

CONSENT AGENDA
FOR THE MEETING
OF
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

July 25, 2023

Proctor City Hall, 100 Pionk Drive, Proctor, Minnesota

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a commissioner requests or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

RESOLUTIONS FOR APPROVAL:

Minutes for July 11, 2023.

Public Health & Human Services Committee – Commissioner McDonald, Chair

1. Accept a donation of ice cream valued at \$900 provided by Love Creamery for the Public Health Pandemic Appreciate event held June 20, 2023. *[23-282]*
2. Authorize reallocation of a 1.0 FTE Information Specialist II position to a 1.0 FTE Social Worker position in the Public Health and Human Services Department. *[23-290]*

Public Works & Transportation Committee – Commissioner Musolf, Chair

3. Authorize cooperative agreements with the State of Minnesota and the Prospector ATV Club for the Pike River Bridge Salvage and Relocation project for ATV recreational use located in Vermilion Lake Township **(CP 0000-784101)**. *[23-283]*
4. Authorize an agreement with the Federal Highway Administration for the Safe Streets and Roads for All Safety Action Plan grant **(CP 0000-803757)**. *[23-284]*

Finance & Budget Committee – Commissioner Nelson, Chair

5. Abatement list for Board approval. *[23-285]*
6. Penalty and Interest Abatement list for Board approval. *[23-286]*
7. Authorize Public Works to purchase IBM Maximo Application Suite software licensing from IBM Corporation for an initial cost of \$450,000 sourced with use of the Naspo Value Point Cooperative Agreement; and further, authorize ongoing maintenance and support costs estimated to be \$142,000 annually. *[23-291]*
8. Claims and accounts for May 2023.
9. Application for a Special Event Liquor License to temporarily expand the designated sale/service area of the County On-Sale Intoxicating Liquor License by Pequaywan Inn Resort, LLC dba Pequaywan Inn, Unorganized Township 54-13, for September 9, 2023.

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Public Safety & Corrections Committee – Commissioner Harala, Chair

10. Authorize a renewed agreement with Carlton County in the amount of \$56,000 per year, and with Lake County in the amount of \$35,000 per year to provide scheduled and preventative radio infrastructure maintenance. *[23-287]*

Environmental & Natural Resources Committee – Commissioner Jugovich, Chair

11. County Auditor authorized to grant a non-exclusive right-of-way and utility easement across state tax-forfeited land located in parts of Government Lots 2, 3 and 4, Section 33, Township 62 North, Range 21 West (Morcom Township) to Alex and Ahlena Kerry Manthie to access private land, upon total payment of \$2,956. *[23-288]*
12. Application for repurchase of state tax-forfeited land (non-homestead) by Northwood, LLC of Wayzata, MN (parcel code 120-0040-00110). *[23-289]*

Official Proceedings of the County Board of Commissioners

BY COMMISSIONER _____

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 11, 2023, are hereby approved.

Acceptance of Donation Valued at \$900

BY COMMISSIONER _____

WHEREAS, St. Louis County coordinated a pandemic appreciation event on June 20, 2023, to honor the public health pandemic response, including 86 Minnesota Responds volunteers whose 9300 volunteer hours expanded our clinical capacity; and

WHEREAS, Love Creamery provided the ice cream as a donation, valued at \$900; and

WHEREAS, Minn. Stat. § 465.03 requires donations towards counties to be accepted by the governing body.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the donation of ice cream, valued at \$900, from Love Creamery towards the pandemic appreciation event held June 20, 2023.

Reallocation of Information Specialist II to Social Worker for SSIS

BY COMMISSIONER _____

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Department and the customers it serves; and

WHEREAS, PHHS and the Human Resources Department conducted such a review when an Information Specialist II position became vacant serving in the Disbursements Unit of the Business Services Division and determined that reallocation to Social Worker serving as SQL Server Integration Services (SSIS) support was appropriate; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go before the County Board for approval.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of a 1.0 FTE Information Specialist II position (Position code 0421-004, Pay Grade B10, Step 1) to a 1.0 FTE Social Worker position (Pay Grade MAE, Step 1) in the Public Health and Human Services Department, resulting in an annual increase of \$16,248 to be accounted for in Fund 230, Agency 230023, Object 610100.

