

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

August 4, 2020

Commissioner Board Room, Room 200, St. Louis County Courthouse, Duluth, MN

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 July 28, 2020.

Public Health & Human Services Committee – Commissioner Boyle, Chair

1. Accept a grant award extension of \$400,000 from the Minnesota Department of Human Services for the Substance Use Disorder Assistance Program for the State Fiscal Year (SFY) 2021-2022 grant cycle; authorize contracts with various community agencies to deliver the services; and further, authorize the associated budget adjustments. *[20-263]*

Public Works & Transportation Committee – Commissioner McDonald, Chair

2. Discontinue advertising for road and bridge project bids in newspapers after February 6, 2021. *[20-264]*
3. Purchase of sodium chloride (road salt) at the State of Minnesota Contract price from Morton Salt, Inc., Chicago, IL, for a maximum delivered cost of \$1,356,703.20, and the purchase of alternative chemical deicers (brine solutions) at the State of Minnesota Contract price from EnviroTech Services, Inc., Denver, CO, and K-Tech Specialty Coatings, Inc., Ashley, IN, at the estimated delivery cost of \$100,000. *[20-269]*

Finance & Budget Committee – Commissioner Nelson, Chair

4. Abatement list for Board approval. *[20-265]*
5. Contract with Johnson Wilson Constructors of Duluth, MN, in an amount of \$407,600 for emergency replacement of the St. Louis County Heritage & Arts Center (Depot) roof - 1975 addition, and for tuck-pointing the 1975 addition (Bid No. 5468A). *[20-270R]*
6. Premise Permit Application (formerly Lawful Gambling Application) by Irving Community Association, Duluth, MN, to operate lawful gambling out of the Munger Tavern & Grill, Solway Township, and rescind County Board Resolution No. 20-346, dated July 14, 2020, due to specific wording required by the Minnesota Gambling Control Board.

ST. LOUIS COUNTY BOARD

Consent Agenda

August 4, 2020

Page 2

Environment & Natural Resources Committee – Commissioner Musolf, Chair

7. Reclassification of certain state tax forfeited lands to non-conservation. *[20-266]*
8. Authorize the Land Commissioner to reduce the price of balsam fir to \$5.00 per cord to be applied to cutting blocks having harvest operations performed from June 1, 2020, until May 1, 2021, and for those contractors having unsold stockpiles of balsam fir, due to the Verso Corporation mill closure. *[20-267]*
9. Withdrawal of certain state tax forfeited parcels from Memorial Forest status. *[20-268]*
10. Application for repurchase of state tax forfeited land (non-homestead) by Herman Martin Zuponcic and Rhonda Lee Zuponcic of Cook, MN (parcel code 040-0206-00075). *[20-271]*

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 July 28, 2020, are hereby approved.

Acceptance of DHS Substance Use Disorder Grant Program Extension

BY COMMISSIONER _____

WHEREAS, The Minnesota Department of Human Services (DHS) has made available grant funds to counties to implement a plan to improve system access and service delivery by engaging individuals with a severe substance use disorder who are experiencing homelessness; and

WHEREAS, On June 27, 2017, the County Board adopted Resolution No. 17-409 accepting a grant award of \$600,000 from DHS for the Substance Use Disorder Assistance Program for the 2019-2020 grant cycle; and

WHEREAS, The County Board authorized the Public Health and Human Services Department and the St. Louis County Attorney to execute agreements with various community agencies to deliver services funded by the grant; and

WHEREAS, In the spring of 2020, DHS offered St. Louis County a two-year extension of funding for the grant, at \$200,000 per year, from July 1, 2020, through June 30, 2022;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department (PHHS) to accept a grant award extension of \$400,000 from the Minnesota Department of Human Services for the Substance Use Disorder Assistance Program for the SFY 2021-2022 grant cycle.

RESOLVED FURTHER, That the St. Louis County Board authorizes PHHS and the St. Louis County Attorney to enter into contracts with various community agencies to deliver services funded by the grant.

