

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MAY 5, 2020**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 5th day of May 2020, at 9:31 a.m., at the Government Services Center, St. Louis River Room, Duluth, 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.

Commissioners Frank Jewell, Patrick Boyle, Beth Olson and Paul McDonald participated by WebEx.

Assistant St. Louis County Attorney Kim Maki said that pursuant to Minn. Stat. 13D.021, County Administrator Kevin Gray and County Board Chair Jugovich have determined that in-person meetings are not practical or prudent because of the COVID-19 pandemic and the declared federal, state and local emergencies. All county facilities are closed to the public in keeping with Governor Tim Walz's orders directing Minnesotans to Stay at Home. All meetings of the St. Louis County Board will, until further notice, be conducted by telephone or other electronic means as it is not feasible to have commissioners, staff, and/or members of the public present at the regular meeting location due to the COVID-19 pandemic and the declared emergencies. The meetings will be broadcast to the public. Also until further notice, to accommodate the use of telephonic or other electronic means, St. Louis County Board meetings will be conducted from the St. Louis River Room, Government Services Center, in Duluth, Minnesota.

Chair Jugovich confirmed that all members could hear him and reviewed the meeting rules. Chair Jugovich said that under WebEx, the County will be allowing public comment and participation through the use of the "Raise Hand" feature or written comments that had been submitted to the County prior to the agenda items being discussed.

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.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Aimee Johnson requested the opportunity to speak; however, due to an issue with her microphone she was unable to address the Board. Ms. Johnson was directed to contact St. Louis County Administrator Kevin Gray with her comments; Administrator Gray will forward the information to the Board.

Commissioner Nelson, supported by Commissioner Jewell, moved to approve the consent agenda. A roll call vote was taken and the motion passed; seven yeas, zero nays.

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

Upon motion by Commissioner Nelson, supported by Commissioner Jewell, resolutions numbered 20-232 through 20-252, as submitted on the consent agenda, were unanimously adopted as follows:

Contract for County-State Aid Highway Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for culverts, milling bituminous, bituminous reclamation, plant mixed bituminous surface and aggregate shoulders on CSAH 43/Lismore Road in Normanna Township.—20-305

State of Minnesota Agency Agreement for Exchange of Federal Funds for State Aid Funds (Recipient), MnDOT Contract No. 1036614, between St. Louis County and the State of Minnesota to transfer \$1,700,000 in federal funds for State Project 069-607-052 in exchange for Cook County federal funds received for SP 016-612-075.—20-306

State of Minnesota Agency Agreement for Federal Participation in Advance Construction, MnDOT Contract No. 1036393, between St. Louis County and the State of Minnesota for the French River Wayside and Bridge Replacement Project.—20-307

Subgrant Agreement between the South St. Louis Soil and Water Conservation District (SWCD) and St. Louis County for the culvert replacement on Keene Creek crossing Morris Thomas Road as part of the construction project SP 069-656-018/CP 0056-284469. SWCD will retain \$5,000 for administration of the grant; St. Louis County will provide a 10% match and cover all overages.—20-308

Service Contract No. 5598B-1 between the County of St. Louis and Burntside Lake Association, Ely, MN, for activities and objectives consistent with the Aquatic Invasive Species (AIS) Prevention Program during the period April 1, 2020, to March 31, 2021.—20-309

Cooperative Agreement between the County of St. Louis and the City of Hermantown for a reclaim and overlay with utility improvements project on Morris Thomas Road (CSAH 56) in Hermantown.—20-310

Agreement for Services between the County of St. Louis and HDR Engineering, Inc., Minneapolis, MN, for engineering services for reduced conflict intersection at US-169 and CSAH 137/CR 661 (Spirit Lake Road) located in the city of Mountain Iron and Great Scott Township.—20-311

Agreement for Professional Services between St. Louis County and Cole Appraisal and Consulting, LLC, Eveleth, MN, for appraisal services for easement property acquisition relating to a petition to establish a cartway by Timothy R. Westby on behalf of SW2, LLC (CP 491904).—20-312

Minnesota Department of Human Services SFY 2020 Housing Support Agreement – Community Settings, Contract No. 53813, between St. Louis County and Range Transitional Housing, Inc., Virginia, MN.—20-313

