



**COMMITTEE OF THE WHOLE AGENDA**  
**Board of Commissioners, St. Louis County, Minnesota**

**June 27, 2023**

**Immediately following the Board Meeting, which begins at 9:30 A.M.**  
**Halden Town Hall, 5523 S Savanna Rd., Floodwood**

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**DIRECTIONS:** Highway 2 into Floodwood. Turn left onto W. 9<sup>th</sup> Avenue/Floodwood Rd., and in approximately 1.5 miles turn left onto Savanna Rd., the Halden Town Hall will be on the right-hand side in just under a mile.

**CONSENT AND REGULAR AGENDA:**

All matters listed under the consent agenda are considered routine and/or non-controversial 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. For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

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**CONSENT AGENDA:**

**Minutes of June 13, 2023**

**Public Works & Transportation Committee, Commissioner Musolf, Chair**

1. State Contract Purchase of Three Brine Storage and Blending Systems [23-267]

**Finance & Budget Committee, Commissioner Nelson, Chair**

2. Abatement List for Board Approval [23-268]

**Central Management & Intergovernmental Committee, Commissioner Grimm, Chair**

3. Renew/Amend Minnesota Workforce Joint Powers Agreement [23-269]
4. Citizen Reappointments to the St. Louis County Planning Commission and Board of Adjustment [23-270]

**Environment & Natural Resources Committee, Commissioner Jugovich, Chair**

5. Repurchase of State Tax-Forfeited Land – Harp (Homestead) [23-271]
6. Repurchase of State Tax-Forfeited Land – Putkonen (Non-Homestead) [23-272]

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**ESTABLISHMENT OF PUBLIC HEARINGS:**

**Finance & Budget Committee, Commissioner Nelson, Chair**

1. Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Unorganized Township 61-13) (Tuesday, July 25, 2023 at 9:35 a.m.) [23-273]

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**REGULAR AGENDA:**

**Public Works & Transportation Committee, Commissioner Musolf, Chair**

1. **Award of Bids: Grading, Aggregate Base, Bituminous Surfacing, and Signing Project (CP 0000-458860, SP 069-070-048, HSIP 6923(255)) [23-274]**  
Resolution awarding a grading, aggregate base, bituminous surfacing, and signing project (CP 0000-458860, SP 069-070-048, HSIP 6923(255)) to low bidder KGM Contractors, Inc. of Angora, MN.

**Finance & Budget Committee, Commissioner Nelson, Chair**

1. **Purchase of Property Insurance [23-275]**  
Resolution authorizing the purchase of property and related insurance coverage from the Chubb Group of Insurance Companies through Marsh McLennan Agency LLC and authorizing the addition and/or deletion of property from the policy as required throughout the policy period.
2. **St. Louis County Service Center Remodel, American Rescue Plan Act Revenue Loss Funding [23-276]**  
Resolution approving the use of American Rescue Plan Act Revenue Loss funds for the remodel of the St. Louis County DMV Service Center.
3. **American Rescue Plan Act Revenue Loss Projects Funding [23-277]**  
Resolution authorizing the use of American Rescue Plan Act Revenue Loss funding for the Lake Vermilion Fire Brigade parking lot improvement project, Mesabi Fit Coalition/Virginia Community Foundation project, and the St. Louis County Agricultural Society 4-H Building project and/or recipients for these projects.

**Central Management & Intergovernmental Committee, Commissioner Grimm, Chair**

1. **Amendments to the Standing Rules and Bylaws of the County Board [23-278]**  
Resolution approving the amended Standing Rules and Bylaws of the County Board.

**Public Safety & Corrections Committee, Commissioner Harala, Chair**

1. **Approval of New Job Class – Emergency Support Services Administrator and Reallocation of a 1.0 FTE Deputy Sheriff – Division Commander Position to Emergency Support Services Administrator [23-279]**  
Resolution approving the new Emergency Support Services Administrator classification, assigned to Grade E30A in the Civil Service Supervisors Unit Pay Plan and reallocating the vacant 1.0 FTE Deputy Sheriff – Division Commander position.

**Environment & Natural Resources Committee, Commissioner Jugovich, Chair**

1. **Authorization to Approve and Adopt the Proposed Northeast Minnesota Regional Solid Waste Management Plan [23-280]**  
Resolution approving the adoption of the Northeast Minnesota Regional Solid Waste Management Plan.

