

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 6, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6<sup>th</sup> day of June 2023, at 9:32 a.m., at the St. Louis County Courthouse, 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.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, said that the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road was issued in error and the CUP should be null and void. Ms. Bell commented that information was hidden from the Planning Commission. In addition, Ms. Bell said that Commissioner Nelson refuses to tell her who requested that he read a letter during the May 2, 2023, Board meeting. Clayton Cich, of Fredenberg Township, commented on the need for the McKeever gravel pit to be inspected and discussed issues with a snowmobile club trail that goes through the pit.

Commissioner Musolf, supported by Commissioner McDonald, moved to approve the consent agenda. Item #6, Appointment of the 2023 Special Board of Appeal and Equalization, was removed from the consent agenda for separate consideration. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Harala, moved that the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2023: District 1 - John Vigen, Duluth; District 2 - Nathanael DeLoach, Duluth; District 3 - Sherri Puckett, Duluth; District 4 - Leonard Cersine, Ely; District 5 - Tim Peterson, Hermantown; District 6 - Dawn Cole, Town of Fayal; District 7 - Frank Bigelow, Hibbing; and further, that the Special Board of Appeal and Equalization is: delegated all powers and duties of the County Board of Appeal and Equalization; to report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board; directed to hold at least one meeting day in Duluth, and one day in Virginia, Minnesota; to be compensated at the rate of \$300 per meeting day, payable from Assessor's Department Fund 100, Agency 118001, Object #635300 - Non-employee fees and be reimbursed for mileage and expenses at the current CONUS rate from Assessor's Department Object #635500 - Non-employee travel; and directed to convene at 10:00 a.m., June 19, 2023, in Duluth, MN. Chair Boyle, supported by Commissioner Harala, moved to amend the motion to change the convene date from 10:00 a.m., June 19, 2023, in Duluth, MN, to 10:00 a.m., June 21, 2023, in Virginia, MN. Chair Boyle noted the change was necessary in observance of the Juneteenth holiday. The amendment passed; seven yeas, zero nays. The motion as amended passed; seven yeas, zero nays. Resolution No. 23-302.

Commissioner Harala, supported by Commissioner Grimm, moved that the St. Louis County Board approves the write-off of five accounts totaling \$126,423.44 in which the collection of required claims have been unsuccessful. County Administrator Kevin Gray commented that the names associated with the write-off amounts are not included in this document because the data is non-public information as outlined in MN Statute § 13.46. Commissioner Nelson commented that he was

voting against the motion because the individuals should be held accountable, and the names should be public information. The motion passed; six yeas, one nay (Nelson). Resolution No. 23-313.

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

David Sipila, County Assessor, submitting Board Letter No. 23-226, Appointment of 2023 Special Board of Appeal and Equalization.—61961

Application for Non-Intoxicating Malt Liquor Licenses approved during CY 2023.—61962

Darren Jablonsky, Interim Director, Planning and Community Development, submitting Board Letter No. 23-221, St. Louis River Comprehensive Watershed Management Plan Implementation Memorandum of Agreement (MOA) and Budget.—61963

Julie Marinucci, Land & Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-222, Conveyance of State Tax-Forfeited Land to the City of Virginia.—61964

Julie Marinucci, Land & Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-223, Authorization for Issuance of a Corrective Deed.—61965

Julie Marinucci, Land & Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-224, Request of Apply for Department of Iron Range & Rehabilitation Development Partnership Grant.—61966

Linnea Mirsch, Public Health & Human Services Director, submitting Board Letter No. 23-216, Write-off of Bad Debts.—61967

Jacob Schroers, Duluth, MN, regarding the price of communicating with family and friends while being housed at the St. Louis County Jail.—61968

Upon motion by Commissioner Musolf, supported by Commissioner McDonald, resolutions numbered 23-296 through 23-301 and 23-303 through 22-312, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER MUSOLF:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of May 23, 2023, are hereby approved.

