

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 9, 2021**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of February 2021, at 9:38 a.m., at the St. Louis County Public Works Facility, Virginia, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson and Chair Mike Jugovich - 7. Absent: None - 0.

Commissioners Frank Jewell, Patrick Boyle, and Ashley Grimm participated by WebEx.

Chair Jugovich asked for a moment of silence in remembrance of all victims of violence, foreign and domestic, followed by the pledge of allegiance. Chair Jugovich acknowledged the effort and sacrifices that frontline workers have made during the pandemic.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Deborah Roach, of Duluth, asked for the Board's assistance with limiting the number of gravel pits in the Fredenberg Township area. Ms. Roach said that there are currently twelve gravel pits within a one and a half mile radius; the latest permit was issued in proximity to 17 homes and within three hundred feet of a lake.

At 9:46 a.m., a public hearing was conducted pursuant to Resolution No. 21-58, adopted January 26, 2021, to consider the issuance of an Off-Sale Intoxicating Liquor License to Bell Resorts, Inc. d/b/a Voyagaire Lodge & Houseboats, Crane Lake Township. Assistant County Attorney Nick Campanario gave the initial presentation and submitted a packet that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes, and required documents for the license to the Clerk of the County Board. Commissioner Nelson asked Stuart Bell, of Bell Resorts, Inc., who was participating by WebEx, if he had read all liquor license requirements and if he will abide by them; Mr. Bell responded yes. In addition, William Bernard, Attorney, and Gina Odle, General Manager, were on the call. Ms. Odle also indicated that she read the liquor license requirements and will abide by them. Chair Jugovich asked if there were any other governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 9:52 a.m., Commissioner Nelson, supported by Commissioner Musolf, moved to close the public hearing. A roll call vote was taken, the motion passed; seven yeas, zero nays.

Commissioner McDonald, supported by Commissioner Nelson, moved to approve granting the off-sale intoxicating liquor license to Bell Resorts, Inc. d/b/a Voyagaire Lodge & Houseboats, Crane Lake Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.00; that said liquor license shall be effective through June 30, 2021, and is approved contingent upon payment of real estate taxes when due; and further, that if the named license holder sells the licensed place of 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 license fee to the license holder. A roll call vote was taken, the motion passed; seven yeas, zero nays. Resolution No. 21-119.

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

Commissioner McDonald, supported by Commissioner Musolf, moved to approve the 2021 Aquatic Invasive Species (AIS) Prevention Aid and that the appropriate County officials are authorized to execute contracts negotiated by the Planning and Community Development Director and a representative of the County Attorney in order to implement the aid program. Commissioner McDonald thanked everyone who participated in the programs, commended the cooperation of resorts, and mentioned that in recent years programs have been expanded to include Crane Lake, Pelican Lake, and Lake Kabetogama. Commissioner Nelson commented that the program is a reinvestment of St. Louis County money, not state funding. Commissioner Jewell thanked all the volunteers who participated in various programs. A roll call vote was taken, the motion passed; seven yeas, zero nays. Resolution No. 21-120.

Commissioner Jewell, supported by Commissioner Musolf, moved that the St. Louis County Board will convene in a closed meeting of the Committee of the Whole on February 9, 2021, for the purpose of discussing the proposed settlement and litigation strategy relating to *King v. County of St. Louis*, Case No. 69DU-CV-17-529, immediately following the St. Louis County Board meeting, in accordance with Minn. Stat. § 13D.05, Subd. 3(b). No other pending public business will be discussed at this closed session. A roll call vote was taken, the motion passed; seven yeas, zero nays. Resolution No. 21-121.

The Board recessed at 10:01 a.m.

At 10:36 a.m., the County Board reconvened with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson and Chair Mike Jugovich - 7. Absent: None - 0.

Commissioner Jewell, supported by Commissioner Grimm, moved to approve 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 *King v. County of St. Louis*, Case No. 69DU-CV-17-527 in the amount of up to \$190,000.00. Commissioner Nelson noted that 96% of St. Louis County taxpayers paid their property tax in a timely manner, even during a tough year. A roll call vote was taken, the motion passed; seven yeas, zero nays. Resolution No. 21-122.

