

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 12, 2021**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 12th day of January 2021, at 9:32 a.m., at the Government Services Center, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Keith Musolf, Paul McDonald, Keith Nelson and Chair Mike Jugovich - 7. Absent: None - 0.

Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm and Keith Nelson 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.

Public Health and Human Services Director Linnea Mirsch and Public Health and Human Services Division Director Amy Westbrook provided the Board with a presentation regarding the COVID-19 pandemic. Director Westbrook said that COVID trends have declined in St. Louis County since December. There have been five cases of the new variant in Minnesota; the vaccine is effective against the new variant. In St. Louis County, there has been 7,762 doses administered; vaccinations are being administered in a phased approach with health care personnel and long-term facility care workers included in the first phase of vaccinations.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Vern Wagner, of Duluth, addressed security concerns he had relating to the protests in Washing, D.C. Mr. Wagner expressed concern regarding the safety of elected officials and encouraged local law enforcement to review member's social media behavior to ensure they are on the same page as law enforcement.

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

Commissioner Jewell, supported by Commissioner McDonald, moved to consider a resolution to authorize a one-time refund for liquor establishments; the item had not been to Committee of the Whole. A roll call vote was taken, the motion passed; seven yeas, zero nays.

Commissioner McDonald, supported by Commissioner Musolf, moved to authorize County Administration and the County Auditor's Office to provide a refund of the liquor licensure fee for the 2020-2021 licensing period, payable from Fund 100, Agency 115003, Objects 510200 and 510300. Commissioner Jugovich commented that the County Liquor Licensing Committee discussed the impacts that the pandemic has had on liquor license holders and felt the refund would provide assistance to establishments. A roll call vote was taken, the motion passed; seven yeas, zero nays. Resolution No. 20-47.

Commissioner Jewell, supported by Commissioner Musolf, moved to consider a resolution to approve the film production incentive program final guidelines. A roll call vote was taken, the motion passed; six yeas, one nay (Nelson).

Commissioner Musolf, supported by Commissioner Boyle, moved to approve the final program guidelines for the Film Production Incentive Program. Commissioner Nelson commented that he fully supports actions of the Board and felt the changes to the guidelines were in line with previous discussions. However, Commissioner Nelson was concerned that this item was placed on the Board agenda (with a suspension of the rules request), rather than being placed on the Committee agenda to allow for citizen comment. Commissioner Nelson indicated he was voting “no” because he disagreed with the process. Commissioner Jewell mentioned that he felt it was important to approve the resolution because it would create job opportunities for residents of St. Louis County. After further discussion, a roll call vote was taken, the motion passed; six yeas, one nay (Nelson). Resolution No. 21-48.

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

Kevin Gray, County Administrator, and Mary Tennis, St. Louis County Depot Director, submitting Board Letter No. 21-06, Authorization to Accept Depot Foundation Grant for St. Louis County Heritage & Arts Center: Lighting Upgrades.—61406

County Fee Land sales, purchases, easements and rights-of-way approved during CY 2021.—61407

Liquor licenses approved during CY 2021.—61408

Permits Authorizing the Consumption and Display of Intoxicating Liquor (Set-ups) approved during CY 2021.—61409

Public Works bid awards, contracts, grants and quotes approved during CY 2021.—61410

Easements and rights-of-way over state tax forfeited or private property approved during CY 2021.—61411

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 21-09, Appointment of Election Judges for the 2021 Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board.—61412

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 21-08, 2020 State Emergency Communications Board Grant.—61413

Timber sales approved during CY 2021.—61414

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 21-10, Authorization for a One-time Refund for Liquor License Establishments.—61415

Liquor Licensing Committee meeting minutes approved during CY 2021.—61416

Public Health & Human Services COVID-19 Update - January 12, 2021.—61417

Fire Protection Services Agreement between the County of St. Louis and Makinen Volunteer Fire Department, Inc., Makinen, MN, for services in Unorganized Township 56-16 during the period January 1, 2021, through December 31, 2021.—21-35

Fire Protection and First Responder Services Agreement between the County of St. Louis and Palo Regional Volunteer Fire Department, Aurora, MN, for services in Unorganized Township 56-14, 57-14, and 58-14 (Sections 25-36).—21-36

Legislative Services Agreement between the County of St. Louis and the Arrowhead Counties Association for the use of services of St. Louis County's Director of Intergovernmental Relations to further the Arrowhead Counties Association's lobbying activities at the State Legislature during the 2021 Legislative Session.—21-37

