

**Carlton County
Board of Commissioners
ADJOURNED SESSION - Rough Draft
Monday, January 27, 2020
4:00 p.m.**

The Carlton County Board of Commissioners met this 27th day of January, 2020, in Adjourned Session at the Carlton County Transportation Building.

Chairperson Bodie called the meeting to order at 4:00 p.m. Members present: Bodie, Brenner, Proulx, Thell, Peterson Absent: None.

The meeting opened with the Pledge of Allegiance to the Flag.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve the Agenda as amended.

Motion by Peterson, seconded by Proulx, and carried by all yea votes to approve the Minutes of the December 23, 2019, Adjourned Meeting and the January 7, 2020, Annual Meeting.

At 4:50 p.m. a motion was made by Proulx, seconded by Brenner, and carried by all votes to recess the adjourned meeting for a Public Hearing on the proposed Carlton County Transportation Capital Improvement Plan (TCIP) and the intent to issue Capital Improvement Bonds in an amount not to exceed \$10,000,000 for the construction of the Barnum Maintenance Facility. No member of the audience spoke when public comments were requested. No written comments were received. At 5:00 p.m. a motion was made by Brenner, seconded by Proulx, and carried by all votes to return to the adjourned meeting.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the purchase of service contracts with AEOA-Rural Rides, Northstar Community Services LLC, and TLC of Duluth for semi-independent living services and transportation services in 2020 not to exceed \$261,798.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve purchase of service contracts with Human Development Center (HDC) for professional services for Assertive Community Treatment (ACT) and Case Management for 2020.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve UCare Minnesota Agreement with renegotiated rates for Carlton County Public Health & Human Services and Veteran's Services.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve out of state travel for Nurse Family Partnership Evidence Based Home Visiting Program staff in Denver, Colorado, in February 2020.

Motion by Peterson, seconded by Brenner, and carried by all yea votes to approve out of state travel for Crisis Text Line staff in Portland, Oregon, for the American Association of Suicidology Conference on April 21-25, 2020.

Community Memorial Hospital was acknowledged as having achieved Minnesota Department of Health 5 Star Breastfeeding Friendly Maternity Center recognition.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to accept a \$20,000 grant from UCARE to Public Health and Human Services for the Thriving Minds & Healthy Aging Initiative project.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the following resolution (20-009):

WHEREAS, Carlton County is the Local Unit of Government (LUG) Sponsor for various snowmobile and ATV clubs based in Carlton County for Minnesota Department of Natural Resources (MN DNR) Grant in Aid (GIA) Trail programs; and

WHEREAS, Wood City Riders (the Club) is a snowmobile club sponsored by Carlton County; and

WHEREAS, Wood City Riders desires to build a connector trail from the Duluth and Northeast (DNE) Grade in Saginaw MN to Caywood Oil and Gas Station located at the intersections of US Highway 2 and MN Trunk Highway 33 following Seville Road (St. Louis County Road #46) from its intersection with the DNE Grade west along Seville Road, crossing MN Hwy 33 thence south along the westerly Right of Way of MN 33 to Caywood Oil and Gas and there terminating, and

WHEREAS, Minnesota Department of Transportation (MN DOT) and St. Louis County Transportation require LUG support of the project as trail sponsor.

NOW, THEREFORE, BE IT RESOLVED, that the Carlton County Board of Commissioners acting as Sponsor for Wood City Riders snowmobile club hereby approve of the Club's intent to build and maintain a connector trail from the DNE Grade westerly towards Caywood Oil and Gas.

BE IT FURTHER RESOLVED that the Carlton County Board of Commissioners does hereby accept the responsibility for the Limited Use Permit to be issued by the State of Minnesota acting through its Department of Transportation.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve and authorize the Board Chairperson to sign a letter of support for Regional Designation for Pine Valley Recreation Area.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the following resolution (20-012):

WHEREAS, bids have been received by the County Auditor/Treasurer for Seal Coat & Ground in Pavement Marking along SAP 009-604-039 (LOW) on CSAH 4 between TH 73 and I-35; length: 15.502 Miles, CP 009-105-003 on C.R. 105 from CSAH 5 to 1600' East of CSAH 5; length: 0.303 Miles, CP 009-107-005 on C.R. 107 from CSAH 3 to 1950' East of CSAH 3; length: 0.369 Miles, CP 009-139-004 on C.R. 139 from CSAH 4 to T-140 (Bent Trout Lake Rd); length: 2.901 Miles, CP 009-114-009 on C.R. 114 (Trettel Ln) from CSAH 115 (Airport Rd) to CSAH 7; length: 0.494 Miles, City of Carlton 2019-01 on School Ave. from TH 210 to 6th Street N.; length: 0.263 Miles, City of Carlton 2019-02 on 5th St. from TH 210 to School Ave; length: .063 Miles, City of Carlton 2019-03 on Almar Dr. from School Ave. to 260' N. of School Ave.; length: .0492 Miles; and