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**COMMISSIONER DISCUSSION ITEMS AND REPORTS:**

*Commissioners may introduce items for future discussion, or report on past and upcoming activities.*

**ADJOURNED:**

**NEXT COMMITTEE OF THE WHOLE MEETING DATES:**

**July 11, 2023** Camp 5 Township, Melgeorge's Elephant Lake Lodge Resort, 6376 Co Rd. 180, Orr  
**July 25, 2023** Proctor City Hall, 100 Pionk Dr., Proctor  
**August 1, 2023** St. Louis County Courthouse, 100 N. 5<sup>th</sup> Ave. W., Duluth

**BARRIER FREE:** *All St. Louis County Board meetings are accessible to individuals with physical or intellectual differences. Efforts will be made to accommodate any individual needs for special services. Please contact St. Louis County Administration (218-726-2450) in advance so necessary arrangements can be made.*

# COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

June 13, 2023

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Harala, Grimm, McDonald, Nelson, Jugovich and Chair Boyle

Absent: Commissioner Musolf

Convened: Chair Boyle called the meeting to order at 10:19 a.m.

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## CONSENT AGENDA

Nelson/Grimm moved to approve the consent agenda. The motion passed. (6-0, Musolf absent) Commissioner Nelson noted that the Purchasing Committee is working on updating County Purchasing Rules and Regulations and expects the Committee to bring recommendations to the Board in the next 60 to 90 days.

- Minutes of June 6, 2023
- Authorization to Accept the Rural Health Network Development Planning Grant and to Contract with Northeast Services Cooperative and Essentia Health [23-251]
- Cooperative Agreement with Breitung Township to Receive and Administer Minnesota Department of Natural Resources State Park Road Account Funding for Stuntz Bay Access Road [23-252]
- Award of Bids: Traffic Signs Project (CP 0000-458862, SP 069-070-050, HSIP 6923(244)) [23-253]
- Cooperative Agreements with Five (5) ATV Clubs to Receive and Administer Department of Iron Range Resources and Rehabilitation (IRRR) FY 2023 Funding to Complete Various ATV Trail System Segments [23-254]
- St. Louis County Purchasing Rules and Regulations Continuation of Revised Limits [23-255]
- Amendment to County Purchasing Rules and Regulations Related to Single Source Purchasing [23-256]
- Item [23-257] Pulled by Department
- Sponsorship of the Quad Cities ATV Trail System [23-258]
- Final Plat Approval of Apple Lake Estates, Sections 2, 3, 4, 9, 10, & 11, Township 52N, Range 15W (Fredenberg) [23-259]
- Final Plat Approval of Carey Cove, Sections 31 & 32, Township 53N, Range 14W (Gnesen) [23-260]
- Gift of Land to St. Louis County (Parcel ID No. 010-3540-00620) [23-261]
- Gift of Land to St. Louis County (Parcel ID No. 317-0010-00501, -00531) [23-262]

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## Central Management & Intergovernmental Committee

Grimm/Boyle moved that the St. Louis County Board ratifies the 2023-2025 Confidential Public Employees Association collective bargaining agreement and authorizes county officials to execute a written agreement consistent with negotiations. [23-263]. County Administrator Kevin Gray commented that this agreement is consistent with previous agreements: a three-year agreement with salary ranges increases of 3.00% in 2023, 2024, 2025, and a onetime cash payment of \$400. The motion passed. (6-0, Musolf absent)

Grimm/McDonald moved that the St. Louis County Board approves the Unrepresented Employees Compensation Plan document update and salary range increases for 2023-2025. [23-264]. The motion passed. (6-0, Musolf absent)

Grimm/Nelson moved that the St. Louis County Board approves the Management Compensation Plan document update, the amended post-retirement health care savings plan policy and salary range increases for 2023-2025. [23-265]. Jim Gotschald, Director of Human Resources and Administration, commented that the plan changes are consistent with bargaining unit agreements and noted that the post-retirement health care savings plan policy for appointed department heads and managers covered under the Plan has been amended. The motion passed. (6-0, Musolf absent)

Grimm/Boyle moved that the Committee of the Whole will convene a closed session on June 13, 2023, for the purpose of discussing the *Demars* case, in accordance with Minn. Stat. § 13D.05, subd. 3(b). No other pending public business will be discussed at this closed session. The motion passed. (6-0, Musolf absent)

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## COMMISSIONER DISCUSSION ITEMS AND REPORTS

Commissioner McDonald provided the Committee with a Camp Esquagama Board report and noted that there have been 456 registrations as of June 7<sup>th</sup> and there are 42 St. Louis County Out-of-Home Placement campers.

Commissioner Nelson commented on the loss of the Huber Engineered Woods project and noted that the area lost out on 150 direct jobs and numerous indirect jobs.

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## Time Specific Presentation

At 10:41 a.m., Matt Massman, Steve Novak, Nancy Silesky, and Carli Stark gave a presentation to the Committee relating to the 2023 Minnesota Inter-County Association (MICA) Legislative Session priorities. Director Massman said that the 2023 legislative session resulted in \$2 billion in net tax reductions, an increase of \$14 billion in net spending, and approximately \$973 million in property tax relief. Director Massman noted that there was a \$9.3 million annual increase in Payments-in-Lieu-of Tax (PILT) and a \$80 million annual increase in County Program Aid.