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

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 21-64, Aquatic Invasive Species Prevention Aid – 2021 Funding Recommendations.—61437

Amendment No. 1, Original Damion No. 2019-013054, between the County of St. Louis and Duluth Airport Authority, Duluth, MN, extending the original pledge of \$50,000 and increasing it by \$25,000 for a total pledge amount of \$75,000.—21-148

Amendment No. 6, Original Damion No. 2015-009245, Amendment No. 1 2015-009926, Amendment No. 2 2016-010920, Amendment No. 3 2017-011742, Amendment No. 4 2019-012684, Amendment No. 5 2020-013576, between the County of St. Louis and AmeriPride Linen and Apparel Services, Hibbing, MN, extending the original contract for a temporary term effective February 1, 2021, through March, 31, 2021.—21-149

Agreement No. ST0021-3 between Sonya Renee Taylor (Speaker), Peace is Loud, Inc., New York, NY, and St. Louis County Health & Human Services Conference, Duluth, MN, for a Virtual Speaking Engagement on October 13, 2021.—21-150

State of Minnesota Department of Transportation and St. Louis County Cooperative Construction Agreement, MnDOT Contract No. 1036720, to construct a left-turn lane on US 2 at County State Aid Highway (CSAH) 56 in Hermantown (SP 069-656-019, CP 0056-431717).—21-151

State of Minnesota Agency Agreement for Federal Participation in Advance Construction, MnDOT Contract No. 1045319, for County Bridge No. 633 Replacement Project located on CSAH 65(SP 069-665-008).—21-152

Minnesota Department of Public Safety, Division of Emergency Communications Network, Northeast Minnesota Emergency Communications Board, Grant Contract Agreement No. A-DECN-SECB-2020-NEECB2-4, for the period January 1, 2020, to June 30, 2021.—21-153

Purchase of Service Addendum, Contract No. 17042A, between St. Louis County and American Indian Community Housing Organization (AICHO), Duluth, MN, for COVID-19 Priority Populations Testing services during the period November 1, 2020, to May 31, 2021.—21-154

State of Minnesota Department of Transportation and Saint Louis County Cooperative Construction Agreement, MnDOT Contract No. 1044883, for grading and bituminous surfacing on TH 53 (SP 069-070-040, SP 6917-147).—21-155

Service Contract between the County of St. Louis and Gausman & Moore Associates, Inc., Duluth, MN, for Building Performance Evaluations for a three-year period.—21-156

Professional Services Agreement between Constellation Justice Systems, Inc., dba Equivant, Canton, OH, and the County of St. Louis, to upgrade to the Jail Management System web-based server.—21-157

Purchase of Service Agreement, Contract No. 17095, between St. Louis County and Community Action Duluth, Duluth, MN, for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program (DWP) Services during the period January 1, 2021, to December 31, 2021.—21-158

Service Agreement No. 17047 between St. Louis County and Mesabi Range College, Virginia, MN, to provide training to substance use professionals in St. Louis County to develop initiatives and/or programs to curb youth substance abuse.—21-159

Purchase of Service Addendum, Contract No. 17071A, between St. Louis County and Arrowhead Economic Opportunity Agency (AEOA), Virginia, MN, for Minnesota Department of Health's Statewide Health Improvement Program (SHIP) Community Healthy Eating Strategies services, updating the scope of work.—21-160

License No. 17126 between St. Louis County and Asbury United Methodist Church, Duluth, MN, to utilize their property to administer COVID-19 testing and vaccines during the period January 1, 2021, to December 31, 2021, at no fee.—21-161

License Addendum No. 17120A between St. Louis County and AAD Shriners, Shriners International, Hermantown, MN, to utilize their property to administer COVID-19 vaccine, to include compensation for the utilization of said location.—21-162

Purchase of Service Agreement, Contract No. 17078, between St. Louis County and MN One Stop for Communities (MNSOC), Saint Paul, MN, for Safe Babies Court Team (SBCT) services for implementation of a Plan of Safe Care for prenatal substance use exposure, during the period September 30, 2020, to September 29, 2021.—21-163

Purchase of Service Agreement, Contract No. 17116, between St. Louis County and Kartta Group, LLC, Duluth, MN, for Specialized Court Order in Child(ren) in Need of Protection or Services (CHIPS) Psychological Evaluations during the period January 1, 2021, to December 31, 2021.—21-164

Upon motion by Commissioner Nelson, supported by Commissioner Jewell, resolutions numbered 21-106 through 21-118, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of February 2, 2021, are hereby approved.