WHEREAS, the Construction Plans for the project have been approved by the City of Carlton; and

WHEREAS, Carlton County will act as agent on this project for the City of Carlton; and

WHEREAS, said bids or proposals were duly opened in the Carlton County Engineer's Office at 10:00 a.m. on Monday, January 13, 2020, and this Board has, with the County Engineer, determined the lowest bidder of said project for which proposals were invited and submitted; and

WHEREAS, in the judgement of this Board, it is for the best interest of Carlton County that the award of said contract be made to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED the Carlton County Board of Commissioners, in regular session duly convened, hereby approve the award of the contract on the above project to the lowest bidder, contingent upon approval by the City of Carlton:

Asphalt Preservation Company Inc.	\$1,042,955.53
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BE IT FURTHER RESOLVED that the County Board Chairperson, the County Auditor/Treasurer, and the County Attorney, on behalf of Carlton County, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the following reappointments to the County Airport Commission.

District 1	Mike Schultz
District 3	Bob Matarelli
District 4	Paul Vollmar
District 5	Randy McCuskey

Motion by Brenner, seconded by Thell, and carried by all yeas to approve the FY2020 Federal Equitable Sharing Agreement and Certification between the Department of Justice and the Carlton County Sheriff's Department.

Motion by Brenner, seconded by Thell, and carried by all yeas to accept the finalized version of the BKV Carlton County Jail Study Implementation Report as on file in the Sheriff's Office.

Motion by Brenner, seconded by Proulx, and carried by all yeas to approve contracting for services related to proposed jail construction including proposed programming, per diem costs, and data analysis not to exceed \$5,000.

Motion by Thell, seconded by Brenner, and carried by all yeas to approve the following resolution (20-010):

WHEREAS, M.S. 241 Subd. 1 requires *"Any adult women charged with or convicted of crimes, and juvenile females charged with an offense that would be a crime if committed by an adult or adjudicated delinquents, shall be based upon the special need of the female offenders."* (Parity statute passed in MN in 1981 and amended in 1991 to include juvenile offenders.); and

WHEREAS, the Minnesota Department of Corrections conducts regular inspections of the current Carlton County jail facility and those inspections have identified that while the County has been diligent in making many operational improvements based on past inspections, the 41 year old physical plant has major deficiencies that render it non-compliant with state standards and furthermore, a lack of parity exists as is required in M.S. 241 Subd.1; and

WHEREAS, the County has been put on notice that the jail inspector is recommending that the Commissioner of Corrections move forward with a Sunset Authorization, and the County Board has determined that to meet these needs a new jail facility must be built; and

WHEREAS, locally, regionally, statewide, and nationally, the female offender jail population is increasing exponentially; and

WHEREAS, the building of a new correctional facility with adequate space for male and female offenders along with regional beds and programming designated solely for female offenders may serve as a statewide demonstration project and meet current and future female offenders' special needs; and

WHEREAS, in partnership with Fond du Lac Band of Lake Superior Chippewa and other regional governments, culturally relevant programming along with other female and family specific resources that will improve system level responses for adults with mental and substance abuse disorders in the criminal justice system would be provided; and

WHEREAS, female offender programming developed from evidence-based, nationwide research will be shared with other entities to improve the service delivery of female based parity programming throughout Minnesota; and

WHEREAS, the costs associated with preliminary engineering, planning and design of a regional female offender program is estimated to be \$3 million.

NOW, THEREFORE, BE IT RESOLVED, the Carlton County Board of Commissioners respectfully requests an appropriation of \$3 million from the State of Minnesota Capital Investment legislation for this model demonstration project;

AND, BE IT FURTHER RESOLVED, the appropriation for this request from Capital Investment legislation not require a local match.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the following resolution (20-011):

WHEREAS, the Minnesota Department of Corrections conducts regular inspections of the current Carlton County jail facility and those inspections have identified that while the County has been diligent in making many operational improvements based on past inspections, the 41 year old physical plant has major deficiencies that render it non-compliant with state standards and furthermore, a lack of parity exists as is required in M.S. 241 Subd.1; and

WHEREAS, locally, regionally, statewide and nationally, the female offender jail population is increasing exponentially; and

WHEREAS, the building of a new correctional facility with adequate space for male and female offenders along with regional beds and programming designated solely for female offenders will have a regional significance and economic benefit besides filling a large void in parity that now exists between male and female offenders; and

WHEREAS, The Minnesota Department of Revenue and the Minnesota Legislature have established guidelines for County Government to follow in order to meet the requirements for requesting authorization to conduct a voter referendum for a county-wide sales tax; and

WHEREAS, this Local Option Sales Tax (LOST) referendum authorization requested by Carlton County would be used to finance a correctional facility, jail and regional female offender program; and

WHEREAS, Carlton County Board of Commissioners urge that the total burden of financing such facility not be placed directly on local property tax payers through a property tax levy; and

WHEREAS, regional governments and Fond du Lac Band of Lake Superior Chippewa leadership have indicated strong support for this proposal.