At 11:44 a.m., Commissioner Grimm, supported by Commissioner Harala, moved to adjourn the Committee of the Whole meeting. The motion passed. (6-0, Musolf absent)

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Patrick Boyle, Chair of the County Board

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Phil Chapman, Clerk of the County Board



## St. Louis County Board of Commissioners Request for Board Action 23-267

Committee: **Public Works & Transportation**  
From: James T. Foldesi, Public Works Director  
Highway Engineer  
Reviewed by: Kevin Z. Gray, County Administrator

Date: June 27, 2023  
Attachments:  yes  no  
Consent:  yes  no

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**ITEM: State Contract Purchase of Three Brine Storage and Blending Systems**

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**Background/Overview:**

The Public Works Department is currently constructing three new campuses as part of the County wide facility improvement plan. The new campuses are being constructed in Culver, Kugler and Whiteface. As part of the improvement plan, Public Works planned for the installation of liquid brine storage and blending equipment at each new campus location.

The brine storage and blending capability is a critical component to further Public Works' mission of reducing chloride pollution by using cutting edge technology. These systems have proven themselves at multiple facilities around the county. Having these systems in place provides a valuable tool in the fight to prevent snow and ice accumulations throughout the county's extensive road network which results in safer road conditions for the traveling public.

The Public Works Department Campus Improvement Plan included funding to purchase the brine blender and associated storage tanks for each of the three new campuses. Due to the extensive network integration required to bring the new brine system into compatibility with the County's existing brine systems, the selection of VariTech is necessary. The three systems will be purchased from VariTech Industries Inc. of Burnsville, MN, using the available State of Minnesota contract at an estimated price of \$331,068.51. The average price for one system is approximately \$110,356.17.

**Policy Objectives:**

The brine systems requested have been solicited under the State of Minnesota utilizing Minn. Stat. §471.345, Uniform Municipal Contracting Law. The County's Purchasing Policy further allows for the acquisition of the brine systems under the State Contract.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The Public Works Department campus improvement plan included a budget of \$450,000.00 to complete the brine system installations at each of the three new campuses. The total budget for the projects proposed in this request is \$331,068.51 and with this award will leave \$118,931.49 for the remaining balance in the event of any unforeseen expenses. The funds will come from the Public Works Capital Improvement Fund (Fund 405).

**Recommendation:**

It is recommended that the St. Louis County Board authorize the purchase order for the installation of three brine systems purchased 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.

## **State Contract Purchase of Three Brine Storage and Blending Systems**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The Public Works Department's Campus Improvement Plan budget includes three 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 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 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.



## St. Louis County Board of Commissioners Request for Board Action 23 - 268

Committee: **Finance & Budget**

Date: June 27, 2023

From: Mary Garness, Director  
Public Records & Property Valuation  
David L. Sipila, County Assessor

Attachments:  yes  no

Reviewed by: Kevin Z. Gray, County Administrator

Consent:  yes  no

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### **ITEM: Abatement List for Board Approval**

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#### **Background/Overview:**

An abatement is an administrative process to correct errors and injustices in assessed valuation or classification. It is not part of the property tax appeal process.

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St. Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 16-82, dated January 26, 2016, outlining the Board's policy on abatement of ad valorem taxes. This policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

Property owners must submit a written application to be considered for a property tax abatement. Completed applications have been submitted for the attached list of properties.

#### **Policy Objectives:**

Minn. Stat. § 375.192 provides the Board with statutory authority to grant abatements that have been approved by the County Assessor and County Auditor. The St. Louis County Real Property Tax Abatement Policy, adopted in 2016, further details the County's process to address property tax abatements.

#### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The total reduction in property tax, not including processing fees, is included on the attached list for each abatement. Each entry also includes a notation indicating whether a processing fee is required, according to County policy.

#### **Recommendation:**

It is recommended that the St. Louis County Board approve the list of applications for abatement dated July 11, 2023.

