

Carlton County
Board of Commissioners
*****ADJOURNED SESSION*****
Monday, August 24, 2020
4:00 p.m.
Carlton County Transportation Building

Watch the meeting live at:
<https://www.co.carlton.mn.us/meetings>

A. Administrative

1. Roll Call
2. Pledge of Allegiance to the Flag
3. ** County Attorney's Statement Allowing Remote Participation due to Peacetime Emergency
4. Approve Agenda
5. Approve Minutes of the August 11, 2020, Regular Session
6. Visitors:
 - a. Soil Improvement Program (SIP) consultant presentation (see H-5)
 - b.
 - c.

B. Human Services

1. Financial
2. Personnel
3. Administrative
4. Social Services
5. Health Services
6. Income Maintenance
7. Child Support & Collections
8. Commissioner's Comments

B. Human Services (continued)

9. Human Services Advisory Committee Comments
10. Case Action & Licensing of Foster and Day Care Homes

C. Zoning and Environmental Services

1. Approve 2020 Hauler License Renewal

D. Land and Building

E. Transportation

1. Approve State Agreement for Airport Snow Removal Equipment

F. Public Safety

G. Tax Matters

H. Administrative - Other

1. Approve Community & Family Initiatives Director grade change
2. Approve purchase of two DS-200 ballot tabulator machines
3. Authorization to begin the process of vacating that portion of Maple Avenue that passes through the north parking lot of the courthouse.
4. Authorization to designate the Carlton County Courthouse as the location for any Sixth Judicial District Grand Jury hearing during the COVID-19 pandemic
5. Soil Improvement Program (SIP) consultant presentation
6. Approve the reappointment of Bernadine Reed to EDA Board

7. Consider appointment of Sharon Zelazny to the EDA Board
8. Consider Acceptance of IRRR Taconite Tax Allocation for FY 2021
9. Consider VDW and Willows Edge loan borrower changes
10. Consider letter of support and \$10,000.00 in-kind request from Oldenburg Arts & Cultural Community
11. Consider allowing EDA flexibility in establishing loan forbearance agreements with borrowers affected by pandemic
12. CARES Act Distribution

I. Unorganized Township Matters
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J. Commissioners Comments and Meetings Attended
--

K. Correspondence

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

C-1
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: August 24, 2020
Via: Kathy Kortuem, Acting County Auditor/Treasurer
From: Heather Cunningham, Administrator, Zoning and Environmental Services

Title of Item for Consideration: 2020 Hauler License Renewal

Presenter: Heather Cunningham

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
- Award contract or bid
- Approve by resolution
- Approve hauler license renewal H20104

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
- Budget adjustment required Yes No NA
- Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
- Applicable job description(s) may require revision Yes No NA
- Item may change the department's authorized staffing level Yes No NA
- Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
- If yes, what was their recommendation _____

Summary

Annual licensing is required per Carlton County Solid Waste Ordinance #17. This is the annual license approval for a recycling hauler that has customers within Carlton County boundaries.

No.	Company	Trck #	Year	Vehicle Make	Vehicle Model	Capacity (Yds)	Axles	License #	Fee	Rct #
H20104	Sanimax	22014	2012	Peterbilt	320	20	4	70655Y	\$35.00	58987

Supporting Attachments

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

E-1
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting 08/24/20
Date: Via: Kathryn Kortuem, Acting County Auditor/Treasurer
From: Carla McCullough

Title of Item for Consideration: State Agreement for Airport Snow Removal Equipment
Presenter: JinYeene Neumann, County Engineer

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
- Award contract or bid
- Approve by resolution
-

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
- Budget adjustment required Yes No NA
- Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
- Applicable job description(s) may require revision Yes No NA
- Item may change the department's authorized staffing level Yes No NA
- Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
- If yes, what was their recommendation _____

Summary

Please award State Agreement for snow removal equipment, the Federal portion was approved on 7/14/20 by resolution No. 20-067.

Supporting Attachments

- County Board Resolution
- State Grant Agreement for Airport Improvement

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

**GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
 EXCLUDING LAND ACQUISITION**

This Agreement is by and between the State of Minnesota acting through its Commissioner of Transportation ("State"), and the County of Carlton ("Recipient").