Adopted February 9, 2021. No. 21-106

RESOLVED, That the St. Louis County Board authorizes an agreement, and any amendments approved by the County Attorney, with the City of Duluth for construction of the roundabout on Glenwood Street/Snively Road/Jean Duluth Road (CP 0037-382899/SP 069-637-025/SP 118-162-016/SP 118-163-004), intersection improvements at the intersection of Woodland Avenue/Arrowhead Road and Woodland Avenue/ Snively Road (CP 0009-382898/SP 069-609-047, CP 0037-466143/SP 069-637-026/SP 118-157-023), and Arrowhead Road between Dodge Street and Woodland Avenue (CP 0000-464162/SP 118-160-024), whereby the City of Duluth will pay the "City of Duluth Non-Participating" local share items listed in the plan. The funds from the City of Duluth will be receipted into:

CP 0037-382899/SP 069-637-025/SP 118-162-016/SP 118-163-004,
Fund 220, Agency 220556, Object 551501;

CP 0009-382898/SP 069-609-047,
Fund 220, Agency 220590, Object 551501;
CP 0037-466143/SP 069-637-026/SP 118-157-023,
Fund 220, Agency 220615, Object 551501;
CP 0000-464162/SP 118-160-024,
Fund 220, Agency 220616, Object 551501.

Adopted February 9, 2021. No. 21-107

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of County State Aid Highway 84 (Highway 84) and to replace the existing bridge (County Bridge 547, State Bridge L4173) over the Shannon River in Balkan Township (County Project 0084-368342, State Aid Project 069-684-005); and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute any easement documents on behalf of the county as may become necessary. Right-of-way acquisition is payable from Fund 200, Agency 203001.

RESOLVED FURTHER, That the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with easement across the following State of Minnesota land located adjacent to the present course of County State Aid Highway 84 in Balkan Township:

1. Government Lot 4, Section 6, Township 58 North, Range 20 West, EXCEPT Railroad Right-of-way of 1.33 acres and EXCEPT 0.25 acre for road.
(Parcel ID No. 235-0010-00950)

Adopted February 9, 2021. No. 21-108

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of County Road 632 (Wilson Road) and to replace the existing bridge (County Bridge 416, State Bridge 93275) over Water Hen Creek in Colvin Township (County Project 0632-368348); and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the county, any easement documents as may become necessary. Right-of-way acquisition is payable from Fund 200, Agency 203001.

Adopted February 9, 2021. No. 21-109

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of Leiding Township Road 7992 (Johnson Road) and to replace the existing bridge (County

Bridge 777, State Bridge L9571) over the Pelican River in Leiding Township (County Project 7992-398713, State Aid Project 069-599-049); and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the county, any easement documents as may become necessary. Right-of-way acquisition is payable from Fund 200, Agency 203001.

Adopted February 9, 2021. No. 21-110

WHEREAS, The Minnesota Department of Transportation administers the Highway Grade Crossing Safety Improvement Program which provides funding to improve the safety of at-grade railroad crossings; and

WHEREAS, St. Louis County was awarded funding from this program to install gates and signals at the railroad crossing DOT 251911V located on County Road (CR) 880 (Leiste Road) in Solway Township; and

WHEREAS, The Minnesota Department of Transportation will manage the project and the actual work will be performed by the railroad company.

THEREFORE, BE IT RESOLVED, That St. Louis County (Local Agency) enter into an agreement with the Wisconsin Central, Ltd. (Company) and the Commissioner of Transportation (State) for the installation and maintenance of railroad crossing signals at the intersection of CR 880 (Leiste Road) with the tracks of the Company in Solway Township, St. Louis County, MN, and appointing the Commissioner of Transportation (State) agent for the Local Agency to supervise said project and administer available Federal Funds in accordance with Minn. Stat. §161.36. The Local Agency's share of the cost shall be 10% of the total signal cost.

RESOLVED FURTHER, That the County Board Chair, Public Works Director and the Assistant County Attorney are hereby authorized to execute said agreement and any amendments thereto for and on behalf of the Local Agency.

RESOLVED FURTHER, That County funds are payable from Fund 200, Agency 203607, Object 652800.