## **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.



## Abatements Submitted for Approval by the St. Louis County Board

July 11, 2023

AUD. NO.	PARCEL ID	TAXPAYER NAME	LOCATION	APPRAISER	REASON	TAX YR.	FEE	REDUCTION
000815	010-1350-10450	BERGH, RONALD	DULUTH	FRANK CARVER	VALUATION	2023	N	\$164.00
000816	090-0145-00090	TACK, BONNIE	VIRGINIA	SARAH TINI	HOMESTEAD	2023	Y	\$874.00
000817	140-0105-01560	SCHMIDT, TROY	HIBBING	TIM MAROLT	HOMESTEAD	2023	Y	\$684.00
000818	295-0017-01025	KEITH, RACHEL & JESREAL	CLINTON	NICOLE FELTEN	HOMESTEAD	2023	Y	\$822.00
000819	330-0010-03180	HEDRICK, SYLVIA & PAUL	EMBARRASS	BRIAN GRAHEK	HOMESTEAD/VALUE	2023	Y	\$1,506.00
000820	575-0010-05580	FRIEND, CHARLES	WILLOW VALLEY	RON BUSHBAUM	HOMESTEAD	2023	Y	\$540.00



## St. Louis County Board of Commissioners Request for Board Action 23 – 269

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Committee:	<b>Central Management &amp; Intergovernmental</b>	Date:	June 27, 2023
From:	Brian Fritsinger, Deputy Administrator	Attachments:	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Reviewed by:	Kevin Z. Gray, County Administrator	Consent:	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no

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**ITEM: Renew/Amend Minnesota Workforce Joint Powers Agreement**

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**Background/Overview:**

The Joint Powers Agreement (JPA) for Minnesota’s Local Workforce Development Area #3 was established in 1983. This JPA was formed to create an administrative body for St. Louis, Aitkin, Koochiching, Itasca, Carlton, Lake, and Cook counties to administer Department of Labor employment and training programs through the Department of Employment and Economic Development (DEED).

The Local Workforce Development Area (LWDA) serves as the jurisdiction for the administration of workforce development activities, and the execution of Adult, Dislocated Worker, and Youth funds allocated by DEED. Minnesota has 16 Local Workforce Development Areas and each of those LWDA’s is tasked with having an administrative body to execute the employment and training programs in their area – some of the WDA’s formed local units of county government under JPA’s, others are nonprofit organizations, and other are city governments.

Under the JPA, the Northeast Minnesota Office of Job Training, administers the Workforce Innovation and Opportunity Act (WIOA) programs, including Adult, Dislocated Worker, and Youth, along with the State Dislocated Worker Program, Minnesota Youth, Youth at Work, and Rural Career Counseling Direct Appropriation. In addition, it administers the federal Temporary Assistance for Needy Families (TANF) programs which are the Minnesota Family Investment Program (MFIP) and Diversionary Work Program (DWP) for the counties of St. Louis, Aitkin, Koochiching, Itasca, and Carlton. It also pursues and applies for competitive grants through DEED, as appropriate to meet the employment and training needs of our communities. The governing body is comprised of one County Commissioner from each of the seven counties.

In Program Year 2022, for the WIOA and TANF programs, approximately 998 individuals on public assistance (MFIP and DWP), 146 Adults, 384 Dislocated Workers, and 443 Youth were enrolled and served. Generally, it is estimated that nearly 10,000 individuals are engaged annually as a result of operating under the JPA and thus receiving federal, state, and county funds.

The JPA Board is proposing changes to the JPA which require County approval. In general, these terms relate to indemnification, insurance, term, Board makeup, right of withdrawal, and other items.



**Policy Objectives:**

The JPA is made pursuant to Minn. Stat. §471.59 and 375.70.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The JPA is historically funded through federal, state, and county funds through the Department of Labor (WIOA programs) and the Department of Human Services (TANF programs) – the state is given certain allocations for WIOA programs which are then broken out through a formula and distributed to each LWDA. TANF funds are allocated to the counties and the counties contract with us (and other agencies) to provide the required employment services to those receiving public assistance. Currently, St. Louis County, along with the other six counties included in the JPA do not have any direct financial obligations associated with participation.

**Recommendation:**

It is recommended that the St. Louis County Board authorize the renewal/amendment of a Joint Powers Agreement for the Northeast Minnesota Office of Job Training.

**Renew/Amend Minnesota Workforce Joint Powers Agreement**

BY COMMISSIONER \_\_\_\_\_

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.



## St. Louis County Board of Commissioners Request for Board Action 23 – 270

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Committee: **Central Management & Intergovernmental** Date: June 27, 2023  
From: Darren Jablonsky, Interim Director  
Planning and Community Development Attachments:  yes  no  
Reviewed by: Kevin Z. Gray, County Administrator Consent:  yes  no

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**ITEM: Citizen Reappointments to the St. Louis County Planning Commission and Board of Adjustment**

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**Background/Overview:**

The St. Louis County Planning Commission is a nine-member committee appointed by the County Board with one member being a County Commissioner. The Planning Commission currently has two members, Ray Svatos and Diana Werschay, who wish to be reappointed to terms expiring December 31, 2024.

The St. Louis County Board of Adjustment is a seven-member committee appointed by the County Board. The Board of Adjustment currently has three members, Steve Filipovich, David Pollock, and James McKenzie, who wish to be reappointed to terms expiring December 31, 2024.