WHEREAS, the Recipient desires the financial assistance of the State for an airport improvement project ("Project") as described in Article 2 below; and

WHEREAS, the State is authorized by Minnesota Statutes Sections 360.015 (subdivisions 13 & 14) and 360.305 to provide financial assistance to eligible airport sponsors for the acquisition, construction, improvement, or maintenance of airports and other air navigation facilities; and

WHEREAS, the Recipient has provided the State with the plans, specifications, and a detailed description of the airport improvement Project.

NOW, THEREFORE, it is agreed as follows:

1. This Agreement is effective upon execution by the Recipient and the State, and will remain in effect until September 30, 2024.
2. The following table provides a description of the Project and shows a cost participation breakdown for each item of work:

<u>Item Description</u>	<u>Federal Share</u>	<u>State Share</u>	<u>Local Share</u>
Acquire Snow Removal Equipment (John Deere 644L carrier vehicle, plow, box blade, sweeper, and snow blower).	100%	0%	0%

3. The Project costs will not exceed \$503,990.00. The proportionate shares of the Project costs are: Federal: Committed \$503,990.00, Multi-Year Amount: \$0.00; State: \$0.00, and Recipient: \$0.00. This project is not estimated to be completed this fiscal year and the federal multiyear amount is an estimate only. These additional funds are not committed by the state and are only available after being made so by the U.S. government. Federal funds for the Project will be received and disbursed by the State. In the event federal reimbursement becomes available or is increased for this Project, the State will be entitled to recover from such federal funds an amount not to exceed the state funds advanced for this Project. No funds are committed under this Agreement until they are encumbered by the State. No more than 95% of the amount due under this Agreement will be paid by the State until the State determines that the Recipient has complied with all terms of this Agreement, and furnished all necessary records.
4. The Recipient will designate a registered engineer (the "Project Engineer") to oversee the Project work. If, with the State's approval, the Recipient elects not to have such services performed by a registered engineer, then the Recipient will designate another responsible person to oversee such work, and any references herein to the "Project Engineer" will apply to such responsible person.
5. The Recipient will complete the Project in accordance with the plans, specifications, and detailed description of the Project, which are on file with the State's Office of Aeronautics and are incorporated into this Agreement by reference. Any changes in the plans or specifications of the Project after the date of this Agreement will be valid only if made by written change order signed by the Recipient, the Project Engineer, and the contractor. Change orders must be submitted to the State. Subject to the availability of funds the State may prepare an amendment to this Agreement to reimburse the Recipient for the allowable costs of qualifying change orders.
6. The Recipient will make payments to its contractor on a work-progress basis. The Recipient will submit requests for reimbursement of certified costs to the State on state-approved forms. The State will reimburse the Recipient for the state and federal shares of the approved Project costs.
 - a. At regular intervals, the Recipient or the Project Engineer will prepare a partial estimate in accordance with the terms of the contract, special provisions, and standard specifications for the Project(s). Partial estimates must be completed no later than one month after the work covered by the estimate is completed. The Project Engineer and the contractor must

certify that each partial estimate is true and correct, and that the costs have not been included on a previous estimate.