Adopted June 6, 2023. No. 23-296

WHEREAS, Local Homeless Prevention Aid (LHPA) was created by the 2021 Legislature to help local governments ensure no child is homeless within a local jurisdiction by keeping families from losing housing and helping those experiencing homelessness find housing; and

WHEREAS, Counties must use this aid to fund new or existing family homeless prevention and assistance projects or programs; and

WHEREAS, Local Homeless Prevention Aid is paid in two equal installments in the year

after it is certified, with the first half paid on July 20 and the second half on December 26.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes Public Health and Human Services to contract with Lutheran Social Services (LSS) in the amount of \$256,674 for the FY2023 (July 1, 2023 – June 30, 2024).

BUDGET REFERENCE:

230-232001-629900-99999-99999999-9999

230-232001-521527-99999-99999999-9999

Adopted June 6, 2023. No. 23-297

WHEREAS, The Minnesota Department of Human Services has awarded \$295,652 in grant funds to St. Louis County Public Health and Human Services (PHHS) to implement a plan to improve system access to increase and improve opportunities for Minnesotans with disabling conditions to live in the community; and

WHEREAS, The goals merge the collective efforts outlined in Minnesota’s Olmstead Plan and Minnesota’s Plan to End Homelessness; and

WHEREAS, PHHS Behavioral Health and the PHHS Housing and Homeless Programs Team have reviewed this opportunity and it meets unique needs of people with disabilities facing significant barriers in transitioning into community living from institutions, corrections, licensed facilities, or homelessness as a result of minimal or bad rental history, criminal background, and behavioral issues.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to accept grant funds in the amount of \$295,652 from the Minnesota Department of Human Services Housing and Supports and Services Division to continue development of community living infrastructure and enter into contracts with community partners for the period of July 1, 2023, to June 30, 2025.

BUDGET REFERENCE:

230-232001-530714-23271-99999999-2021

230-232001-629900-23271-99999999-2021

230-232001-610100-23271-99999999-2021

Adopted June 6, 2023. No. 23-298

WHEREAS, The U. S. Department of Justice Office of Justice Programs, Office for Victims of Crime is seeking applicants to the Enhance Multidisciplinary Teams and the Multidisciplinary Team Training and Technical Assistance Center is seeking applications for grants up to \$375,000 for over 36 months with a start date of October 1, 2023; and

WHEREAS, Public Health and Human Services can establish multidisciplinary adult protection teams to enhance working relationships to better serve people who are involved with adult protection and currently partner with the Minnesota Elder Justice Center.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Division to apply for grant funds in the amount up to \$375,000 from the U.S. Department of Justice, Office of Victims of Crime Transforming America’s Response to Elder Abuse to enhance multidisciplinary teams for older victims of abuse and financial exploitation, and team training and technical assistance.

Adopted June 6, 2023. No. 23-299

WHEREAS, The St. Louis County Public Works Department plans to replace three (3) culverts along McQuade Road (County State Aid Highway 33) from Trunk Highway 61 to 0.60 miles North of East Flynn Road (County Project CP 0033-729508), total project length of 0.90 miles; and

WHEREAS, These improvements consist of replacing the existing culverts with new ones at the same location and reconstructing the roadway in those areas determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director, or their designee, to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the county, any easement documents as may become necessary.

RESOLVED FURTHER, That the County Board authorizes the County Auditor to grant permanent and temporary highway easements across state tax forfeited lands and temporary construction easements for the project. Right-of-way acquisition is payable from Fund 200, Agency 203001.

Adopted June 6, 2023. No. 23-300

WHEREAS, The Public Works Department's 2023 equipment budget includes ten (10) pickup trucks; and

WHEREAS, North Country GM of Hibbing, MN, responded with the State of Minnesota contract price for ten (10) pickup trucks for \$465,620.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase order for ten (10) pickup trucks from North Country GM of Hibbing, MN, for \$465,620, payable from Fund 407, Agency 407001, Object 666200.

