

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

December 14, 2021

Location: Government Services Center, Duluth, Minnesota

Present: Commissioners Jewell, Boyle, Grimm, McDonald, Musolf, Nelson and Chair Jugovich

Absent: None

Convened: Chair Jugovich called the meeting to order at 1:17 p.m.

CONSENT AGENDA

Boyle/Nelson moved to approve the consent agenda. The motion passed. (7-0) Item #31, Cancellation of Contract for Purchase of State Tax Forfeited Land – Donahue [21-566] was removed from the consent agenda for separate consideration. The motion passed. (7-0)

- Minutes of November 30, 2021
- Grant Amendment for the COVID-19 Response Vaccine Implementation Grant from the Community Health Board [21-536]
- Transfer of Ownership of a Salt/Sand Storage Dome Located at the Town of White Maintenance Facility [21-537]
- Highway Right-of-Way Easements Across State Tax Forfeited Land Proposed for Auction [21-538]
- Redetermination of Benefits and Damages for St. Louis County Ditch 4 [21-539]
- Agreement with Lake County for Chip Sealing 2022 [21-540]
- Establishment of No Parking Zones on County Roads at Entrances to the Public Works Department's Maintenance Garages [21-541]
- Occupational Medicine Services Agreement [21-542]
- Drug and Alcohol Testing Services Agreement [21-543]
- Biometric Screening Service Agreement [21-544]
- Software to Comply with GASB 87 – Leases [21-545]
- Cancellation of Forfeiture List for Board Approval [21-546]
- Abatement List for Board Approval [21-547]
- Advertisement to the Civil Service Commissioner [21-548]
- Contract with TNT Timber and Reliable Handyman Services, LLC for the U.S. Forest Service Britt and Ely Project Sites [21-549]
- 2020 Next Generation 9-1-1 Geographic Information Systems Grant Amendment [21-550]
- 2022 State Emergency Communication Board Grant [21-551]
- Memorandum of Agreement Between St. Louis County and Arrowhead Regional Corrections [21-552]
- Transfer Trailer Haulage Contract [21-553]
- Canister Site Solid Waste Haulage Contracts [21-554]
- Recreational ATV Trail Lease Amendment to Prospectors Alliance [21-555]

- Right-of-Way Easement Across State Tax Forfeited Land to John A. Wilson (54-12) [21-556]
- Utility Easement Across State Tax Forfeited Land to Paul Bunyan Communications (New Independence 52-17) [21-557]
- Authorize a Utility Easement Across State Tax Forfeited Land to the City of Duluth [21-558]
- Repurchase of State Tax Forfeited Land – Kilen Homestead [21-559]
- Special Sale to the Duluth Economic Development Authority for Blight Removal (010-1180-00600) [21-560]
- Adjoining Owner Sales [21-561]
- Public Sale of State Tax Forfeited Properties [21-562]
- Classification of November 4, 2021 Forfeitures (Conservation) [21-563]
- Classification of November 4, 2021 Forfeitures (Non-Conservation) [21-564]
- Final Plat Approval American Dream, Section 25, Township 51N, Range 16W (Grand Lake) [21-565]

Public Works & Transportation Committee

McDonald/Nelson moved to award a bid to KGM Contractors, Inc., Angora, MN, in the amount of \$413,412.75 for project CP 0022-565325, SAP 069-622-024 (Low Prime); CP 0115-604839; CP 0912-539747, Culvert Replacements on County State Aid Highway 22 approximately 3,445 feet west of Trunk Highway 53; County State Aid Highway 115 between Trunk Highway 53 to 1 mile east of County State Aid Highway 24; County Road 912 between County Road 428 and County State Aid Highway 25. [21-567]. The motion passed. (7-0)

Finance & Budget Committee

Grimm/McDonald moved that the St. Louis County Board approves the use of \$1,000,000 in American Rescue Plan Act (ARPA) funds to be used to fund projects which promote healthy childhood environments; authorizes the use of the uncommitted ARPA funds to fund these programs/projects; and further, moves that these funds first be distributed based upon the eligibility and quality of each application under the ARPA guidelines and with those funds split equally throughout St. Louis County's seven districts. Administration is directed to develop the appropriate program guidelines for this project category and then to present those individual proposed project/program applications back to the Board via future resolutions prior to distributing funds. [21-568]. Commissioner Grimm commented that the resolution would promote healthy childhood environments and the investment of one-time funding could build infrastructure for families. After further discussion, Commissioner Grimm withdrew the motion and requested that the item be included as a Board workshop item in the first quarter of 2022.