Cooperative Agreements with the State of Minnesota and the Prospector ATV Club for the Pike River Bridge Salvage and Relocation for ATV Recreational Use Project

BY COMMISSIONER _____

WHEREAS, The State of Minnesota has determined that the replacement of the State Trail Bridge that carries the Taconite State Trail over the Pike River is required to assure the continued operation, maintenance, and public use of the Taconite State Trail in this area; and

WHEREAS, The plans and specifications for the replacement of the State Trail Bridge would typically require the disassembly and disposal of the existing structure; however, the County, on behalf of the Prospector ATV Club, has requested that the County be permitted to utilize and reuse the State Trail Bridge on a new segment of the Prospector ATV trail where the 5 Ton Load Rating meets the requirements of the operations and maintenance of a trail of that type; and

WHEREAS, The State and the County have determined that the continued utilization of the State Trail Bridge by the County for recreational trail purposes represents an opportunity to extend the use of the structure and its public benefit; and

WHEREAS, The Prospector ATV Club, or its Consultants, shall perform any required inspection of the salvaged Pike River Bridge to determine its structural integrity and shall be responsible for completing the planning, design, and environmental permitting for the placement of the Pike River Bridge at its permanent location; and

WHEREAS, Upon completion of the salvage, relocation, and placement of the salvaged Pike River Bridge and ATV trail segment, St. Louis County shall function as the bridge owner and complete periodic bridge inspections as required for the Pike River Bridge; and

WHEREAS, The Prospector ATV Club will be responsible for 100 percent of the cost to complete the salvage and relocation of the Pike River Bridge and for all future construction, maintenance, and operational costs for the salvaged Pike River Bridge and ATV trail segment.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into cooperative agreements with the State of Minnesota and the Prospector ATV Club for the Pike River Bridge Salvage and Relocation for ATV Recreational Use project located in Vermilion Lake Township, St. Louis County. This project is further identified as CP 0000-784101. Funds for this project will be receipted into Fund 220, Agency 220747, Object 583100.

Safe Street and Roads for All Safety Action Plan Grant Agreement

BY COMMISSIONER _____

WHEREAS, The Bipartisan Infrastructure Law (BIL) established the Safe Streets and Roads for All (SS4A) discretionary grant program, with \$5 billion in appropriated funds for over 5 years, 2022-2026; and

WHEREAS, The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries; and

WHEREAS, The Public Works Department submitted a funding application to the SS4A program in 2022 for funding to complete a Safety Action Plan for the county road system and was awarded \$200,000 to complete this Safety Action Plan; and

WHEREAS, St. Louis County must provide a 20 percent local match, or \$50,000, for this grant; and

WHEREAS, A key component to this Safety Action Plan is to upgrade the County Road Safety Plan (CRSP) so that the recommended projects in the CRSP are eligible for implementation funding from SS4A.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into an agreement with the Federal Highway Administration for the Safe Streets and Roads for All Safety Action Plan.

RESOLVED FURTHER, That this project is further identified as CP 0000-803757. Funds received from the Federal Highway Administration will be receipted into Fund 200, Agency 220748, Object 540716. Funds for St. Louis County's local match will be payable from Fund 200, Agency 203671, Object 652800.

Abatement List for Board Approval

BY COMMISSIONER _____

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.

Penalty & Interest Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board approves the applications for abatement of penalty and interest identified in County Board File No. _____.

Public Works Maximo Application Suite Upgrade

BY COMMISSIONER _____

WHEREAS, In 2006 the St. Louis County Public Works Department entered into a contract for the purchase of a new Maximo Cost Accounting and Asset Tracking system through vendor MROI Software, Inc.; and

WHEREAS, This software has since been acquired by IBM Corporation, and it was recently announced Maximo will be undergoing a major hardware and software system change to Maximo Application Suite (MAS); and

WHEREAS, As part of the migration steps, IBM conducted an audit of current St. Louis County license entitlements and determined that St. Louis County will need to purchase additional licensing under the new IBM Maximo Application Suite points licensing model as part of the upgrade; and

WHEREAS, The St. Louis County Public Works Department, in coordination with St. Louis County Information Technology Department, have analyzed the audit results and worked closely with IBM to draft an agreement on a new licensing model that will ensure St. Louis County maintains proper licensing for current and future employees, and transitions St. Louis County to the new IBM Maximo Application software suite; and

WHEREAS, St. Louis County's existing Flexible Contract Term (FCT) originally initiated in 2006 is set to expire on September of 2023, and will require St. Louis County to migrate to the new IBM Maximo Application Suite.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Department to purchase the software licensing from IBM Corporation, sourced with use of the Naspo Value Point Cooperative Agreement, for an initial cost of \$450,000 from Fund 100, Agency 117001, Object 634800, with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139.

