

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 28, 2020**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28th day of January 2020, at 9:31 a.m., at the Gilbert City Hall, Gilbert, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Beth Olson, Keith Musolf, Keith Nelson, and Chair Mike Jugovich - 6. Absent: Commissioner Paul McDonald - 1.

Chair Jugovich asked for a moment of silence in remembrance of all the innocent victims of violence and all men and women who protect us here and abroad, followed by the pledge of allegiance.

Gilbert Mayor Karl Oberstar Jr. welcomed the Board to the City of Gilbert.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Beth Holst, of Duluth, encouraged the St. Louis County Board to pass the refugee resettlement resolution and noted that 70% of refugees are women and children and St. Louis County has had one refugee resettlement since 2012. Dennis Frazier, of AFSCME, local 66, spoke in support of the refugee resettlement resolution. Andrea Gelb, of Duluth, urged the Board to approve the refugee resettlement resolution.

Commissioner Jewell, supported by Commissioner Nelson, moved to approve the consent agenda. The motion passed; six yeas, zero nays, one absent (McDonald).

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

Liquor Licensing Committee minutes for CY 2020.—61211

Easements & Rights-of-Way authorized during CY 2020.—61212

Lawful Gambling applications approved during CY 2020.—61213

Abatement lists approved during CY 2020.—61214

Liquor license applications approved during CY 2020.—61215

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 20-19, 2020 Pay Equity Report.—61216

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 20-15, Classification of November 7, 2019 Forfeitures (Conservation).—61217

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 20-16, Classification of November 7, 2019 Forfeitures (Non-Conservation).—61218

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 20-17, 2020 Special Legislation for the Private Sale of State Tax Forfeited Lands.—61219

Kevin Gray, County Administrator, Mark Weber, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 20-18, Public Auction of a Timber Stand Improvement and Decorative Product Harvest Lease on State Tax Forfeited Land.—61220

Service Contract between the County of St. Louis and RW Fern Associates, Inc., Duluth, MN, for construction documents plans and specifications for the 911 Communications Office Remodel project at the Public Safety Building in Duluth.—20-94

Purchase of Service Agreement, Contract No. 16855, between St. Louis County and Soar Career Solutions (SOAR), Duluth, MN, for Statewide Minnesota Family Investment Program (MFIP) Employment Services and Diversionary Work Program Services (DWP) during the period January 1, 2020, to December 31, 2020.—20-95

Cooperative Agreement between the County of St. Louis and the City of Virginia for the 2020 Maintenance Striping Project (CP 0000-369583).—20-96

Cooperative Agreement between the County of St. Louis and the City of Proctor for the 2020 Maintenance Striping Project (CP 0000-369583).—20-97

Ten-year Lease Agreement No. C21200001 between the County of St. Louis and MossNaturally, LLC, Chisholm, MN, for the harvesting of sphagnum moss in Toivola Township during the period January 1, 2020, to December 31, 2029.—20-98

Service Contract No. 5580B between the County of St. Louis and The Housing and Redevelopment Authority of Duluth, Duluth, MN, to use the Coordinated Entry system which assess individuals for vulnerability, and data entry into the Homeless Management Information System during the term September 2, 2019, to August 31, 2020.—20-99

Amendment to Service Agreement between St. Louis County and PMA Management Corporation, St. Louis Park, MN, for Workers' Compensation Assistance, extending the term one year beginning December 1, 2019, to November 30, 2020.—20-100

Collaboration Agreement between the Crisis Text Line, Inc., New York, NY, and St. Louis County for a one-year period with automatic renewals unless notified.—20-101

Service Contract No. 5590B between the County of St. Louis and DeLaForest Consulting, LLC, St. Paul, MN, for State Government Relation Services during the period January 1, 2020, to December 31, 2020.—20-102

Amendment No. 3, Original Damion No. 2014-008470, Amendment No. 1 Damion No. 2018-011883, Amendment No. 2 Damion No. 2019-012913, between the County of St. Louis and Alliance Courier, Duluth, MN, for courier services extending the terms from February 1, 2020, to March 31,

2020.—20-103

Minnesota Department of Transportation, State of Minnesota Railroad Crossing Signal, MnDOT Agreement No. 1030845, between the State of Minnesota Commissioner of Transportation and the County of St. Louis for the Wisconsin Central, Ltd. Crossing on County State Aid Highway (CSAH) 59/Melrude Road in Ellsburg Township.—20-104

