

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 23, 2020**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 23<sup>rd</sup> day of June 2020, at 9:31 a.m., at the Voyagaire Lodge, Crane Lake, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Paul McDonald, Keith Nelson, Keith Musolf, and Mike Jugovich - 6. Absent: Commissioner Beth Olson - 1.

Chair Jugovich asked for a moment of silence in remembrance of all the innocent victims of violence, for healthcare professionals and all others who are working to keep us safe during the pandemic; followed by the pledge of allegiance.

Chair Jugovich opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Scott Dane, Executive Director of the Associated Contract Loggers and Truckers of Minnesota, commented on the impacts that COVID-19 has had on the logging industry and encouraged the Board to approve recommendations made by the Land Department. Mr. Dane also discussed a grant regarding the removal of hazardous fuel in the Britt and Ely areas and requested that the logging industry be given an opportunity to bid on the project.

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

Commissioner Musolf, supported by Commissioner Boyle, moved that the St. Louis County Board, acting in the capacity of a town board for Unorganized Township 63-15, hereby adopts the Findings of Fact, Conclusions and Order filed in Board File No. 61103; and further, that the Clerk of the St. Louis County Board shall send a copy of the signed order to the Petitioner and notify in writing each known owner of land over which the cartway passes that there has been a filing and award of damages; pursuant to Minn. Stat. § 164.07, subd. 6, the notice must set forth the date of the award, the amount of damages awarded, any terms or conditions of the award, and must contain an explanation of the requirements for appealing the award of damages. Assistant County Attorney Kim Maki said that this matter is in deliberation and no new evidence should be allowed unless the public hearing is re-opened. Attorney Maki felt there was ample time to submit evidence to the Board. The original public meeting was held on May 26, 2020, and was extended to June 9, 2020. Attorney Maki commented that the platted road was never vacated because there is a specific statutory process to vacate a road and that process was never completed; in addition, the current landowners never owned the road. Finally, Attorney Maki recommended that Commissioner McDonald not engage in deliberation or vote on the matter, because the Board standing rules require that Commissioners attend the public hearing in order to vote on the cartway; Commissioner McDonald was absent during the June 9, 2020 portion of the public hearing. Attorney Scott Neff argued that the Marketable Title Act was in place; because of this, the platted road should be vacated and his clients should be awarded damages. Tim Westby, appearing on behalf of SW2, LLC, said that the property has been owned by three families since 1996 and they never have had a noise complaint or any law enforcement calls to the property. Mr. Westby also commented that the northern route was not

buildable due to the topography. Commissioner Jewell indicated that he was voting “no” because he felt the northern route is the appropriate route. After further discussion, a roll call vote was taken and the motion passed; four yeas (Boyle, Musolf, Nelson, Jugovich), one nay (Jewell), one abstention (McDonald), one absent (Olson). Resolution No. 20-323.

Commissioner Boyle, supported by Commissioner Jewell, moved to remove the cooperative agreement with the United States Forest Service (USFS) for dual designation roads in St. Louis County resolution from the table (tabled from June 9, 2020). The motion passed; six yeas, zero nays, one absent (Olson).

Commissioner Nelson, supported by Commissioner Jewell, moved to authorize the appropriate county officials to enter into a cooperative agreement with the USFS to assign jurisdiction and maintenance responsibilities for dual designation routes in St. Louis County; and further, that the St. Louis County Board authorizes the Public Works Director to approve any amendments to the list of dual designation routes included in Schedule A of the cooperative agreement. St. Louis County Public Works Director Jim Foldesi commented that for 20-30 years the county has shared responsibility for various roads with the United States Forest Service. After further discussion, the motion passed; six yeas, zero nays, one absent (Olson). Resolution No. 20-324.

Bruce Beste, Ron Potter and Steve Koch commented on various projects relating to the development of trail systems in the area.

