

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON APRIL 4, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 4th day of April 2023, at 9:31 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.

The St. Louis County Board proclaimed the week of April 2-8, 2023, as Public Health Week in St. Louis County, in appreciation of the work of staff and community partners and in recognition of the vital role of public health in the work ahead. Commissioner McDonald read the proclamation. St. Louis County Public Health and Human Services Director Linnea Mirsch commented that partnership is the fabric of public health, and it is fitting that we honor our staff and partners this week. The Board recognized the following organizations and individuals with Public Health Partnership awards: Duluth City Councilor Terese Tomanek, Rural Aids Action Network (RAAN), First Ladies of the Hillside, and the Ely Community Health Center.

A point of personal privilege was taken at 9:49 a.m. At 9:53 a.m., the Board reconvened with all members present.

Commissioner Grimm temporarily stepped out of the meeting from 9:54 a.m. to 9:59 a.m.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, provided the board with a handout and said the McKeever gravel pit has unresolved reclamation issues and questioned how the reclamation can take place after looking at photos and doing the math. Ms. Bell requested that a third party conduct an inspection of the gravel pit. said that there has been unequal treatment of gravel pits and per county ordinance; the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road should be revoked. Bonnie Anderson, of Duluth, reviewed a list of questions to Commissioners regarding the issuance of the Conditional Use Permit (CUP) to 6464 Fredenberg Lake Road. Clayton Cich, of Fredenberg Township, said the township has been asking for gravel inspections since June of 2022 and only two gravel pits have been inspected. Mr. Cich commented that one gravel pit operator is completely out of control. Ann Cich, of Fredenberg Township said elections are held to vote for people who protect you and your quality of life and asked the Board to consider how they are affecting the quality of life in Fredenberg. Bruce Anderson, of Duluth, referred to section 6.22 of St. Louis County Ordinance 62 and said that one line alone should be enough to rescind the CUP issued to 6464 Fredenberg Lake Road. Janet Olson, of Duluth, said the county is not considering the love, time, and passion of Fredenberg Township residents and the Board is not considering the impacts that the 6464 Fredenberg Lake Road CUP is having on the community.

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

The Board recessed at 10:16 a.m. At 10:34 a.m., the Board reconvened 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.

Commissioner Nelson, supported by Commissioner Musolf, moved to approve a second consent agenda consisting of items passed at the Committee of the Whole meeting. The motion passed; seven yeas, zero nays.

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

Kevin Gray, County Administrator, and Donna Viskoe, Purchasing Director, submitting Board Letter No. 23-131, St. Louis County Purchasing Rules and Regulations Continuation of Revised Limits.—61930

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-142, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Midway Township).—61931

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 23-143, Establish a Public Hearing on the 2023 Action Plan for CDBG, HOME and ESG Funding & Amendment to the 2020 Action Plan.—61932

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 23-132, Civil Service Rules 4.3 Amendment.—61933

Kevin Gray, County Administrator, and Brian Fritsinger, Deputy Administrator, submitting Board Letter No. 23-149, Appointment to the St. Louis County Historical Society Board.—61934

Proclamation: Public Health Week, April 3-8, 2023.—61935

Presentation: Public Health Partnership Awards.—61936

Kevin Gray, County Administrator, Matthew Johnson, Planning and Community Development Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-152, Certification of Property Assessed Clean Energy (MinnPACE) Financing for Energy Improvements.—61937

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 23-157, Establish a Public Hearing on the Proposed Allocation Plan for the use of the HOME – American Rescue Plan Act Funding and Amendment of the 2021 Action Plan.—61938

Kevin Gray, County Administrator, and Linnea Mirsch, Public Health and Human Services Director, submitting Board Letter No. 23-158, Public Health and Human Services Advisory Committee Appointment.—61939

Kevin Gray, County Administrator, and Kimberly Maki, County Attorney, submitting Board Letter No. 23-160, Settlements with Opioid Manufacturers Teva and Allegan and Pharmacies Walmart, Walgreens, and CVS and Related Matters.—61940

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 23-153, Sponsorship of Voyageur Country ATV System and Rescind Resolution No. 19-384.—61941

Upon motion by Commissioner Jugovich, supported by Commissioner Harala, resolutions numbered 23-197 through 23-219, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JUGOVICH:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 28, 2023, are hereby approved.