- b. Following certification of the partial estimate, the Recipient will make partial payments to the contractor in accordance with the terms of the contract, special provisions, and standard specifications for the Project(s).
 - c. Following certification of the partial estimate, the Recipient may request reimbursement from the State for costs eligible for federal and state participation. A copy of the partial estimate must be included with the Recipient's request for payment. Reimbursement requests and partial estimates should not be submitted if they cover a period in which there was no progress on the Project.
 - d. Upon completion of the Project(s), the Recipient will prepare a final estimate in accordance with the terms of the contract, special provisions, and standard specifications for the Project(s). The final estimate must be certified by the Recipient, Project Engineer and the contractor.
 - e. Following certification of the final estimate, the Recipient will make final payment to the contractor in accordance with the terms of the contract, special provisions, and standard specifications for the Project(s).
 - f. Following certification of the final estimate, the Recipient may request reimbursement from the State for costs eligible for federal and state participation. A request for final payment must be submitted to the State along with those project records required by the State.
7. For a Project which involves the purchase of equipment, the Recipient will be reimbursed by the State in one lump sum after the Recipient: (1) has acquired both possession and unencumbered title to the equipment; and (2) has presented proof of payment to the State, and (3) a certificate that the equipment is not defective and is in good working order. The Recipient will keep such equipment, properly stored, in good repair, and will not use the equipment for any purpose other than airport operations.
 8. If the Project involves force-account work or project donations, the Recipient must obtain the written approval of the State and Federal Aviation Administration (FAA). Force-account work performed or project donations received without written approval by the State will not be reimbursed under this Agreement. Force-account work must be done in accordance with the schedule of prices and terms established by the Recipient and approved by the State.
 9. Pursuant to Minnesota Statutes Section 360.305, subdivision 4 (g) (1), the Recipient will operate its airport as a licensed, municipally-owned public airport at all times of the year for a period of 20 years from the date the Recipient receives final reimbursement under this Agreement. The Airport must be maintained in a safe, serviceable manner for public aeronautical purposes only. The Recipient will not transfer, convey, encumber, assign, or abandon its interest in the airport or in any real or personal property, which is purchased or improved with State aid funds without prior written approval from the State. If the State approves such transfer or change in use, the Recipient must comply with such conditions and restrictions as the State may place on such approval. The obligations imposed by this clause survive the expiration or termination of this Agreement.
 10. This Agreement may be terminated by the Recipient or State at any time, with or without cause, upon ninety (90) days written notice to the other party. Such termination will not remove any unfulfilled financial obligations of the Recipient as set forth in this Agreement. In the event of such a termination, the Recipient will be entitled to reimbursement for eligible expenses incurred for work satisfactorily performed on the Project up to the date of termination. The State may immediately terminate this Agreement if it does not receive sufficient funding from the Minnesota Legislature or other funding source, or such funding is not provided at a level sufficient to allow for the continuation of the work covered by this Agreement. In the event of such termination, the Recipient will be reimbursed for work satisfactorily performed up to the effective date of such termination to the extent that funds are available. In the event of any complete or partial state government shutdown due to a failure to have a budget approved at the required time, the State may suspend this Agreement, upon notice to the Recipient, until such government shutdown ends, and the Recipient assumes the risk of non-payment for work performed during such shutdown.
 11. Pursuant to Minnesota Rules 8800.2500, the Recipient certifies that (1) it presently has available sufficient unencumbered funds to pay its share of the Project; (2) the Project will be completed without undue delay; and (3) the Recipient has the legal authority to engage in the Project as proposed.
 12. Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the Recipient will maintain such records and provide such

information, at the request of the State, so as to permit the Department of Transportation, the Legislative Auditor, or the State Auditor to examine those books, records, and accounting procedures and practices of the Recipient relevant to this Agreement for a minimum of six years after the expiration of this Agreement.