NOW, THEREFORE, BE IT RESOLVED, the Carlton County Board of Commissioners hereby requests authorization to conduct a voter referendum for a one half of one percent (0.50%) LOST to raise an anticipated \$1.8 million annually used to pay for construction for a new correctional facility, jail and regional female offender program with a total project cost of \$40 million.

AND, BE IT FURTHER RESOLVED, the proposed LOST will be in effect for 20 years or less as determined by debt satisfaction and is expected to raise \$36 million to meet the costs of new facility.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the issuance of Requests for Proposals (RFP) for Architectural and Engineering services and for Construction Management Services for the proposed new jail to include regional Female Offender Programming components.

Information was presented by the County Sheriff regarding the MN Department of Corrections Annual Facility Inspection Report for the County Jail.

Motion by Proulx, seconded by Peterson, and carried by all yea votes to approve cancellation of forfeiture to the State of Minnesota for non-payment of property taxes on December 30, 2019, for property in Holyoke Township (PID 48-230-0230) due to a clerical error.

Motion by Brenner, seconded by Peterson, and carried by all yea votes to approve the Agreement between MN Department of Revenue and Carlton County for Collection of a Local Transit Sales and Use Tax and a Transit Vehicle Excise Tax as authorized by Resolutions 14-132, 17-030, 19-082 and 19-104.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve and authorize the Board Chairperson to sign a Letter of Understanding with the State of Minnesota Office of the State Auditor for annual audit services for the year ending December 31, 2019.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve the issuance of a 2020 Cigarette License to Carlton Meat and Grocery, Inc. doing business as Carlton Gas and More.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the expenditure listing for November, 2019, as follows:

Fund 1	Revenue	\$2,089,143.72
Fund 10	Road and Bridge	3,262,059.18
Fund 11	Public Health & Human Services	1,373,723.08

Fund 30	Cap Outlay Barnum Garage Project	58,845.16
Fund 71	Motor Vehicle	309,845.39
Fund 73	State Fund	634,738.98
Fund 74	Forfeited Tax	14,490.10
Fund 75	Economic Development (IRRRB)	16,309.78
Fund 76	Refunding Fund	20,828.03
Fund 77	HS Agency Fund LCTS	249.90
Fund 78	Schools	2,576,455.48
Fund 80	ISTS Loan Program	14,000.00
Total		<u>\$10,370,688.80</u>

Motion by Brenner, seconded by Thell, and carried by all yea votes to authorize the Acting County Auditor/Treasurer to sign a letter of notice of withdrawal from MCIS payroll services effective December 31, 2020.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve the following resolution (20-013):

WHEREAS, Carlton County is permitted by Minnesota Statute 203B.13, Subd. 1 to authorize a County Absentee Ballot Board effective January 17, 2020; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Carlton County Elections that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, the county absentee ballot board can begin this process 46 days prior to an election and eliminate the need for election judges to perform this technical and time consuming task on election day; and

WHEREAS, this will speed the processing of accepted absentee ballots to be incorporated into the vote counts on Election Day giving election judges more available time for the voters at the polls.

NOW, THEREFORE, BE IT RESOLVED THAT, THE Carlton County Board of Commissioners hereby authorizes Carlton County Elections to implement a County Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform the task.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the following resolution (20-014):

WHEREAS, Carlton County is permitted by Minnesota Statute 203B.13, Subd. 1 to authorize a County Mail Ballot Board effective January 17, 2020; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned mail ballots to Carlton County Elections that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, the county mail ballot board can begin this process 46 days prior to an election and eliminate the need for election judges to perform this technical and time consuming task on election day; and

WHEREAS, this will speed the processing of accepted mail ballots to be incorporated into the vote counts on election day giving election judges more time for the voters at the polls.

NOW, THEREFORE, BE IT RESOLVED THAT, THE Carlton County Board of Commissioners hereby authorizes Carlton County Elections to implement a County Mail Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform the task.

BE IT FURTHER RESOLVED that the Carlton County Elections Administrator is authorized and instructed to prepare and utilize a Mail Ballot Board Best Practices Policy on behalf of the Mail Ballot Board.

BE IT FURTHER RESOLVED that the Mail Ballot Board will hold daily meetings beginning at 9:00 a.m. commencing forty-five (45) days prior to each Federal, State, County, School or Municipal Election conducted within Carlton County.