Adopted April 4, 2023. No. 23-197

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied project:

CP 0091-401108, SP 069-691-033 (Low); CP 0054-401138, SP 069-654-006 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 9, 2023, and the low responsible bid determined.

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

LOW BIDDER: Northland Constructors of Duluth, Inc.

ADDRESS: 4843 Rice Lake Rd.

Duluth, MN 55803

AMOUNT: \$3,694,800.00

RESOLVED FURTHER, That the St. Louis County Board authorizes the approval the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

CP 0091-401108, SP 069-691-033 (Low)

Fund 220, Agency 220702, Object 652700 – Federal and Local Funds - \$3,108,357.00

CP 0054-401138, SP 069-654-006 (Tied)

Fund 220, Agency 220719, Object 652700 – Federal and Local Funds - \$586,443.00

Adopted April 4, 2023. No. 23-198

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following project:

CP 0000-401121; CP 0000-762168, SAP 131-030-002 (2023 Crack Sealing); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 16, 2023, and the low responsible bid determined.

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

LOW BIDDER: Asphalt Surface Technologies Corporation (aka ASTECH Corp.)

ADDRESS: PO Box 1025

St. Cloud, MN 56302

AMOUNT: \$1,565,639.00

RESOLVED FURTHER, That the St. Louis County Board authorizes the approval of the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 200, Agency 203664, Object 652800 – Local St. Louis County Funds - \$1,466,606.00

Fund 220, Agency 220726, Object 652700 – City of Hermantown and City of Hibbing Funds -

\$99,033.00

With additional revenue budgeted for expense:

City of Hermantown: Fund 220, Agency 220726, Object 551503 - \$10,215.50

City of Hibbing: Fund 220, Agency 220726, Object 551501 - \$88,817.50

Adopted April 4, 2023. No. 23-199

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following combined project:

CP 0000-745846, SAP 069-030-065 (Prime), consisting of 4 projects; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 23, 2023, and the low responsible bid determined.

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

LOW BIDDER: KGM Contractors, Inc.

ADDRESS: 9211 Hwy. 53, Angora, MN 55703

AMOUNT: \$296,042.55

RESOLVED FURTHER, That the St. Louis County Board authorize the approval of the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

CP 0000-745846, SAP 069-030-065 (Prime), consisting of 4 projects:

Fund 220, Agency 220727, Object 652700 – State Aid Funds - \$296,042.55

Adopted April 4, 2023. No. 23-200

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied project:

CP 0000-655516, SAP 069-030-059 (2023 Chip Seal) (Low) (Prime); CP 0000-731734 (Tied);

CP 0000-731743 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 23, 2023, and the low responsible bid determined.

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

LOW BIDDER: KGM Contractors, Inc.

ADDRESS: 9211 Hwy. 53, Angora, MN 55703

AMOUNT: \$5,357,772.09

RESOLVED FURTHER, That the St. Louis County Board authorize the approval of the Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

CP 0000-655516, SAP 069-030-059 (2023 Chip Seal) (Low) (Prime):

Fund 200, Agency 203665, Object 652800 – Local Funds - \$729,002.68

Fund 210, Agency 210083, Object 652800 – Unorganized Township Funds - \$106,985.35

Fund 220, Agency 220710, Object 652700 – State Aid and City of Hermantown Funds - \$3,590,029.63

With additional revenue budgeted for expense:

City of Hermantown, Fund 220, Agency 220710, Object 551503 - \$89,762.32

CP 0000-731734, SAP 038-632-002, SAP 038-633-002, SAP 038-603-041, SAP 038-605-014 (Tied):

Fund 220, Agency 220728, Object 652800 – Lake County Funds - \$475,033.69

With additional revenue budgeted for expense:

Lake County, Fund 220, Agency 220728, Object 551508 - \$475,033.69
CP 0000-731743 (Tied):
Fund 220, Agency 220729, Object 652800 – City of Duluth Funds - \$456,720.74
With additional revenue budgeted for expense:
City of Duluth, Fund 220, Agency 220729, Object 551501 - \$456,720.74

Adopted April 4, 2023. No. 23-201

WHEREAS, The Public Works Department’s 2023 budget includes the purchase of two (2) tractor-mowers for roadside mowing, brushing, and snow blowing operations; and

WHEREAS, The Public Works Department and Purchasing Division presented specifications and requested pricing for tractor-mowers equipped with mowing, brushing, and snow blowing equipment, based on the Department’s needs; and

WHEREAS, Minnesota Equipment, Inc., of Rogers, MN, responded with the Sourcewell Contract #110719-JDC price of \$577,367 for two (2) John Deere agricultural tractors.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of two (2) John Deere agricultural tractors from Minnesota Equipment, Inc., of Rogers, MN, at the Sourcewell Contract #110719-JDC price of \$577,367 payable from Fund 407, Agency 407001, Object 666400.

Adopted April 4, 2023. No. 23-202

WHEREAS, St. Louis County sponsors an application to the U.S. Department of Housing and Urban Development (HUD) through its Continuum of Care Program (CoC) in support of the Bois Forte Band of Chippewa – New Moon Supportive Housing Project; and

WHEREAS, St. Louis County has previously applied for and received Continuum of Care funding on behalf of the Bois Forte Band of Chippewa to support the New Moon Supportive Housing Project; and

WHEREAS, St. Louis County is anticipating the notification from HUD of an award of approximately \$59,954 from the FY 2022 Continuum of Care Program as continued support to the New Moon Supportive Housing Project; and

WHEREAS, The Bois Forte Band will provide supportive services and independent living skills training to assist the New Moon residents where the costs of these services will be reported as HUD-required match to the Continuum of Care funding; and

WHEREAS, The 2021 Consolidated Appropriations Act included language allowing participation of Indian Tribes and Tribally Designated Housing Entities (TDHE) in the Continuum of Care Program; and

WHEREAS, The Bois Forte Band of Chippewa is listed by HUD as an eligible Tribe and because of this change in CoC applicant eligibility, St. Louis County and Bois Forte Band of Chippewa have agreed to transfer FY 2022 CoC award directly to Bois Forte and Bois Forte will then be the applicant for future CoC funding; and

WHEREAS, By accepting the anticipated funds now, the County and Bois Forte can keep ahead of timelines and be able to complete all needed transfer documents to allow Bois Forte to become the applicant.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the anticipated 2022 HUD Continuum of Care grant for the Bois Forte – New Moon Supportive Housing Project in the amount of approximately \$59,954 and authorizes the St. Louis County Planning and Community Development Director and a representative of the County Attorney to execute the grant agreement on behalf of St. Louis County, along with the appropriate agreements transferring the funds to the Bois Forte Band of Chippewa.

RESOLVED FURTHER, That approximately \$59,954 in FY 2022 Continuum of Care grant

funds will be allocated to and disbursement to Bois Forte made from Fund 173 or its designated fund.

Adopted April 4, 2023. No. 23-203

WHEREAS, On November 29, 2022, the County Board adopted Resolution No. 22-644 allowing for the temporary revision to increase the amount for purchases before requiring a purchase order to \$10,000 and the single transaction on the procurement card to \$5,000 and the monthly limit to \$10,000, expiring March 31, 2023; and

WHEREAS, A sub-committee was set up in 2023, at the request of the Board, to review the Purchasing Rules and Regulations policy to insure that the policy meets with the needs of St. Louis County.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the extension of a temporary revision to the St. Louis County Purchasing Rules and Regulations to increase procurement card limits and increase the amount for purchases before requiring a purchase order to \$10,000 and the single transaction on the procurement card to \$5,000 and the monthly limit to \$10,000, expiring May 31, 2023.

