

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 25, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of April 2023, at 9:32 a.m., at the Normanna Town Hall, Duluth, Minnesota, with the following members present: Commissioners Annie Harala, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 7. Absent: None - 0.

Chair Boyle asked for a moment of silence in remembrance of all victims of violence, foreign and domestic; followed by the pledge of allegiance.

Commissioner McDonald introduced Normanna Township Supervisor Dennis Gunsolus. Mr. Gunsolus commented that the township has an incredible core of volunteers and if something needs to get done, township volunteers take care of it. Mr. Gunsolus said contractors quoted around \$120,000 to remodel the town hall; the actual cost was \$46,000 due to the work of volunteers.

The St. Louis County Board proclaimed the week of April 23 - 29, 2023, as Crime Victims' Rights Week reaffirming St. Louis County's commitment to creating a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year, and expressing sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace. Commissioner Harala read the proclamation. St. Louis County Attorney Kim Maki commented that St. Louis County Victim and Witness Services is a seven-person department that works with victims of crime. Jerry Konecny, St. Louis County Director of Victim/Witness Services, said the Attorney's Office assisted over 2,300 crime victims at four locations throughout the county.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Byrana Salo discussed the June 26, 2021, death of her brother, Ryan Moats. Ms. Salo said her brother was the victim of an unprosecuted homicide and wanted the Board to know that there is a problem in the county with access to victims' rights. Ms. Salo commented that the family had to go outside of St. Louis County to access resources because the St. Louis County Attorney's Office hadn't reached out to them a year after her brother's death. Melissa Bell, of Duluth, commented regarding the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road and said the CUP should be null and void. Ms. Bell said the county continues to turn back regarding facts that have been presented to them regarding the 6464 Fredenberg Lake Road and McKeever gravel pits.

At 9:59 a.m., a public hearing was conducted, pursuant to Resolution No. 23-205, adopted April 4, 2023, to consider the issuance of an Off-Sale Intoxicating Liquor License to Grand View Restaurant, LLC dba Grand View Bar and Grill, Midway Township. St. Louis County Attorney Kim Maki gave the initial presentation and submitted a packet that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes, and required documents for the license to the Clerk of the County Board. Chair Boyle asked if there were any representatives from the establishment, governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At

10:02 a.m., Commissioner Nelson, supported by Commissioner Harala, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Musolf, supported by Commissioner Nelson, moved that an Off-Sale Intoxicating Liquor License shall be issued to Grand View Restaurant, LLC dba Grand View Bar and Grill, Midway Township, located in Area 1, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500.00; that said liquor license shall be effective through June 30, 2023; that said license is approved contingent upon payment of real estate taxes when due; and further, that if the named license holder sells the licensed place of business, the County Board may, at its discretion and after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder. The motion passed; seven yeas, zero nays. Resolution No. 23-233.

At 10:04 a.m., a public hearing was conducted, pursuant to Resolution No. 23-206, adopted April 4, 2023, to receive citizen comments on the 2023 Action Plan for Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) funding recommendations and amendment to the 2020 Action Plan. Brad Gustafson, St. Louis County Planning Manager, said that \$225,000 was awarded to One Roof Community Housing, \$25,000 was awarded to Range Transition Hosing, \$60,000 was awarded to the Embarrass Regional Fair, and approximately \$1,000,000 was awarded to public infrastructure. Chair Boyle asked if there were any other governmental entities, supporters, opponents, or other comments from the public; no one requested the opportunity to speak. At 10:08 a.m., Commissioner Grimm, supported by Commissioner McDonald, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner McDonald, moved that the St. Louis County Board authorizes the Planning and Community Development Director to prepare and submit the fiscal year 2023 Action Plan and 2020 Amendment and amendments thereto, and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development (HUD) for those projects and corresponding funding levels as set forth in the Plan, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required; and further, that upon HUD approval of the 2023 Action Plan and Amendment to the 2020 Action Plan, the St. Louis County Board accepts the 2023 HUD entitlement grants and authorizes the St. Louis County Planning and Community Development Director and a representative of the County Attorney to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the programs and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development. Grant funds will be allocated as follows:

CDBG Grant 2023 to Fund 260	\$ 1,972,521
HOME Grant 2023 to Fund 270	\$ 618,074
ESG Grant 2023 to Fund 173	\$ 171,916.

Further, the St. Louis County Board allocates funding from the entitlement grants and program income to 2023 projects and authorizes the Planning and Community Development Director and a representative of the County Attorney to execute agreements for these projects. Disbursements related to the CDBG agreements are to be made from CDBG Fund 260, HOME agreements from HOME Fund 270, and ESG agreements from ESG Fund 173 according to the specific 2023 projects. The motion passed; seven yeas, zero nays. Resolution No. 23-234.

Commissioner McDonald, supported by Commissioner Harala, moved to approve the consent agenda. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Musolf, moved to consider a resolution to declare a State of Local Disaster in St. Louis County, Minnesota; the item has not been to committee. The motion passed; seven yeas, zero nays.

Commissioner Musolf, supported by Commissioner Nelson, moved that the St. Louis County Board of Commissioners hereby declares a State of Local Disaster in St. Louis County, Minnesota, due to conditions resulting from spring flooding beginning on April 10, 2023, and request state public disaster assistance in accordance with Minn. Stat. § 12B.30 for any eligible storm recovery activities. St. Louis County Administrator Kevin Gray commented that the estimated damages will be well over \$500,000. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 23-235.

