

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 12, 2024**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of March 2024, at 10:03 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Mike Jugovich and Chair Keith Nelson - 6. Absent: Commissioner Annie Harala - 1.

Chair Nelson asked for a moment of silence to honor those men and women who serve and protect this great nation and for those individuals adversely affected by conflict or violence both here and abroad; followed by the pledge of allegiance.

Commissioner McDonald, supported by Commissioner Boyle, moved to approve the consent agenda. Item #5, Establish a Public Hearing to Amend the 2024 Fee Schedule [24-105] was removed from the consent agenda for separate consideration. The motion passed; six yeas, zero nays, one absent (Harala).

Commissioner Jugovich, supported by Commissioner Boyle, moved that the St. Louis County Board will convene a public hearing for Tuesday, April 9, 2024, at 10:05 a.m., Duluth Courthouse, Duluth, MN, for the purpose of obtaining public comment to further amend the 2023 Fee Schedule. County Administrator Kevin Gray said there was an administrative correction to the year listed in the original resolution and noted that there was a replacement resolution. Commissioner Jugovich, supported by Commissioner Grimm, moved to approve the replacement resolution: The St. Louis County Board will convene a public hearing for Tuesday, April 9, 2024, at 10:05 a.m., Duluth Courthouse, Duluth, MN, for the purpose of obtaining public comment to further amend the 2024 Fee Schedule. The motion to approve the replacement resolution passed; six yeas, zero nays, one absent (Harala). Resolution No. 24-150.

Commissioner Grim, supported by Commissioner McDonald, moved to remove from the table a resolution for Authorization to Allocate One-Time Public Safety Aid. [24-83]. The motion passed; six yeas, zero nays, one absent (Harala).

The motion to authorize the allocation of the one-time Public Safety Aid to be accounted for in the Attorney's expense budget (\$905,000) and the Sheriff's expense budget (\$2,518,415), with funds transferred from the 2023 Public Safety Aid fund balance, Fund 100, Object 311764, was moved by Commissioner Boyle, supported by Commissioner Harala, at the February 27, 2024 Board meeting. Administrator Gray commented that commissioner questions have been answered regarding wellness, recruitment, and retention funding. The motion passed; six yeas, zero nays, one absent (Harala). Resolution No. 24-155.

Chair Nelson apologized for not introducing County Attorney Kim Maki and Sheriff Gordon Ramsay at the Duluth and St. Louis County Days at the Capital event.

Commissioner McDonald gave the Board a report regarding a round table discussion hosted by the US Forest Service (USFS). The round table discussion focused on grant funding available through the Collaborative Wildfire Risk Reduction Program that will help enhance wildfire reduction strategies.

County Auditor Nancy Nilsen noted that 51 townships are holding township elections today and encouraged citizens to vote and participate. Auditor Nilsen commented that this is the second election the townships have administered in the last two weeks and thanked election judges and clerks for their work in administering the township election and the Presidential Nomination Primary that was held last week.

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

Brian Fritsinger, Deputy Administrator, submitting Request for Board Action No. 24-102, Toivola Township Playground Equipment Upgrade Project, American Rescue Plan Act Revenue Loss Funding.—62139

Mary Tennis, Extension and Depot Extension Director, submitting Request for Board Action No. 24-105, Establish a Public Hearing to Amend the 2024 Fee Schedule.—62140

Donna Viskoe, Purchasing Director, submitting Request for Board Action No. 24-107, St. Louis County Purchasing Rules & Regulations Amendments.—62141

Gordon Ramsay, County Sheriff, submitting Request for Board Action No. 24-103, Memorandums of Understanding Regarding Treatment of Security Information at St. Louis County Jail/Lockup (Jails).—62142

Gordon Ramsay, County Sheriff, submitting Request for Board Action No. 24-83, Authorization to Allocate One-time Public Safety Aid.—62143

Joseph Austin, Safety and Risk Management Director, submitting Annual Report of the Inspector of Mines for 2023.—62144

Commissioner Nelson submitting his speech given at the Duluth and St. Louis County Days at the Capital event.—62145

Upon motion by Commissioner McDonald, supported by Commissioner Boyle, resolutions numbered 24-145 through 24-154, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER McDONALD:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 5, 2024, are hereby approved.

