff; and

WHEREAS, recent passage of the federal HEARTH Act has now changed how St. Louis County must address homeless prevention efforts; and

WHEREAS, the HEARTH Act requires communities to use consistent data, collaboration, and strong leadership in order to remain competitive in future federal funding competitions; and

WHEREAS, representatives from the Planning and Community Development Department, Public Health & Human Services, and City of Duluth Planning have worked together to reconfigure future homeless funds and processes with input from multiple community groups.

NOW THEREFORE, BE IT RESOLVED, that the St. Louis County Board adopts the proposed recommendations for a change in the leadership and committee structure of the Heading Home St. Louis County Ten Year Plan to End Homelessness to discontinue the twenty (20) member Implementation Team and seven (7) subcommittees: Prevention Committee, Rapid Re-Housing Committee, Access Committee, Supportive Services Committee, Evaluation Committee, Public Education Committee, and Funding Committee.

RESOLVED FURTHER, that the County Board adopts the new structure of a fifteen (15) member Leadership Council using the existing housing coalitions in an advisory role: Rural Housing Coalition (North St. Louis County) and the Affordable Housing Coalition (South St. Louis County).

Heading Home SLC Advisory Committee Transition Community feedback Q & A - May 2011

Leadership Council:

Q: How will members be recruited & appointed? A: All members of the Leadership Council will be appointed by the St. Louis County Board and the Duluth City Council. The City Council will appoint 6 members and the County Board will appoint 9 members. All persons interested in becoming members of the Leadership Council will need to complete an application and submit the application to the St. Louis County Auditor's Office. St. Louis County has a common application used for its volunteer boards and advisory committees that may be used and supplemented with a questionnaire as needed.

Q: Who will create bi-laws/application/selection process? A: St Louis County/City of Duluth staff will assist in the development of a form of bylaws for the Leadership Council. Attendance and conflict of interest have been identified as key areas of focus in the bi-law creation for the Leadership Council.

Q: Responsibilities (job description) creation A: The job description and duties will be developed by St. Louis County and City of Duluth staff with feedback from the current Committee to End Homeless (CEH) advisory and Implementation team members. Activities will include; monitoring Heading Home SLC's progress outcomes, developing priorities based on HMIS data, and making funding recommendations for the SuperNOFA, FHPAP & ESG.

Q: Data driven piece – preparation for HEARTH Act – who will disseminate & coordinate ALL data ? A: The Heading Home St. Louis County's Leadership Council will be utilizing multiple data sources to assist in the decision making and guidance for all housing/homeless activities throughout our community. Data will be used to set goals and to review progress. The County/City will consult with Wilder Research to determine how to develop a coordinated report, which encompasses funds that come into St. Louis County for preventing and ending homelessness.

Q: How will ESG be incorporated into the process? A: County and City ESG funds are required to be incorporated into this coordinated process. St. Louis County Planning and City of Duluth will have the Leadership Council review 2012 ESG applications. Request for Proposals will look similar and will be reviewed by the City/County planning groups.

Q: What specifically is the role of the staff members (City of Duluth, SLC planning, PHHS) ? A: Each fiscal entity will be responsible to share information such as data, education, funding priorities, and other pertinent information with the Leadership council for the council. City and County staff will be available to retrieve additional information if requested by council members.

Q: Chair & Co-chair selection (do they have power, can they serve if they receive homeless funds) ? A: Two co-chairs will be voted for and selected by the Leadership Council. These co-chairs will be allowed to vote, but cannot be someone who represents an agency applying for funding. Only 20% of the membership of this council may be from agencies who receive funding. The Chair & Co-Chair will not be participants who receive any homeless funds.

Q: Political support for leadership council – any safeguards in place if the board/council does not like a recommendation? A: The Leadership Council members serve in an advisory capacity to make funding recommendations to the St. Louis County Board and Duluth City Council. LC member appointment by the County Board and City Council along with the expected LC member knowledge and expertise are designed to address this concern.

Q: Is there fiduciary or liability issues for the leadership council? A: Because the Leadership Council serves in an advisory role, there will not be the need for liability insurance.

Q: What is the time commitment for the Leadership council (how many hours per month)? A: It has not yet been determined specifically how many hours per month the Leadership Council will need to meet. However, CEH advisory group members have met to outline their responsibilities over a 12 month period. From there, members will determine which tasks can be undertaken at the Affordable & Rural Housing Coalition. We are hopeful that 3-5 hours per month will be sufficient.

Q: Has there been thought as to how the CEH/Implementation team will transition to the Leadership Council? A: Both the Committee to End Homelessness and the Implementation team members will meet to develop a list of consistent job duties over the past calendar year. CEH advisory members have also agreed to shadow new Leadership Council members through the SuperNOFa and FHPAP funding cycles. The timeline for this transition will begin in June, with community members appointed in July 2011.