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

Kevin Gray, County Administrator, and Jim Foldesi, County Engineer/Public Works Director, submitting Drainage Authority Board Letter No. 20-01, Establish Hearing on Partial Abandonment Petitions Submitted by EIP Minnesota, LLC.—61307

Kevin Gray, County Administrator, and Jim Foldesi, County Engineer/Public Works Director, submitting Drainage Authority Board Letter No. 20-02, Establish Hearing on County Ditch #4 Repair Petition.—61308

Addendum to Purchase Agreement, Contract No. 16704B, between the St. Louis County Board of Commissioners and the Salvation Army for Family Homeless Prevention and Assistance (FHPAP) increasing the amount of money available for Direct Assistance Prevention, which is allowed by the release of additional COVID-19 related funds by the MHFA.—20-377

Addendum to Purchase Agreement, Contract No. 16707A, between the St. Louis County Board of Commissioners and Head of the Lakes United Way for Family Homeless Prevention and Assistance (FHPAP) to reflect changes occurring due to the Greater Twin Cities United Way taking on some of the responsibilities previously included in Contract No. 16707.—20-378

Purchase of Service Agreement, Contract No. 16880, between St. Louis County and Superior Forensic Consulting, LLC, Duluth, MN, for psychological evaluations and services by Court order in Child(ren) in Need of Protection or Services (CHIPS) hearings, during the period January 1, 2020, to December 31, 2020.—20-379

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53817, between St. Louis County and A&E Homes, Inc., Duluth, MN.—20-380

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53817, between St. Louis County and EBI, Inc., Duluth, MN.—20-381

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53825, between St. Louis County and Expanding Horizons, Inc., Hermantown, MN.—20-382

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53833, between St. Louis County and Interim Health Care of Lake Superior, Inc., Duluth, MN.—20-383

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53838, between St. Louis County and Kiminki Homes, Inc., Proctor, MN.—20-384

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53840, between St. Louis County and Gayle Koop Foster Care, Duluth, MN.—20-385

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53861, between St. Louis County and Stepping Stones for Living, LLC, Hermantown, MN.—20-386

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53863, between St. Louis County and Taylor SLS, Inc., Duluth, MN.—20-387

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53867, between St. Louis County and McCarthy Manor, Inc., Duluth, MN.—20-388

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53868, between St. Louis County and Aspen Grove Alternative Senior Living, Hibbing, MN.—20-389

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53869, between St. Louis County and Aspen Grove Assisted Living, Chisholm, MN.—20-390

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53849, between St. Louis County and Northland AFC, Inc., Duluth, MN.—20-391

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53827, between St. Louis County and Focus on Living, Inc., Duluth, MN.—20-392

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53871, between St. Louis County and New Journey Residence, LLC., Duluth, MN.—20-393

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53845, between St. Louis County and New Life Horizon, Inc., Duluth, MN.—20-394

Purchase of Service Agreement, Contract No. 16939, between St. Louis County and Jeremy Powell, Virginia, MN, for Chore Services during July 1, 2020, to December 31, 2020.—20-395

Purchase of Service Agreement, Contract No. 16937, between St. Louis County and Jeremy Powell, Virginia, MN, for Chore Services during July 1, 2020, to December 31, 2020.—20-396

Contract for County-State Aid Highway (CSAH) Project between the County of St. Louis and DeAngelo Brothers, Inc., for High Friction Surface Treatment on various CSAHs in St. Louis County.—20-397

Contract for County-State Aid Highway Project between the County of St. Louis and DeAngelo Brothers, Inc., for High Friction Surface Treatment on various CSAHs in St. Louis County (CP 0000-293138, SP 069-070-036, Federal Project No. HSIP 6920 177).—20-398

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53857, between St. Louis County and Residential Services of NE MN, Inc., Duluth, MN.—20-399

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53829, between St. Louis County and Golden Oaks Senior Living of Hermantown, LLC, Richfield, MN.—20-400

Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53830, between St. Louis County and Golden Oaks Senior Living of Proctor, LLC, Richfield, MN.—20-401

Addendum to Purchase Agreement, Contract No. 16805A, between the St. Louis County Board of Commissioners and Marilyn Pershern for Transportation Services increasing the contract maximum to \$15,000.—20-402

Service Agreement, Contract No. 16919A, between St. Louis County and Churches United in Ministry (CHUM), Duluth, MN, for COVID-19 temporary housing for individuals in Isolation and Quarantine (I&Q) during the period June 1, 2020, to July 31, 2020.—20-403