RESOLVED FURTHER, That the 2020 revenue and expenditure budgets be increased as follows with any adjustments to be made in the 2021 and 2022 budgets accordingly if there are any unspent funds or overspent funds not to exceed the grant funding of \$400,000:

Fund 230, Agency 232001, Object 629900, Grant 23268, Grant Year 2020
Fund 230, Agency 232001, Object 633100, Grant 23268, Grant Year 2020
Fund 230, Agency 232001, Object 530673, Grant 23268, Grant Year 2020

Change in Construction Bidding Advertising Procedure

BY COMMISSIONER _____

WHEREAS, In 2006, per Board Resolution No. 24, the Purchasing Division discontinued the use of newspapers to advertise for all Requests for Bids, Requests for Proposals, and Requests for Information; and

WHEREAS, Since 2006, the Purchasing Division has been using an electronic bidding process through DemandStar; and

WHEREAS, In 2013, per Board Resolution 13-347, the Public Works Department implemented an electronic bidding process for all road and bridge projects and has been advertising project bids by six methods; and

WHEREAS, Minn. Stat. § 331A.03, Subd. 3, allows counties to use their website or recognized industry trade journals as an alternative means of dissemination in lieu of advertising in the newspaper; and

WHEREAS, In accordance with Minn. Stat. § 331A.03, Subd.3, the Public Works Department would continue to utilize newspaper ads for six (6) months with additional language notifying readers of the date that newspaper ads will be discontinued along with existing language directing readers to the BidExpress website.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Department to discontinue advertising road and bridge project bids in newspapers after February 6, 2021.

**State of Minnesota Contract Purchase of Sodium Chloride and
Alternative Chemical Deicers**

BY COMMISSIONER _____

WHEREAS, The Public Works Department's 2020 budget includes purchase of sodium chloride (road salt) and alternative chemical deicer (brine solutions); and

WHEREAS, The Public Works Department requested State Contract Pricing for road salt and brine solutions; and

WHEREAS, Morton Salt, Inc., of Chicago, IL, successfully negotiated the lowest furnished and delivered price to sixteen (16) locations under State of Minnesota Contract No. 177615 in the amount of \$1,356,703.20; and

WHEREAS, Envirotech Services, Inc., and K-Tech Specialty Coatings, Inc., have been selected from the State of Minnesota's multi-awarded contract to provide deicer alternatives at the estimated delivered cost of \$100,000.00.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the estimated purchase of salt at the State of Minnesota Contract price from Morton Salt, Inc., of Chicago, IL, for a maximum delivered cost of \$1,356,703.20, payable from Fund 200, Agency 207020, Object 651700, and the purchase of brine at the State of Minnesota Contract price from Envirotech Services, Inc., of Denver, CO, and K-Tech Specialty Coatings, Inc., of Ashley, IN, at the estimated delivered cost of \$100,000.00, payable from Fund 200 Agency 207001 Object 651700.

Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board approves the applications for abatement, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 61214.

**St. Louis County Heritage & Arts Center (Depot) 1975 Addition Roof Replacement
& Tuck-Pointing**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Heritage & Arts Center (Depot) is in need of significant capital repairs and as a result, State of Minnesota Bond funding was requested as part of the 2018, 2019 and 2020 legislative sessions; and

WHEREAS, The County has not been successful in securing funding support from the state for the Depot project due to the lack of passage of a Statewide Bonding Bill during this timeframe; and

WHEREAS, The 1975 roof is in very poor condition, is well past its functional life, and has been continually repaired for several years, but now requires total replacement (including new insulation for energy efficiency); the exterior brick mortar joints are original, consequently there are several large areas that require tuck-pointing repairs; and

WHEREAS, It is imperative that the County proceed with necessary emergency repairs to preserve the exterior shell of the building and prevent damage to the interior; and

WHEREAS, The County will continue to pursue the inclusion of the remaining repairs and improvements in future legislative efforts and pursue those requests considering the costs of this emergency repair as part of any matching funds required by the state; and

WHEREAS, County Purchasing solicited bids (Bid #5468A), which were opened on July 16, 2020, with Johnson Wilson Constructors of Duluth, MN, providing the lowest bid; and

WHEREAS, This project will be funded by the County Board appropriation approved in the 2018 budget.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a contract with Johnson Wilson Constructors of Duluth, MN, in an amount of \$407,600.00 for the emergency replacement of the Depot roof – 1975 addition and for the tuck-pointing of the 1975 addition where funds are available from the facilities capital improvement fund, Fund 400, Agency 400024.

RESOLVED FURTHER, That the cost of this emergency replacement repair shall be considered part of the County's matching requirements for future projects authorized and identified in the Minnesota State Legislatures State Bonding Bill.

**Premise Permit Application for Lawful Gambling
(Solway Township)**

BY COMMISSIONER _____

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Premise Permit Application, on file in the office of the County Auditor, identified as County Board File No. 61213, for the following organization:

Irving Community Association, Duluth, MN, to operate lawful gambling out of the following:

The Munger Tavern & Grill, Solway Township, 4003 Munger Shaw Road, Cloquet, MN, 55720, new.