Contract for County State Aid Highway Project between the County of St. Louis and TNT Construction Group, LLC, Grand Rapids, MN, to construct Bridge 69K81 and approaches over Humphrey Creek and construct Bridge 69K80 and approaches over an unnamed stream SE of Cotton, MN.—21-38

Cooperative Agreement between the County of St. Louis and the City of Duluth related to the construction on County State Road 734 (Swan Lake Rd.) in Hermantown, MN (CP 0724-369579 & CP 0000-533596).—21-39

Quit Claim Deed from the County of St. Louis to Biosolids Disposal Site Authority (part of parcels 090-0193-00060, 090-0193-00050 & 090-0193-00075).—21-40

Purchase of Service Agreement, Contract No. 17053, between St. Louis County and Arrowhead Economic Opportunity Agency (AEOA) to Ongoing Housing and Housing Related Services during the period November 1, 2020, to June 30, 2021.—21-41

Subscription agreement between the St. Louis County Public Health & Human Services (PHHS) and Peer Support Solutions, Inc., for Hey Peers software during the period November 1, 2020, to October 31, 2021.—21-42

Agreement between St. Louis County PHHS and General Security Services Corp., Minneapolis, MN, for Secure Transport Services on an as-needed basis during the period January 1, 2021, to December 31, 2022.—21-43

Purchase of Service Addendum, Contract No. 16873A, between St. Louis County and Lutheran Social Services (LSS), St. Paul, MN, for alternative forms of family contact under Child Protective Services and Court-Ordered Supervised Visitation and Related Services due to COVID-19, parental incarceration, the physical distance between the child and parent, a safety reason, or other approved reason, during the period May 1, 2020, to December 31, 2020, amending the period to January 1, 2021, through December 31, 2021, and replacing the rates of services.—21-44

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53992, between St. Louis County and Homebee Adult Foster Care, Proctor, MN.—21-45

Upon motion by Commissioner McDonald, supported by Commissioner Jewell, resolutions numbered 21-34 through 21-46, 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 January 5, 2021, are hereby approved.

Adopted January 12, 2021. No. 21-34

WHEREAS, On August 21, 2019, Public Health and Human Services Department (PHHS) initiated an Request For Proposal (RFP) process to obtain proposals from providers interested in contracting with the County to provide coordination of services to meet Social Service needs for clients throughout St. Louis County; and

WHEREAS, Social Service rides encompass PHHS-authorized Waiver and Non-Waiver Children and Adult non-medical rides; and

WHEREAS, Medical Transportation Management, Inc., (MTM) is the only provider that indicated interest through the submission of a proposal for review; and

WHEREAS, MTM currently schedules 20 million rides annually, serving 12 million individuals in 31 states, including Minnesota, all while maintaining a 97% consumer satisfaction rating; and

WHEREAS, After logistical consideration and discussion with MTM, PHHS has determined that MTM satisfies the RFP criteria to provide the coordination services needed by St. Louis County clients in an efficient and professional manner in a cost effective way.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes PHHS to enter into contract with Medical Transportation Management, Inc., St. Louis, MO, for Social Service ride transportation logistics management, in a purchase of service agreement whereby St. Louis County will pay a \$3,000 monthly administrative fee as well as the fee for service of \$9.18 per leg of transportation provided not to exceed \$225,000, payable from Fund 230, Agency 230011, Object 629900.

RESOLVED FURTHER, That for the actual cost of the waived services ride, PHHS will bill the waiver for reimbursement and for the actual cost of the non-waivered Social Service ride; it will be paid from county levy funds in Fund 230, Agency 232005, 232006, 232008, Object 606800, 608400, and 602000.

Adopted January 12, 2021. No. 21-35

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated January 1, 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 January 12, 2021. No. 21-36

WHEREAS, The Depot Foundation awards grant funding to entities housed within the St. Louis County Heritage and Arts Center (the Depot), or those that hold events at the Depot; and

WHEREAS, The St. Louis County Heritage and Arts Director applied for \$71,500 to hire a professional lighting team to design, evaluate, install and upgrade lighting in the Great Hall; and

WHEREAS, The St. Louis County Heritage and Arts Center has been awarded \$50,000 in funding from this grant.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of Depot Foundation grant funds in the amount of \$50,000 for the St. Louis County Heritage and Arts Center (the Depot) to make energy efficient upgrades and install lighting in the Great Hall where funds will be accounted for in Fund 155, Agency 155001.

Adopted January 12, 2021. No. 21-37

WHEREAS, St. Louis County Public Works Department has vacated the Linden Grove Public Works facility, and the sale of this property was approved by Board Resolution No. 20-494 dated October 27, 2020; and

WHEREAS, Said property is legally described as follows:

The Southerly 660.00 feet of the Westerly 330.00 feet of the Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼) of Section Ten (10), Township Sixty-two (62) North, Range Twenty (20) West of the 4th Principal Meridian.