13. The Recipient will save, defend, and hold the State harmless from any claims, liabilities, or damages including, but not limited to, its costs and attorneys' fees arising out of the Project which is the subject of this Agreement.
14. The Recipient will not utilize any state or federal financial assistance received pursuant to this Agreement to compensate, either directly or indirectly, any contractor, corporation, partnership, or business, however organized, which is disqualified or debarred from entering into or receiving a State contract. This restriction applies regardless of whether the disqualified or debarred party acts in the capacity of a general contractor, a subcontractor, or as an equipment or material supplier. This restriction does not prevent the Recipient from utilizing these funds to pay any party who might be disqualified or debarred after the Recipient's contract award on this Project.
15. All contracts for materials, supplies, or construction performed under this Agreement will comply with the equal employment opportunity requirements of Minnesota Statutes Section 181.59.
16. The amount of this Agreement is limited to the dollar amounts as defined in Article 3 above. Any cost incurred above the amount obligated by the State is done without any guarantee that these costs will be reimbursed in any way. A change to this Agreement will be effective only if it is reduced to writing and is executed by the same parties who executed this Agreement, or their successors in office.
17. For projects that include consultant services, the Recipient and its consultant will conduct the services in accordance with the work plan indicated in the Recipient's contract for consultant services, which shall be on file with the State's Office of Aeronautics. The work plan is incorporated into this Agreement by reference. The Recipient will confer on a regular basis with the State to coordinate the design and development of the services.
18. The parties must comply with the Minnesota Government Data Practices Act, as it relates to all data provided to or by a party pursuant to this Agreement.
19. Minnesota law, without regard to its choice-of-law provisions, governs this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.
20. For projects including federal funding, the Recipient must comply with applicable regulations, including, but not limited to, Title 14 Code of Federal Regulations, subchapter I, part 151; and Minnesota Rules Chapter 8800. The Catalog of Federal Domestic Assistance (CFDA) number for the federal Airport Improvement Program is 20.106.
21. For all projects, the Recipient must comply, and require its contractors and consultants to comply, with all federal and state laws, rules, and regulations applicable to the work. The Recipient must advertise, let, and award any contracts for the project in accordance with applicable laws. The State may withhold payment for services performed in violation of applicable laws.
22. Under this Agreement, the State is only responsible for receiving and disbursing federal and state funds. Nothing in this Agreement will be construed to make the State a principal, co-principal, partner, or joint venturer with respect to the Project(s) covered herein. The State may provide technical advice and assistance as requested by the Recipient, however, the Recipient will remain responsible for providing direction to its contractors and consultants and for administering its contracts with such entities. The Recipient's consultants and contractors are not intended to be third party beneficiaries of this Agreement.

State Encumbrance Verification

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.

By: _____

Date: _____

SWIFT Purchase Order: _____

Recipient

Recipient certifies that the appropriate person(s) have executed the Agreement on behalf of the Recipient as required by applicable resolutions, charter provisions or ordinances.

By: Jennifer Neumann

Title: County Engineer

Date: 7/27/2020

By: Andrew Kufner

Title: Acting Auditor/Treasurer

Date: 8-3-2020

Commissioner, Minnesota Department of Transportation

By: _____
Director, Office of Aeronautics

Date: _____

Mn/DOT Contract Management
as to form & execution

By: _____

Date: _____

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-1
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting August 24, 2020
Date: Via: Kathryn Kortuem, Acting County Auditor/Treasurer
From: Dennis Genereau, County Coordinator
Title of Item for Consideration: Approve Community & Family Initiatives Director grade change
Presenter: Dennis Genereau, County Coordinator

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
- Award contract or bid
- Approve by resolution
-

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
- Budget adjustment required Yes No NA
- Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
- Applicable job description(s) may require revision Yes No NA
- Item may change the department's authorized staffing level Yes No NA
- Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
- If yes, what was their recommendation _____

Summary

Review of Community & Family Initiatives Director position completed by Keystone Compensation Group. Recommend increase from Grade 200 to Grade 210. Change retroactive to 10/12/2019 (position was due for review 3rd quarter 2019).

Supporting Attachments

- _____
- _____

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-2
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting 8-24-2020

Date: Via: Kathryn Kortuem, Acting County Auditor/Treasurer

From: Kathryn Kortuem

Title of Item for Consideration: approve purchase of two DS-200 ballot tabulator machines

Presenter: Kathryn Kortuem

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation _____

Summary

Request to purchase two DS-200 ballot tabulator machines with associated programming to handle expected increase in absentee and mail balloting for the November general election. Expected to be an allowed expenditure of about \$13,000 under the Cares Act grant.

Supporting Attachments

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Adopted December 8, 2015

Revised November 28, 2016

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-3
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: August 24, 2020

Via: Kathy Kortuem, Acting County Auditor/Treasurer

From: Dennis Genereau, Jr

Title of Item for Consideration: Authorization to begin the process of vacating that portion of Maple Avenue that passes through the north parking lot of the courthouse

Presenter: Dennis Genereau, Jr.