Purchase of Service Agreement, Contract No. 16942, between St. Louis County and Jeremy Powell, Virginia, MN, for Chore Services during the period July 1, 2020, to December 31, 2020.—20-404

Purchase of Service Agreement, Contract No. 16944, between St. Louis County and Mark Musakka, Angora, MN, for Chore Services during the period July 1, 2020, to December 31, 2020.—20-405

Purchase of Service Agreement, Contract No. 15948, between St. Louis County and Jacquelin V. Sebastian, JD, MA, Duluth, MN, for Facilitation of Parallel Protection Process (PPP) Alternative Dispute Resolution Services during the period January 1, 2020, to December 31, 2020.—20-406

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53821, between St. Louis County and Shane Clemens Adult Foster Home, Saginaw, MN.—20-407

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53822, between St. Louis County and Heidi and Katie Cooney, Aurora, MN.—20-408

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53844, between St. Louis County and Roxanne and Jeffrey McMillen, Mountain Iron, MN.—20-409

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53848, between St. Louis County and Beehive Homes of Duluth, Duluth, MN.—20-410

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53850, between St. Louis County and Pack Family Adult Foster Care, Duluth, MN.—20-411

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53852, between St. Louis County and Possibilities Plus, LLC, Proctor, MN.—20-412

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53856, between St. Louis County and Rankin Adult Foster Home, Duluth, MN.—20-413

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53858, between St. Louis County and Schmitt AFC, Duluth, MN.—20-414

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53870, between St. Louis County and Duluth Regional Care Center, Inc., Duluth, MN.—20-415

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53873, between St. Louis County and Wentz Adult Foster Care, Saginaw, MN.—20-416

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53875, between St. Louis County and Wolf Family, Inc. – Lakeview Residence, LTH, Virginia, MN.—20-417

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53876, between St. Louis County and Wolf Family, Inc. – Lakeview Residence, Virginia, MN.—20-418

Minnesota Department of Human Services SFY 2021 Housing Support Agreement – Group Settings, Contract No. 53842, between St. Louis County and Lutheran Social Service of Minnesota, St. Paul, MN.—20-419

Service Contract No. 5580D between the County of St. Louis and Patty Beech Consulting, Inc., Duluth, MN, to complete Homeless Grant Mapping services during the period January 2, 2020, to August 31, 2020.—20-420

Agreement for Services between the County of St. Louis and LHB, Inc., Duluth, MN, for Engineering Services for Letter of Map Revision (LOMR) for the Chester Creek culvert on Rice Lake Road (CSAH 4) after the culvert is replaced in 2020.—20-421

Contract for County-State Aid Highway Project between the County of St. Louis and H & R Construction Co., Dalton, MN, for a W-Beam Guardrails on various county highways (CP 0024-523056 Prime).—20-422

Cooperative Agreement between the County of St. Louis and the City of Eveleth for curb & sidewalk and gutter repairs on various County State Aid Highway segments, Municipal State Aid Street segments, and County Roadway segments within the City of Eveleth, St. Louis County, Minnesota (CP 0000-534088 – 2020 & CP 0000-534089 – 2021).—20-423

Purchase of Service Agreement, Contract No. 16949, between St. Louis County and Daniel Bills, Hibbing, MN, for Transportation Services during the period May 1, 2020, to December 31, 2020.—20-424

Upon motion by Commissioner Jewell, supported by Commissioner Boyle, resolutions numbered 20-320 through 20-322, 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 June 9, 2020, are hereby approved.

Adopted June 23, 2020. No. 20-320

RESOLVED, That the workers' compensation report of claims by employees for work-related injuries, dated June 5, 2020, 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 June 23, 2020. No. 20-321

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 61230, are hereby approved and the County Auditor shall issue checks in the following amounts:

**May 2020**

100	General Fund	7,876,231.98
149	Personal Service Fund	627.85
155	Depot	53,023.48
160	MN Trail Assistance	74,978.67
167	Attorney's Forfeitures	10,000.00
168	Sheriff's State Forfeitures	1,289.00