RESOLVED FURTHER, That St. Louis County Board Resolution No. 20-346, dated July 14, 2020, is hereby rescinded.

Reclassification of State Tax Forfeited Lands to Non-Conservation

BY COMMISSIONER _____

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The parcels described in the attached County Board File forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as non-conservation after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, utilities and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification of these parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcels are located.

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. _____ shall be reclassified as non-conservation, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

Balsam Fir Price Adjustments in Response to Verso Paper Mill Closures

BY COMMISSIONER_____

WHEREAS, The demand for balsam fir has been significantly reduced due to the Verso Corporation mill closures; and

WHEREAS, The Land and Minerals Department issued Board Memo 20-25 outlining actions being taken in response to the Verso closures; and

WHEREAS, The Land and Minerals Department wishes to provide additional relief to the logging industry through a price reduction to existing timber contracts.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Land Commissioner to reduce the price of balsam fir to \$5.00 per cord to be applied to cutting blocks having harvest operations performed from June 1, 2020, until May 1, 2021, and for those contractors having unsold stockpiles of balsam fir.

Withdrawal of State Tax Forfeited Land from Memorial Forest Status

BY COMMISSIONER _____

WHEREAS, The state tax forfeited parcels described in County Board File No. 61282 are currently included in an established memorial forest; and

WHEREAS, Pursuant to Minn. Stat. § 459.06, Subd. 3, state tax forfeited land which has been included in an established memorial forest and found more suitable for other purposes may, by resolution of the County Board, be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

WHEREAS, The state tax forfeited parcels described here are more suitable for purposes other than forest management.

THEREFORE, BE IT RESOLVED, That the state tax forfeited parcels described in County Board File No. 61282 shall be withdrawn from Memorial Forest status.

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

BY COMMISSIONER: _____

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

WHEREAS, The applicants, Herman Martin Zuponcic and Rhonda Lee Zuponcic of Cook, MN, have applied to repurchase state tax forfeited land legally described as:

CITY OF EVELETH

Easterly 640 feet of N 1/2 of S 1/2 of NW 1/4 of SE 1/4
Section 29, Township 58 North, Range 17 West
Parcel code: 040-0206-00075; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

WHEREAS, Resolution of any county or municipal code violations will become a condition of the repurchase; and

WHEREAS, Removal of all personal and business property by December 31, 2020, will become a condition of the repurchase; and

WHEREAS, Payment to the City of Eveleth for the damages incurred from the chromium spill in the amount of \$16,282.04 by December 31, 2020, will become a condition of the repurchase; and

WHEREAS, The applicants shall enter a contract for deed to repurchase the non-homestead property with payment in full due on December 31, 2020; and

WHEREAS, Approving the repurchase will 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 Herman Martin Zuponcic and Rhonda Lee Zuponcic of Cook, MN, on file in County Board File No. 61233, subject to the removal of personal and business property, payment to the City of Eveleth in the amount of \$16,282.04, payments to St. Louis County including total taxes and assessments of \$20,153.85, deed tax of \$66.51, deed fee of \$25, and recording fee of \$46, for a total of \$20,291.36, all by December 31, 2020, to be deposited into Fund 240 (Forfeited Tax Fund), plus a service fee of \$500 to be deposited into Fund 100 (General Fund), and further subject to any other conditions discussed herein.

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 28, 2020**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of July 2020, at 9:36 a.m., at the Government Services Center, Virginia, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Beth Olson, Keith Musolf, Paul McDonald, Keith Nelson and Mike Jugovich - 7. Absent: None - 0.

Commissioner Beth Olson participated by WebEx.

Chair Jugovich asked for a moment of silence in remembrance of all the innocent victims of violence and for healthcare professionals; followed by the pledge of allegiance.

Commissioner Nelson highlighted a painting that was donated by local artist Spencer Hahne. The painting depicts the Mesabi Trail; Commissioner Nelson commented that the Mesabi Trail and the County Community Development Block Grant (CDBG) would not exist if it were not for the efforts of Commissioner Liz Prebich.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Scott Dane, Executive Director of the Associated Contract Loggers & Truckers of Minnesota, spoke regarding the negative impacts that COVID-19 and paper mill shutdowns have had on loggers. Mr. Dane read a text message from Mike Nielsen. Nielsen Logging has a \$3.5 million gross revenue and is currently running at fifty percent capacity. Ben Lobb, of Lobb Forest Enterprises, commented on the direct impacts to his business because of the Verso Paper shutdown. Commissioner Nelson shared pictures related to how much timber can be on 3,914 square feet and urged the Board invest dollars into the timber industry.