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation _____

Summary: Carlton County staff and consultant Tony Mancuso meet on Tuesday, August 18th, with staff from the City of Carlton to begin planning for utility placements and modifications on the proposed jail site in the parking lot north of the Courthouse. During the meeting it was noted that Maple Avenue, which lies east and west in the City of Carlton, passes through the north courthouse parking lot and will need to be vacated. It is requested that the Board consider asking the City of Carlton to engage in the process of vacating that portion of Maple Avenue.

Supporting Attachments

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-4
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: August 24, 2020

Via: Kathy Kortuem, Acting County Auditor/Treasurer

From: Dennis Genereau, Jr

Title of Item for Consideration: Authorization to designate the Carlton County Courthouse as the location for any Sixth Judicial District Grand Jury hearing during the COVID-19 pandemic

Presenter: Dennis Genereau, Jr.

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation _____

Summary: Sixth Judicial District staff have been working to open up the courts in a safe manner for the purpose of jury trials and grand jury hearings. The courtroom on the third floor of the Carlton County Courthouse is the largest courtroom in the district, and will be set up for a possible Carlton County grand jury hearing this fall. For these reasons, the Sixth Judicial District is requesting that Carlton County give consideration to use of the third floor courtroom for any and all grand juries within the District that need to be held during the pandemic.

Supporting Attachments

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

From: [Dennis Genereau](#)
To: [Kathy Kortuem](#); [LeeAnn Purcell](#)
Cc: [Shanny Hurst](#); [Kelly Lake](#); [Lauri Ketola](#)
Subject: FW: Meeting with Carlton County
Date: Thursday, August 20, 2020 10:56:31 AM

Hello, Kathy and LeeAnn. Please feel free to attach this email to the IFC #2 I just submitted, with answers to questions I anticipated on behalf of the Board. Thanks! – Dennis

Dennis Genereau, Jr.
Carlton County Coordinator

From: Hoyne, Mark
Sent: Thursday, August 20, 2020 10:10 AM
To: Taylor, Sara <Sara.Taylor@courts.state.mn.us>
Subject: RE: Meeting with Carlton County
Importance: High

- Why Carlton?
The 3rd floor courtroom is the only courtroom in the District that is large enough to do it safely. Additionally, the only potential likelihood we have of a grand jury convening in the near future would be from cases that are Carlton County cases, so it makes sense to do this there – rather than another and have to transport resources to another area. I have no notice of intent to do so, but there are a couple of serious crimes that have occurred there – to which Dennis is likely aware of.
- How many Grand Juries would we anticipate?
In the last year, we have convened one grand jury across the entire district.
- Will there be any direct or indirect costs to Carlton County?
I cannot answer this for sure, but I suspect no. If another county needed to use the space, we would likely have to use resources of the county that is case is coming from rather than use Carlton County resources. My hope would be that all we are talking about is using the space.

I told him you're at Judicial Council today and I'd pass the info along. He did say you can call him at 218-499-1573 as he's in the office. Let me know the next steps. – Let him know I will call him at 12 p.m. today if that works for him.

Mark Hoyne

District Administrative Manager
MN Sixth Judicial District
227 West 1st Street, Suite 302
Duluth, MN 55802
(218) 726-2368

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

4-5
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting August 24, 2020
Date: Via: Kathryn Kortuem, Acting County Auditor/Treasurer
From: Donna Lekander
Title of Item for Consideration: Soil Improvement Program (SIP) consultant presentation
Presenter: Donna Lekander

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
- Award contract or bid
- Approve by resolution
-

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
- Budget adjustment required Yes No NA
- Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
- Applicable job description(s) may require revision Yes No NA
- Item may change the department's authorized staffing level Yes No NA
- Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA
If yes, what was their recommendation CEC/SIP subcommittee recommendation to hire a consultant to the Board

Summary

SIP consultant presentation highlighting findings

Supporting Attachments

-
-

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-6
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8/24/20
Via: Paul Gassert, County Auditor/Treasurer
From: Mary Finnegan
Title of Item for Consideration: Reappoint Bernadine Reed to EDA Board
Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
- Award contract or bid
- Approve by resolution (attached)
-