Adopted April 4, 2023. No. 23-204

RESOLVED, That the St. Louis County Board establish a public hearing on Tuesday, April 25, 2023, at 9:35 a.m. in the Normanna Town Hall, 6472 French River Road, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for Grand View Restaurant, LLC dba Grand View Grill and Bar, Midway Township.

Adopted April 4, 2023. No. 23-205

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) requires a consolidated application process for entitlement funds under its Department of Community Planning and Development programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG); and

WHEREAS, St. Louis County has prepared the draft 2023 Action Plan required by HUD; and

WHEREAS, HUD requires a 30 day comment period on the Action Plan after which a public hearing be conducted to allow citizen input prior to Plan submittal. The Action Plan will be available electronically through posting to the St. Louis County web site on the Community Development – CDBG page and also through citizen contact with the Planning and Community Development Department offices in Duluth and Virginia; and

WHEREAS, The 30 day comment period begins March 27, 2023, and will be completed April 25, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a public hearing on Tuesday, April 25, 2023, at 9:40 a.m., at the Normanna Town Hall, 6472 French River Road, Duluth, MN, for the purpose of receiving citizen comments on the established priorities and funding recommendations included in the 2023 Action Plan and Amendment to the 2020 Action Plan.

Adopted April 4, 2023. No. 23-206

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 Intoxicating Liquor License is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61855:

Babbitt Lions Club, Embarrass Township, Temporary On-Sale Intoxicating Liquor License, for the dates of August 25 – 27, 2023, renewal.

Adopted April 4, 2023. No. 23-207

RESOLVED, That the St. Louis County Board approves the amended St. Louis County Civil Service Rules contained in County Board File No. 61933.

Adopted April 4, 2023. No. 23-208

WHEREAS, Given unprecedented labor challenges, county departments support the creation of a county-wide Apprentice job class where interested individuals may apply for positions which provide for on-the-job mentoring while they complete academic requirements; and

WHEREAS, The Civil Service Commission approved the creation of the Apprentice job class at its June 20, 2022 meeting; and

WHEREAS, Given the proposed county-wide application of the Apprentice class, salary grade allocations be addressed collectively in civil service rules rather than individual grade assignments; and

WHEREAS, Apprentice appointments will be made to existing full-time equivalent positions with intentions for eventual reallocation to the classes to which they are being apprenticed.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the Apprentice job classification.

RESOLVED FURTHER, That the County Board approves interim reallocation of vacant full-time-equivalent entry level positions to the Apprentice class at the discretion of the hiring authority for difficult to source job classes, with the approval of County Administration.

Adopted April 4, 2023. No. 23-209

WHEREAS, The St. Louis County Board currently appoints a County Commissioner to serve on the St. Louis County Historical Society Board of Directors; and

WHEREAS, The St. Louis County Historical Society has amended its By-Laws allowing for the appointment of one (1) additional County representative to its Board; and

WHEREAS, The County Board has discussed this vacant seat at its meetings on March 28 and April 4, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby appoints Commissioner Harala as representative and Commissioner McDonald as alternate to the St. Louis County Historical Society Board of Directors for terms expiring December 31, 2023.

Adopted April 4, 2023. No. 23-210

WHEREAS, On October 4, 2022, the St. Louis County Board adopted Resolution No. 22-538 allowing the St. Louis County Sheriff's Office to apply for the 2022 Community Wildfire Defense Grant; and

WHEREAS, The 2022 Community Wildfire Defense Grant is intended to help at-risk local communities and Tribes plan and reduce the risk against wildfire; and

WHEREAS, This grant prioritizes at-risk communities in areas identified as having high or very high wildfire hazard potential, are low-income, and/or have been impacted by a severe disaster; and

WHEREAS, The primary project will be to implement projects described in the Community Wildfire Protection Plan and the Multi Hazard Mitigation Plans that were both updated and approved by the St. Louis County Board in 2020.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes acceptance of the 2022 Community Wildfire Defense Grant in the amount of \$890,925 for a period over five

years, to be accounted for in Fund 100, Agency 132999 Grant 13215, Year 2022.