Parcel Code: 430-0010-01642; and

WHEREAS, The Property Management Department Team recommends pursuing a sale of the property using the services of a real estate broker and to sell the property for not less than 90% of its appraised market value in accordance with the requirements of Minn. Stat. § 373.01.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Interim Property Management Director to proceed with the sale using a real estate broker to market the St. Louis County Public Works Linden Grove Maintenance Facility.

RESOLVED FURTHER, That the broker's fee shall be set by agreement with the County but may not exceed ten percent (10%) of the sale price and must be paid from the proceeds of the sale.

Adopted January 12, 2021. No. 21-38

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 is approved contingent upon proof of Crane Lake Township approval.

RESOLVED FURTHER, That said license shall be effective through June 30, 2021: Bell Resorts, Inc. dba Voyageur Lodge & Houseboats, Crane Lake Township, On-Sale and Sunday On-Sale Intoxicating Liquor License, transfer.

Adopted January 12, 2021. No. 21-39

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 permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61409:

Thirsty Moose Bar & Grill, Inc. dba Thirsty Moose Bar & Grill, Cherry Township, renewal.

Adopted January 12, 2021. No. 21-40

WHEREAS, The St. Louis County Public Works Department has programmed County Bridge 633 (Existing State Bridge 7806) to be replaced in year 2021 due to bridge components being in poor condition; and

WHEREAS, The project has been selected to receive federal funding support through the Federal Off-System Bridge Program (BROS) and is programmed in the federally approved State Transportation Improvement Program (STIP) for the fiscal year 2023; and

WHEREAS, St. Louis County desires to temporarily provide State Aid and/or local funds in lieu of the Federal funds so that the project may proceed prior to the fiscal year 2023 as designated in the STIP; and

WHEREAS, MnDOT will receive the federal funds, review each partial payment request submitted by the County, and reimburse the County as described further in Agency Agreement No. 1045319; and

WHEREAS, The bridge replacement project is estimated to be \$1,073,144 and will be funded by a combination of Federal Bridge Off-System funds (BROS, \$760,000), Local Bridge Replacement Program funds (MVLST, \$92,608), and local funds (\$220,536); and

WHEREAS, St. Louis County will pay any part of the cost or expense of the work that the Federal Highway Administration (FHWA) does not pay.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board is hereby authorized to enter into agreement No. 1045319 and approve any amendments authorized by the County Attorney, whereby pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation be appointed as Agent of St. Louis County to accept as its agent, federal aid funds for preliminary engineering design services for SP 069-665-008 associated with the bridge reconstruction project associated with County Bridge 633 (State Bridge 69A72).

RESOLVED FURTHER, That the Chairman and the Auditor are hereby authorized and directed for and on behalf of St. Louis County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said Federal aid participation as set forth and contained in "Minnesota Department of Transportation MnDOT Contract Number 1045319, a copy of which said agreement was before the County Board and which is made a part hereof by reference. Federal Funds received for this project will be receipted into Fund 220, Agency 220499, Object 540702.

Adopted January 12, 2021. No. 21-41

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of the McKay Road (County Road 980) and to replace the existing bridge (County Bridge 801, State Bridge 93025) over Jenkins Creek in Kelsey Township (County Project 0980-368351); and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the existing 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, payable from Fund 200, Agency 203001.

RESOLVED FURTHER, That, pursuant to Minn. Stat. § 282.04, Sub. 4, the St. Louis County Board hereby authorizes the County Auditor to grant the necessary easements for highway purposes over the following tax forfeited parcel:

1. The Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4), Section 25, Township 54 North, Range 18 West.
(part of parcel ID No. 405-0010-04410)

Adopted January 12, 2021. No. 21-42

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of County Road 666 (Hoyt Road) and to replace the existing bridge (County Bridge 266, State Bridge L4198) over Second Creek in the city limits of Hoyt Lakes, County Project 0666-515084; 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, payable from Fund 200, Agency 203001.

Adopted January 12, 2021. No. 21-43

WHEREAS, It is necessary that the St. Louis County Board of Commissioners appoint Board members to the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) Ballot Board.

THEREFORE, BE IT RESOLVED, That the following employees of the St. Louis County Auditor's Office are appointed as Board members during 2021 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, 2021:

Staff – Lisa Sweet, 100 N. 5th Ave. W. #214, Duluth, MN, 55802

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

RESOLVED FURTHER, That the County Auditor and/or Clerk of the County Board may make appointments to fill vacancies should they occur.