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
- Budget adjustment required Yes No NA
- Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
- Applicable job description(s) may require revision Yes No NA
- Item may change the department's authorized staffing level Yes No NA
- Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
- If yes, what was their recommendation The EDA voted unanimously to reappoint Bernadine Reed to the EDA board for a new 6-year term

Supporting Attachments

- Summary provided on page 2
- Summary has been attached
- Copy of contract and applicable bid comparison
- Draft resolution
- Meeting minutes related to this issue
-
-
-

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

Bernadine Reed's term on the EDA was up on December 31, 2019 and the EDA met for the first time in 2020 on August 4th. At the August 4th meeting, the EDA board voted unanimously to reappoint Bernadine so the recommendation coming before the County Board is to approve the recommendation that Bernadine be reappointed for another term of 6 years.

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-7
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8/24/20

Via: Paul Gassert, County Auditor/Treasurer

From: Mary Finnegan

Title of Item for Consideration: Consider Sharon Zelazny appointment to EDA board

Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution (attached)

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation The EDA voted unanimously to recommend appointment of Sharon Zelazny to the EDA board

Supporting Attachments

Summary provided on page 2

Summary has been attached

Copy of contract and applicable bid comparison

Draft resolution

Meeting minutes related to this issue

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

There has been a vacant position on the EDA board since Sam Clark decided not to seek reappointment in 2019. The EDA sought out applicants and Sharon Zelazny, mayor and citizen of Cromwell, was approved by our EDA on August 4th. The recommendation from the EDA is to approve Sharon Zelazny's appointment to the term vacated by Sam Clark, running from 1-1-19 to 12-31-24.

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-8
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8-24-20

Via: Paul Gassert, County Auditor/Treasurer

From: Mary Finnegan

Title of Item for Consideration: Consider Acceptance of IRRR Taconite Tax Allocation for FY 2021

Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
 Award contract or bid
 Approve by resolution (attached)

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
Budget adjustment required Yes No NA
Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
Applicable job description(s) may require revision Yes No NA
Item may change the department's authorized staffing level Yes No NA
Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
If yes, what was their recommendation _____

Supporting Attachments

- Summary provided on page 2
 Summary has been attached
 Copy of contract and applicable bid comparison
 Draft resolution
 Meeting minutes related to this issue

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

DRAFT RESOLUTION:

BE IT RESOLVED to authorize the County Auditor/Treasurer and the Board Chairperson to accept the grant and sign a grant contract for the transfer of Taconite Tax Funds from the Department of Iron Range Resources and Rehabilitation to Carlton County for economic development.

2021 funding - \$277,771.00

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-9
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8/24/20

Via: Paul Gassert, County Auditor/Treasurer

From: Mary Finnegan

Title of Item for Consideration: Consider VDW and Willows Edge loan borrower changes

Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution (attached)

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation The EDA voted unanimously to recommend the release of Paul Vernon from both the VDW LLC loan and Willows Edge LLC loan, providing for Garret Envall, and Darren, Darrel, and Derek Weets to take on full ownership and liability for loans with Carlton County, with the condition that both primary lenders approve the change in ownership/liability.

Supporting Attachments

Summary provided on page 2

Summary has been attached

Copy of contract and applicable bid comparison

Draft resolution

Meeting minutes related to this issue

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

A request was submitted to the EDA by Paul Vernon, one of the investor/owners of VDW LLC and Willows Edge LLC apartment buildings. He is selling his ownership in both entities to current partners on the projects. Both entities, once ownership has transferred, would be owned by Garret Envall and Darren, Darrell, and Derek Weets. Primary lenders are reviewing the request to release Mr. Vernon from his liability as well and if approved, Carlton County will need to modify loan documents to reflect the ownership and liability changes. A review of the financials and the relative strength of the new vs. old borrows were favorable. If approved, the department will use an attorney to ensure all appropriate documents are obtained and executed.

The recommendation by the EDA is to allow for the release of Paul Vernon from both the VDW LLC loan and Willows Edge LLC loan, providing for Garret Envall, and Darren, Darrel, and Derek Weets to take on full ownership and liability for loans with Carlton County with the condition that primary lenders on both also approve the ownership/liability changes.