Adopted April 4, 2023. No. 23-211

WHEREAS, The Cross Boundary Fuels Mitigation Grant of 2023 specifically includes \$295,000.00 for reducing the threat of wildfires in high-risk areas as identified in the St. Louis County Community Wildfire Protection Plan; and

WHEREAS, The grant mitigation efforts would be focused on the North arm of the Burntside Lake and on Fenske Ridge off the Echo Trail; and

WHEREAS, On September 28, 2021, by Board Resolution No. 21-540, the County Board approved the St. Louis County Community Wildfire Protection Plan, and this funding is a mechanism to carry out the plan.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes application for the 2023 Cross Boundary Fuels Mitigation Grant funding through the United State Department of Agriculture in the amount of \$295,000 to be accounted for in Fund 100, Agency 132999, Grant 13210, Year 2023.

Adopted April 4, 2023. No. 23-212

WHEREAS, Jeremy and Anna Anderson have requested a perpetual, 33-foot-wide, non-exclusive 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 perpetual, non-exclusive right-of-way easement to Jeremy and Anna Anderson across state tax-forfeited lands as described in County Board File No. 61882.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of a \$791 land use fee, a \$23 timber damage fee, a \$200 administration fee, and a \$46 recording fee, for a sum total of \$1060, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted April 4, 2023. No. 23-213

WHEREAS, Lake Country Power has requested a 40-foot-wide utility easement across state tax-forfeited lands as part of an overhead powerline reconstruction project on an existing line in Kelsey Township (54-18); and

WHEREAS, Exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive utility easement to Lake Country Power across state tax-forfeited lands as described in County Board File No. 61882.

RESOLVED FURTHER, That the granting of this easement is conditioned upon receipt of payment of a \$1,200.00 land use fee, a \$150.00 administration fee, plus a \$46.00 recording fee, for a total amount of \$1,396.00, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted April 4, 2023. No. 23-214

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased

by the previous owners subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, Roselyn M. Powers of Aurora, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: E 1/4 of SE 1/4 of SW 1/4, Section 22, Township 58 North, Range 15 West

Parcel ID No: 570-0024-00315

LDKey: 130527; and

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

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owners of the property at the time of the expiration of the redemption period established under § 281.23, which were Roselyn M. Powers, Christopher M. Bol, Dominick Bukal and Aidan Powers; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a ten-year contract for deed, satisfying same, 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 Roselyn M. Powers of Aurora, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$4,550.50, deed fee of \$25, deed tax of \$15.02, and recording fee of \$46, for a total of \$4,636.52 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 April 4, 2023. No. 23-215

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, Mary L. McFarland of Hibbing, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: THAT PART OF NW 1/4 OF NW 1/4 LYING W OF LEIGHTON RD EX NLY 330 FT, Section 10, Township 56 North, Range 21 West

Parcel ID No: 141-0040-01901

LDKey: 105935; and

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

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owner of the property at the time of the expiration of the redemption period established under § 281.23, which was Mary L. McFarland; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a ten-year contract for deed, satisfying same, 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 Mary L. McFarland of Hibbing, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$2,066.47, deed fee of \$25, deed tax of \$1.65, and recording fee of \$46, for a total of \$2,139.12 to be deposited into Fund 240 (Tax-Forfeited Land Fund); plus a service fee of \$500 to be deposited into Fund 100 (General Fund).