RESOLVED FURTHER, That the St. Louis County Board authorizes the ongoing maintenance and support costs estimated to be \$142,000 annually to be budgeted in the Information Technology Budget in future years from Fund 100, Agency 117001, Object 634800.

Claims and Accounts for May 2023

BY COMMISSIONER _____

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:

100	General Fund	\$8,266,271.68
149	Personal Service Fund	804.65
155	Depot	107,404.56
160	MN Trail Assistance	55,492.99
169	Attorney Trust Accounts – VW	1,721.41
173	Emergency Shelter Grant	23,599.13
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	10,301.97
179	Enhanced 9-1-1	158,330.70
180	Law Library	13,930.86
183	City/County Communications	316.98
184	Extension Service	126,819.50
190	Sheriff Explorers	150.00
191	Recorder’s Deposit Account	17.00
192	Permit to Carry	7,098.79
200	Public Works	3,468,404.70
204	Local Option Transit Sales Tax	68,893.46
220	State/Federal Road Aid	1,501,653.82
230	Public Health & Human Services	8,362,719.81
239	Pandemic Response Fund	171,432.25
240	Forfeited Tax	467,084.29
260	CDBG Grant	81,375.24
281	SLC Septic Loans	178.45
289	On-Site Wastewater	66,198.37
290	Forest Resources	5,725.75
298	Opioid Remediation	6,407.98
400	County Facilities	82,024.92
403	Emergency Repairs	72,680.00
405	Public Works Building Construction	6,497.54
407	Public Works – Equipment	39,425.22
450	2021A – Capital Improvement	3,185,331.47

600	Environmental Services	721,115.69
715	County Garage	56,428.74
720	Property Casualty Liability	17,395.90
730	Workers Compensation	272,317.54
740	Medical Dental Insurance	2,880,396.08
770	Retired Employees Health Ins.	<u>542.00</u>
		<u>\$30,306,555.41</u>

Application for Special Event Liquor License to Temporarily Expand the Designated Sale/Service Area of the County On-Sale Intoxicating Liquor License (Unorganized Township 54-13)

BY COMMISSIONER _____

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Pequaywan Inn Resort, LLC dba Pequaywan Inn, Unorganized Township 54-13, to sell/serve outside the designated serving area of the County Liquor License for the date of September 9, 2023, as per application on file in the office of the County Auditor, identified as County Board File No. 61855.

Authorization to Renew Radio Maintenance Service Contracts with Carlton and Lake Counties

BY COMMISSIONER _____

WHEREAS, St. Louis, Carlton, and Lake Counties share radio communication infrastructure that requires ongoing system maintenance; and

WHEREAS, St. Louis County Sheriff's Office Radio Maintenance Technicians provide a high standard of maintenance for the infrastructure; and

WHEREAS, St. Louis County has maintained Carlton County's radio communications since 2012; and

WHEREAS, St. Louis County has maintained Lake County's radio communications since 2009.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a renewed agreement with Carlton County in the amount of \$56,000 per year, and Lake County in the amount of \$35,000 per year, to provide scheduled and preventative radio infrastructure maintenance, to be accounted for in Fund 100, Agency 136001, Object 551506 (Carlton) and 551508 (Lake).

**Right-of-Way Easement across State Tax-Forfeited Land to
Alex and Ahlena Kerry Manthei (Morcom Township 61-21)**

BY COMMISSIONER _____

WHEREAS, Alex and Ahlena Kerry Manthei have requested a non-exclusive, perpetual, 43-foot-wide right-of-way and utility easement across state tax-forfeited land to access private property; and

WHEREAS, There are no reasonable alternatives to obtain access to the property, and exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, subd. 4a, authorizes the St. Louis County Auditor to grant easements across state tax-forfeited land for such purposes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive, perpetual, 43-foot-wide right-of-way and utility easement to Alex and Ahlena Kerry Manthei across state tax-forfeited lands as described in County Board File No. _____.