Adopted June 6, 2023. No. 23-301

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Premise Permit Application, on file in the office of the County Auditor, identified as County Board File No. 61874, for the following organization:

Irving Community Association, Duluth, Minnesota, to operate lawful gambling out of:

Donofrio Development, Inc. dba The Retreat Golf Course, Floodwood Township, 10761 Highway 2, Floodwood, MN, new.

Adopted June 6, 2023. No. 23-303

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Melrude Whistle Stop LLC dba Melrude Whistle Stop, Ellsburg Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of July 1, 2023, and August 11–13, 2023, as per applications on file in the office of the County Auditor, identified as County Board File No. 61962.

Adopted June 6, 2023. No. 23-304

RESOLVED, That the St. Louis County Board approves the applications for abatement, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 61875.

Adopted June 6, 2023. No. 23-305

WHEREAS, The St. Louis County Purchasing Division issued Request for Bids 5731D and Request for Bids 5731D-2 and received no response; and

WHEREAS, The Cooperative Purchasing Agreement with Sourcewell allows for the solicitation of quotes from participating members; and

WHEREAS, The St. Louis County Purchasing Division has received three (3) separate quotes for the Salt/Sand domes and cold storage building materials and building erection supervision through Sourcewell and has identified Greystone Construction’s proposal as the best alternative in pricing and quality; and

WHEREAS, Greystone Construction’s proposal is within the budget established for this portion of the project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to execute an agreement with Greystone Construction for the building materials and supervision in the amount of \$1,066,327.12, payable from Fund 405, Agency 405191 (Culver), 405192 (Kugler), and 405193 (Whiteface), Object 660266.

Adopted June 6, 2023. No. 23-306

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as County Board File No. 61858, are hereby approved and the County Auditor shall issue checks in the following amounts:

<b>April 2023</b>		
100	General Fund	7,546,987.64
149	Personal Service Fund	2,251.54
155	Depot	101,896.73
160	MN Trail Assistance	21,963.49
168	Sheriff’s State Forfeitures	350.00
169	Attorney Trust Accounts – VW	1,621.89
173	Emergency Shelter Grant	95,926.25
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	314,180.33
179	Enhanced 9-1-1	17,243.07
180	Law Library	14,747.70
183	City/County Communications	1,359.24
184	Extension Service	50,599.50
190	Sheriff Explorers	2,925.00
192	Permit to Carry	13,147.30
200	Public Works	3,111,700.97
204	Local Option Transit Sales Tax	145,316.71
220	State/Federal Road Aid	1,190,900.98
228	2022 Flooding Event	14,001.98
230	Public Health & Human Services	8,279,216.08
238	HHS Conference	962.50
239	Pandemic Response Fund	342,073.29
240	Forfeited Tax	562,065.27
260	CDBG Grant	73,907.67
261	CDBG Program Income	15,652.25
270	HOME Grant	10,575.00
281	SLC Septic Loans	178.45
289	On-Site Wastewater	60,477.01
290	Forest Resources	39,405.94
298	Opioid Remediation	226,608.09
400	County Facilities	205,855.09
403	Emergency Repairs	93,105.75

405	Public Works Building Construction	1,500.00
449	2020A – TST Bond	9,613.23
450	2021A – Capital Improvement	1,480,066.97
600	Environmental Services	502,726.72
715	County Garage	78,126.98
720	Property Casualty Liability	15,247.15
730	Workers Compensation	205,827.83
740	Medical Dental Insurance	539,011.88
770	Retired Employees Health Ins.	438.00
		<b>\$25,456,235.30</b>

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Adopted June 6, 2023. No. 23-307

WHEREAS, On September 26, 2017, the St. Louis County Board adopted Board Resolution No. 17-583 authorizing a Joint Powers Agreement (JPA) with the State of Minnesota for use of the Criminal Justice Data Communications Network (CJDN); and

WHEREAS, The Sheriff’s Office and Attorney’s Office has been part of the CJDN network for many years and currently pays the Minnesota Bureau of Criminal Apprehension (BCA) \$8,400 annually for this interface; and

WHEREAS, The Sheriff’s Office and Attorney’s Office are required to maintain this interface, enter into a renewed JPA, and execute amendments to the Court Data Services Subscriber Amendment; and

WHEREAS, The current Joint Powers Agreement expired February of 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the renewal of a Joint Powers Agreement and Court Amendment with the State of Minnesota to access the State’s Criminal Justice Data Communications Network.