Commissioner Jewell requested that county administration provide the Board with an update regarding COVID-19.

A Point of Personal Privilege was requested at 9:58 a.m. At 10:11 a.m., the Board reconvened with all members present.

Chair Jugovich commented that county administration will provide the Board a COVID-19 update during the August 4, 2020 Board meeting. Chair Jugovich said that COVID-19 testing will take place at the MN Discovery Center in Chisholm today from 12:00 p.m. to 7:00 p.m. and tomorrow from 10:00 a.m. to 5:00 p.m.

At 10:16 a.m., a public hearing was conducted pursuant to Resolution No. 20-312, adopted June 9, 2020, to receive citizen comments on the proposed use of the Community Development Block Grant Emergency Solutions Grant (CDBG-ESG) CARES Act funding and amendment to the 2020 Action Plan. St. Louis County Planning and Community Development Director Matthew Johnson commented that the CARES Act funding awards amounted to \$1,164,632 in CDBG-CV funding and

\$578,797 in ESG-CV funding. Approximately \$350,000 was set aside by the CDBG Advisory Committee for future funding requests. Brad Gustafson, of the Planning Department, provided the Board with a brief overview of funding recommendations. Chair Jugovich asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action, and no one asked for the opportunity to speak. At 10:25 a.m., Commissioner McDonald, supported by Commissioner Boyle, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jewell, moved that the St. Louis County Board authorizes the amendment of the St. Louis County Citizen Participation Plan for the use of CARES Act funding and further authorizes the Planning and Community Development Director to prepare and submit the Amendment to the 2020 Action Plan and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding funding levels, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required. The St. Louis County Board authorizes acceptance of the 2020 CARES Act CDBG-CV and ESG-CV entitlement grants and execution of entitlement agreements by the St. Louis County Planning and Community Development Director and a representative of the County Attorney on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the programs and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development. Grant funds will be allocated as follows: \$1,164,632, CDBG-CV Grant 2020 to Fund 260, Project Code 23601001, or as required by the County Auditor; \$578,797, ESG-CV Grant 2020 to Fund 173, Project Code 23601001, or as required by the County Auditor. That the St. Louis County Board allocates funding from the entitlement grants to CDBG-CV and ESG-CV projects and authorizes the Planning and Community Development Director and a representative of the County Attorney to execute agency agreements for these projects. Disbursements related to the CDBG-CV sub recipient agreements will be made from CDBG-CV Fund 260 and ESG-CV agreements from ESG-CV Fund 173 according to specific 2020 projects, or as required by the County Auditor. The motion passed; seven yeas, zero nays. Resolution No. 20-367.

At 10:31 a.m., a public hearing was conducted pursuant to Resolution No. 20-347, adopted July 14, 2020, to solicit public input prior to considering the proposed tax abatement for the City of Duluth for public infrastructure improvements and associated site development costs. St. Louis County Planning and Community Development Deputy Director Darren Jablonsky provided an overview of the project. The overall cost of the project is \$11 million and the \$650,000 tax abatement will be paid over a 10-year period. After completion, the site will generate \$400,000 in annual tax revenue, of which \$135,000 will be retained by St. Louis County. Adam Fulton, City of Duluth Director of Planning and Economic Development, said that the city council approved the development plan and \$1.35 million of tax abatement. Director Fulton commented that the site lies on two county roads and infrastructure improvements are necessary to ensure traffic continues to flow in a safe manner. Chair Jugovich asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action, and no one asked for the opportunity to speak. At 10:49 a.m., Commissioner McDonald, supported by Commissioner Musolf, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Nelson, moved that the St. Louis County Board of Commissioners authorizes up to \$650,000 tax abatement financing to the City of Duluth. The St. Louis County Board of Commissioners waives applicable provisions of the Board's Tax Abatement Financing Policy to allow this project to proceed and application fees; that the St. Louis County Board of Commissioners requires a project labor agreement and prevailing wage rates for the public infrastructure improvements and associated site development costs; and further, that provided all required documentation is submitted by the City of Duluth, the appropriate county officials are authorized to execute a tax abatement agreement with the City of Duluth and execute any other related documents after review and approval by a representative of the County Attorney's Office. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 20-368.