RESOLVED FURTHER, That the granting of this easement is conditioned upon receipt of payment in the amount of a \$2,710 land use fee, a \$200 administration fee, and a \$46 recording fee, for a sum total of \$2,956, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Repurchase of State Tax-Forfeited Land – Northwood, LLC (Non-Homestead)

BY COMMISSIONER: _____

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased by the previous owner subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, Northwood, LLC of Wayzata, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Govt Lot 1, EXCEPT that part thereof lying Southwesterly of the Northeasterly line of the right of way of the Duluth, Rainy Lake and Winnipeg Railway Company; AND EXCEPT Commencing at the Southeast corner of said Lot 1; thence running North along the east line thereof, a distance of 1311.44 feet; thence running West, a distance of 460 feet; thence running South, a distance of 251 feet; thence running West, a distance of 103.5 feet; thence running South to the Northeasterly line of the right of way of the Duluth, Rainy Lake and Winnipeg Railway Company; thence running Southeasterly along the Northeasterly line of said Railroad right of way to the south line of said Lot 1; thence running East along the south line of said Lot 1 to the Point of Beginning.
Section 18, Township 62 North, Range 18 West
Parcel ID No: 120-0040-00110
LDKey: 130470; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, The applicant has made satisfactory downpayment to enter into a four-year contract for deed to pay the amounts due and owing under Minn. Stat. § 282.241 to repurchase the non-homestead property; and

WHEREAS, Approving the repurchase will promote the use of lands that will best serve the public interest.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Northwood, LLC of Wayzata, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$13,246.33, deed fee of \$25, deed tax of \$43.71, recording fee of \$46, and maintenance cost of \$19, for a total of \$13,380.04 to be deposited into Fund 240 (Tax-Forfeited Land Fund); plus a service fee of \$500 to be deposited into Fund 100 (General Fund).

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 11, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 11th day of July 2023, at 9:31 a.m., at the Melgeorge's Elephant Lake Lodge and Resort, Orr, 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 thanked Camp 5 Township and the Voyageur Country ATV Club for yesterday's tour of county ATV projects and introduced Steve Koch, Camp 5 Township Supervisor. Mr. Koch commented that Camp 5 has 22 voting members and 4.5 miles of township roads. The township is working with St. Louis County to reroute a portion of County Road 180 due to safety issues.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda; no one requested the opportunity to speak.

Commissioner Harala exited the meeting at 9:36 a.m.

Commissioner Nelson, supported by Commissioner Jugovich, moved to approve the consent agenda. The motion passed; six yeas, zero nays, one absent (Harala).

Commissioner Nelson, supported by Commissioner Jugovich, moved that the St. Louis County Board approves the use of up to \$250,000 of American Rescue Plan Act Revenue Loss funds to assist with the St. Louis County Agricultural Society 4-H Building project; that the St. Louis County Agricultural Society shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program; and further, that the appropriate County officials are authorized to enter into an agreement with the St. Louis County Agricultural Society and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss. Joe Sapp, St. Louis County Fair Board member, said they are asking for additional funding from the county because project costs will exceed the Minnesota State Legislature grant amount of \$250,000. Mr. Sapp said they envision a multi-purpose building that could be used for various activities. Commissioner Nelson disclosed that his daughter is Mr. Sapp's daughter-in-law. Commissioner Grimm commented that she would support the project at a lower cost if there was a construction quote or plans to review and commented that mental health and childcare should be a priority for the use of American Rescue Plan Act Revenue Loss funds. In addition, Commissioner Grimm commented on the need for an ongoing revenue stream for the fair. After further discussion, the motion passed; five yeas, one nay (Grimm), one absent (Harala). Resolution No. 23-377.

Commissioner Nelson, supported by Commissioner Musolf, moved that the St. Louis County Board rescinds Resolution No. 607 of 9/28/87, Resolution No. 777 of 12/14/87, Resolution No. 32 of 1/12/88, Resolution No. 762 of 10/4/88, Resolution No. 1 of 1/8/91, Resolution No. 99 of 1/21/97, Resolution No. 809 of 10/21/97, and Resolution No. 980 of 12/23/97 and any other resolutions

previously adopted by the County Board that pertain to the Standing Rules and Bylaws; and further, that per Article I, Section 6 of the Rules and Bylaws, all amendments shall become effective immediately upon approval of the Board. The motion passed; six yeas, zero nays, one absent (Harala). Resolution No. 23-378.

Commissioner Musolf, supported by Commissioner McDonald, moved to consider a resolution to reschedule locations and times for the 2024 Board Budget Workshop meetings; the item had not been to committee. The motion passed; six yeas, zero nays, one absent (Harala).