Adopted June 6, 2023. No. 23-308

WHEREAS, On January 10, 2023, by County Board Resolution No. 23-79, the St. Louis County Board of Commissioners approved the adoption of the St. Louis River Comprehensive Watershed Management Plan (Plan); and

WHEREAS, On March 22, 2023, the Minnesota Board of Water and Soil Resources (BWSR), by Board Decision No. 23-13, approved the Plan; and

WHEREAS, On April 27, 2023, the St. Louis River Comprehensive Watershed Management Plan Partnership Policy Committee approved and recommends approval by the eight partners and their governing bodies of the Implementation MOA and budget.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the St. Louis River Watershed Implementation Budget as recommended by the St. Louis River Comprehensive Watershed Management Plan Partnership Policy Committee.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Planning and Community Development Director and a representative of the County Attorney’s Office to execute the Memorandum of Cooperative Agreement for Implementation of the St. Louis River Comprehensive Watershed Management Plan allowing the St. Louis River Comprehensive Watershed Management Plan Partnership to carry out the coordinated planning, development, and implementation of the Plan.

Adopted June 6, 2023. No. 23-309

WHEREAS, Pursuant to Minn. Stat. § 282.01, subd. 1a(e)(8), and upon favorable recommendation of the County Board, the State of Minnesota Commissioner of Revenue may

convey state tax-forfeited land to another governmental subdivision for an authorized public use, including public services facilities, without monetary compensation or consideration; and

WHEREAS, The City of Virginia wishes to acquire the following tax-forfeited property for the public purpose of construction of a new Public Safety Center:

Legal: Lot 6 & N 1/2 of Lot 7, Block 1, MOILANS ADDITION TO VIRGINIA

Parcel Code: 090-0095-00060

LDKey: 130454; and

WHEREAS, This parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subd. 8, 282.018, or other statutes that require the withholding of state tax-forfeited lands from sale; and

WHEREAS, This parcel of land has been classified as non-conservation pursuant to Minnesota Stat. § 282.01.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board provides its favorable recommendation for the State of Minnesota Commissioner of Revenue to convey the above-described tax-forfeited land to the City of Virginia, subject to payment of a \$250 Department of Revenue fee, and a \$250 administrative fee, \$1.65 deed tax, and \$46 recording fee, for a total sum of \$547.65 to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted June 6, 2023. No. 23-310

WHEREAS, A quit claim deed was executed by St. Louis County for the sale of county fee land on April 11, 2000 (recorded as Doc. No. 00784103 in the Office of the St. Louis County Recorder on April 27, 2000) (“the 2000 Quit Claim Deed”); and

WHEREAS, In comparison with the historical property records, a legal description error has been discovered in the 2000 Quit Claim Deed, to wit: the numeral “28” in the legal description, e.g. “North 57 degrees 28 minutes West 435.6 feet,” is incorrect and should be replaced with the numeral “23,” e.g. “North 57 degrees 23 minutes West 435.6 feet”; and

WHEREAS, The full and corrected legal description is as follows:

Situated in the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section Twenty-One (21), Township Fifty-Nine (59), Range Twenty (20) West of Fourth Principal Meridian and more particularly described as beginning in the said NE 1/4 of the SE 1/4 at a point from which the East 1/4 of said Section 21 bears North 19 degrees 21 minutes East a distance of 462.6 feet and running thence North 58 degrees 23 minutes West 435.6 feet thence South 32 degrees 37 minutes West 150.0 feet thence South 57 degrees 23 minutes East 435.6 feet thence North 32 degrees 37 minutes East 150.0 feet to the place of beginning; and

WHEREAS, Present owners and interested purchasers have requested assistance from the County in issuing a corrective deed to resolve the legal description error and clarify chain of title for current and future owners.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes appropriate County staff to execute, issue, and assist with the recording of a corrective quit claim deed substantially in the form of the deed attached hereto.