Adopted March 12, 2024. No. 24-145

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-798459 (2024 North Crushing); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 22, 2024, and the low responsible bid was 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>
TNT Construction Group, LLC	40 County Road 63 Grand Rapids, MN 55744	\$493,100.00

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 payable from:

CP 0000-798459 (2024 North Crushing)

Fund 200, Agency 201113, Object 650200 – Local Maintenance, City and Township Funds

With additional revenue budgeted for expense:

City of Chisholm, Fund 200, Agency 201113, Object 551530 - \$20,100.00

Town of White, Fund 200, Agency 201113, Object 551520 - \$80,000.00

Adopted March 12, 2024. No. 24-146

WHEREAS, The Information Technology (IT) Department with the approval of the IT Steering Committee, and Departmental Leadership group have identified a need to modernize the St. Louis County Internal Intranet which has historically been hosted within the DotNetNuke (DNN) software environment; and

WHEREAS, This current intranet has several deficiencies including lack of style consistency across departmental pages, cumbersome administration tools, inefficient use of pages, pages that are no longer needed, and a document management library that is difficult to manage; and

WHEREAS, The IT Department, in coordination with the Purchasing Division, issued a Request for Proposal (RFP) seeking a business partner to provide design, development, implementation, and training services associated with St. Louis County's new Intranet utilizing the investment that St. Louis County made in the Microsoft 365 SharePoint platform; and

WHEREAS, An evaluation team of 5 county employees evaluated 22 software development responder submissions and recommends AgreeYa Solutions, LLC for contract award in accordance with this project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the IT Department to enter into a services contract with AgreeYa Solutions, LLC for the design, development and implementation of a new St. Louis County SharePoint Intranet for a total of \$245,000 payable from Fund 100, Agency 117001, Object 634800, with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139.

RESOLVED FURTHER, That the St. Louis County Board authorizes the ongoing yearly software maintenance and support costs estimated to be \$22,000 annually to be budgeted in the Information Technology Budget in future years from Fund 100, Agency 117001, Object 634800.

Adopted March 12, 2024. No. 24-147

WHEREAS, St. Louis County has been utilizing Environmental Systems Research Institute, Inc's (ESRI) geographic information system (GIS) mapping software since the mid-1980's; and

WHEREAS, Citizens, businesses, and internal county departments benefit from the county deployment of this software for critical business functions; and

WHEREAS, This software has evolved over the years to provide rich mapping, geospatial data management, analytical, and web map publishing interfaces that includes, but not limited to: the County Land Explorer, County Survey Explorer, and a host of point solutions that cover multiple categories of core geospatial data infrastructure; and

WHEREAS, Per St. Louis County Purchasing Rules and Regulations it is required that any software purchases and associated support agreement that exceeds \$175,000 and is considered a net new agreement must be approved by the County Board unless subsequent renewals are approved by the County Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology Department to enter into a new ESRI Enterprise software agreement with Environmental Systems Research Institute, Inc. at a cost of \$193,100 annually for three years for a total of \$579,300 payable from Fund 100, Agency 117001, Object 634800 with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139, or its designated fund.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Information Technology Department to renew the County's enrollment for one (1) or more additional terms in the future, provided the total cost associated with the renewal is not \$150,000 more than the total cost stated above.

Adopted March 12, 2024. No. 24-148

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board has allocated up to \$1,000,000 of ARPA funds to be used for youth recreation/park projects; and

WHEREAS, Toivola Township has identified a project to improve its existing park and recreation facilities; and

WHEREAS, The Township has submitted documentation seeking funding assistance in the amount of \$15,000 from the County's American Rescue Plan Act Revenue Loss funds to support its project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$15,000 of American Rescue Plan Act Revenue Loss funding for the Toivola Township Playground Equipment Upgrade Project.