First Amendment, Original Damion No. 2019-012757, between the County of St. Louis (Lessor) and Arrowhead Chorale (Lessee) for rental of space in the St. Louis County Heritage & Arts Center (the Depot) for the period August 1, 2019, through December 31, 2020, reducing the 2020 rent to 84 square feet due to water damage.—20-105

Amendment No. 2, Original Damion No. 2017-11104, St. Louis County Aquatic Invasive Species Prevention Program Grant Agreement between St. Louis County and Regents of the University of Minnesota, extending the agreement term through June 30, 2020.—20-106

Agreement for Purchasing Services between St. Louis and Lake Counties Regional Railroad Authority and the County of St. Louis effective until January 1, 2021.—20-107

Purchase of Service Agreement, Contract No. 16875, between St. Louis County and Domestic Abuse Intervention Programs (DAIP), Duluth, MN, for Court-Ordered Supervised Visitation and Related Services in the Duluth Family Visitation Center during the period January 1, 2020, to December 31, 2020.—20-108

Partner Agreement regarding FY 2019 National Sexual Assault Kit Initiative (SAKI) between the City of Duluth, The Program for Aid to Victims of Sexual Assault, Inc., (PAVSA), and St. Louis County for the period October 1, 201, through September 30, 2022.—20-109

First Amendment to Original Damion No. 2019-012760 between the County of St. Louis (Lessor) and Lake Superior Railroad Museum (Lessee) for rental of certain space in the St. Louis County Heritage & Arts Center (the Depot), effective January 8, 2020, through December 31, 2020.—20-110

First Amendment to Original Damion No. 2019-012762, between the County of St. Louis (Lessor) and North Shore Scenic Railroad (Lessee) for rental of certain space in the St. Louis County Heritage & Arts Center (the Depot), effective January 8, 2020, through December 31, 2020.—20-111

Upon motion by Commissioner Jewell, supported by Commissioner Nelson, resolutions numbered 20-47 through 20-59, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JEWELL:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 14, 2020, are hereby approved.

Adopted January 28, 2020. No. 20-47

WHEREAS, The St. Louis County Public Works Department acquired new right-of-way by direct purchase and by eminent domain proceedings for the reconstruction of County State Aid Highway (CSAH) 4 in Colvin Township (SP 69-604-57) in 2001; and

WHEREAS, The acquisition of highway easement on one parcel within this project, identified as Parcel 12 in St. Louis County Highway Right-of-Way Plat No. 18, was not satisfactorily completed and therefore, not properly recorded at that time; and

WHEREAS, It is in the best interests of the County to secure and record highway easements over tax forfeited property prior to any sale or other conveyance of said property to private ownership.

THEREFORE, BE IT RESOLVED, That, pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board hereby authorizes the County Auditor to grant the necessary easement for highway purposes over the following tax forfeited parcel:

The NW ¼ of the SW ¼, Section 4, Township 56 North, Range 15 West,
EXCEPT the Northerly 200 feet. (Parcel ID No. 300-0010-00580)

Adopted January 28, 2020. No. 20-48

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Lawful Gambling License Application (Pull-Tabs [paper], Pull-Tabs [paper] with dispensing device, Bar Bingo, Tipboards, and Electronic Pull-Tabs) on file in the office of the County Auditor, identified as County Board File No. 61213, for the following organization:

Reservoir Riders, Inc., Duluth, MN, to operate out of Melrude Whistle Stop, Ellsburg Township, 1763 Melrude Road, Melrude, MN 55766, new.

Adopted January 28, 2020. No. 20-49

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. 61214.

Adopted January 28, 2020. No. 20-50

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subd. 11.06, authorization is hereby granted to Bimbo's, Inc., d/b/a Bimbo's Octagon, French Township, to sell/serve outside the designated serving area of the County Liquor License for the date of February 29, 2020, as per application on file in the office of the County Auditor, identified as County Board File No. 61215.

Adopted January 28, 2020. No. 20-51

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 applications for permit authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61204:

Ely Golf Club Corporation d/b/a Ely Golf Club, Morse Township, change of board members, renewal;

Ely Nordic Ski Club d/b/a Hidden Valley Chalet, Morse Township, change of board members, renewal.

Adopted January 28, 2020. No. 20-52

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. 61215.

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 licensee's proof of workers' compensation and liquor liability insurance.

RESOLVED FURTHER, That said license shall be effective through June 30, 2020:

GJL Enterprise, LLC d/b/a Crescent Bar and Grill, The, Beatty Township, On-Sale and Sunday On-Sale Intoxicating Liquor License, transfer.