Maps of the current Planning Commission and Board of Adjustment members are attached.

**Policy Objectives:**

The Planning Commission has been created pursuant to Minn. Stat. §394.30 and its roles and responsibilities defined under Article IX of the County Zoning Ordinance. Its membership and appointment process are detailed under Sections 9.2 and 9.3 of the ordinance.

The Board of Adjustment has been created pursuant to Minn. Stat. §394.27 and its roles and responsibilities defined under Article X of the County Zoning Ordinance. Its membership and appointment process are detailed under Sections 10.2 and 10.3 of the ordinance.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The 2023 adopted budget includes funding to cover the \$150 per meeting and mileage costs at the current CONUS rate for individuals serving both on the Planning Commission and on the Board of Adjustment.

**Recommendation:**

It is recommended that the St. Louis County Board reappoint Ray Svatos and Diana Werschay to the St. Louis County Planning Commission for terms expiring December 31, 2024.

It is further recommended that the St. Louis County Board reappoint Steve Filipovich, David Pollock, and James McKenzie to the St. Louis County Board of Adjustment for terms expiring December 31, 2024.

**Citizen Reappointments to the St. Louis County Planning Commission  
and Board of Adjustment**

BY COMMISSIONER \_\_\_\_\_

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

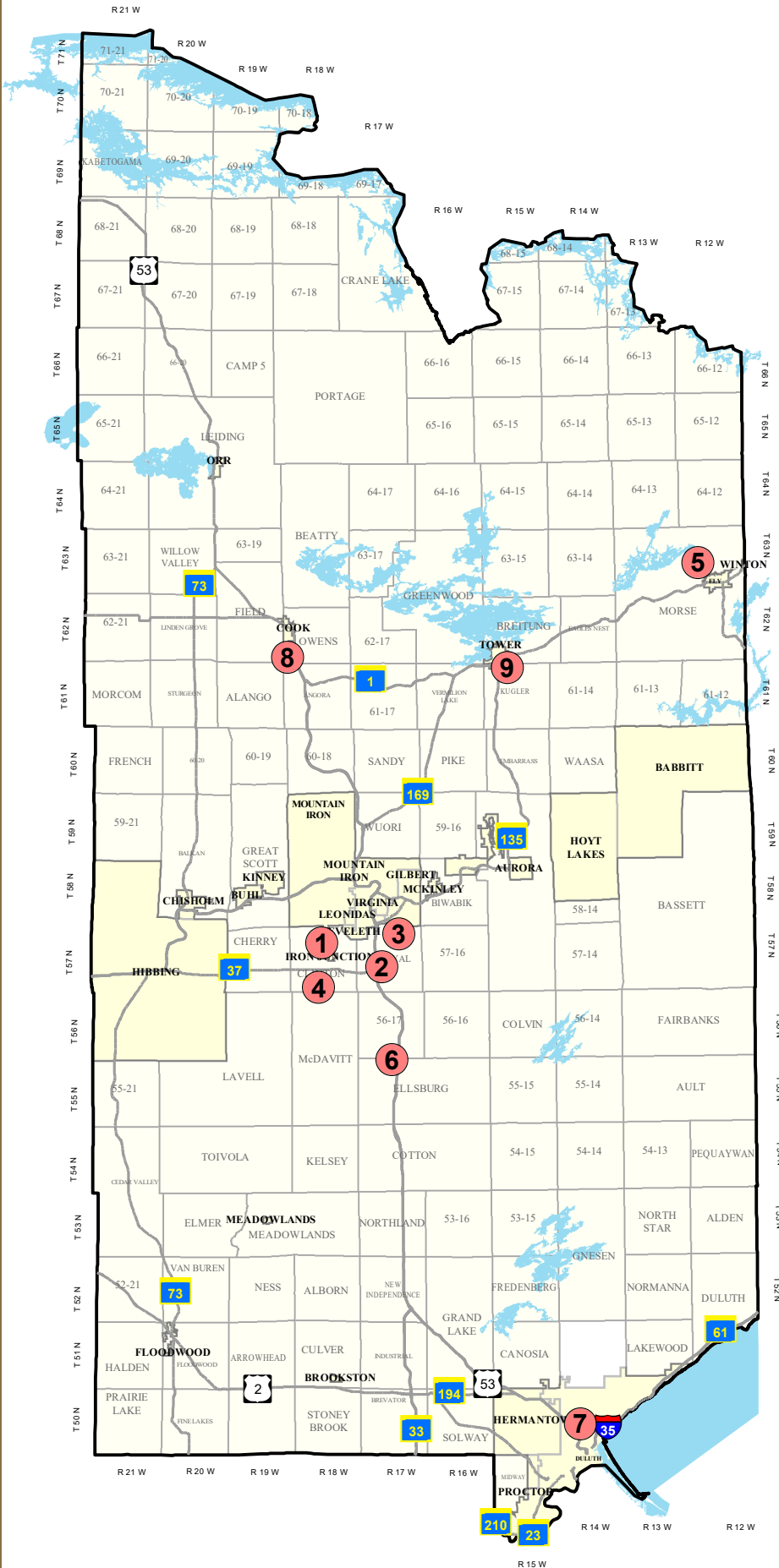
WHEREAS, Ray Svatos and Diana Werschay have been serving as the de facto members of the Planning Commission and Steve Filipovich, David Pollock, and James McKenzie have been serving as de facto members of the Board of Adjustment since the expiration of their prior terms.