Nelson/McDonald moved that the St. Louis County Board authorizes the increase of a 1.0 FTE Human Resources Advisor position in the Human Resources Department in the amount of \$83,825 (Confidential Public Employees Association Grade H21, Step 1). [21-569]. Jim Gottschald, Director of Human Resources and Administration, said that the Human Resources Department has experienced a measurable and sustained workload increase due to the COVID pandemic. The new position will be responsible for performing various COVID-19 related responsibilities including contact tracing, leave advisement, workforce planning with supervisors, and duties in support of federal and state requirements with possible vaccination testing requirements. The motion passed. (7-0)

Nelson/Jugovich moved that the St. Louis County Board authorizes the appropriate county officials to execute amendments to the service agreement with PMA Companies of St. Louis Park, MN, for third party administrative services of the workers' compensation program for the years 2022, 2023 and 2024;

that the annual fee of \$117,250 and Medical Cost Containment charges at \$7.00 per bill, not to exceed \$30,000 are payable from Fund 730, Agency 730001, Object 629900, with funds transferred in from Fund 730, Object 311500 Workers' Comp Fund Balance; and further, authorizes the appropriate county officials to execute amendments to the service agreement with PMA Companies of St. Louis Park, MN, for third party administrative services of the workers' compensation program for the 2025 and 2026 years, subject to a maximum of a maximum 3% increase on the then in-existence annual claim handling fees. [21-570]. Safety and Risk Director Joe Austin commented that the medical bill review and cost containment measures has saved the county \$1.5 million over the first three years of the agreement. The cost of the agreement increased \$3,500 compared to the last agreement. The motion passed. (7-0)

McDonald/Jugovich moved that the St. Louis County Board hereby approves the expenditure of American Rescue Plan Act (ARPA) funds to ameliorate negative financial impacts suffered by congressionally chartered veteran organizations owning property in St. Louis County due to the COVID-19 pandemic; and further, directs County Administration to establish a process by which these organizations may apply for ARPA funds to offset these financial impacts, in an amount no greater than their total 2021 property taxes. [21-571]. Deputy County Administrator Brian Fritsinger said that there are 15 organizations and the annual cost to the county would be approximately \$7,300. After further discussion, the motion passed. (7-0)

Central Management & Intergovernmental Committee

Jewell/Nelson moved that the following employees of the St. Louis County Auditor's Office are appointed as Board members during 2022 to process applications and ballots in the Duluth Courthouse for the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board; effective through December 31, 2022:

Staff – Jonathan Blevins, 100 N. 5th Ave. W. #214, Duluth, MN 55802

Staff – Brenda George, 100 N. 5th Ave. W. #214, Duluth, MN 55802

Staff – JoDeana Poucher, 100 N. 5th Ave. W. #214, Duluth, MN 55802;

and further, that the County Auditor and/or Clerk of the County Board may make appointments to fill vacancies should they occur. [21-572]. The motion passed. (7-0)

Nelson/Jewell moved that the St. Louis County Board reappoints Jim Takala and Richard Pierce to the Cooperative Extension Committee for three-year terms ending December 31, 2024. [21-573]. The motion passed. (7-0)

Commissioner Nelson requested that the board letter and resolution authorizing the possessory title to real estate in St. Louis County, in accordance with the provisions of and in a manner provided in Minn. Stat. § 508A to 508A.85, with implementation and acceptance of CPTs beginning on June 1, 2022, be returned to county administration for additional review. [21-574]. Administrator Gray noted that St. Louis County Examiner of Titles Kim Brzezinski is supportive of the change. Public Records and Property Valuation Director Mary Garness was available for questions. Commissioner Nelson requested that a fact sheet be given to the Board and that the county's real estate attorneys review the impacts of the change.