Q: How will we not lose sight of Heading Home St. Louis County's 10 year plan goals? A: Based on the original plan, which was adopted by the St. Louis County board and Duluth City Council in 2007, Heading Home St. Louis County's progress will be updated, along with goal areas that have not been addressed to date. From there, new Leadership Council members will determine which goal areas will be prioritized and implemented annually, Members will utilize the Federal Strategic plan, State of Minnesota's Roadmap, and Heading Home St. Louis County's newly set goals.

Membership: Appointed by City of Duluth (City) & St. Louis County (SLC)
Homeless/Formerly Homeless (City)
Veteran Representative (City)
Homeless Advocate, per funding statute (SLC)

State MITCH representative (SLC)
Education Representative, per funding statute (SLC)
Local Representative/Providers: 1 Rural Housing (SLC) & 1 Affordable Housing (City)
At large (foundations/private funding sources) 2 (SLC) & 1 (City)
Tribal representation: 1 Bois Forte (SLC) & 1 Fond du Lac (City)
Corrections representative (SLC)
Faith representation (City)
Business community representation (SLC)

Transition Timeline Recommendation:

2-10-2011 St. Louis County Planning, Public Health & Human Services, City of Duluth make recommendation for advisory committee to make funding decisions for SuperNOFA, FHPAP, and ESG in alignment with the HEARTH Act.

4-6-2011 Implementation team meets to go through transition/restructure recommendation by St Louis County & City of Duluth – recommendation to move forward made.

4-18-2011 Affordable Housing Coalition (AHC) discussion regarding overall restructure for City of Duluth CDBG, ESG, HOME, Housing Indicators, SLC SuperNOFA, FHPAP, and overall Needs & Gaps analysis. In addition At Home in Duluth/LISC, the Duluth HRA business, legislative platform & development needs for the spectrum of housing needs.

4-20-2011 Community meeting facilitated to outline the recommendation for restructure and transition. Feedback was given. Next steps are to develop, plan, and hold one final community meeting with final transition plan.

4-28-2011 Committee to End Homelessness (CEH) Advisory Committee met to discuss re-structure. Transition planning was identified as a key factor for success. Committee committed to assist new group with transition and will outline current annual duties.

5-5-2011 St. Louis County Planning, Public Health & Human Services, City of Duluth meet to discuss feedback given thus far. Timeline & roles/responsibilities will be produced. Transition plan will begin with next steps for the City of Duluth Council & St. Louis County board.

5-10-2011 Rural Housing Coalition(RHC) meets to discuss the transition/re-structure & what this will mean for the RHC.

5-2011 St. Louis County planning, PHHS & City of Duluth address all questions from above listed community forums & send to participants.

June 2011 – Recommendations for restructure approved by County Board & City Council.

June 2011 – Release of applications for Heading Home St. Louis County Leadership Council positions

June/July 2011 – Application review & recommendations from St. Louis County board & Duluth City Council.

July/August 2011 – Appointments made

August/September 2011 – Initial Heading Home St. Louis County leadership council meeting

BOARD LETTER NO. 11 – 124 REPLACEMENT

PUBLIC WORKS & TRANSPORTATION COMMITTEE NO. 1

JUNE 14, 2011

~~JUNE 7, 2011~~ BOARD AGENDA NO. 2

DATE: June 7, 2011 **RE:** Award of Bids for Project on
CSAH 4 near Markham

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 bids for a public works project north of Duluth and near Markham, MN.

BACKGROUND INFORMATION:

As authorized by the St. Louis County Board, bids were taken on Monday, April 4, 2011 at 10:00 a.m. for a reconstruction project on CSAH 4 near Markham, MN. The project, along with its financing, is show own below. The project has been tabled since April 12, 2011 to accommodate the Minnesota Department of Transportation Disadvantaged Business Enterprise (DBE) clearance process.

Project: SP 69-604-060, CP 9282
Location: CSAH 4 from CSAH 108 to 0.7 miles north of CR 340 in Markham, MN, length 4.17 mi
Traffic: 884
PQI: 2.5
Construction: Grading, Aggregate Base, Curb & Gutter, Bituminous Surfacing
Funding: Fund 220, Agency 220173, Object 652700
Anticipated Start Date: April 25, 2011
Anticipated Completion Date: October 28, 2011
Engineer's Estimate: \$5,530,899.20

BIDS:

| | |
|--|--|
| Hoover Construction Co. Virginia, MN | \$5,599,994.89 (+\$69,095.69, +1.25%) |
| KGM Contractors, Inc. Angora, MN | \$5,647,442.18 |
| Ulland Brothers, Inc. Cloquet, MN | \$5,912,000.00 |
| Hoffman Construction Co. Black River Falls, WI | \$7,632,232.12 |

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the award of bid to Hoover Construction Co., Virginia, MN in the amount of \$5,599,994.89 payable from Fund 220, Agency 220173, Object 625700, after the Minnesota Department of Transportation has notified the county that the project has received Disadvantaged Business Enterprise clearance.