Motion by Peterson, seconded by Thell, and carried by all yea votes to approve the following resolution (20-015):

WHEREAS, Carlton County is permitted by Minnesota Statute 203B.13, Subd. 1 to authorize a County Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Ballot Board effective January 17, 2020; and

WHEREAS, this authorization will bring uniformity in the processing and accepting or rejecting returned UOCAVA ballots to Carlton County Elections and provide a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, the county UOCAVA ballot board can begin this process 46 days prior to an election this will eliminate the need for election judges to perform this technical and time consuming task on election day; and

WHEREAS, this will speed the processing of accepted UOCAVA ballots to be incorporated into the vote counts on election day giving election judges more time for voters at the polls.

NOW, THEREFORE, BE IT RESOLVED THAT, THE Carlton County Board of Commissioners hereby authorizes the Carlton County Elections Administrator to

implement a County UOCAVA Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform election tasks.

BE IT FURTHER RESOLVED that the Carlton County Elections Administrator is authorized and instructed to prepare and utilize a UOCAVA Ballot Board Best Practices Policy on behalf of the UOCAVA Ballot Board.

BE IT FURTHER RESOLVED that the UOCAVA Ballot Board will hold daily meetings at 9:00 a.m. commencing forty-five (45) days prior to each Federal, State, County, School or Municipal Election conducted within Carlton County.

Motion by Brenner, seconded by Thell, and carried by all yea votes to approve the following resolution (20-016):

WHEREAS, the Carlton County Board of Commissioners did previously take action to approve Small Cities Development Program Loan to Judith Kelley, as evidenced by a Mortgage Note dated April 3, 2012; and

WHEREAS, it has become necessary to subordinate said loan to a Members Cooperative Credit Union loan in the amount of \$68,000.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby accept and approve the subordination of their Small Cities Development Program Loan to Judith Kelley in favor of the Members Cooperative Credit Union loan in the amount of \$68,000.

Motion by Peterson, seconded by Thell, and carried by all yea votes to approve contracting for services to provide a business plan including structure, partners, staffing, marketing strategies and procedure recommendations for the Soil Improvement Program with Betty Berning Consulting in an amount up to \$10,000 plus travel expenses.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the following resolution (20-017):

BE IT RESOLVED, by the Board of County Commissioners (the "Board") of Carlton County, Minnesota (the "County"), as follows:

Section 1. Recitals.

A. Under and pursuant to Minnesota Statutes, Section 373.40 (the "Act"), the Board proposes to issue its general obligation capital improvement plan bonds and adopt the 2020 through 2024 Five-year Transportation Capital Improvement Plan for Carlton County, Minnesota related thereto (the "Plan").

B. On January 27, 2020, the Board held a public hearing on the Plan and on the intent of the County to issue general obligation bonds in an amount not to exceed \$10,000,000 (the "CIP Bonds") to finance capital improvements identified in the Plan consisting of an approximately 50,050 square-foot expansion to the existing County maintenance facility building located in Barnum, Minnesota (the "Project").

C. After the public hearing, the Board unanimously approved the Plan and authorized the issuance of the CIP Bonds.

D. With the passing of 30 days during which no petition requesting a vote on the issuance of the CIP Bonds was submitted to the Auditor/Treasurer, all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to the issuance of the CIP Bonds having been done, having happened and having been performed in regular and due form, time and manner as required by law, it is necessary for the Issuer to establish the form and terms of the CIP Bonds, to provide for the security thereof, and to provide for the issuance of the CIP Bonds forthwith.

E. All those in attendance at the public hearing on the Plan and the issuance of the CIP Bonds wishing to speak were given an opportunity to do so.

Section 2. Approval of the Plan. The Plan is approved in substantially the form submitted to the Board.

Section 3. Issuance and Sale of Bonds.

A. The Board hereby finds and determines that it is necessary and in the best interest of the Board and the residents of the County to issue the CIP Bonds in the amount of not to exceed \$10,000,000 to finance the Project.

B. The Board's administrative staff is hereby authorized and directed to work with PFM Financial Advisors LLC ("PFM"), independent municipal advisor to the County, and Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel, to solicit bids and arrange for the sale of the Bonds on March 9, 2020 in substantial compliance with the terms of sale for the CIP Bonds presented to the Board by PFM, which are approved.

C. The Board hereby designates PFM, as its agent to receive and open the bids at any place within or outside the corporate limits of the County, in the presence of any officer of the Board or the officer's designee.

Information was presented by the County Coordinator regarding status and plans for usage of the former Cloquet City Hall.

Information was presented regarding Notices of (Non-Gaming) Land Acquisition Application from the Bureau of Indian Affairs and the County Coordinator was directed to draft a letter with comments on the proposed acquisition.

Motion by Proulx, seconded by Peterson, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Kathryn Kortuem
Acting County Auditor/Treasurer

Marv Bodie
County Board Chairperson