

**OFFICIAL PROCEEDINGS
OF THE COUNTY BOARD
LAKE COUNTY, MINNESOTA**

Tuesday, September 10, 2019. Lake County Board of Commissioners, Lake County, Minnesota. County Board Meeting was held in the Lake County Service Center, in the Split Rock River Room, located at 616 Third Avenue, Two Harbors, Minnesota. Board members present: District 1 Commissioner Peter “Pete” R. Walsh, District 2 Commissioner Derrick “Rick” L. Goutermont, District 4 Commissioner Jeremy M. Hurd, District 5 Commissioner Rich Sve. Board members absent: District 3 Commissioner Richard “Rick” C. Hogenson. Also present: County Administrator Matthew Huddleston and Laurel D. Buchanan, Clerk of the Board. Unless otherwise stated, all actions have been approved by unanimous yeas vote. Board Chairperson Rich Sve called the meeting to order at 2:00 p.m. and led the recitation of the Pledge of Allegiance.

MOTION HURD, SECOND WALSH: 01 – Approval of the agenda. Absent: Hogenson

Clerk of the Board Laurel Buchanan reviewed updates to the board action items, including removal of an item from the Consent Agenda, updated details on a proposed resolution item, and an addition to the resolution items. Prospectors Loop ATV Trail Project updates were provided by Land Commissioner Nate Eide, Prospectors Alliance board member Ron Potter, and Project Manager Jason Chopp, Professional Engineer at Short Elliott Hendrickson, Inc. (SEH). Lake County is the sponsor of this project under the grant.

MOTION GOUTERMONT, SECOND HURD: 02 – Award the bid for “Prospectors Loop ATV Trail – Phase 2” in the amount of \$185,952.90 to Low Impact Excavators, Inc. Absent: Hogenson

MOTION HURD, SECOND GOUTERMONT: 03 – Approve the following items for the Prospectors Loop ATV Trail Project:

- A. Authorize Short Elliott Hendrickson, Inc. (SEH), acting on behalf of Lake County and the Prospector ATV Alliance, to advertise for bid for Phase 3 of Prospectors Loop ATV Trail project including Tower to Embarrass, Fishing Lakes Trail, Embarrass to Murray, and Babbitt to Taconite Trail.
- B. Authorize Short Elliott Hendrickson, Inc. (SEH), acting on behalf of Lake County and the Prospector ATV Alliance, to advertise for bid for Phase 4 of Prospectors Loop ATV Trail project including Tower to Embarrass boardwalk and bridges, Embarrass to Murray boardwalks and bridges, and Knotted Pine to Wildhurst boardwalk and bridges.
- C. Approve Contract Amendment with Short Elliott Hendrickson, Inc. (SEH) to include an additional \$70,000 for additional on-site observation of Phases 3 and 4 of Prospectors Loop ATV Trail. With this additional scope of services, the Contract Amendment of \$70,000, authorizes services to be billed on an hourly basis, for a total contract amount of up to \$100,000. Absent: Hogenson

Board Chairperson Rich Sve opened the floor for public comments. Property owner John Christiansen provided correspondence with respect to the county’s right-of-way (ROW) adjacent to Mr. Christiansen’s property on County Road 3. Mr. John Christiansen asked the Board of Commissioners to take the correspondence under advisement.

Lake County Highway Engineer Krysten Foster provided a presentation on “Excess Right-of-Way (ROW) Evaluation Process” and provided a draft guidance document for review and comment. The guidance was drafted to document a standardized review process for Lake County to follow when evaluating requests. Currently the Lake County Highway Department has received nine (9) different requests for evaluation. Each situation is different and different statutes govern the processes. County Attorney Russ Conrow advised that abandonment is set forth in statute. Vacation is a different process that can be evaluated if abandonment requirements are not met. County Attorney Russ Conrow will provide information on the

applicable statutes. The draft guidance document "Excess Right-of-Way (ROW) Evaluation Process" could be adopted as policy. Guidance includes several considerations with respect to evaluating landowners' requests. In limited cases, ROW may be eligible for abandonment or vacation subject to easement(s) for existing utilities. The County would require a \$400 fee, intended to reimburse Lake County for costs of researching and publishing a hearing notice, if applicable. The County will not evaluate a request that does not meet the terms of Minnesota Statute 160.04 (i.e. minimum 66-ft ROW width) and/or Minnesota Statute 160.09 (i.e. access from old road). Examples of locations where more than 66-ft of ROW is appropriate include bridges, drainage ways, wide roads, and trail corridors. The County Fee Schedule could be updated either upon adoption of policy and/or when the County Fee Schedule is updated on an annual basis.