Commissioner Boyle, supported by Commissioner Nelson, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jewell, moved to approve the proposed settlement in the *Berg v. County of St. Louis*, Case No. 69DU-CV-18-161, an action brought by Jamie Berg against St. Louis County, and authorizes the appropriate county officials to negotiate and execute appropriate settlement documents and to make the settlement payments contemplated by the proposed settlement in the amount of \$150,000.00 plus incidental amounts for taxes and mediation fees. The motion passed; seven yeas, zero nays. Resolution No. 20-369.

That following Board and contract files were created from documents received by this Board:

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 20-254, Application and Acceptance of CARES Act Block Grant Funding for 2020 Election Preparation.—61320

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 20-256R, Establish Public Hearing for Petition to Revoke Certain County Highways and Revert to McDavitt Township.—61321

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 20-257, Reappointment and Advertisement of Positions to the CDBG Citizen Advisory Committee.—61322

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 20-258, Deputy Sheriff Supervisory Unite: 2020-2022.—61323

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 20-255, Authorization to Apply for and Accept FY 21 MPCA SSTS Incentive and Low-Income Fix-up Grant Funding.—61324

Purchase of Service Agreement, Contract No. 16914, between St. Louis County and Greater Twin Cities United Way, Minneapolis, MN, for Family Homeless Prevention and Assistance Program (FHPAP) Services during the period February 1, 2020, to September 30, 2021.—20-473

Purchase of Service Agreement, Contract No. 16941, between St. Louis County and Joe Trela, Duluth, MN, for Chore Services during the period July 1, 2020, to December 31, 2020.—20-474

Purchase of Service Agreement, Contract No. 16957, between St. Louis County and Dan Wiswell, Aurora, MN, for Chore Services during the period June 1, 2020, to June 30, 2020.—20-475

Purchase of Service Agreement, Contract No. 16958, between St. Louis County and Dan Wiswell, Aurora, MN, for Chore Services during the period July 1, 2020, to December 31, 2020.—20-476

Purchase of Service Agreement, Contract No. 16968, between St. Louis County and the City of Virginia for Coordination of Overdose Prevention and Response Services during the period May 1, 2020, to August 31, 2021.—20-477

Purchase of Service Agreement, Contract No. 16970, between St. Louis County and NHS – Northstar Specialized Services, Inc., Chisholm, MN, for Semi-independent Living Services during the period July 1, 2020, to June 30, 2021.—20-478

Purchase of Service Agreement, Contract No. 16971, between St. Louis County and Access North Center for Independent Living of Northeastern Minnesota, Hibbing, MN, for Semi-independent Living Services during the period July 1, 2020, to June 30, 2021.—20-479

Cooperative Agreement between the County of St. Louis and the County of Lake to perform a Gravel Roadway Investment Program (GRIP) project on County Road 990 from County Road 781 to Lake County line, in Morse Township (CP 0990-250551).—20-480

Lease for Timber Stand Improvement and Harvest of Decorative Products between the County of St. Louis and Black Spruce Holdings, LLC, Roseville, MN, for a ten-year term beginning the 1st day of March, 2020, through February 28, 2030.—20-481

Federal Financial Assistance Award of Domestic Grant 20-DG-11094200-191 between the County of St. Louis and the USDA Forest Service, Eastern Region, State and Private Forestry for the St. Louis County Fuels Reduction Program through April 30, 2022.—20-482

On-Line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and John F. Ready, Jr., Proctor, MN.—20-483

On-Line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and YMNLAWS, PSC, Duluth, MN.—20-484

On-Line Software Subscriber Agreement between the County of St. Louis, Auditor's Office, and Henning Professional Services, Inc., Woodbury, MN.—20-485

Service Contract No. 5635 between the County of St. Louis and C2Logix, Clearwater, FL, to conduct a snow plow route optimization study to develop optimized and efficient routes in order to increase the level of service.—20-486

Service Contract No. 5634 between the County of St. Louis and Northeast Technical Services, Inc., Virginia, MN, to provide additional treatment strategies for the wastewater (leachate) stream through wetlands research at the Regional Landfill located in Virginia, MN, during the period May 1, 2020, to December 31, 2020.—20-487

Grant Agreement Amendment between the Minnesota Department of Public Safety and the Northeast MN Emergency Communications Board for the 2019 DECN Customer Premise Equipment Grant Agreement No. A-DECN-CPE-2019-NEECD2-2, increasing the grant amount by \$239,623.77 for a total agreement amount of \$441,194.69.—20-488

Upon motion by Commissioner Boyle, supported by Commissioner Nelson, resolutions numbered 20-357 through 20-366, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER BOYLE:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 14, 2020, are hereby approved.