RESOLVED FURTHER, That Toivola Township shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the Township for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.

Adopted March 12, 2024. No. 24-149

WHEREAS, In an effort to keep our Rules relevant, it is the intent of the Purchasing Division and the formerly established board subcommittee, the Purchasing Rules and Regulations Committee (PRRC), to review on-going initiatives and identify new opportunities which can be a step towards increasing awareness and engagement, utilizing the process in place to allow informal ideas to be raised and recorded from all areas of the county; and

WHEREAS, The Purchasing Division has reviewed proposed amendments, continuous improvement initiatives and corrections to the Rules and is bringing them before the Board to make an informed decision regarding the recommendations made by county staff; and

WHEREAS, The adoption of these Rules will assist all county offices in the necessary steps for completion of procurement in its variety of methods.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts the following amendments to the St. Louis County Purchasing Rules and Regulations:

- Section II. Purchasing Definitions:

Direct Negotiation – “Direct Negotiation” ~~means a direct solicitation with a specific vendor or individual without requesting or obtaining additional quotes.~~ *means obtaining two or more quotations for a purchase or sale when possible, and without advertising for bids otherwise complying with the requirements of competitive bidding.*

Open Market - “Open Market” ~~means obtaining two or more quotations for a purchase or sale when possible, and without advertising for bids otherwise complying with the requirements of competitive bidding.~~ *means an individual solicitation with a specific vendor or individual without requesting or obtaining additional quotes.*

- Section III. Bidding and Purchasing Requirements

A.4.a. If the contract is made upon *Direct Negotiation* ~~Open Market~~, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after their receipt.

A.4.b. “*Open Market* ~~Direct Negotiation~~” means an individual ~~direct~~ solicitation with a specific vendor or individual without requesting or obtaining additional quotes.

B.6.g. Whether bidder is in default with any other contracts with the *County* ~~F.~~

E.4. Authority to Debar or Suspend. The ~~Purchasing~~ *Purchasing* Director is delegated authority to debar or suspend a party from participating in County contracts.

- Section VI. Purchase Orders and Year End Encumbrances

Under A. 2. No purchase order is required for the following purchases:

Add “*h. Election Infrastructure. Defined as goods and services required to process elections mandated by the state.*”

All subsequent list items are renumbered appropriately.

- Section VII. Other Procedures

B.3. All property leases for one or more years are subject to the ~~Property Acquisition/Leases Policy review and approval and must be approved by approval of the Auditor’s Office and Property Management, prior to the approval of the County Board.~~ Lease renewals need only be approved by the Department Head and the Property Manager. Leases may be renewed for the length of the original contract only once. Copies of all leases shall be maintained by Property Management.

- APPENDIX A. St. Louis County Board Resolutions

Add Resolution 23-515, Adopted October 10, 2023, to Appendix A as Paragraph L.

RESOLVED FURTHER, That the amendments will be effective upon adoption of this resolution.

Adopted March 12, 2024. No. 24-151

WHEREAS, The St. Louis County Sheriff's Office has worked with multiple external law enforcement agencies (Agency) to create a Memorandum of Understanding (MOU) regarding Treatment of Security Information at St. Louis County Jail/Lockup (Jails) to delineate what happens to Body Worn Camera (BWC) data obtained or created by Agency employees while inside the secure areas at the Jails; and

WHEREAS, The Sheriff's Office is statutorily the responsible authority for the St. Louis County Jails and determined that for the safety and security of the County Jails, employees, detainees, visitors, and any other person or thing onsite, audio, photographic images and/or video footage of the secure areas of the facilities must be restricted; and