Commissioner Grimm, supported by Commissioner McDonald, moved that the St. Louis County Board authorizes the necessary steps to reschedule the locations and times of its July 17 and July 18, 2023, Board Budget Workshop meetings as follows: July 17, 2023, Duluth Government Services Center, St. Louis River Room, Duluth, MN, at 10:30 a.m.; July 18, 2023, Iron Range Resources & Rehabilitation – Administration Building, Conference Room, 4261 Hwy. 53 South, Eveleth, MN, at 9:30 a.m. County Administrator Kevin Gray commented that switching the meeting locations and start times will give the Commissioners an opportunity to participate in a State Transportation Committee meeting to discuss regional transportation projects. The motion passed; six yeas, zero nays, one absent (Harala). Resolution No. 23-379.

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

Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-273, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Unorganized Township 61-13).—61984

Donna Viskoe, Purchasing Director, submitting Board Letter No. 23-275, Purchase of Property Insurance.—61985

Brian Fritsinger, Deputy Administrator, submitting Board Letter No. 23-277, American Rescue Plan Act Revenue Loss Projects Funding (division of question).—61986

Darren Jablonsky, Interim Planning and Community Development Director, submitting Board Letter No. 23-270, Citizen Reappointments to the St. Louis County Planning Commission and Board of Adjustment.—61987

David Fink, Environmental Services Director, submitting Board Letter No. 23-280, Authorization to Approve and Adopt the Proposed Northeast Minnesota Regional Solid Waste Management Plan.—61988

Brian Fritsinger, Deputy Administrator, submitting Board Letter No. 23-278, Amendments to the Standing Rules and Bylaws of the County Board.—61989

Brian Fritsinger, Deputy Administrator, submitting Board Letter No. 23-281, Reschedule Locations/Times for 2024 Board Budget Workshop Meetings.—61990

Upon motion by Commissioner Nelson, supported by Commissioner Jugovich, resolutions numbered 23-357 through 23-376, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 27, 2023, are hereby approved.

Adopted July 11, 2023. No. 23-357

WHEREAS, The Public Works Department's Campus Improvement Plan budget includes three (3) brine storage and blending systems for Kugler, Culver and Whiteface campuses purchased separately; and

WHEREAS, VariTech Industries, Inc., of Burnsville, MN, responded with the State of Minnesota contract price for three (3) brine systems for \$331,068.51.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase order for the installation of three (3) brine storage and blending systems from VariTech Industries, Inc., of Burnsville, MN, in the amount of \$331,068.51 payable from Fund 405, Agency 405191 (Culver), 405192 (Kugler), and 405193 (Whiteface), Object 660266.

Adopted July 11, 2023. No. 23-358

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for project CP 0000-458860, SP 069-070-048, HSIP 6923(255); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on June 8, 2023, and the low responsible bid was determined.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$893,502.29

RESOLVED FURTHER, That the appropriate county officials are authorized to approve the contractor's performance bonds and to execute the bonds and contract for the above listed project payable from:

CP 0000-458860, SP 069-070-048, HSIP 6923(255)

Fund 220, Agency 220745, Object 652700 – Federal and State Aid Funds

Adopted July 11, 2023. No. 23-359

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 July 11, 2023. No. 23-360

RESOLVED, That the St. Louis County Board establish a public hearing on Tuesday, July 25, 2023, at 9:35 a.m. at the Proctor City Hall, 100 Pionk Drive, Proctor, MN, regarding the application for an Off-Sale Intoxicating Liquor License for The Hideaway Bar, Inc. dba The Hideaway Bar.

Adopted July 11, 2023. No. 23-361

WHEREAS, St. Louis County has in excess of \$642,197,905 in property to insure; and

WHEREAS, St. Louis County has been purchasing property insurance on a loss limit basis which is less expensive with lower deductibles than a scheduled buildings type of insurance; and

WHEREAS, The current policy expires on July 24, 2023, and St. Louis County received a proposal from the current insurer, Chubb Group of Insurance Companies, through Marsh McLennan

Agency, LLC of Duluth, MN, to provide coverage at the rate of \$.076 per \$100 of value for the coming year.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of Property and Related Insurance coverage on major structures and equipment, amended contents, and boiler and machinery from Chubb Group of Insurance Companies through Marsh McLennan Agency, LLC of Duluth, MN, for the period July 24, 2023, to July 24, 2024, at the annual premium of \$494,720. payable from Fund 720 (Property, Casualty, Liability), Agency 720001 (Property, Casualty, Liability), Object 635100 (Insurance).

RESOLVED FURTHER, That the Purchasing Division is authorized to add or delete county properties to the policy or increase the base amount on future determination of valuation of county structures during the policy period.