Service Agreement, Contract No. 16920, between St. Louis County and Arrowhead Economic Opportunity Agency (AEOA), Virginia, MN, to provide COVID-10 temporary housing.—20-314

Purchase of Service Agreement, Contract No. 16778, between St. Louis County and Thomas Allen, Inc., West St. Paul, MN, for Delegated Case Management during the period January 1, 2020, to December 31, 2020.—20-315

Department, and to adjust the 2020 and 2021 budgets accordingly in Fund 230, Agency 232006, Object 629900, Object 633100, Object 624300, and Object 540280, Grant 23276, Grant year 2020.
Adopted May 5, 2020. No. 20-234

WHEREAS, On March 26, 2020 the state legislature passed \$330 million emergency funding package that was signed into law by Governor Walz on March 28, 2020. The legislation secured funding for providers to serve people experiencing homelessness; and

WHEREAS, The Office of Economic Opportunity (OEO) at Minnesota Department of Human Services (DHS) is responsible for administering the COVID-19 Emergency Services Program (ESP) funding; and

WHEREAS, PHHS applied for COVID-19 funds for isolation and quarantine for people who are homeless; and

WHEREAS, These funds in the amount of \$361,969 are to be awarded to PHHS for the period April 1, 2020, through February 1, 2021; and

WHEREAS, PHHS wishes to accept funds.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the PHHS to accept funding from DHS through the COVID-19 Emergency Services Program in the amount of \$361,969 for the period April 1, 2020, through February 1, 2021, and enter into contracts with community partners for essential services, and to adjust the 2020 and 2021 budgets accordingly in Fund 230, Agency 233010, Object 530717 and Object 629900, Grant 23375, Grant Year 2020.

Adopted May 5, 2020. No. 20-235

WHEREAS, The St. Louis County Board of Commissioners adopted the St. Louis County All-Terrain Vehicle Ordinance titled "The Management and Permitting of All-Terrain Vehicles within the Public Right-of-Way of Roads Under the County's Jurisdiction", and further identified as St. Louis County Ordinance Number 64; and

WHEREAS, There has been significant expansion and increased interest in motorized recreation within St. Louis County with most of this activity focused on the development of new all-terrain vehicle trails; and

WHEREAS, This rapid expansion of the development of all-terrain vehicle trails has led to disorganization amongst items such as prioritization of all-terrain vehicle trail development projects, pursuit of state and federal funding, and long term trail infrastructure maintenance responsibilities; and

WHEREAS, This experience has led to the recognition of an immediate need to better manage and coordinate efforts related to the development and ownership of motorized trails; and

WHEREAS, One method to better manage and coordinate efforts would be to develop a joint powers board that would be similar to the Regional Railroad Authority and could focus on the critical functions of planning, funding, construction, and management and maintenance; and

WHEREAS, The regional motorized recreational activity is generally focused within the counties of Koochiching, St. Louis and Lake.

THEREFORE, BE IT RESOLVED, That the appropriate County Officials are hereby authorized to enter into discussions with the appropriate officials of Lake County and Koochiching County on the development of a motorized trail joint powers board that is represented by Koochiching County, Lake County and St. Louis County.

Adopted May 5, 2020. No. 20-236

This project is further identified as CP 0000-519875. Funds for this project will be accounted for in Fund 220 Agency 220583.

Adopted May 5, 2020. No. 20-239

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following project:

CP 0025-431705, SAP 069-625-019; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on February 27, 2020, and the low responsible bid determined;

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>
Mesabi Bituminous, Inc.	PO Box 728 Gilbert, MN 55741	\$445,901.07

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 220567, Object 652700.

Adopted May 5, 2020. No. 20-240

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following combined project:

CP 0000-293138, SP 069-070-036; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on April 16, 2020, and the low responsible bid determined.

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>
DeAngelo Brothers, LLC	100 N. Conahan Dr. Hazelton, PA 18201	\$549,849.13

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 220577, Object 652700.