WHEREAS, Any data obtained within the secure areas of the Jail is "Security Information" as defined in Minn. Stat. § 13.37, Subd. 1(a). Security information data is classified as "nonpublic data" with regard to data not on individuals, pursuant to Minn. Stat. § 13.02, Subd. 9, and as "private data" with regard to data on individuals, pursuant to Minn. Stat. § 13.02, Subd. 12; and

WHEREAS, Acknowledging the security risks within the Jails, the Agency agrees to redact nonpublic and private data from the BWC recordings its personnel create, collect, or obtain within the secure areas of the Jails; and

WHEREAS, Each MOU is effective at the beginning of the day after all parties' sign and shall continue until such time as the agreement is modified or terminated. Either party may terminate the MOU by providing the other party with thirty (30) days' advance written notice.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes entering into Memorandums of Understanding regarding Treatment of Security Information at St. Louis County Jail/Lockup (Jails) and further authorizes the Sheriff and a representative from the County Attorney's Office to negotiate and sign each agreement.

Adopted March 12, 2024. No. 24-152

WHEREAS, The Sheriff's Office 2024 capital budget includes funding for ten (10) fleet vehicles; and

WHEREAS, North Country GM, of Hibbing, MN; Ford of Hibbing, of Hibbing MN; and Emergency Automotive Technology, Inc. (EATI), of Hermantown, MN, responded with the State of Minnesota contract prices for 10 fleet vehicles at a cumulative extended price of \$757,286.04.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of ten (10) fleet vehicles from the following vendors in accordance with State of Minnesota Contract Pricing as follows:

Three (3) **Chevrolet Silverado PPV (Model No. CK10543)** from **North Country GM, of Hibbing, MN**, at the State of Minnesota Contract price of \$50,606.92, each. Additional fees associated with the purchase of these tax-exempt vehicles are as follows: Excise Tax of \$20.00 each, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$20,416.77 per unit, **for a fully loaded acquisition price of \$213,296.07**, delivered to EATI, and payable from Fund 100, Agency 129003, Object 666300, and 643200.

Two (2) **Chevrolet Tahoe PPV (Model No. CK10706)** from **North Country GM, of Hibbing, MN**, at the State of Minnesota Contract price of \$50,646.48, each. Additional fees associated with

the purchase of these tax-exempt vehicles are as follows: Excise Tax of \$20.00 each, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$19,353.72, for a **fully loaded acquisition price of \$140,150.40**, delivered to EATI, and payable from Fund 100, Agency 129003, Object 666100, and 643200.

One (1) **Chevrolet Tahoe PPV K9 (Model No. CK10706)** from **North Country GM, of Hibbing, MN**, at the State of Minnesota Contract price of \$50,646.48, each. Additional fees associated with the purchase of these tax-exempt vehicles are as follows: Excise Tax of \$20.00 each, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$25,709.45, for a **fully loaded acquisition price of \$76,430.93**, delivered to EATI, and payable from Fund 100, Agency 129003, Object 666100, and 643200.

Two (2) **GMC Sierra 2500 SRW (Model No. TK 20743)** from **North Country GM, of Hibbing, MN**, at the State of Minnesota Contract price of \$49,627.80, each. Additional fees associated with the purchase of these tax-exempt vehicles are as follows: Excise Tax of \$20.00 each, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$14,243.66, **for a fully loaded acquisition price of \$127,892.92**, delivered to EATI, and payable from Fund 100, Agency 129003, Object 666300, and 643200.

Two (2) **Ford Transit Cargo Vans (Model No. F8C)** from **Ford of Hibbing, of Hibbing, MN**, at the State of Minnesota Contract price of \$62,585.00, each. Additional fees associated with the purchase of these vehicles are as follows: Excise Tax of \$20.00 each, 6.875% motor vehicle sales tax of \$4,302.72 per unit, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$32,795.14, **for a fully loaded acquisition price of \$199,515.72**, delivered to EATI, and payable from Fund 100, Agency 129003, Object 666200, and 643200.