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.

FURTHER RESOLVED, 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.

# Planning Commission (PC) Members

## St. Louis County



● 2023 PC Member Locations

- 1 - Diana Werschay
- 2 - Commissioner Keith Nelson
- 3 - Tom Coombe
- 4 - Raymond Svatos
- 5 - Ross Petersen
- 6 - James (Pat) McKenzie
- 7 - Steve Filipovich
- 8 - Daniel Manick
- 9 - David Pollock

Prepared By: **Planning & Community Development Department**  
 Planning & Community Development  
 (218) 749-7103  
[www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)

Map Created: 5/17/2023

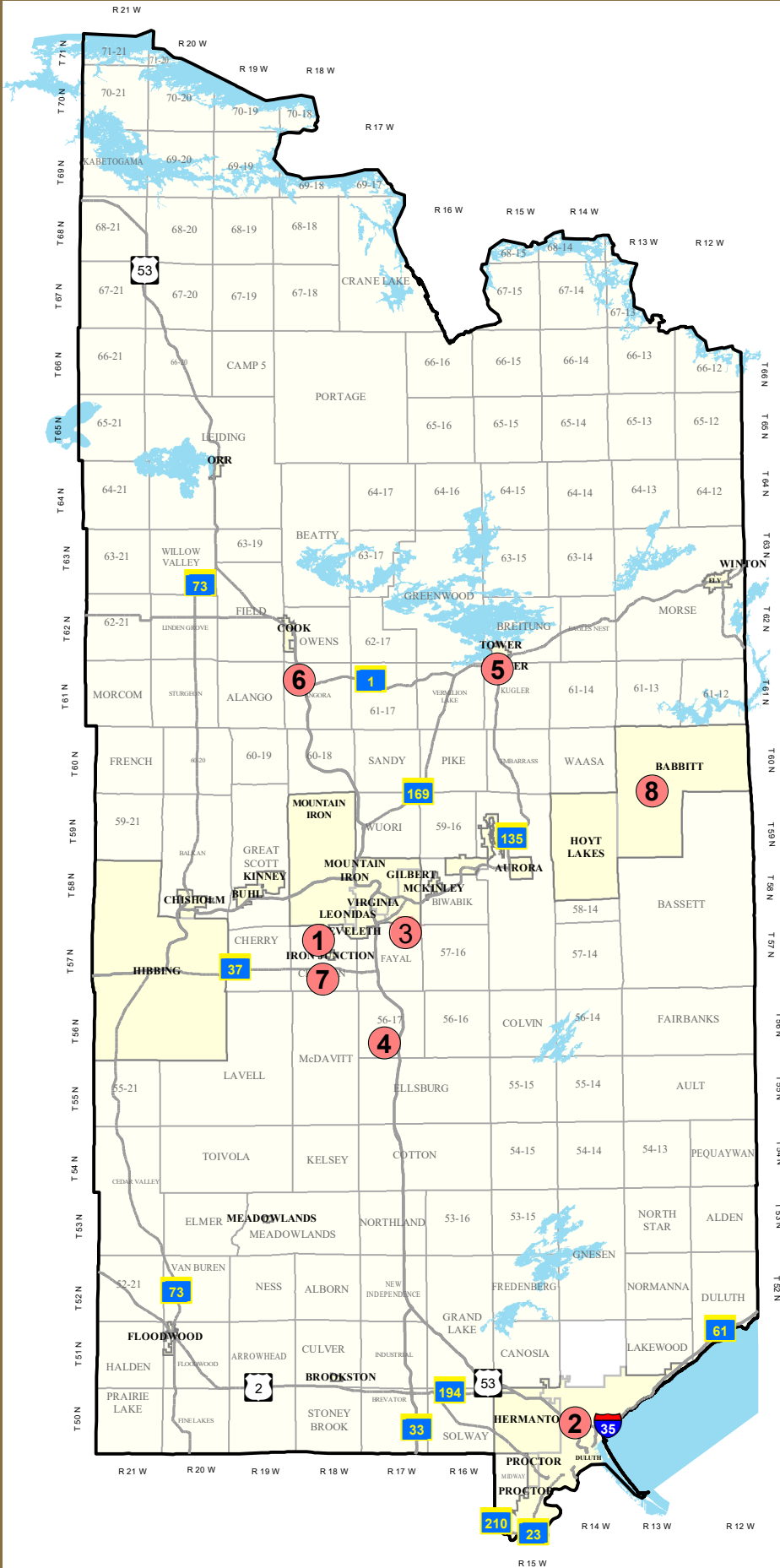
**Disclaimer**

This is a compilation of records as they appear in the Saint Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.



# Board of Adjustment (BOA) Members

## St. Louis County



● 2023 BOA Member Locations

- 1- Diana Werschay
- 2- Steve Filipovich
- 3- Tom Coombe
- 4- James McKenzie
- 5- David Pollock
- 6- Dan Manick
- 7- Raymond Svatos
- 8- Andrea Zupancich (Alternate)



Prepared By: **Planning & Community Development Department**  
 Planning & Community Development  
 (218) 749-7103  
[www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)

Map Created: 1/14/2022

**Disclaimer**  
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St. Louis County Board of Commissioners  
**Request for Board Action 23 – 271**

Committee: **Environmental & Natural Resources**  
From: Julie Marinucci, Director  
Land & Minerals  
Nancy J. Nilsen, County Auditor/Treasurer  
Reviewed by: Kevin Z. Gray, County Administrator

Date: June 27, 2023  
Attachments:  yes  no  
Consent:  yes  no

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**ITEM: Repurchase of State Tax-Forfeited Land – Harp (Homestead)**

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**Background/Overview:**