Adopted February 9, 2021. No. 21-111

WHEREAS, The Public Works Departments' budget includes the purchase of one (1) wheel loader for maintenance operations; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested pricing for one (1) wheel loader based on the department's needs; and

WHEREAS, The Public Works Department is committed to environmental stewardship while maintaining a high level of service; and

WHEREAS, McCoy Equipment of Duluth, MN, responded with the Sourcewell Discount Contract price for one (1) John Deere Model 644LH Loader of \$286,000.00.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of one (1) John Deere Model 644LH Loader from McCoy Equipment of Duluth, MN, for a total cost of \$286,000.00, payable from Fund 407, Agency 407001, Object 666400.

Adopted February 9, 2021. No. 21-112

WHEREAS, The City of Brookston applied for a Legislative-Citizen Commission on Minnesota Resources (LCCMR) grant; and

WHEREAS, The proposed campground, boat launch and outdoor recreation project has been recommended for funding in the amount of \$425,000 contingent upon the City finding a fiscal agent for the project; and

WHEREAS, The LCCMR grants are reimbursement based and the City of Brookston did not have the financial resources to front the cash or the staff to handle the purchasing and accounting functions required of this grant; and

WHEREAS, The City of Brookston has approached St. Louis County and is requesting the County to act as the fiscal agent for the City of Brookston for the 2021 LCCMR grant; and

WHEREAS, The Finance Director and Deputy Administrator have reviewed the request and this agreement will increase the workload for both staff in the Auditors Finance Office as well as the Purchasing Department; and

WHEREAS, In order for the County's costs to be eligible for reimbursement under this grant the County must time record and bill the City of Brookston for our actual costs; and

WHEREAS, Once this grant is approved, the County will begin to bill the City of Brookston monthly for the costs associated with this grant and the City will then need to approve the expenditure for it to become an eligible reimbursement under this grant.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor and the Purchasing Department to enter into an agreement with the City of Brookston in order for St. Louis County to act as fiscal agent for the City of Brookston's 2021 LCCMR grant.

Adopted February 9, 2021. No. 21-113

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. 61426

Adopted February 9, 2021. No. 21-114

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated January 29, 2021, on file in the office of the County Auditor, identified as County Board File No. 61404, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted February 9, 2021. No. 21-115

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61408.

RESOLVED FURTHER, That said license is approved contingent upon license holder paying real estate or personal property taxes when due.

RESOLVED FURTHER, That if the named license holder sells their licensed place of 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.

RESOLVED FURTHER, That said license shall be effective through June 30, 2021:
Neighbor's BBQ LLC dba Neighbor's BBQ, Vermilion Lake Township, On-Sale and Sunday
On-Sale Intoxicating Liquor License, new.

Adopted February 9, 2021. No.21-116

WHEREAS, Big Bear Lake Company has requested a 33-foot wide non-exclusive right-of-way easement across state tax forfeited land to access private property; and

WHEREAS, Acres encumbered by the easement in the SW ¼ of the SE ¼ of Section 30, Township 55 North, Range 12 West, is 1.33 acres. Acres encumbered by the easement in the NE ¼ of the SW ¼ of Section 31, Township 55 North, Range 12 West, is .19 acres; and

WHEREAS, There are no reasonable alternatives to obtain access to the property and exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subd. 4a, authorizes the St. Louis County Auditor to grant easements across state tax forfeited land for such purposes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive right-of-way easement to Big Bear Lake Company across state tax forfeited lands as described in County Board File No. 61411.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of \$1,523 land use fee, \$150 administration fee, plus \$96 recording fee, for a total of \$1,769 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 9, 2021 No. 21-117

WHEREAS, Gregory P. Bulinski has requested a 40 foot-wide non-exclusive right-of-way and utility easement across state tax forfeited land to access private property; and

WHEREAS, There are no reasonable alternatives to obtain access to the property and exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, Subdivision 4 and 4a, authorize the St. Louis County Auditor to grant easements across state tax forfeited land for such purposes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive right-of-way and utility easement to Gregory P. Bulinski across state tax forfeited lands as described in County Board File No. 61411.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of a \$1,700 land use fee, \$32 timber damage fee, \$300 administration fee, plus \$46 recording fee, for a total of \$2,078 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted February 9, 2021. No. 21-118

BY COMMISSIONER McDONALD:

WHEREAS, Bell Resorts, Inc., dba Voyageaire Lodge & Houseboats, Crane Lake Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an Off-Sale Intoxicating liquor license; and

WHEREAS, A public hearing was held on February 9, 2021, at 9:40 a.m., in the St. Louis County Public Works, Virginia, Minnesota, for the purpose of considering the granting of the Off-

Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, Bell Resorts, Inc., has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

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

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to Bell Resorts, Inc. dba Voyageaire Lodge & Houseboats, Crane Lake Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.00.