Adopted January 28, 2020. No. 20-53

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated December 20, 2019, on file in the office of the County Auditor, identified as County Board File No. 61199, is hereby received and ratified as payable from Fund 730, Agency 730001.

Adopted January 28, 2020. No. 20-54

WHEREAS, State Law requires all public jurisdictions to eliminate any gender-based wage inequities in compensation. By continuing to review employee pay equity, the county maintains compliance; and

WHEREAS, The 1984 Local Government Pay Equity Act mandated that each political subdivision establish a job evaluation system in order to determine the comparable work value of each job classification in its employment, and to establish and maintain equitable compensation relationships between female-dominated and male-dominated job classes; and

WHEREAS, The Act further mandated that each jurisdiction submit additional reports so that Minnesota Management & Budget can monitor on-going compliance with provisions of the Statute and St. Louis County was notified that it must submit its compliance report by January 31, 2020; and

WHEREAS, According to the current report, St. Louis County continues to maintain compliance with the Pay Equity Act.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the 2020 St. Louis County Pay Equity Implementation Report and authorizes the Board Chair to sign the report to be submitted to the State of Minnesota by the January 31, 2020 deadline.

Adopted January 28, 2020. No. 20-55

WHEREAS, The parcel described in County Board File No. 61217 forfeited to the State of Minnesota on November 7, 2019, for nonpayment of real estate taxes; and

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified as conservation or non-

conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that this parcel be classified as conservation after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcel may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcel will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcel is located.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcel described in County Board File No. 61217 as conservation, and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerk of the municipality or town in which the parcel is located.

Adopted January 28, 2020. No. 20-56

WHEREAS, The parcels described in County Board File No. 61218 forfeited to the State of Minnesota on November 7, 2019, for nonpayment of real estate taxes; and

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified as conservation or non-conservation as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The goals of classification are to encourage the most economical and efficient use of the property, reduce local and state government expenses, conserve and develop the state's natural resources, and encourage economic development; and

WHEREAS, The Land and Minerals Department has recommended that these parcels be classified as non-conservation after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 61218 as non-conservation, and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Adopted January 28, 2020. No. 20-57

WHEREAS, St. Louis County may seek legislation to authorize the private sale of state tax forfeited land notwithstanding the public sale requirements in Minnesota Statutes Chapter 282; and

WHEREAS, St. Louis County's best interest would be served from a land management point of view if the tax forfeited parcels described in County Board File No. 61219 are released for sale.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports legislation enabling the sale of state tax forfeited land described in County Board File No. 61219.

Adopted January 28, 2020. No. 20-58

WHEREAS, Black Spruce Holdings, LLC of Roseville, MN, has requested a lease of state tax forfeited lands for the purpose of harvesting decorative products, namely black spruce tree tops and red pine boughs; and

WHEREAS, The lease may require the contractor to perform timber stand improvement (TSI) activities on some of the land leased, which will result in increased timber quality and productivity of those forest lands; and

WHEREAS, Minn. Stat. § 282.04, Subd. 1(d), allows for leasing of state lands for such purposes, however any lease involving a consideration of more than \$12,000 per year must be offered at public sale.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor, pursuant to Minn. Stat. § 282.04, Subd. 1(d), to offer at public sale and execute to the highest responsible bidder a lease of state tax forfeited land for the purpose of timber stand improvement work and decorative product harvesting.

RESOLVED FURTHER, That the lease will be available at the minimum royalty rate of \$0.20 per black spruce top removed on Black Spruce TSI Treatments; \$0.32 per black spruce top removed on Black Spruce Top Harvest Treatments; and \$0.05 per pine bough removed on Pine TSI Treatments with the proceeds being deposited into Fund 240, Forfeited Tax Fund.

RESOLVED FURTHER, That the County and the successful contractor will have 90 days after the effective date to agree on the specific lands included in the lease, up to a maximum of six hundred (600) acres, and sixty (60) acres have been identified as required under this lease and included as County Board File No. 61220, with a lease fee of \$10.00 per acre being paid annually, which is eligible to be applied to and set off against the annual royalty payment, with the proceeds being deposited into Fund 240, Forfeited Tax Fund.

Adopted January 28, 2020. No. 20-59

At 9:43 a.m., January 28, 2020, Commissioner Boyle, supported by Commissioner Olson, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (McDonald).



Mike Jugovich, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)