Adopted March 12, 2024. No. 24-153

WHEREAS, Demolition material is collected at the Virginia Regional Landfill and transported to a private demolition landfill for disposal; and

WHEREAS, The provider of this service is no longer available after opting out of the Virginia Regional Landfill operation contract on December 31, 2023; and

WHEREAS, The Environmental Services Department currently has a contract for the haulage of demolition material from its five transfer stations with Carleton Companies, Inc.; and

WHEREAS, Under the County's Purchasing Rules and Regulations, the Purchasing Division has recommended the Department solicit a quote from the contractor to incorporate the landfill site into the current contract; and

WHEREAS, Carleton Companies, Inc. has submitted a quote which under the Purchasing Rules and Regulations requires County Board consideration.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Environmental Services Department to include the demolition haulage service from the Virginia Regional Landfill into the current contract with Carleton Companies, Inc. for demolition haulage from transfer stations (Resolution No. 20-594) for an additional estimated cost of \$71,400 payable from Fund 600, Agency 607001, Agency 629901, increasing the contract cost to an estimated \$166,580 per year.

Adopted March 12, 2024. No. 24-154

BY COMMISSIONER JUGOVICH:

THEREFORE, BE IT RESOLVED, That the St. Louis County Board will convene a public hearing for Tuesday, April 9, 2024 at 10:05 a.m., Duluth Courthouse, Duluth, MN, for the purpose of obtaining public comment to further amend the 2024 Fee Schedule.

Yeas – Commissioners Boyle, Grimm, McDonald, Musolf, Jugovich and Chair Nelson – 6

Nays – None

Absent – Commissioner Harala – 1

Unanimously adopted March 12, 2024. No. 24-150

BY COMMISSIONER BOYLE:

WHEREAS, The 2023 Minnesota Legislature enacted a one-time Public Safety Aid for aids payable in 2023; and

WHEREAS, Recipients must use the aid to provide public safety, which can include community violence prevention and intervention programs, community engagement, mental health crisis responses, victim services, training programs, first responder wellness, equipment related to rescue, and emergency services, and to pay other personnel or equipment costs; and

WHEREAS, St. Louis County has been awarded \$3,423,415; and

WHEREAS, The Sheriff's Office worked with multiple St. Louis County departments to allocate these funds to aid in providing public safety and address critical needs through the following strategies and investments:

- Mental Health Co-Response (Range) - Amount: \$300,000
- Strategic Community Mental Health Response Plan - Amount: \$40,000
- Sheriff's Office Equipment and Technology Needs - Amount: \$473,415
- Sheriff's Office Records Management System - Amount: \$750,000
- Sheriff's Office Wellness, Recruitment and Retention - Amount: \$480,000
- Attorney's Office Recruitment and Retention - Amount: \$430,000
- Sheriff's and Attorney's Offices Training - Amount: \$150,000
- Sheriff's Office Staffing and Facility Studies - Amount: \$400,000
- Victim Witness Outreach & Support - Amount: \$50,000
- Stepping on Up Triage Facility - Amount: \$350,000.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the allocation of the one-time Public Safety Aid to be accounted for in the Attorney's expense budget (\$905,000) and the Sheriff's expense budget (\$2,518,415), with funds transferred from the 2023 Public Safety Aid fund balance, Fund 100, Object 311764.

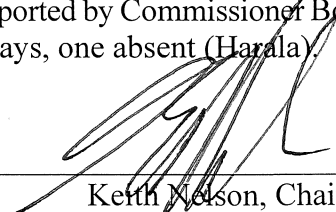
Yeas – Commissioners Boyle, Grimm, McDonald, Musolf, Jugovich and Chair Nelson – 6

Nays – None

Absent – Commissioner Harala – 1

Unanimously adopted March 12, 2024. No. 24-155

At 10:23 a.m., March 12, 2024, Commissioner Musolf, supported by Commissioner Boyle, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Harala).



Keith Nelson, 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)