Adopted May 5, 2020. No. 20-241

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied project:

CP 0024-407496 (Low Prime), and CP 0180-273925 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on April 16, 2020, and the low responsible bid determined;

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>
Ulland Brothers, Inc.	PO Box 340 Cloquet, MN 55720	\$355,900.00

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

GRANT BUDGET CHANGE

1. Increase Sheriff revenue and expense budget to include additional funds awarded by the Duluth Police Department for the Toward Zero Deaths grant (\$1,648.37).
2. Increase Sheriff revenue and expense budget to include additional funds awarded by the Minnesota Department of Natural Resources for the Boat & Water Safety grant (\$758.00).
3. Increase Sheriff revenue and expense budget to include additional funds awarded by the State of Minnesota for the Emergency Management Performance grant (\$11,504.05).
4. Increase Sheriff revenue and expense budget to include additional funds awarded by the U.S. Forest Service for the Title III grant (\$2,440.04).
5. Increase Public Health and Human Services revenue and expense budget to include additional funds awarded by the Minnesota Department of Health for the community-based suicide prevention grant, Thrive Range (\$10,000.00).

USE OF AN EXISTING FUND BALANCE

6. Use of missing heirs fund balance to cover transfer to the general fund; after 21 years, the money becomes property of St. Louis County (\$3,638.90).
7. Use of Public Works gas/diesel variability assigned fund balance to cover 2019 overages in unleaded and diesel fuels (\$180,898.34).
8. Transfer Public Health and Human Services building remodel assigned fund balance to capital projects to purchase standing desks for Duluth Government Services Center (\$52,609.04).
9. Transfer Public Health and Human Services building remodel assigned fund balance to capital projects to purchase furniture for Ely, Hibbing, and Duluth offices (\$100,773.00).
10. Use of Public Health and Human Services prevention and innovation assigned fund balance to cover the cost of the opioid withdrawal Pathfinder unit (\$116,492.00).
11. Use of Motor Pool fund balance to fund the fuel island project at the Duluth Motor Pool (\$183,216.00).

REVENUE AND EXPENSE BUDGET INCREASE

12. Increase general fund revenue and expense budget to record the St. Louis County share of the state's contribution to PERA (\$311,397.82).
13. Increase Aid to Other Agencies revenue and expense budget for pass-through state fire aid funds, to match what was received (\$10,472.38).
14. Increase Planning revenue and expense budget to reflect actual reimbursements from Ecosystem Investment Partnership for the Wetland Bank Project (Res. 14-384) (\$26,442.43).
15. Increase Auditor revenue and expense budget to include the MNLARS reimbursement received from the state (\$137,674.09).
16. Increase Purchasing revenue and expense budget to reflect actual amount of public surplus auction fee revenue received (\$2,741.49).
17. Increase Property Management revenue and expense budget to include reimbursement for window repair due to damage caused by a vendor's lawnmower (\$2,115.00).
18. Increase Property Management revenue and expense budget for county fee land to reflect the actual amount of revenue collected (\$100,799.95).

39. Transfer a portion of general fund savings to capital projects (\$1,100,000.00) and the depreciation reserve fund (\$400,000.00) to be used for future capital needs.
40. Transfer a portion of general fund savings to Public Health and Human Services to be assigned to prevention and innovation fund balance for anticipated budget impacts (\$800,000.00) and to cash flow (\$1,500,000.00).
41. Transfer funds from Land & Minerals to Public Works to reimburse for crushing, culverts, entrance relocation, road inspections, maintenance, and repairs (\$298,506.93) and transfer from Public Works to Land & Minerals to reimburse for the use of Land assets on Public Works projects (\$32,104.40).
42. Transfer funds from Land & Minerals to the depreciation reserve fund to cover costs associated with the Virginia Land & Minerals building addition (\$53,427.97).
43. Transfer CDBG administrative budget from personnel to operating to cover higher than budgeted grant eligible expenses (\$11,000.00).