The county received an application from Eric Daniel Harp, of Aurora, MN, seeking to repurchase property located at 336 S. 2<sup>nd</sup> Street E., Aurora, MN. The applicant was the record owner of property which was forfeited to the State of Minnesota on December 7, 2022. Based on the application review and research by Land and Minerals staff, along with the Minnesota statutes referenced below, the applicant is eligible to repurchase said property and has made satisfactory application to do so.

**Policy Objectives:**

Minn. Stat. § 282.241 permits state tax-forfeited land to be repurchased by the previous owner upon payment of the sum of all delinquent taxes and assessments computed under Minn. Stat. § 282.251, together with penalties, interest, and maintenance costs, that accrued or would have accrued if the land had not forfeited to the state.

Minn. Stat. § 282.302, subd. 1, provides that the state’s eventual quitclaim 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. The record owner at the time of forfeiture was Eric Daniel Harp.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The applicant has made the required downpayment of \$1,260.74 to enter into a ten-year contract for deed to pay all amounts due and owing under Minn. Stat. § 282.241 per county board guidelines. The repurchase of this property will promote the use of lands that will best serve the public interest. Funds will be deposited into Fund 240 (Tax-Forfeited Land Fund), except a service fee of \$500, which will be deposited into Fund 100 (General Fund).

**Recommendation:**

It is recommended that the St. Louis County Board approve the repurchase application of Eric Daniel Harp of Aurora, MN, 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 amount 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).

**Repurchase of State Tax-Forfeited Land – Harp  
(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, Eric Daniel Harp of Aurora, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: Lot 2, Block 4, ZUPONCIC ACRES 1<sup>ST</sup> ADD TO AURORA  
Parcel ID No: 100-0077-00560  
LDKey: 130468

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. \_\_\_\_, 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).