Adopted July 11, 2023. No. 23-362

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, St. Louis County Service Center completes 113,000 transactions per year on average to better assist local communities with Motor Vehicle, Drivers Licenses/ID's, Passports, Property Taxes, and Department of Natural Resource Vehicle transactions; and

WHEREAS, St. Louis County Safety and Risk Management reviewed the Service Center work areas and has recommended modifications to help improve ergonomics, create better social distancing for customers, and better meet requirements of the Americans with Disabilities Act (ADA).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$100,000 of American Rescue Plan Act Revenue Loss funds for the remodel of the St. Louis County DMV Service Center.

RESOLVED FURTHER, That all construction and renovations shall be in compliance with local zoning regulations, state building code and accomplished using St. Louis County purchasing rules.

RESOLVED FURTHER, That the above project be payable from Fund 239, American Rescue Plan Act Revenue Loss.

Adopted July 11, 2023. No. 23-363

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The Lake Vermilion Fire Brigade has identified a project and approached the County seeking financial assistance; and

WHEREAS, The County has unallocated funds remaining as part of its American Rescue Plan Act Revenue Loss funds that could be used to support the projects.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$144,200 of American Rescue Plan Act Revenue Loss funds to assist with the Lake Vermilion Fire Brigade Parking Lot Improvement project.

RESOLVED FURTHER, That the Lake Vermilion Fire Brigade shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the Lake Vermilion Fire Brigade and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.

Adopted July 11, 2023. No. 23-364

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The Mesabi Fit Coalition/Virginia Community Foundation has identified a project and approached the County seeking financial assistance; and

WHEREAS, The County has unallocated funds remaining as part of its American Rescue Plan Act Revenue Loss funds that could be used to support the projects.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$100,000 of American Rescue Plan Act Revenue Loss funds to assist with the Mesabi Fit Coalition/Virginia Community Foundation project.

RESOLVED FURTHER, That the Mesabi Fit Coalition/Virginia Community Foundation shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into

an agreement with the Mesabi Fit/Virginia Community Foundation and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.

Adopted July 11, 2023. No. 23-365

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Frygard, LLC dba Timbers Edge Grill & Bar, Unorganized Township 56-17, to sell/serve outside the designated serving area of the County Liquor License for the date of July 14, 2023, and the date of July 25, 2023 (rain date August 1, 2023) as per application on file in the office of the County Auditor, identified as County Board File No. 61855.

Adopted July 11, 2023. No. 23-366

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 a Temporary On-Sale 3.2 Percent Malt Liquor License is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61962:

Buyck Volunteer Fire Department, Portage Township, Temporary On-Sale 3.2 Percent Malt Liquor License, for the date of August 5, 2023, renewal.

Adopted July 11, 2023. No. 23-367

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Dawghouse Bar & Grill, LLC dba Dawghouse Bar & Grill, Northland Township, to sell/serve outside the designated serving area of the County Liquor License for the dates of August 25-27, 2023, as per application on file in the office of the County Auditor, identified as County Board File No. 61855.

Adopted July 11, 2023. No. 23-368

WHEREAS, The St. Louis County Board entered into a Joint Powers Agreement (JPA) with the Counties of Aitkin, Carlton, Cook, Itasca, Koochiching and Lake to create the Minnesota Local Workforce Development Area #3 as part of the Northeast Minnesota Office of Job Training; and

WHEREAS, The JPA has been amended from time to time over the years to clarify programs and operational components guiding the JPA's Board of Directors; and

WHEREAS, The County has received notice of proposed amendments to the JPA which require County Board authorization to approve.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the renewal/amendment of a Joint Powers Agreement for the Northeast Minnesota Office of Job Training.

Adopted July 11, 2023. No. 23-369

WHEREAS, The St. Louis County Board appoints citizens to serve on the Planning Commission and Board of Adjustment; and

WHEREAS, Two current members, Ray Svatos and Diana Werschay, wish to be reappointed to the Planning Commission; and

WHEREAS, Three current members, Steve Filipovich, David Pollock, and James McKenzie, wish to be reappointed to the Board of Adjustment; and

WHEREAS, Ray Svatos and Diana Werschay have been serving as de facto members of the Planning Commission and Steve Filipovich, David Pollock, and James McKenzie have been serving as de facto members of the Board of Adjustment since the expiration of their prior terms.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reappoints Ray Svatos and Diana Werschay to the St. Louis County Planning Commission with terms expiring December 31, 2024.

RESOLVED FURTHER, That the St. Louis County Board reappoints Steve Filipovich, David Pollock, and James McKenzie to the St. Louis County Board of Adjustment with terms expiring December 31, 2024.