CONTRIBUTION TO FUND BALANCE

44. Increase mineral rents and royalties revenue budget to account for higher-than-anticipated revenue and reduce budgeted use of future unallotments fund balance, using the additional mineral royalties to cover the transfer to Surveyor instead (\$340,000.00).
45. Decrease Environmental Services budgeted use of fund balance and increase revenue budget to account for expense reimbursements from the Minnesota Pollution Control Agency for the Environmental Assistance Recycling Program Grant (\$34,403.90).
46. Reduce Motor Pool expense budget and return unused fund balance originally intended for the Pike Lake kiosk project, which came in under budget (\$3,159.01).
47. Add revenue and contribution to fund balance budget in the Environmental Services financial assurance fund to account for fees collected throughout the year (\$297,000.00).

FUND BALANCE ASSIGNMENTS

48. Assign 2019 mineral rents and royalties revenue to be used for 2020 scholarships (\$150,000.00).
49. Increase general fund Public Safety Innovation fund balance assignment to be used to fund pilot programs that promote public safety (\$200,000.00).
50. Increase Public Health and Human Services fund balance assignment for prevention and innovation by \$814,929.29 from 2019 operations and \$310,527.75 from past building remodel fund balance assignments, to be used to support pilot programs that focus on prevention services which will offset future costs.
51. Increase Public Health and Human Services fund balance assignment for periodic data match by the unspent amount of the 2019 allocation from the state, to be used to support future periodic data match work related to state systems (\$58,313.64).

CORRECTION TO A PRIOR RESOLUTION

52. Increase use of NEMESIS fund balance on Resolution 19-366 (2019 First Quarter Budget Changes) by \$27 to a total of \$841.23 for ticket writer software maintenance.

	400	400006	664600	41,260.72	
	400	400006	664600	6,600.00	
	400	400006	590100		(52,648.12)
	230	230011	640300	(100,772.96)	
	230	230011	697600	100,772.96	
10	230	232006	629900	116,492.00	
	230	999999	311405		(116,492.00)
11	715	715014	668500	183,216.00	
	715	999999	311202		(183,216.00)
REVENUE AND EXPENSE BUDGET INCREASE					
12	100	100001	521504		(311,397.82)
	100	100001	616200	196,800.00	
	100	100001	616300	114,597.82	
13	100	103001	521505		(10,472.38)
	100	103001	699100	10,472.38	
14	100	109002	545148		(26,442.43)
	100	109002	629900	26,442.43	
15	100	115004	610000	105,053.45	
	100	115004	640400	32,620.64	
	100	115004	531024		(137,674.09)
16	100	119001	610000	2,741.49	
	100	119001	583100		(2,741.49)
17	100	128004	583100		(2,115.00)
	100	128004	632900	2,115.00	
18	100	128014	583202		(100,799.95)
	100	128014	637900	100,799.95	
19	100	128025	630901	8,000.00	
	100	128025	553002		(8,000.00)
20	100	129008	583100		(13,000.00)
	100	129008	629900	13,000.00	
21	155	155001	552918		(99,772.15)
	155	155001	625100	53,649.26	
	155	155001	629900	46,122.89	
22	168	168001	556100		(271.74)
	168	168001	629901	271.74	
23	200	203001	521701		(250,055.13)
	200	203001	652800	250,055.13	
24	220	220490	652700	3,720.20	
	220	220490	551520		(3,720.20)
25	230	231019	526800		(80,000.00)
	230	231019	600400	160,000.00	
	230	231019	530619		(80,000.00)
26	230	232006	545159		(1,000.00)