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-10
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8/24/20

Via: Paul Gassert, County Auditor/Treasurer

From: Mary Finnegan

Title of Item for Consideration: Consider letter of support and \$10,000 in-kind request from Oldenburg Arts & Cultural Community

Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

Info only, no action requested at this time

Award contract or bid

Approve by resolution (attached)

Fiscal Impact (check all that apply)

Item included under current budget Yes No NA

Budget adjustment required Yes No NA

Reviewed by Finance Committee Yes No NA

Staffing Impact

Duties of a County employee(s) may be materially affected Yes No NA

Applicable job description(s) may require revision Yes No NA

Item may change the department's authorized staffing level Yes No NA

Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation The EDA voted unanimously to recommend providing a letter of support and \$10,000 in-kind

match for the National Endowment for the Arts Our Town Proposal for County Seat Theater's Creative Community Development Plan. Economic

Development Staff would provide the in-kind time being requested via project planning and participation.

Supporting Attachments

Summary provided on page 2

Summary has been attached

Copy of contract and applicable bid comparison

Draft resolution

Meeting minutes related to this issue

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

A request was received from Emily Swanson of the Oldenburg Arts & Cultural Community regarding a request for a \$10,000 in-kind match and letter of support for the National Endowment for the Arts Our Town Proposal for County Seat Theater's Creative Community Development Plan grant. It is estimated that 12 hours/month of Economic Development staff time would be devoted to the participation and planning of this initiative.

At its August 4th meeting, the EDA board unanimously recommended to approve a \$10,000 in-kind match and letter of support for the National Endowment for the Arts Our Town Proposal for County Seat Theater's Creative Community Development Plan.

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-11
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting Date: 8/24/20

Via: Paul Gassert, County Auditor/Treasurer

From: Mary Finnegan

Title of Item for Consideration: Consider allowing EDA flexibility in establishing loan forbearance agreements with borrowers affected by pandemic

Presenter: Mary Finnegan

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
 Award contract or bid
 Approve by resolution (attached)

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
Budget adjustment required Yes No NA
Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
Applicable job description(s) may require revision Yes No NA
Item may change the department's authorized staffing level Yes No NA
Reviewed by Human Resources Yes No NA

Other

Reviewed by other Committee, Board or Commission Yes No NA

If yes, what was their recommendation The EDA voted unanimously to recommend that EDA staff be given the flexibility to work individually with borrowers on loan forbearance solutions to keep the businesses viable during the COVID-19 pandemic.

Supporting Attachments

- Summary provided on page 2
 Summary has been attached
 Copy of contract and applicable bid comparison
 Draft resolution
 Meeting minutes related to this issue

Motion By _____ Seconded By _____

TO: _____

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

Early in the pandemic, the department was contacted by four Economic Development loan borrowers regarding anticipated cash flow issues due to COVID-19. All requested some sort of temporary payment deferral. At that time, there were many new business assistance programs coming from federal, state, and regional entities which made it premature to make an across-the-board policy for all EDA loans. Instead, requests were documented and businesses were told the department would work with them to get through the unprecedented situation. No official approvals were made to allow businesses to skip payments for ML Historical Society, Sweetly Kismet, or Knife Island. All skipped between 1 and 4 payments and have now started making payments again. The Carlton County Fair's request for deferment of principal payments for a year was recently approved by the County Board. At the EDA meeting on August 4th, the EDA board suggested the department continue to work with borrowers on requests to modify their loan terms with the intent to not bringing additional hardship upon them while still struggling with the pandemic. The EDA felt taking a case-by-case approach to dealing with the business requests was the best solution and that department staff should have the discretion of making those arrangements. The official recommendation for approval is to allow Economic Development Staff the flexibility to work with businesses individually on loan forbearance solutions to keep their business viable during the COVID-19 pandemic.