Adopted June 6, 2023. No. 23-311

WHEREAS, A portion of the St. Louis County Aggregate Mapping Project is located within the Department of Iron Range Resources & Rehabilitation (IRRR) service area and the project is eligible for the Development Partnership Grant; and

WHEREAS, The IRRR Development Partnership provides funding in part for research to

support long-term regional economic growth; and

WHEREAS, The match will be achieved with Minnesota Department of Natural Resources funds secured through the 2022 Legislative-Citizen Commission of Minnesota Resources (LCCMR) Project Aggregate Resource Mapping project (2022-295).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the application to the IRRR for the Development Partnership Grant Program.

Adopted June 6, 2023. No. 23-312

**BY COMMISSIONER NELSON:**

WHEREAS, Minn. Stat. § 274.13 requires that county commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

WHEREAS, The statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

WHEREAS, The St. Louis County Board, having reviewed the matter, determines it is in the public interest to appoint said Special Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2023:

- District 1      John Vigen, Duluth
- District 2      Nathanael DeLoach, Duluth
- District 3      Sherri Puckett, Duluth
- District 4      Leonard Cersine, Ely
- District 5      Tim Peterson, Hermantown
- District 6      Dawn Cole, Town of Fayal
- District 7      Frank Bigelow, Hibbing

RESOLVED FURTHER, That the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization;
- To report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board;
- Directed to hold at least one meeting day in Duluth and one day in Virginia, Minnesota;
- To be compensated at the rate of \$300 per meeting day, payable from Assessor's Department Fund 100, Agency 118001, Object #635300 - Non-employee fees and be reimbursed for mileage and expenses at the current CONUS rate from Assessor's Department Object #635500 - Non-employee travel;
- Directed to convene at 10:00 a.m., June 21, 2023, in Virginia, MN.

Unanimously adopted June 6, 2023. No. 23-302

**BY COMMISSIONER HARALA:**

WHEREAS, State law requires parents, both custodial and non-custodial, to financially contribute to the child's cost of out-of-home placement; and

WHEREAS, State law requires some Medical Assistance (MA) recipients to contribute to the cost of their care, known as a spenddown; and

WHEREAS, There are times when the efforts of the Public Health and Human Services Department to collect required claims are unsuccessful; and

WHEREAS, County Board Policy states that accounts with an outstanding balance in excess



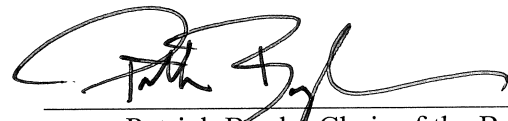
of \$10,000 must be approved by the County Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the write-off of the following accounts totaling \$126,423.44:

MH CLIENT #	ORIGINAL DATE OF DEBT	DATE LAST PAID	AMOUNT	COMMENTS	TYPE OF ACCT
C000112	09/28/16	03/31/17	45,276.40	Statute of limitations	Foster Cre
C005949	09/28/15	N/A	15,336.00	Statute of limitations	Foster Cre
C003230	12/02/13	N/A	13,431.89	Statute of limitations	Foster Cre
C009285	04/18/16	N/A	12,486.47	Statute of limitations	Foster Cre
C005536	11/01/02	N/A	39,892.68	Statute of limitations	MA

Yeas – Commissioners Harala, Grimm, McDonald, Musolf, Jugovich and Chair Boyle – 6  
Nays – Commissioner Nelson – 1  
Adopted June 6, 2023. No. 23-313

At 9:45 a.m., June 6, 2023, Commissioner Musolf, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Patrick Boyle, Chair of the Board  
of County Commissioners

Attest:



Nancy Nilson, County Auditor  
and Ex-Officio Clerk of the Board  
of County Commissioners

(Seal of the County Auditor)