Adopted July 28, 2020. No. 20-357

WHEREAS, Costco is preparing a project to construct a new store in the City of Duluth with access to County State Aid Highway (CSAH) 32 (West Arrowhead Road) and CSAH 91 (Haines Road); and

WHEREAS, The Public Works Department has worked with Costco's engineer to determine placement of access and improvements to CSAH 32 (West Arrowhead Road) and CSAH 91 (Haines Road) that are necessary to support traffic generated as a result of the new store; and

WHEREAS, Costco will prepare the roadway plans to complete certain roadway improvements on CSAH 32 (West Arrowhead Road) and CSAH 91 (Haines Road) to provide access to the new Costco store; and

WHEREAS, The Public Works Department will review and approve the roadway plans, and work with Costco's engineer to provide oversight and inspection of the construction of the roadway improvements; and

WHEREAS, A separate independent property tax abatement agreement may be processed in conjunction with this project where the terms of that agreement shall not affect the terms of this agreement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a construction and maintenance agreement with Costco to complete certain roadway improvements on CSAH 32 (West Arrowhead Road) and CSAH 91 (Haines Road), and approve any amendments approved by the County Attorney's Office.

Adopted July 28, 2020. No. 20-358

WHEREAS, The Minnesota Office of the Secretary of State is accepting CARES Act block grant applications to assist jurisdictions with funding relating to preparation for the 2020 Federal

elections cycle; and

WHEREAS, A total of \$192,765.61 CARES Act funding is available for St. Louis County; and

WHEREAS, The funding would be available to municipalities and the county to assist with the preparation of the 2020 federal election cycle preparation and related costs due to the COVID-19 pandemic; and

WHEREAS, The county will work with the municipalities within the county to determine a fair, equitable, and mutually agreeable method for allocating the funds within the County and between municipalities.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application and acceptance of CARES Act block grant funding in the amount of \$192,765.61, to be accounted for in Fund 100, Agency 127999, Grant 12703, Project 23601001, Year 2020.

Adopted July 28, 2020. No. 20-359

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 61230, are hereby approved and the County Auditor shall issue checks in the following amounts:

July 2020

100	General Fund	\$7,832,034.29
149	Personal Service Fund	150.00
155	Depot	33,983.12
160	MN Trail Assistance	9,844.84
161	Missing Heirs	8,014.27
167	Attorney's Forfeitures	6,411.75
168	Sheriff's State Forfeitures	1780.50
169	Attorney Trust Accounts – VW	1,928.81
171	Controlled Substances	918.37
173	Emergency Shelter Grant	13,683.16
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	121,935.14
180	Law Library	9,063.37
183	City/County Communications	164.36
184	Extension Service	61,436.30
192	Permit to Carry	6,725.34
200	Public Works	3,425,257.78
204	Local Option Transit Sales Tax	793,649.97
210	Road Maint. – Unorg. Townships	49,004.72
220	State/Federal Road Aid	3,086,941.46
230	Public Health & Human Services	8,956,316.62
238	HHS Conference	10,080.00
240	Forfeited Tax	508,181.82
260	CDBG Grant	38,920.75
281	SLC Septic Loans	20,985.00
289	ISTS Grant	61,860.08

290	Forest Resources	109,032.83
318	2013A Capital Improve Bond	330,292.50
319	2013B Capital Equipment Note	18,250.00
320	2041A ARC Capital Improve Bond	58,809.38
321	2013C Refunding 2004A&2005A	12,625.00
322	2013D Refunding 2010A	60,512.50
324	2015B – Refunding 316-2008B	50,350.00
325	2015C – Capital Improve Bond	524,103.13
326	2016A – Capital Improve Bond	339,768.75
327	2016B Refunding 318-2013A	229,375.01
328	2018A Capital Improve Bond	518,665.63
329	2018B Capital Improve Bond	298,550.00
400	County Facilities	14,692.93
402	Depreciation Reserve Fund	21,328.00
405	Public Works Building Const.	675,451.85
407	Public Works – Equipment	37,342.00
445	2018A – Virginia GSC-PW Cook	381,448.69
448	2018B – PW Dist 4 New Facility	133,282.00
600	Environmental Services	615,020.04
640	Plat Books	35.25
715	County Garage	132,054.90
720	Property Casualty Liability	8,533.36
730	Workers Compensation	210,053.37
740	Medical Dental Insurance	2,292,230.94
770	Retired Employees Health Insurance	<u>125.90</u>
		\$32,131,271.75

Adopted July 28, 2020. No. 20-360

RESOLVED, That pursuant to St. Louis County Ordinance No. 51, the application for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 61237, is hereby approved and the County Auditor is authorized to issue the license to the following establishment:

Takeoff, LLC d/b/a The Landing on Lake Vermillion, Beatty Township, new.