Adopted July 11, 2023. No. 23-370

RESOLVED, That the official proceedings of the St. Louis County Special Board of Appeal and Equalization for the meetings of June 21 and June 22, 2023, are hereby approved.

Adopted July 11, 2023. No. 23-371

WHEREAS, Whenever vacancies occur in the Sheriff's Office, a review is done to determine if the position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Office; and

WHEREAS, After the recent review of a recently vacated position, it was determined that creation of an Emergency Support Services Administrator job class and reallocation of a 1.0 FTE position, Deputy Sheriff – Division Commander, to that Emergency Support Services Administrator class was appropriate; and

WHEREAS, The Civil Service Commission approved the creation of the Emergency Support Services Administrator job class specification at its May 8, 2023 meeting and the Civil Service Supervisors bargaining unit has accepted the salary grade recommendation at Grade E30A; and

WHEREAS, County fiscal policies specify that any position change greater than three pay grades must go before the County Board for approval.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the new Emergency Support Services Administrator job class, assigned to Pay Grade E30A in the Civil Service Supervisors Unit Pay Plan.

RESOLVED FURTHER, That the St. Louis County Board approves the reallocation of a vacant 1.0 FTE Deputy Sheriff – Division Commander position (Deputy Sheriff Supervisor Unit, \$7,117/mo. at Grade T31B, Step 1, position code 0852-003) to an Emergency Support Services Administrator position (Civil Service Supervisors Unit, \$6,704/mo. at Grade E30, Step 1) in the Sheriff's Office.

Adopted July 11, 2023. No. 23-372

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased by the previous owner subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, Eric Daniel Harp of Aurora, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Lot 2, Block 4, ZUPONCIC ACRES 1ST ADD TO AURORA

Parcel ID No: 100-0077-00560

LDKey: 130468; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, The applicant has made satisfactory downpayment to enter into a ten-year contract for deed to pay the amounts due and owing under Minn. Stat. § 282.241 to repurchase the homestead property; and

WHEREAS, Approving the repurchase will promote the use of lands that will best serve the public interest.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Eric Daniel Harp of Aurora, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$7,147.39, deed fee of \$25, deed tax of \$23.59, recording fee of \$46, for a total of \$7,241.98, to be deposited into Fund 240 (Tax-Forfeited Land Fund), plus a service fee of \$500 to be deposited into Fund 100 (General Fund).

Adopted July 11, 2023. No. 23-373

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased by the previous owner subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, Sheila M. Putkonen of Chisholm, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Lots 20 and 21, Block 1, CHISHOLM

Parcel ID No: 020-0010-00210

LDKey: 130433; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, The applicant has made satisfactory downpayment to enter into a four-year contract for deed to pay the amounts due and owing under Minn. Stat. § 282.241 to repurchase the non-homestead property; and

WHEREAS, Approving the repurchase will promote the use of lands that will best serve the public interest.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Sheila M. Putkonen of Chisholm, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$5,780.37, deed fee of \$25, deed tax of \$19.08, recording fee of \$46, and maintenance cost of \$11, for a total of \$5,881.45, to be deposited into Fund 240 (Tax-Forfeited Land Fund), plus a service fee of \$500 to be deposited into Fund 100 (General Fund).

Adopted July 11, 2023. No. 23-374

WHEREAS, The Counties of Aitkin, Carlton, Koochiching, Cook, Lake, Itasca, St. Louis, and the Western Lake Superior Sanitary District (WLSSD) executed a Joint Powers Agreement to develop and complete a Solid Waste Management Plan for the seven-county region in Northeastern Minnesota; and

WHEREAS, The Legislature of the State of Minnesota requires that Minnesota counties develop and update a Solid Waste Management Plan in accordance with applicable statutes and rules including Minnesota Statute § 115A and Minnesota Rules 9215; and

WHEREAS, The Western Lake Superior Sanitary District must comply with applicable statutes and rules including Minnesota Statute § 458D; and

WHEREAS, The St. Louis County Board and the WLSSD Sanitary Board recognize the need to plan for and practice sound methods of managing solid waste; and

WHEREAS, The seven-county region represented by the Northeast Waste Advisory Council and the Solid Waste Officers of the Northeastern Region have developed a regional solid waste management plan satisfying the statutory requirements; and

WHEREAS, The St. Louis County Board supports the plan as a collective effort to address solid waste management through reduction, recycling, composting and other elements necessary to effectively manage solid waste generated in the seven-county region; and

WHEREAS, The St. Louis County Solid Waste Subcommittee approved the plan at its May 26, 2023 meeting.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves and adopts the Northeast Minnesota Regional Solid Waste Management Plan.