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased by the owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, James John Saarikoski of Orr, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Govt Lot 1, EXCEPT North 33 feet for Road, Section 2, Township 62 North, Range 21 West

Parcel ID No: 757-0010-00170

LDKey: 130532; and

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

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owner of the property at the time of the expiration of the redemption period established under § 281.23, which was Daniel J. Saarikoski;

WHEREAS, Minn. Stat. § 282.302, subd. 2, provides that the deed must name the record owner's estate as grantee if a record owner is deceased, and Daniel J. Saarikoski is deceased; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a four-year contract for deed, satisfying same, 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 James John Saarikoski of Orr, MN, on file in County Board File No. 61911, to the Estate of Daniel J. Saarikoski subject to payments including total taxes and assessments of \$8,429.83, deed fee of \$25, deed tax of \$27.82, and recording fee of \$46, for a total of \$8,528.65 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 April 4, 2023. No. 23-217

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, Trey W. Baasi of Eveleth, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Lots 17 and 18, Block 32, REARRANGEMENT OF 1ST ADDN TO EVELETH

Parcel ID No: 040-0010-03320

LDKey: 130443; and

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

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owner of the property at the time of the expiration of the redemption period established under § 281.23, which was Trey W. Baasi; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a ten-year contract for deed, satisfying same, 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 Trey W. Baasi of Eveleth, MN, on file in County Board File No. 61911, subject to payments including total taxes and assessments of \$1,657.34, deed fee of \$25, deed tax of \$1.65, and recording fee of \$46, for a total of \$1,729.99 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 April 4, 2023. No. 23-218

RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 27 (totaling \$863,950.41), 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.

Adopted April 4, 2023. No. 23-219

Upon motion by Commissioner Nelson, supported by Commissioner Musolf, resolutions numbered 23-220 through 23-230, as submitted on a second consent agenda, were unanimously adopted as follows:

BY COMMISSIONER NELSON:

WHEREAS, The St Louis County Board previously approved a five-year (with the option of two additional 2-year extensions) cleaning service contract with Roufs Property Maintenance of Hermantown, MN, by Board Resolution No. 14-115 for the County’s Public Works Complex in Hibbing, MN; and

WHEREAS, The contract and all extensions have expired and the additional year extension is requested in order for Public Works to further evaluate the options for providing this service need.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a one-year extension of the Public Works Hibbing Cleaning contract approved by Board Resolution No. 14-115 with Roufs Property Maintenance of Hermantown, MN, in an amount of \$6,330.88 per month for an annual cost of \$75,970.56 with funds available from Fund 202, Agency 202012, Object 630900.

Adopted April 4, 2023. No. 23-220

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 April 4, 2023. No. 23-221

WHEREAS, The Property Assessed Clean Energy (MinnPACE) program is a way to finance energy efficiency and renewable energy upgrades to the buildings of commercial, nonprofit and multi-family property owners; and

WHEREAS, Under Minn. Stat. (Sections 216C.435 and 216C.436 and Chapter 429 and 471.59, collectively the “Act”), counties are authorized to provide energy and conservation financing through the use of special assessments; and

WHEREAS, The Act further allows the county to designate a local government unit other than the county to implement the program; and

WHEREAS, The Port Authority of the City of St. Paul (SPPA) administers the Property Assessed Clean Energy (MinnPACE) program on behalf of St. Louis County; and

WHEREAS, An application for energy improvement financing benefitting 2110 West

Superior Street, Duluth, MN, 55806 (PIN: 010-1120-02740) has been reviewed by the SPPA, which determined the interested property owner meets all eligibility requirements under MinnPACE; and

WHEREAS, After imposition of the special assessments, the county shall collect such assessments and remit them to the Port Authority for use in the repayment of the Loan(s) or Bond(s) and the county will take all actions permitted by law to recover the assessments, including without limitation, reinstating the outstanding balance of assessments in accordance with Minn. Stat. Section 429.071, Subd. 4; and

WHEREAS, The special assessment shall be certified to the County Auditor and entered onto the tax lists for the year and the annual installment and interest shall be collected at the same time and in the same manner as real property taxes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the MinnPACE assessment request for 2110 West Superior Street, Duluth, MN, 55806, and imposes a special assessment in the amount of \$3,667,045 plus interest for PIN: 010-1120-02740, and any tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

RESOLVED FURTHER, That such assessment shall be payable in equal semi-annual installments extending over a period of twenty (20) years, with the first of the installments to be payable January 1, 2024, and shall bear interest, not to exceed, at the rate of eight percent (8%) per annum in accordance with the MinnPACE loan requirements.

