

**Carlton County
Board of Commissioners
ADJOURNED SESSION - Rough Draft
Monday, March 27, 2023
4:00 p.m.**

The Carlton County Board of Commissioners met this 27th day of March, 2023, in Adjourned Session at the Carlton County Transportation Building.

Chairperson Brenner called the meeting to order at 4:00 p.m. Members present: Bodie, Brenner, Peterson, and Zmyslony. Absent: Proulx.

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

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

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes to approve the minutes of the March 14, 2023, Regular Board Meeting.

Visitors via remote access to answer questions in regards to the Essentia Warehouse project in the Esko Business Park and the County acting as conduit for non-profit revenue bond borrower. Public Hearing on the matter is set for April 24, 2023 at 4:15 p.m.

Motion by Bodie, seconded by Peterson, and carried by all yea votes, except Proulx who was absent, to approve the following (23-028):

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

Section 1. Recitals.

Section 1.1. Essentia Health, a Minnesota nonprofit corporation (the "*Corporation*"), on behalf of itself and its nonprofit affiliates, has advised this Board of its desire to undertake a project consisting of (i) financing, refinancing or reimbursing the Corporation or one of its affiliates for all or a portion of the costs of the acquisition, construction and equipping of an approximately 163,000 square foot distribution center to be located at 126 Bedrock Lane, Esko, Minnesota (located in Thomson Township) including any necessary and attendant land acquisition, facilities, equipment, site work and utilities appurtenant thereto (the "*Esko Project*"); (ii) financing, refinancing or reimbursing the Corporation or one of its affiliates for all or a portion of the costs of the acquisition, construction and equipping of an approximately 16,000 square foot outpatient clinic building with drive-through pharmacy to be located at 301 2nd Avenue NW in the City of Staples, Minnesota including any necessary and attendant land acquisition, facilities, equipment, site work and utilities appurtenant thereto (the "*Staples Project*" and, together with the Esko Project, the "*Projects*"); (iii) financing capitalized

interest, if any, on the hereinafter defined Bonds, if deemed necessary or desirable by the Corporation; and (iv) financing all or a portion of the costs of issuance of the hereinafter defined Bonds.

Section 1.2. The County is authorized by Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the “Act”), to issue its revenue bonds to finance projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit, engaged in providing health care services, including hospitals, nursing homes and related medical facilities.

The County is authorized by Minnesota Statutes, Section 471.656, to issue obligations and finance the acquisition or improvement of real property located in a city outside of the corporate boundaries of the County if the governing body of the city consents, by resolution, to issuance of the obligations.

The Corporation has requested the County to issue, in one or more series, its taxable and/or tax-exempt revenue bonds in an aggregate principal amount not to exceed \$51,000,000 (the “Bonds”) for the purposes described herein above.

Section 2. Public Hearing

Section 2.1. Section 469.154, Subdivision 4 of the Act requires that, prior to submission of an Application to the Minnesota Department of Employment and Economic Development requesting approval of the Projects, as required by Section 469.154, Subdivision 3 of the Act, this County conduct a public hearing on the proposal to undertake and finance the Projects. In addition, Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that, as a condition to the exemption from federal income taxation of interest on the Bonds, this County conduct a public hearing on the proposal to undertake and finance the Projects.

A public hearing is hereby called and shall be held on April 24, 2023, at 4:15 p.m., at the Carlton County Transportation Building located at 1630 County Road 61, Carlton, Minnesota 55718.

Section 2.2. The County Clerk or Chapman and Cutler LLP, as bond counsel, shall cause notice of the public hearing to be published in the official newspaper of the County and a newspaper of general circulation in the County at least once, not less than fourteen (14) nor more than thirty (30) days prior to the date fixed for the public hearing. The notice shall be published in substantially the form attached hereto as Exhibit A.

Section 2.3. A draft copy of the proposed Application to the Minnesota Department of Employment and Economic Development, together with draft copies of all attachments and exhibits thereto, is hereby ordered to be placed on file with the County and shall be available for public inspection, following publication of the notice of public hearing, between the hours of 8:00 a.m. and 4:00 p.m., on normal business days.

Section 3. Required Consents.

Section 3.1. The City of Staples, Minnesota is expected to consent, by resolution, to the issuance of the Bonds by the County to finance the Staples Project as required by Minnesota Statutes, Section 471.656. Delivery of the Bonds will be subject to and contingent upon such consent.