RESOLVED FURTHER, That said liquor license shall be effective through June 30, 2021.

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

RESOLVED FURTHER, That if the named license holder sells the licensed place of 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 license fee to the license holder.

Unanimously adopted February 9, 2021. No. 21-119

BY COMMISSIONER McDONALD:

WHEREAS, In 2014, the Minnesota Legislative Session established the Aquatic Invasive Species Prevention Aid Program, Minnesota Session Law Ch. 308; and

WHEREAS, In 2015, by Resolution No. 15-284, the St. Louis County Board approved the Aquatic Invasive Species Prevention Plan and authorized the Planning and Community Development Director to solicit proposals for the use of the Aquatic Invasive Species Prevention Aid; and

WHEREAS, Planning and Community Development staff conducted a technical review of the applications; and

WHEREAS, Based on the technical review and other considerations, county staff formulated funding recommendations.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the 2021 Aquatic Invasive Species Prevention Aid as listed in County Board File No. 61437.

RESOLVED FURTHER, That the appropriate County officials are authorized to execute contracts negotiated by the Planning and Community Development Director and a representative of the County Attorney in order to implement the aid program, payable from Fund 100, Agency 109999, Grant 10910, Year 2021.

Unanimously adopted February 9, 2021. No. 21-120

BY COMMISSIONER JEWELL:

WHEREAS, Pursuant to Minn. Stat. § 13D.05, subd. 3(b), the St. Louis County Board may close a meeting as permitted by the attorney-client privilege; and

WHEREAS, The County Attorney requires candid and open discussion to provide legal advice to the St. Louis County Board with respect to a proposed settlement and litigation strategy relating to *King v. County of St. Louis*, Case No. 69DU-CV-17-529, in a closed session of the Committee of the Whole; and

WHEREAS, A closed session would benefit the public because potential financial liability could result in the expenditure of public funds.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board will convene in a closed meeting of the Committee of the Whole on February 9, 2021, for the purpose of discussing the proposed settlement and litigation strategy relating to *King v. County of St. Louis*, Case No. 69DU-CV-17-529, immediately following the St. Louis County Board meeting, in accord with Minn. Stat. § 13D.05, subd. 3(b).

RESOLVED FURTHER, That no other pending public business will be discussed at this closed session.

Unanimously adopted February 9, 2021. No. 21-121

BY COMMISSIONER JEWELL:

WHEREAS, An action captioned *King v. County of St. Louis*, Case No. 69DU-CV-17-527, is pending in the State of Minnesota District Court for the Sixth Judicial District in St. Louis County; and

WHEREAS, The plaintiffs in the action are Paul King, Copasetic, Inc., Eric Ringsred, and Temple Corp Inc., and the defendants are St. Louis County and the Duluth Economic Development Authority; and

WHEREAS, The plaintiffs and the defendants 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 plaintiffs will release their claims against St. Louis County and its officers, employees, and agents, and St. Louis County will make settlement payments in the amount of up to \$190,000.00; and

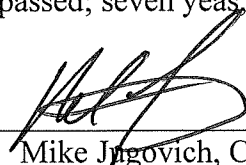
WHEREAS, a portion of this amount will be used to pay the outstanding taxes, assessments, penalties, interest, and costs assessed against the parcel of real property known as the St. Regis Apartments (PIN 010-0950-00870), and the remainder will be used to reimburse the plaintiffs for certain costs incurred in maintaining and repairing the St. Regis Apartments; 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 up to \$190,000.00, with \$11,929.00 payable from Fund 178, Agency 178006, and the rest payable from Fund 720, Agency 720001, Expense Code 636200.

Unanimously adopted February 9, 2021. No. 21-122

At 10:39 a.m., February 9, 2021, Commissioner Nelson, supported by Commissioner Musolf, moved to adjourn the meeting. A roll call vote was taken, the motion passed; seven yeas, zero nays.


Mike Jurgovich, 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)