Award of Bid for Project 9282 on CSAH 4 near Markham

BY COMMISSIONER _____

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-604-060, CP 9282 located on CSAH 4 from CSAH 108 to 0.7 miles north of CR 340 in Markham, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., April 4, 2011, and the low responsible bidder determined.

NOW, 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> |
|-------------------------|---|----------------|
| Hoover Construction Co. | P.O. Box 1007 302 South Hoover Rd. Virginia, MN 55792 | \$5,599,994.89 |

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 Fund 220, Agency 220173, Object 652700.

**Public Hearing to Consider Off-Sale Intoxicating
Liquor License (Rice Lake Township)**

BY COMMISSIONER _____

WHEREAS, Ballz Deep, Inc., Rice Lake Township, St. Louis County, Minnesota, has applied for an off-sale intoxicating liquor license; and

WHEREAS, Minn. Stat., Section 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an off-sale intoxicating liquor license; and

WHEREAS, a public hearing was held on June 14, 2011, at or about 9:40 A.M. in the St. Louis County Courthouse, Duluth, Minnesota, for the purpose of considering the granting of the off-sale intoxicating liquor license; and

WHEREAS, with regard to the application for the license, The Other Place Bar and Grill has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, the Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED, that Off-Sale Intoxicating Liquor License (License Number CMB12140) shall be issued to Ballz Deep, Inc., located in Area 1, for an annual fee of \$500.

RESOLVED FURTHER, that said liquor license shall be effective through June 30, 2012.

RESOLVED FURTHER, that said license is approved contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, that said license is approved contingent on the Sheriff's Office approval of new site sketch/security plan, and Auditor's Office receiving Rice Lake Township approval and Minnesota Department of Health Food/Beverage Service License application.

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

BOARD LETTER NO. 11 – 226

PUBLIC WORKS & TRANSPORTATION COMMITTEE

JUNE 14, 2011 BOARD AGENDA NO. 3

DATE: June 14, 2011 **RE:** Award of Bid for a Resurfacing Project in Hermantown

FROM: Kevin Z. Gray
County Administrator

James T. Foldesi
Public Works Director/Highway Engineer

RELATED DEPARTMENT GOAL:

Provide a safe, well maintained road and bridge system.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize an award of bid for a pavement resurfacing project in Hermantown.

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 pavement resurfacing project in Hermantown, MN. The project was moved without recommendation on June 7, 2011, pending Disadvantaged Business Enterprise (DBE) clearance from the State of Minnesota Department of Transportation.

A call for bids was received by the Public Works Department on June 6, 2011, for the following project in accordance with the plans and specifications on file in the Office of the County Highway Engineer:

Project: SP 69-613-032, CP 61938
Location: CSAH 13 from T.H. 2 to T.H. 194 Hermantown, MN, length 4.17 mi.
Traffic: 8,816 **PQI:** N.A.
Construction: Mill Bituminous Surface, Bituminous Surface and Shoulders, and Aggregate Shoulders
Funding: Fund 220, Agency 220262, Object 652700
Anticipated Start Date: July 5, 2011
Anticipated Completion Date: September 16, 2011
Engineer's Estimate: \$3,388,336.35

BIDS:

| | |
|---|--|
| Northland Constructors, Duluth, MN | \$2,750,095.71 (-\$638,240.64, -18.84%) |
| KGM Contractors, Inc., Angora, MN | 2,753,637.35 |
| Hardrives, Inc., Rogers, MN | 2,807,835.86 |
| Ulland Brothers, Inc., Carlton, MN | 3,077,922.77 |
| Knife River Corp. North Central, Sauk Rapids, MN | 3,188,941.41 |

RECOMMENDATION:

It is recommended that the St. Louis County Board authorize the award of bid for County Project 61938 (SP 69-613-032) to Northland Constructors of Duluth, MN in the amount of \$2,750,095.71, payable from Fund 220 Agency 220262, Object 652700

**Award of Bid for a Resurfacing Project
in Hermantown**

BY COMMISSIONER _____

WHEREAS, bids have been received by the County Auditor for the following project:

SP 69-613-032, CP 61938 located on CSAH 13 from T.H. 2 to T.H. 194 in Hermantown, MN.

WHEREAS, bids were opened in the County Board Room at 10:00 a.m., June 6, 2011, and the low responsible bidder determined.

NOW, 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 | 4843 Rice Lake Rd Duluth, MN 55803 | \$2,750,095.71 |

RESOLVED FURTHER, that the Chairman of the County Board, the County Auditor, and the County Attorney are authorized to approve the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from Fund 220, Agency 220262, Object 652700.