Highway Engineer Krysten Foster discussed a landowner concern about jake braking, the loud sounds coming from trucks' engines using a jake braking method. There was a discussion on whether the county could put up an advisory sign to encourage "no jake brake" use. A concern was discussed about snowmobilers use of ROW and whether any exceptions could be made for a specific property to restrict access to the ROW. There was a discussion about the ROW permit process. Commissioner Rick Hogenson arrived at 2:38 p.m.

County Administrator Matthew Huddleston updated the County Board on several items of county business. Administrator Huddleston discussed the transition of Motor Pool operations. Mr. Huddleston reviewed information provided in a grant resources guide from the Iron Range Resources and Rehabilitation Board (IRRRB). Chris Ismil, Community Development Representative at IRRRB, has contacted Lake County regarding a request from Veterans on the Lake Resort (VOTLR). Mr. Huddleston has sent a letter asking VOTLR to submit a formal request. Work continues with Kraus Anderson Construction Company on outstanding items at the newly constructed Lake County Highway Department facility. Administrator Huddleston discussed the roof situation and communication with The Jamar Company and Carlisle Roofing Company. Lake County Highway Department Facility Committee meeting will be set up on this issue and the parties will be invited.

Administrator Huddleston reviewed trail development funded through a \$659,000 grant from the Greater Minnesota Regional Parks and Trails Commission (GMRPTC). Mr. Huddleston discussed plans for trailheads. Lake County has dedicated staff time to project management, design work, and lobbying efforts for trail development. Administrator Huddleston discussed in-kind work and a completion timeline of Summer 2021.

County Commissioners discussed that the City of Beaver Bay is seeking funding and assistance for demolition of a blighted structure. After demolition the parcel could be redeveloped. Commissioner Walsh will talk with the Lake County Housing and Redevelopment Authority (LCHRA) Board Chair about any opportunities to assist and work with organizations such as Habitat for Humanity. There was a discussion about commercial vs. residential redevelopment.

Administrator Huddleston advised that this week Lake County is meeting with U.S. Forest Service (USFS) appraisers regarding appraisal of lands in the Boundary Waters Canoe Area Wilderness (BWCAW). A budget meeting will take place immediately following the board meeting this afternoon. Administrator Huddleston advised that the Zito telephone services contract is in progress.

Administrator Matthew Huddleston advised that Highway Engineer Krysten Foster has sent the Lake County Highway Department First Appeal to the Federal Emergency Management Agency (FEMA) regarding DR-4390-MN (June 15, 2018 Flood), PA-ID 075-99075-01 Project No. 94247 Damage Inventory No. 204924.

County Auditor Linda Libal updated the Board of Commissioners on the availability of State reimbursement for an Elections Intern to work on behalf of the County on election-related processes. Lake County may seek a contract with the University of Minnesota Duluth (UMD) for an Elections Intern to work in the Lake County Auditor's Office for the semester beginning January 15, 2020. Ms. Libal recommends that this be a paid internship and advises that this intern's duties will be elections-related. County Commissioners support the

concept of this internship if the costs will be reimbursed by the State. The draft job description will be updated to be clear that the duties are elections-related. Ms. Libal is encouraged to continue working with the Lake County Human Resources (HR) Department in pursuing participation in UMD's internship program. Land Commissioner Nate Eide discussed the recommendation for setting the appraised price of the "Madison" parcel for the upcoming tax forfeit land sale.