RESOLVED FURTHER, That if the 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.

Adopted July 28, 2020. No. 20-361

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated July 17, 2020, on file in the office of the County Auditor, identified as County Board File No. 61199, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted July 28, 2020. No. 20-362

WHEREAS, A petition to revoke certain highways within McDavitt Township was submitted to St. Louis County; and

WHEREAS, St. Louis County Public Works reviewed Petitioner's submissions in this matter; and

WHEREAS, Petitioner and St. Louis County believe they will be fully prepared to proceed with the public hearing by September 1, 2020, and jointly request that date and corresponding location for the hearing.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby schedules a public hearing on the Petition to Revoke Certain County Highways filed by EIP Minnesota, LLC, to occur at 9:40 a.m. on Tuesday, September 1, 2020, at the St. Louis County Courthouse in Duluth, MN.

RESOLVED FURTHER, That, in addition to complying with all other notice and publication requirements, the Clerk of the County Board shall serve notice by certified mail of the hearing on each member of the McDavitt Town Board of Supervisors as required by Minn. Stat. § 163.11, Subd. 5.

Adopted July 28, 2020. No. 20-363

WHEREAS, The St. Louis County Board of Commissioners appoints citizens to serve on the Community Development Block Grant (CDBG) Citizen Advisory Committee; and

WHEREAS, One (1) citizen member is eligible to serve another term on the CDBG Citizen Advisory Committee and has requested reappointment; and

WHEREAS, There are three (3) vacancies on this committee to be filled through an advertised application process.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners reappoints Britt See-Benes as Virginia representative to the CDBG Citizen Advisory Committee for a term ending April 30, 2023.

RESOLVED FURTHER, That the St. Louis County Board authorize the County Auditor to advertise and accept applications through September 30, 2020, for three (3) vacant positions on the CDBG Citizen Advisory Committee representing the City of Rice Lake, City of Hermantown, and Southern Townships, with terms to expire April 30, 2023.

Adopted July 28, 2020. No. 20-364

RESOLVED, That the 2020-2022 Deputy Sheriff Supervisory unit contract is ratified and county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. 61323.

Adopted July 28, 2020. No. 20-365

WHEREAS, The Minnesota Pollution Control Agency notified the Planning and Community Development Department that funding is available to assist in subsurface sewage treatment systems (SSTS) program administration and the upgrade of substandard SSTS for low-income residents; and

WHEREAS, the St. Louis County Environmental Services Department has applied for, and received, funding through this grant since 2012.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Community Development Department to apply for and accept up to \$58,600 in FY21 SSTS Base and Low-Income Fix-up Grant Funding from the Minnesota Pollution Control Agency, Fund 289/285, Agency 289999/285999, Revenue 530102, Grant 28902/28501, Year 2021 for \$18,600, and Fund 285, Agency 285999, Revenue 532503, Grant 28501, Year 2021 for up to \$40,000.

BY COMMISSIONER NELSON:

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, establishes the Community Development Block Grant Program (CDBG) for the purpose of developing viable communities by providing decent housing and a suitable living environment, and by expanding community opportunities principally for low and moderate income persons; and

WHEREAS, Subtitle B of Title IV of McKinney Homeless Assistance Act of 1987, as amended and reauthorized under the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, establishes homeless assistance programs including the Emergency Solutions Grant (ESG) program for purposes of providing homeless prevention and rapid re-housing assistance to homeless families; and

WHEREAS, The Secretary of Housing and Urban Development (HUD) has notified St. Louis County of special allocation of funding to the Community Development Block Grant (CDBG-CV) and Emergency Solutions Grant (ESG-CV) programs from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to address the current COVID-19 pandemic; and

WHEREAS, The St. Louis County Board desires to carry out activities using CDBG-CV and ESG-CV funding to assist communities, agencies, and residents of St. Louis County through an Amendment to the Fiscal Year 2020 Action Plan; and

WHEREAS, The St. Louis County Board provided a public review period and conducted a public hearing on Tuesday, July 28, 2020, at 9:40 a.m. in the St. Louis County Government Service Center in Virginia, Minnesota, to solicit public input prior to considering the proposed Amendment to the 2020 Action Plan and amendment of the St. Louis County Citizen Participation Plan as required by HUD.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes amendment of the St. Louis County Citizen Participation Plan for the use of CARES Act funding and further authorizes the Planning and Community Development Director to prepare and submit the Amendment to the 2020 Action Plan and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding funding levels as set forth in the Amendment as described in County Board File No. 61320, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required.