Carlton County Board of Commissioners
Item for Consideration / Agenda Item Cover Sheet

H-12
Agenda Item #

To: Chairperson, Carlton County Board of Commissioners Meeting 8/24/2020
Date: Via: Kathryn Kortuem, Acting County Auditor/Treasurer
From: Mary Finnegan, EDA ED and Dennis Genereau, County Coordinator
Title of Item for Consideration: CARES Act Distribution
Presenter: Mary Finnegan and Dennis Genereau

Type of Action Requested (check all that apply)

- Info only, no action requested at this time
 Award contract or bid
 Approve by resolution

Fiscal Impact (check all that apply)

- Item included under current budget Yes No NA
Budget adjustment required Yes No NA
Reviewed by Finance Committee Yes No NA

Staffing Impact

- Duties of a County employee(s) may be materially affected Yes No NA
Applicable job description(s) may require revision Yes No NA
Item may change the department's authorized staffing level Yes No NA
Reviewed by Human Resources Yes No NA

Other

- Reviewed by other Committee, Board or Commission Yes No NA
If yes, what was their recommendation Approve

Summary

Attached resolution requested for approval. Additional information and supporting documentation will be presented at Board meeting.

Supporting Attachments

- Resolution for Support

Motion By _____ Seconded By _____

TO:

Action on Motion: _____ AYE _____ NO _____ ABSTAIN

Motion: Carried Defeated

Summary:

SEE ATTACHED RESOLUTION

Federal CARES Act Monies in Carlton County

BY COMMISSIONER:

WHEREAS, On July 9, 2020, Carlton County received \$4,356,657 million from the State of Minnesota through a formula-based allocation from the Coronavirus Aid, Relief, and Economic Security (CARES) Act based on population data; and

WHEREAS, The CARES Act requires that the payments to municipalities be used to only cover expenditures that were incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), expenses not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or local government or reflect a substantially different use of budget funds from what was intended when the budget was adopted, and expenses incurred from the period of March 1, 2020 to December 30, 2020; and

WHEREAS, Monies have been provided to the County for distribution to cities and townships of less than 200 people for direct COVID eligible costs; and

WHEREAS, Our business composition relies most heavily on small business, and it is critical that relief efforts reach as many of our small and minority-owned business enterprises as possible along with ; and

WHEREAS, Community Assistance Programs and Public Health & Human Services seeks to focus on core needs of those struggling due to the impacts of COVID-19 by using funds to support our community organizations, families, and individuals disproportionately impacted by the COVID-19 public health emergency; and

WHEREAS, The COVID-19 pandemic emphasized deficiencies in areas such as technology, broadband and other communication to best meet the needs of County residents and the need for investing in community communications systems improvement; and

WHEREAS, Carlton County has already incurred substantial costs relating to the COVID-19 pandemic and identified future community and miscellaneous infrastructure needs to properly respond to the requirements for addressing social distancing, etc. and

WHEREAS, It is critical to sound fiscal management that Carton County retain funds to cover current COVID-19 reimbursement and necessary future community investments related to COVID-19; and

WHEREAS, it is proposed that approximately \$1.123 million be held in a reserve account for distribution later in the fall after further evaluation and demand for assistance can be better evaluated.

THEREFORE, BE IT RESOLVED, That the Carlton County Board approves the Plan and establishes programs dedicated to the expenditure of CARES Act monies and approves the following distribution of \$4,428,934 of CARES funding:

- Dedicated Allocation to Cities/Townships with population less than 200: **\$43,452**
- Small Business Assistance and: **\$800,000**
- Community Assistance Program/ Public Health: **\$800,000**
- Community Communication Systems Improvement: **\$800,000**
- COVID Response Reimbursement, Infrastructure and Miscellaneous Community: **\$800,000**
- Reserve: **\$1,185,482**

RESOLVED FURTHER, that the County Board directs the County Auditor/Treasurer to manage these funds within the broad parameters set forth by the County Board with flexibility to move funds within these categories based upon applicant requests and review.

RESOLVED FURTHER, that any monies received from underutilized allocations to cities and townships be used to compliment COVID-19 relief programs in the area of community and small business assistance, including support to health care providers.

RESOLVED FURTHER, that the County Auditor /Treasurer will provide an accounting of the CARES Act utilization at the conclusion of the program to the County Board.