MOTION GOUTERMONT, SECOND WALSH: 04 – Approve Consent Agenda as amended:

1. Approve County Board of Commissioners' meeting minutes from August 27, 2019.
2. Approval annual renewal of NewRoads and eTime software support at a cost of \$6,098.72 from Avenu Insights & Analytics.
3. Approve Grit & Gratitude charity bike ride special event permit.
4. Authorize Highway Engineer to sign NorthShore Inline Marathon special event permit for September 14, 2019 and approve Lake County in-kind assistance for this event.
5. Authorize Highway Engineer to sign Heck of the North special event permit for September 28, 2019.
6. Authorize Highway Engineer to sign Minnesota Energy Resources gas line utility permit along Waldo Rd. and crossing Highway 12.
7. Rescind May 28, 2019 Motion 02 Item 9 to revise SAP 038-609-012 contract total.
8. Approve SAP 038-609-012 revised contract total of \$1,060,646.86 and authorize payments to KGM Contractors, Inc. in the amount of \$59,639.73.
9. Authorize Highway Engineer to sign agreement with American Engineering Testing at a cost up to \$9,300 for Moose Lake Road & Fall Lake Road geotechnical reviews.
10. Amend November 27, 2018 Minutes Motion 02 Item 17: Approve and authorize Board Chair to sign CP 0000-275392 cooperative agreement with St. Louis County at a state-aid eligible cost up to \$75,351.60 payable to St. Louis County for 2019 CSAH striping.
11. Authorize 2019 municipal maintenance distribution to City of Two Harbors in the amount of \$20,393.57.
12. Authorize 2019 municipal maintenance distribution to City of Silver Bay in the amount of \$21,164.56.
13. Approve purchase of winter salt from Compass (through State CPV Contract S-763(5)) in the amount of \$68.06/ton to Two Harbors and \$73.48/ton to Finland, payable upon delivery through June 1, 2020.
14. Authorize Land Commissioner to execute Purchase Order (PO Maximum Value: \$1,000,000) with Rock Solid Trail Contracting for the construction of mountain bike trails.
15. Set appraised price for "Madison" parcel (southern half of PID 25-5211-30550) at \$115,000.00.
16. Authorize payment to Olsen Thielen & Co., LTD in the amount of \$5,800.00 (Invoice 502868) for regulatory consulting services from July 10, 2018 through August 28, 2019. Absent: None

MOTION HOGENSON, SECOND WALSH: 05 – Approve the probationary appointment of Leigh Neitzel to Forester at the Step 2 rate of \$25.64 per hour effective September 30, 2019. Absent: None.

MOTION WALSH, SECOND HURD: 06 – Approve the retirement of Mary Mjelde, Information Technology Technician, effective October 31, 2019. Absent: None.

MOTION HOGENSON, SECOND WALSH: 07 – Approve the probationary appointment of Leslie Ender to Public Health Nurse at the Step 2 rate of \$25.64 per hour effective September 11, 2019. Absent: None

MOTION GOUTERMONT, SECOND HOGENSON: 08 – Approve the sale of gravel located in Township 56, Range 8, Section 4 and Township 56, Range 9, Section 12 to the Silver Bay ATV club and Wild Country ATV club for \$5.00 per yard for crushed gravel and \$2.00 per yard for pit run to be used on 2019 maintenance of ATV trails. Absent: None

MOTION HURD, SECOND HOGENSON: 09 – Adjourn Board of Commissioners' meeting at 3:45 p.m. Absent: None

The Lake County Board of Commissioners will convene for the following meetings:

- Budget Meeting immediately following the board meeting on September 10, 2019. 4:00 p.m. in the Lake County Service Center, Split Rock River Room, 616 Third Avenue, Two Harbors, Minnesota.
- Committee of the Whole (COW). 6:00 p.m. on Tuesday, September 17, 2019. Meeting will be held at Little Marais Community Club, 6470 Highway 61, Little Marais, Minnesota.
- A regular meeting at 2:00 p.m. on Tuesday, September 24, 2019, will be held at the Lake County Service Center, Split Rock River Room, 616 Third Avenue, Two Harbors, Minnesota.

ATTEST:

Laurel D. Buchanan
Clerk of the Board

Rich Sve, Board Chairperson
Lake County Board of Commissioners