RESOLVED FURTHER, That any changes recommended by the Minnesota Pollution Control Agency as a result of the required public comment period ending July 21, 2023, be incorporated and made part of the Plan.

RESOLVED FURTHER, That the St. Louis County Board agrees to maintain and implement the plan as required by Minnesota Rules 9215.0530.

RESOLVED FURTHER, That the St. Louis County Board submits this document to the Commissioner of the Minnesota Pollution Control Agency for final approval pursuant to applicable Minnesota law.

Adopted July 11, 2023. No. 23-375

WHEREAS, It is the intent of the county to allow companies with fewer resources and employees to bid in certain rounds without competition from companies with greater resources and employees.

THEREFORE, BE IT RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC INTERMEDIATE ORAL TIMBER AUCTION, Tracts 1 through 25 (totaling \$836,371.31), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 61859, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

RESOLVED FURTHER, That the St. Louis County Board approves the terms and conditions as outlined in County Board File No. 61859.

RESOLVED FURTHER, That the County Board authorizes the Land and Minerals Department to refuse registrations for the August 17, 2023 intermediate timber auction from companies which are an affiliate of, as defined in Minn. Stat. § 90.01, Subd. 1a, a company which does not qualify to bid in the round requested and/or share common employees and/or equipment with said company.

Adopted July 11, 2023. No. 23-376

BY COMMISSIONER NELSON:

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The St. Louis County Agricultural Society/4-H has identified a project and approached the County seeking financial assistance; and

WHEREAS, The County has unallocated funds remaining as part of its American Rescue Plan Act Revenue Loss funds that could be used to support the projects.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$250,000 of American Rescue Plan Act Revenue Loss funds to assist with the St. Louis County Agricultural Society 4-H Building project.

RESOLVED FURTHER, That the St. Louis County Agricultural Society shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the St. Louis County Agricultural Society and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.

Yeas: Commissioners McDonald, Musolf, Nelson, Jugovich and Chair Boyle – 5

Nays: Commissioner Grimm – 1

Absent: Commissioner Harala – 1

Adopted July 11, 2023. No. 23-377

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Board adopted Resolution No. 607 in 1987 establishing/amending the Standing Rules and Bylaws of the County Board; and

WHEREAS, The County Board on several occasions since the initial adoption considered and approved amendments to such rules and bylaws; and

WHEREAS, The County Attorney's office and Administration have reviewed the rules for consistency with current practices and changes in statutory processes and have recommended changes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the amendments to the Standing Rules and Bylaws of the County Board.

RESOLVED FURTHER, That the St. Louis County Board rescinds Resolution No. 607 of 9/28/87, Resolution No. 777 of 12/14/87, Resolution No. 32 of 1/12/88, Resolution No. 762 of 10/4/88, Resolution No. 1 of 1/8/91, Resolution No. 99 of 1/21/97, Resolution No. 809 of 10/21/97, and Resolution No. 980 of 12/23/97 and any other resolutions previously adopted by the County Board that pertain to the Standing Rules and Bylaws.

RESOLVED FURTHER, That per Article I, Section 6 of the Rules and Bylaws, all amendments shall become effective immediately upon approval of the Board.

Unanimously adopted July 11, 2023. No. 23-378

BY COMMISSIONER GRIMM:

WHEREAS, The St. Louis County Board previously scheduled two Board Workshop meetings for the purpose of discussing its preliminary 2024 operating budget; and

WHEREAS, The County has received notice of a meeting with the State Transportation Committee on July 17, 2023, which conflicts with the scheduled Board Workshop; and

WHEREAS, Members of the County Board have expressed interest in attending the Transportation Committee meeting.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the necessary steps to reschedule the locations and times of its July 17 and July 18, 2023, Board Budget Workshop meetings as follows:

- July 17, 2023, Duluth Government Services Center, St. Louis River Room, Duluth – 10:30 a.m.

- July 18, 2023, Iron Range Resources & Rehabilitation – Administration Building, Conference Room, 4261 Hwy 53 South, Eveleth – 9:30 a.m.
Unanimously adopted July 11, 2023. No. 23-379

At 10:07 a.m., July 11, 2023, Commissioner Nelson, supported by Commissioner Musolf, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Harala).

Patrick Boyle, Chair of the Board
of County Commissioners

Attest:

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

(Seal of the County Auditor)