Jewell/Boyle moved that St. Louis County supports and agrees to the State-Subdivision Agreement and supports and opts into the multistate settlements with McKesson, Cardinal Health, AmerisourceBergen, and with Johnson & Johnson; authorizes county staff to execute all necessary documents to ensure St. Louis County's participation in the multistate settlements, including the Participation Agreement and accompanying Release, and the State-Subdivision Agreement; and further, supports the amending of

Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily prescribed use(s). [21-575]. Assistant St. Louis County Attorney Nick Campanario said that the settlement agreement with McKesson, Cardinal Health, and AmerisourceBergen requires that they pay up to \$21 billion over 18 years and requires the creation of a clearing house to detect suspicious opioid orders. The settlement agreement with Johnson & Johnson requires that they pay up to \$5 billion over 5 years. In addition, Johnson & Johnson will not be allowed to market or sell opioids over the next 10 years, they will not be allowed to lobby regarding opioids, and must make available information relating to their study. Attorney Campanario commented that Minnesota's settlement share could be up to \$300 million; the exact amount will be known after the January 2, 2022 deadline for local governments to sign the agreement. Currently, there is a 60/40 split between local government and the state; they will be asking for a change in legislation to allow for a 75/25 split. If the split is approved, St. Louis County could receive up to \$10.7 million because of the settlement. After further discussion, the motion passed. (7-0)

Nelson/Jugovich moved that the St. Louis County Board approves the notification of the Minnesota Commissioner of Health and the members of the Carlton-Cook-Lake-St. Louis County Community Health Board of the County's decision to withdraw from the Joint Community Health Board effective January 1, 2023. [21-576]. Commissioner Nelson questioned if St. Louis County taxpayers are served by the agreement and requested that a study to be conducted over the next nine months to determine if the Joint Community Health Board is effective for St. Louis County constituents. After further discussion, Commissioner Nelson withdrew his motion

Environment & Natural Resources Committee

Musolf/Boyle moved that the St. Louis County Board approves the cancellation of contract with James E. Donahue of Breckenridge, MI, for the repurchase of state tax forfeited land (parcel code 190-0040-00330) according to the provisions of Minn. Stat. § 282.01, Subd. 5, and Minn. Stat. § 282.40, and according to the procedures of Minn. Stat. § 559.21; and that the St. Louis County Auditor is authorized to sell or dispose of abandoned personal property remaining on the above-described state tax forfeited property after making reasonable effort to provide at least 28 days' notice to the former owner, taxpayer, and any current occupants. [21-566]. St. Louis County Land and Minerals Director Julie Marinucci recommended that the Board move forward with the cancellation because the terms and conditions were not met. Commissioner McDonald requested that cancellation of contracts be placed on the regular agenda going forward. The motion passed. (7-0)

COMMISSIONER DISCUSSION ITEMS AND REPORTS

Commissioner Nelson thanked Chair Jugovich for serving during the most difficult time that he could recall during his tenure as Commissioner. Commissioner Nelson said that while at his deer hunting shack, he was reminded about the treatment of his wife's grandfather who was a Finnish immigrant. Heikki Saukko had been blackballed by the mines because of his courage of convictions; he fought for safer work environments, better pay for workers, and the right to organize. Commissioner Nelson read a poem that Oliver Saukko wrote in memory of his dad, Heikki Saukko.

Commissioner Jewell commented that Chair Jugovich served a second consecutive term as Chair last year and it is expected that Commissioner McDonald will be elected as Chair in 2022. The result will be three years of leadership from Iron Range Commissioners. Commissioner Jewell said that he is going to nominate Commissioner Boyle for Vice-Chair so that Duluth has representation.

Commissioner McDonald thanked Chair Jugovich for his work during trying times.

Chair Jugovich wished everyone a Merry Christmas and encouraged everyone to be safe and to allow for extra time when traveling.

At 2:49 p.m., Chair Jugovich adjourned the Committee of the Whole meeting.



Mike Jugovich, Chair of the County Board



Phil Chapman, Clerk of the County Board