RESOLVED FURTHER, That the St. Louis County Board authorizes acceptance of the 2020 CARES Act CDBG-CV and ESG-CV entitlement grants and execution of entitlement agreements by the St. Louis County Planning and Community Development Director and a representative of the County Attorney on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the programs and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development.

RESOLVED FURTHER, That grant funds will be allocated as follows:

- \$1,164,632, CDBG-CV Grant 2020 to Fund 260, Project Code 23601001, or as required by the County Auditor;
- \$578,797, ESG-CV Grant 2020 to Fund 173, Project Code 23601001, or as required by the County Auditor.

RESOLVED FURTHER, That the St. Louis County Board allocates funding from the

entitlement grants to CDBG-CV and ESG-CV projects and authorizes the Planning and Community Development Director and a representative of the County Attorney to execute agency agreements for these projects. Disbursements related to the CDBG-CV sub recipient agreements will be made from CDBG-CV Fund 260 and ESG-CV agreements from ESG-CV Fund 173 according to the specific 2020 projects included in the County Board File No. 61320, or as required by the County Auditor.

Unanimously adopted July 28, 2020. No. 20-367

BY COMMISSIONER JEWELL:

WHEREAS, The City of Duluth has requested St. Louis County to consider up to \$650,000 tax abatement financing for public infrastructure improvements and associated site development costs; and

WHEREAS, Minn. Stat. §§ 469.1812, through 469.1815, Abatement Authority, requires that a public hearing be conducted prior to granting tax abatement financing; and

WHEREAS, The St. Louis County Board of Commissioners held a public hearing on Tuesday, July 28, 2020, at 9:45 a.m. in the St. Louis County Government Service Center in Virginia, Minnesota, to solicit public input prior to considering the proposed tax abatement request; and

WHEREAS, The St. Louis County Board of Commissioners determines that the public benefits gained by the creation of new full-time and part-time jobs, increasing the county tax base, sales tax generation, and other benefits exceeds the costs of the tax abatement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes up to \$650,000 tax abatement financing to the City of Duluth payable from Fund 100, Agency 178001, Object 500900.

RESOLVED FURTHER, That the St. Louis County Board of Commissioners waives applicable provisions of the Board's Tax Abatement Financing Policy to allow this project to proceed and application fees.

RESOLVED FURTHER, That the St. Louis County Board of Commissioners requires a project labor agreement and prevailing wage rates for the public infrastructure improvements and associated site development costs.

RESOLVED FURTHER, That provided all required documentation is submitted by the City of Duluth, the appropriate county officials are authorized to execute a tax abatement agreement with the City of Duluth and execute any other related documents after review and approval by a representative of the County Attorney's Office.

Unanimously adopted July 28, 2020. No. 20-368

BY COMMISSIONER NELSON:

WHEREAS, In January 2018, Jamie Berg commenced an action against St. Louis County; and

WHEREAS, The action, captioned *Berg v. County of St. Louis*, Case No. 69DU-CV-18-161, is pending in the State of Minnesota District Court for the Sixth Judicial District in St. Louis County; and

WHEREAS, The plaintiff and the defendant have reached agreement on a proposed settlement of the action that is subject to the approval of the St. Louis County Board; and

WHEREAS, Under the proposed settlement, the plaintiff will release its claims against St. Louis County and its officers, employees, and agents, and St. Louis County will make settlement payments in the amount of \$150,000.00 plus incidental amounts for taxes and mediation fees; and

WHEREAS, The St. Louis County Board wishes to approve the proposed settlement to avoid the expense and risk associated with further litigation.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the proposed settlement and authorizes the appropriate county officials to negotiate and execute appropriate settlement documents and to make the settlement payments contemplated by the proposed settlement in the amount of \$150,000.00 plus incidental amounts for taxes and mediation fees, payable from Fund 720, Agency 720001, Expense Code 636200.

Unanimously adopted July 28, 2020. No. 20-369

At 11:00 a.m., July 28, 2020, Commissioner Nelson, supported by Commissioner Jewell, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

Mike Jugovich, Chair of the Board
of County Commissioners

Attest:

Nancy Nilsen, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)