RESOLVED FURTHER, That this assessment is certified by the County Auditor to be extended on the property tax lists of the county where such assessments shall be collected and paid over in the same manner as other county taxes.

Adopted April 4, 2023. No. 23-222

WHEREAS, St. Louis County serves as the sponsor of various recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and

WHEREAS, The construction and maintenance of these trails is funded through the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, The Voyageur Country ATV Club has requested sponsorship of the Voyageur Country ATV System; and

WHEREAS, The State of Minnesota has requested additional language be added to its sponsorship associated with the period of time the County would act as a sponsor; and

WHEREAS, The County typically sponsors trails for a period of five (5) years.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorize sponsorship of the Voyageur Country ATV Club Trail System for a period of five (5) years at no cost to the County, and authorizes the County Auditor to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for construction, maintenance and administration of the trail.

RESOLVED FURTHER, That the St. Louis County Board Chair and/or the County Auditor are authorized to sign all easements, licenses, or other instruments associated with the trail, subject to the approval of the County Attorney.

RESOLVED FURTHER, That this resolution is contingent upon the Voyageur Country ATV Club being individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails, and the club naming the landowners over whose lands the trails travel as additional insureds on the general liability policy.

RESOLVED FURTHER, That Resolution No. 19-384 is hereby rescinded.

Adopted April 4, 2023. No. 23-223

WHEREAS, On December 13, 2022, the St. Louis County Board passed Board Resolution No. 22-651 allowing the application and acceptance of the 2023 State Boat and Water Safety grant in the amount of \$114,864; and

WHEREAS, St. Louis County Sheriff's Office was recently notified it has been awarded an additional \$27,430; and

WHEREAS, The State Boat and Water Safety grant enables the Sheriff to patrol St. Louis County waterways, to enforce the boat and water safety rules, to inspect watercraft, to provide search and rescue operations, and to conduct accident investigation as needed.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the amendment and acceptance of the 2023 State Boat and Water Safety grant in the revised amount of \$142,294 (an increase of \$27,430 from the originally adopted amount of \$114,864) to be accounted for in Fund 100, Agency 130999, Grant 13001, Year 2023.

Adopted April 4, 2023. No. 23-224

WHEREAS, The 2023 Land and Minerals Department budget includes funding for the treatment of 748.3 acres with broadcast-applied herbicides; and

WHEREAS, The contract may be renewed upon agreement of County and Contractor for up to four (4) optional one (1) year terms, provided the Contractor has satisfactorily performed the services determined solely by the County; and

WHEREAS, Future Forests, Inc., of Askov, MN, submitted the low bid in the amount of \$100,225.50; and

WHEREAS, The bids submitted are considered reasonable by the Land and Minerals Department staff;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to execute a contract with Future Forests, Inc., in the amount of \$100,225.50 for broadcast application of herbicide in 2023, with up to four (4) optional one (1) year terms, provided the Contractor has satisfactorily performed the services determined solely by the County, and in accordance with the specifications of Bid No. 1000033, payable from Fund 290, Agency 29001, subject to approval by the County Attorney.

Adopted April 4, 2023. No. 23-225

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, Daniel Francis King of Eveleth, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Easterly 18 feet of Lot 16 AND ALL of Lot 17, Block 59,
EVELETH CENTRAL DIVISION NO 2
Parcel ID No: 040-0100-01980
LDKey: 130446; and

WHEREAS, The applicant had an unrecorded contract for deed with the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owner of the property at the time of the expiration of the redemption period established under § 281.23, which was Forrest Norgaard; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a four-year contract for deed, satisfying same, 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 Daniel Francis King of Eveleth, Minnesota, on file in County Board File No. 61911, to record owner Forrest Norgaard, subject to payments including: total taxes and assessments of \$4,565.55, deed fee of \$25, deed tax of \$15.07, and recording fee of \$46, for a total of \$4,651.62 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 April 4, 2023. No. 23-226