Adopted January 12, 2021. No. 21-44

WHEREAS, The U.S. Department of Commerce's (DOC) National Telecommunications and Information Administration, through the State of Minnesota Emergency Communication Network,

has made available a 2020 State Emergency Communication Board Grant for the Allied Radio Matrix for Emergency Response (ARMER) interoperable radio system; and

WHEREAS, St. Louis County will be the fiscal agent for the Northeast Emergency Communication Board (Regional Radio Board).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the application and acceptance of the 2020 State Emergency Communication Board Grant in an amount of \$18,300.00 for training and \$44,516.16 for equipment with a required agency match to be accounted for in Fund 876, Agency 876999, Grant 87612, Year 2020.

RESOLVED FURTHER, That the appropriate county officials are authorized to execute all agreements and contracts necessary to fulfill the 2020 State Emergency Communication Board as approved by the St. Louis County Attorney, with St. Louis County serving as coordinator and fiscal agent for the grant.

Adopted January 12, 2021. No. 21-45

RESOLVED, That the appraisal reports for the sale of timber to be offered at SEALED BID TIMBER AUCTION, Tracts 1 through 25 (totaling \$513,636.07), as submitted by the Deputy Land and Minerals Director, on file in the office of the County Auditor, identified as County Board File No. 61414, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted January 12, 2021. No. 21-46

BY COMMISSIONER McDONALD:

WHEREAS, Governor Tim Walz, during 2020, issued a number of Executive Orders in response to the COVID-19 pandemic; and

WHEREAS, Those Orders, including Executive Order 20-99, closed certain places, including bars and restaurants licensed by the County to serve liquor, to the public; and

WHEREAS, The County Liquor Licensing Committee met on January 5, 2021, and unanimously agreed to recommend to the County Board that it authorize a license fee refund to establishments that were affected by the COVID-19 pandemic; and

WHEREAS, The refund would provide financial relief to establishments affected by the COVID-19 pandemic and mandated closures; and

WHEREAS, Ordinance No. 28, Section 4.07, gives the Board the authority to authorize a refund to license holders in the event "it shall become unlawful for the licensee to carry on the licensed business under the license."

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes County Administration and the County Auditor's Office to provide a refund of the liquor licensure fee for the 2020-2021 licensing period, payable from Fund 100, Agency 115003, Objects 510200 and 510300.

Unanimously adopted January 12, 2021. No. 21-47

BY COMMISSIONER MUSOLF:

WHEREAS, The TV and film production industry is a multi-billion dollar global industry; and

WHEREAS, Northern Minnesota has attracted a growing interest in the creation of movies, documentaries, commercials, and related video media productions due to its rich history, landscapes,

and locations; and

WHEREAS, Local talent exists and continues to grow in providing and supporting the film industry with local artists, blue-collar labor, and skilled trade workers; and

WHEREAS, The County seeks to support the growth of additional jobs, wages, benefits, and peripheral growth in the County and region; and

WHEREAS, The County has previously identified economic development as a strategic priority; and

WHEREAS, On October 13, 2020, the County Board approved Resolution No. 20-490 that directed the County Administrator and County Attorney to continue to investigate the establishment of a Film Industry Incentive Program for future consideration by the Board; and

WHEREAS, On December 15, 2020, the County Board approved Resolution No. 20-625 that approved the establishment of the Film Production Incentive Program, conditioned upon Board approval of the final guidelines for eligibility, requirements, and application requirements; and

WHEREAS, County staff, with input from key stakeholders and film industry representatives, have developed amended program guidelines.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the final Film Production Incentive Program guidelines per County Board File No. 61361.

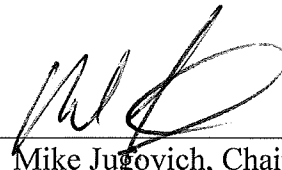
RESOLVED FURTHER, That the St. Louis County Board instructs County Administration, or its designee, to provide the County Board with a program update within one (1) year, and provide feedback on any proposed program changes.

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

Nays – Commissioner Nelson – 1

Adopted January 12, 2021. No. 21-48

At 10:17 a.m., January 12, 2021, Commissioner McDonald, supported by Commissioner Jewell, moved to adjourn the meeting. A roll call vote was taken, the motion passed; seven yeas, zero nays.



Mike Jugovich, Chair of the Board
of County Commissioners

Attest:



Phil Chapman Nancy Nilsen, County Auditor - ~~Deputy~~
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)