	100	100001	697700			300,000.00			
	178	999999	311008				300,000.00		
	178	178006	590500					(300,000.00)	
38	100	999999	311107						(1,500,000.00)
	100	100001	697600			1,500,000.00			
	407	407001	590100					(1,500,000.00)	
	407	407001	666300			1,500,000.00			
39	100	999999	311107						(400,000.00)
	100	100001	697600			400,000.00			
	402	402001	590100					(400,000.00)	
	402	402001	663100			400,000.00			
	100	999999	311107						(1,100,000.00)
	100	100001	697600			1,100,000.00			
	400	400023	590100					(1,100,000.00)	
	400	400023	663100			1,100,000.00			
40	100	999999	311107						(800,000.00)
	100	100001	697600			800,000.00			
	230	232006	590100					(800,000.00)	
	230	999999	311405				800,000.00		
	100	999999	311107						(1,500,000.00)
	100	100001	697600			1,500,000.00			
	230	232006	590100					(1,500,000.00)	
	230	999999	311132				1,500,000.00		
41	200	201095	590100					(38,552.25)	
	200	205003	590100					(63,036.26)	
	200	203552	590100					(88,281.00)	
	200	203560	590100					(108,637.42)	
	200	201001	697600			32,104.40			
	290	290004	697600			90,259.97			
	290	290007	697600			88,281.00			
	240	241007	697600			108,637.42			
	240	241005	590100					(32,104.40)	
	240	241005	697600			11,328.54			
	407	407001	666300			(100,000.00)			
	407	407001	590100					100,000.00	
42	240	241007	697600			53,427.97			
	240	241007	660600			(53,427.97)			
	402	402015	630902			7,565.00			
	402	402015	629900			3,067.50			
	402	402015	634900			4,874.11			
	402	402015	663100			18,435.00			
	402	402015	590100					(53,427.97)	
	402	402015	664600			19,486.36			
43	260	260999	610000	26002	2019	(11,000.00)			
	260	260999	629900	26002	2019	11,000.00			
CONTRIBUTION TO FUND BALANCE									
44	100	999999	311438				340,000.00		
	100	100001	521401					(340,000.00)	
45	600	999999	311200				34,403.90		
	600	600001	629900			(3,600.00)			
	600	600001	665900			3,600.00			
	600	602100	532506					(34,403.90)	
	600	602100	629900			(15,350.00)			
	600	602100	665900			15,350.00			

forward with donations to alleviate some of the challenges associated to fighting the COVID-19 pandemic; and

WHEREAS, All donations have been contributed to the County for the benefit of its citizens; and

WHEREAS, The Board finds that it is appropriate to accept such donations.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby accepts COVID-19 related donations that have been made to date.

RESOLVED FURTHER, That the Board hereby authorizes acceptance of any future donations that will assist the County in responding to and fighting the COVID-19 pandemic.

RESOLVED FURTHER, That the County shall acknowledge the receipt of the donor's donations through the issuance of a letter or receipt to the donating party.

RESOLVED FURTHER, That the County will report accepted donations to the Board via periodic Board Memo.

Adopted May 5, 2020. No. 20-248

WHEREAS, The Minnesota Department of Public Safety Division of Emergency Communication Networks applied for and was awarded a 2020 Next Generations 911 (NG911) Geographic Information Systems (GIS) grant funded by the National Telecommunications and Information Administration and the National Highway Traffic Safety Administration; and

WHEREAS, The primary purpose of the NG911 project is to develop a set of standards based on statewide GIS data, required to support NG911 systems in Minnesota; and

WHEREAS, NG911 uses GIS data provided by local GIS agencies (city, county, and tribal) as the core database for civic location validation, call routing, and Public Safety Answering Point map display functionality; and

WHEREAS, St. Louis County will serve as the fiscal agent for the grant on behalf of the Northeast Emergency Communication Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the application and acceptance of the 2020 Next Generation 911 Geographic Information Systems grant from the State of Minnesota Emergency Communications Network in the amount of \$249,685.45, to be accounted for in Fund 876, Agency 876999, Grant 87602, Year 2020.

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the grant as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for the grant.

Adopted May 5, 2020. No. 20-249

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

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

CITY OF DULUTH

Lot 11 AND Lot 12, Block 5, BAY VIEW ADDITION TO DULUTH NO. 1

Parcel codes: 010-0220-00710 and 010-0220-00720; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

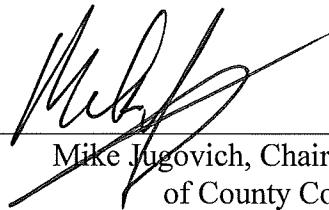
resolution of the County Board, be withdrawn from the forest for disposal if the Commissioner of Natural Resources approves the sale of such land; and

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.


Adopted May 5, 2020. No. 20-252

At 9:39 a.m., May 5, 2020, Commissioner Musolf, supported by Commissioner McDonald, moved to adjourn the meeting. A roll call vote was taken and the motion passed; seven yeas, zero nays.



Mike Jugovich, Chair of the Board
of County Commissioners

Attest:



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

(Seal of the County Auditor)