169	Attorney Trust Accounts – VW	1,937.26
173	Emergency Shelter Grant	17,938.36
176	Revolving Loan Fund	27,587.30
178	Economic Development – Tax Forfeit	41,321.50
179	Enhanced 9-1-1	536.20
180	Law Library	16,914.10
183	City/County Communications	222.91
184	Extension Service	171,493.78
192	Permit to Carry	7,026.34
200	Public Works	3,395,869.33
204	Local Option Transit Sales Tax	121,695.81
210	Road Maint. – Unorg. Townships	113.92
220	State/Federal Road Aid	280,156.10
230	Public Health & Human Services	8,723,559.65
240	Forfeited Tax	542,359.26
260	CDBG Grant	93,715.39
261	CDBG Program Income	15,637.00
270	HOME Grant	103,424.25
289	ISTS Grant	100,601.70
290	Forest Resources	17,537.82
400	County Facilities	32,663.31
402	Depreciation Reserve Fund	33,106.25
405	Public Works Building Const.	354,122.31
407	Public Works – Equipment	750,336.32
445	2018A – Virginia GSC-PW Cook	7,993.60
600	Environmental Services	616,802.33
640	Plat Books	798.22
715	County Garage	93,874.17
720	Property Casualty Liability	267,465.16
730	Workers Compensation	1,301,287.60
740	Medical Dental Insurance	2,844,078.78
770	Retired Employees Health Insurance	397.40
		<u>\$27,998,724.41</u>

Adopted June 23, 2020. No. 20-322

**BY COMMISSIONER MUSOLF:**

WHEREAS, Pursuant to Minn. Stat. § 164.08, the St. Louis County Board, acting as the town board for unorganized townships, must consider and act upon petitions for cartways; and

WHEREAS, The St. Louis County Board received a petition from SW2, LLC for establishment of a cartway providing access to property it owns in the plat of Birch Grove Lake Vermilion, located in Unorganized Township 63-15; and

WHEREAS, The St. Louis County Board held a hearing on the petition and received testimony and other evidence regarding the sufficiency of the petition, various proposed locations of the cartway, and costs and damages to be paid by the petitioner; and

WHEREAS, The St. Louis County Board is now prepared to adopt findings of fact and conclusions and issue an order on the SW2, LLC cartway petition.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, acting in the capacity of a town board for Unorganized Township 63-15, hereby adopts the Findings of Fact, Conclusions and Order filed in Board File No. 61103.

RESOLVED FURTHER, That the Clerk of the St. Louis County Board shall send a copy of the signed order to the Petitioner and notify in writing each known owner of land over which the cartway passes that there has been a filing and award of damages; pursuant to Minn. Stat. § 164.07, Subd. 6, the notice must set forth the date of the award, the amount of damages awarded, any terms or conditions of the award, and must contain an explanation of the requirements for appealing the award of damages.

Yeas – Commissioners Boyle, Musolf, Nelson and Chair Jugovich – 4

Nays – Commissioner Jewell – 1

Abstained – Commissioner McDonald – 1

Absent – Commissioner Olson – 1

Adopted June 23, 2020. No. 20-323

**BY COMMISSIONER NELSON:**

WHEREAS, Dual designation roads are those that have been assigned a road designation by more than one authorized agency; and

WHEREAS, In St. Louis County, these routes have been assigned a Forest Road number as well as either a County or Unorganized Township Road number; and

WHEREAS, Currently there are eight (8) routes in St. Louis County that are considered dual designation routes; and

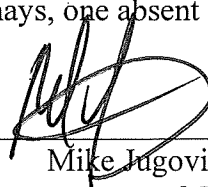
WHEREAS, The County and the United States Forest Service (USFS) have agreed that all of these routes will be considered under the jurisdiction and maintenance responsibilities of the USFS as they primarily function as forest access routes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County Officials to enter into a cooperative agreement with the USFS to assign jurisdiction and maintenance responsibilities for dual designation routes in St. Louis County.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Public Works Director to approve any amendments to the list of dual designation routes included in Schedule A of the cooperative agreement.

Unanimously adopted June 23, 2020. No. 20-324

At 10:16 a.m., June 23, 2020, Commissioner Boyle, supported by Commissioner McDonald, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Olson).



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)