The Town of Thomson, Minnesota is expected to consent, by resolution, to the issuance of the Bonds by the County to finance the Esko Project as required by Section 469.153, Subdivision 3 of the Act. Delivery of the Bonds will be subject to and contingent upon such consent.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to approve refilling a Social Worker-Adult Services in the Public Health and Human Services Department.

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes to approve out of state travel for a social worker in the Public Health and Human Services Department to attend the 2023 National Association of Drug Court Professionals (NADCP) June 25-29, 2023 in Austin, TX. Travel, meal, and lodging expenses will be reimbursed through state treatment court funds.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to accept a two-year grant for \$54,431 from Minnesota Department of Human Services (DHS) to support Children’s Mental Health Respite Services. Grant is for State Fiscal Year (SFY) 2022-2024.

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes to approve a Purchase of Service Contract with Recovery Alliance Duluth (RAD) to provide opioid remediation in the amount of \$100,000. The contract is in effect from 04/01/2023-03/31/2024 and on file at the Public Health and Human Services department.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes, to approve the 2023 Aquatic Invasive Species (AIS) Budget and Plan in the amount of \$96,550.00. State Legislative Aid dollars fund the program.

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes, except Proulx who was absent, to approve the following resolution (23-027):

BE IT RESOLVED that the Carlton County Board of Commissioners does hereby authorize the acceptance of the \$120,000 2021 Operation Stonegarden Grant (OPSG) (Grant No. A-OPSG-2021-CARLTNCO-002) from the State of Minnesota and further authorizes and approves the County Sheriff and the County Board Chairman to sign the documents necessary to facilitate this grant. Grant expiration is August 31, 2024 and requires no local match.

The Auditor/Treasurer notified the Board of the following Confession of Judgements (COJ) for payment of delinquent taxes on property:

| | | | |
|-----------|-------------|--------------------|-----------------------------|
| 2019-2021 | 92-010-2773 | Johnson, Gerald D. | Perch Lake Township, ISD 94 |
|-----------|-------------|--------------------|-----------------------------|

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to approve the Specialty Minerals, Inc. (SMI) contract with the Extension Soil Improvement

Program (SIP) for transportation of wood-ash and by-product. Contract does not have an end date, but includes a 90-day termination clause and is on file in the Auditor's office.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to approve the PotlatchDeltic contract with the Extension Soil Improvement Program (SIP) for transportation of wood-ash and by-product. Contract does not have an end date, but includes a 90-day termination clause and is on file in the Auditor's office.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to approve application for a third round of funding from First Children's Finance (FCF) in Greater Minnesota with the Rural Child Care Innovation Program (RCCIP) local project.

Motion by Bodie, seconded by Peterson, and carried by all yea votes, except Proulx who was absent, to approve the following resolution (23-029):

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, Carlton County has been given from the Commissioner of Corrections that our current facilities are not acceptable and delivered a Sunset Authorization with a July 31, 2023 deadline; and

WHEREAS, District Court judges assigned to Carlton County and the Chief Judge of the Sixth Judicial District informed Carlton County that the 1923 Courthouse courtrooms do not meet their space or security needs, neither now nor based on trending data, into the future; and

WHEREAS, the State of Minnesota awarded Carlton County a \$2 Million investment in planning and development of a female offender program; and

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

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

WHEREAS, the taxpayers of Carlton County are committed to paying seventy percent of the costs for the building and paying for the ongoing operations of the facility and programming; 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, Senate File 2988 and House File 3103 have been introduced to and are awaiting hearings in both the House and Senate Capital Investment Committees.

NOW, THEREFORE, BE IT RESOLVED the Carlton County Board of Commissioners hereby requests that SF 2988 and HF 3103 be given a hearing as soon as possible and moved forward for inclusion into a 2023 Session Cash Capital Investment Bill to allow the July 31, 2023 date be met.

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes to approve funding for City of Carlton Ambulance service from Sawyer Township up to \$10,909.23 for calendar 2024.

Discussion on State Legislative Session.

Motion by Bodie, seconded by Zmyslony, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Kevin DeVriendt
County Auditor/Treasurer

Dick Brenner
County Board Chairperson