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

Proclamation: National Crime Victims' Rights Week – April 23-29, 2023.—61942

Kevin Gray, County Administrator, and Gordon Ramsay, Sheriff, submitting Board Letter No. 23-163, Declare a State of Local Disaster in St. Louis County.—61943

Ellen Hanson, Fredenberg Township Clerk, electronic mail regarding Fredenberg citizen speakers and attendees at County Board meetings.—61944

Thomas Hall, Forest Supervisor, Superior National Forest, Duluth, MN, electronic mail regarding the Thye-Blatnik Act Payment Notification for distribution to Cook County, Lake County, and St. Louis County for federal lands within the Boundary Waters Canoe Area Wilderness (BWCAW) and other select parcels.—61945

John Harmon, President, FRSecure, LLC, Edina, MN, regarding Body Worn Camera Audit.—61946

Upon motion by Commissioner McDonald, supported by Commissioner Harala, resolutions numbered 23-231 and 23-232, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER McDONALD:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of April 4, 2023, are hereby approved.

Adopted April 25, 2023. No. 23-231

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61856:

Vernon Skoglund dba Silver Fox Lodge, Gnesen Township, renewal.

Adopted April 25, 2023. No. 23-232

BY COMMISSIONER MUSOLF:

WHEREAS, Grand View Restaurant, LLC dba Grand View Grill and Bar, Midway Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating Liquor License; and

WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an Off-Sale Intoxicating Liquor License; and

WHEREAS, A public hearing was held on April 25, 2023, at 9:35 a.m., in the Normanna Town Hall, 6472 French River Road, Duluth, MN, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, Grand View Restaurant, LLC has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to Grand View Restaurant, LLC dba Grand View Grill and Bar, Midway Township, located in Area 1, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500.00.

RESOLVED FURTHER, That said liquor license shall be effective through June 30, 2023.

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, That if the named license holder sells the licensed place of business, the County Board may, at its discretion and after an investigation, transfer the license to a new owner, but without pro-rated refund of license fee to the license holder.

Unanimously adopted April 25, 2023. No. 23-233

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Board desires to carry out the U.S. Department of Housing and Urban Development (HUD) entitlement programs, including Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs; and

WHEREAS, The St. Louis County Board conducted a public hearing on the fiscal year 2023 Action Plan and the Amendment to the 2020 Action Plan on April 25, 2023, to receive public comment.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Community Development Director to prepare and submit the fiscal year 2023 Action Plan and 2020 Amendment and amendments thereto, and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding funding levels as set forth in the Plan as described in County Board File No. 61932, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required.

RESOLVED FURTHER, That upon HUD approval of the 2023 Action Plan and Amendment to the 2020 Action Plan, the St. Louis County Board accepts the 2023 HUD entitlement grants and authorizes the St. Louis County Planning and Community Development Director and a representative of the County Attorney to execute the grant agreements on behalf of St. Louis County, along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the programs and complete the agreements between St. Louis County and the U.S.

Department of Housing and Urban Development.

RESOLVED FURTHER, That grant funds will be allocated as follows:

CDBG Grant 2023 to Fund 260	\$ 1,972,521
HOME Grant 2023 to Fund 270	\$ 618,074
ESG Grant 2023 to Fund 173	\$ 171,916.

RESOLVED FURTHER, That the St. Louis County Board allocates funding from the entitlement grants and program income to 2023 projects and authorizes the Planning and Community Development Director and a representative of the County Attorney to execute agreements for these projects. Disbursements related to CDBG agreements are to be made from CDBG Fund 260, HOME agreements from HOME Fund 270, and ESG agreements from ESG Fund 173 according to the specific 2023 projects included in County Board No. 61932.

Unanimously adopted April 25, 2023. No. 23-234

BY COMMISSIONER MUSOLF:

WHEREAS, The State of Minnesota has experienced in the last two months record levels of snowpack across the entire state; and

WHEREAS, Weather officials have reported water equivalent levels within the snowpack are at above normal levels; and

WHEREAS, The Duluth National Weather Service, based on scientific data, has warned that under current conditions, major flooding is possible based on melting snow pack impacting rivers, and an increased river level threat exists due to the potential from spring rains; and

WHEREAS, Current river levels are either at or forecasted to be at moderate or major flood stage; and

WHEREAS, St. Louis County is experiencing damage to roads, wastewater treatment systems and other public infrastructure; and

WHEREAS, St. Louis and many of its townships, cities, and public utilities are conducting a Damage and Impact Assessment Report for submission to Minnesota Homeland Security and Emergency Management (HSEM) to determine eligibility for state public disaster assistance in accordance with Minn. Stat. § 12B.30; and

WHEREAS, The St. Louis County Sheriff's Office Division of Emergency Management requests that the St. Louis County Board of Commissioners declare St. Louis County in a State of Local Disaster due to the flooding beginning April 10, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners hereby declares a State of Local Disaster in St. Louis County, Minnesota, due to conditions resulting from spring flooding beginning on April 10, 2023, and request state public disaster assistance in accordance with Minn. Stat. § 12B.30 for any eligible storm recovery activities.

Unanimously adopted April 25, 2023. No. 23-235

At 10:26 a.m., April 25, 2023, Commissioner Harala, supported by Commissioner Musolf, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Patrick Boyle, Chair of the Board
of County Commissioners

Attest:

Phil Chapman

Nancy Nilsen, County Auditor / *Phil Chapman*
and Ex-Officio Clerk of the Board *Deputy Auditor*
of County Commissioners

(Seal of the County Auditor)