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) has notified St. Louis County of special allocations of funds flowing through the HOME Investment Partnerships (HOME) awarded through the American Rescue Plan (ARP) Act to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations; and

WHEREAS, St. Louis County has conducted the required citizen participation process to determine need, eligibility, and priority for use of the HOME-ARP funding through public survey, strategic agency and group consultations, and county interdepartmental outreach throughout the Consortium area; and

WHEREAS, HUD has provided an abbreviated public comment period on the proposed HOME-ARP Allocation Plan funding; and

WHEREAS, The proposed Allocation Plan funding is posted on the Planning and Community Development website at: www.stlouiscountymn.gov/homeinvestmentpartnerships; and

WHEREAS, The public comment period for the proposed Allocation Plan begins April 17, 2023, and will be completed May 2, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board will hold a public hearing on Tuesday, May 2, 2023, at 9:35 a.m., at the St. Louis County Courthouse in Duluth, MN, for the purpose of receiving citizen comments on the HOME-ARP allocation plan that will be included in the amendment to the 2021 Action Plan.

Adopted April 4, 2023. No. 23-227

WHEREAS, The purpose of the Public Health and Human Services (PHHS) Advisory Committee is to seek input about the PHHS delivery system and make recommendations to the St. Louis County Board and PHHS relative to the service needs of the community consistent with Minn. Stat. § 402.03; and

WHEREAS, The Auditor’s Office received an application for a new member interested in serving for District 7 and there is support from the Commissioner of that district.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appointment of the following individual to the PHHS Advisory Committee:

Representative	New Appointment	Term
District 7	Mike Lindgren	Expiring December 31, 2024

Adopted April 4, 2023. No. 23-228

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following combined project:

CP 0000-706010, SAP 069-030-061 (2023 Scrub Seal)(Prime) consisting of 7 projects; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on March 30, 2023, and the low responsible bid determined.

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

LOW BIDDER: KGM Contractors, Inc.
ADDRESS: 9211 Hwy. 53, Angora, MN 55703
AMOUNT: \$1,184,758.61

RESOLVED FURTHER, That St. Louis County Board authorizes the approval of Contractor's Performance Bonds and to execute the bonds and contract for the above listed project payable from:

Fund 220, Agency 220730, Object 652700 – State Aid and City of Babbitt Funds - \$911,035.32

Fund 200, Agency 203666, Object 652800 – Local Funds - \$273,723.29

With additional revenue budgeted for expense:

City of Babbitt, Fund 220, Agency 220730, Object 551518 - \$88,919.85

Adopted April 4, 2023. No. 23-229

WHEREAS, The State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against opioid supply chain participants related to the opioid crisis; and

WHEREAS, The Minnesota Attorney General has signed on to multistate settlement agreements with Teva, Allergan, Walmart, Walgreens and CVS, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, There is a deadline of April, 18, 2023, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign-on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, Representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State and the counties and cities, as well as the permissible uses of these funds, which is memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement, as amended (the "State-Subdivision Agreement"); and

WHEREAS, The State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver a robust abatement and remediation plan to address the opioid crisis in Minnesota.

THEREFORE, BE IT RESOLVED, That St. Louis County supports and agrees to the State-Subdivision Agreement.

RESOLVED FURTHER, That St. Louis County supports and opts into the multistate settlement agreements with Teva, Allergan, Walmart, Walgreens and CVS.

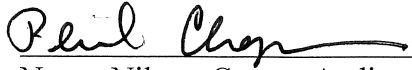
RESOLVED FURTHER, That the St. Louis County Board authorizes appropriate county staff to execute all necessary documents to ensure St. Louis County's participation in the multistate settlement agreements, including the Participation Agreement and accompanying Release, and in the State-Subdivision Agreement.

Adopted April 4, 2023. No. 23-230

At 10:35 a.m., April 4, 2023, Commissioner McDonald, supported by Commissioner Harala, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.


Patrick Boyle, Chair of the Board
of County Commissioners

Attest:



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

(Seal of the County Auditor)