# St. Louis County Land and Minerals Department Tax-Forfeited Land Sales - Repurchase

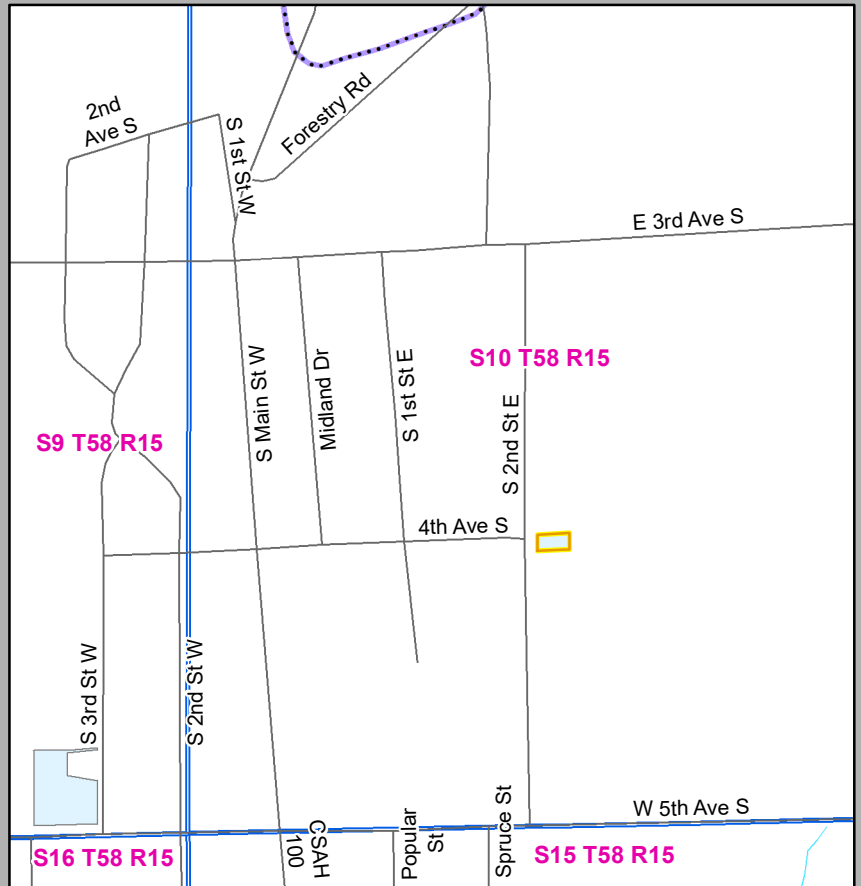
Legal: Lot 2, Block 4, ZUPONCIC  
ACRES 1ST ADD TO AURORA

Parcel Code: 100-0077-00560

LDK: 130468




Address: 336 S. 2nd St. E.  
Aurora, MN 55705

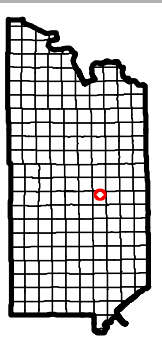
Acres: 0.20



City of Aurora Sec: 10 Twp: 58N Rng: 15W

## Commissioner District # 4

-  Area of Interest
-  Tax Forfeited
-  Road

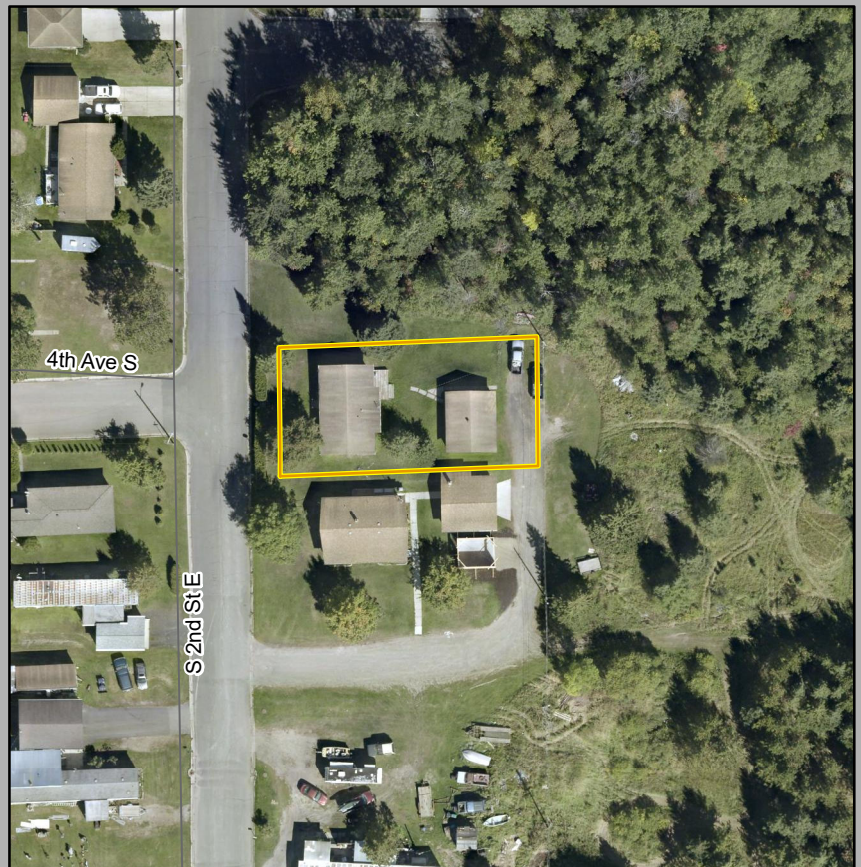


St. Louis County, Minnesota

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County  
Land and Minerals Department**

**2023**







# REPURCHASE APPLICATION

## Tax-Forfeited Lands

St. Louis County, Minnesota

4000

PURSUANT TO MINNESOTA STATUTES, SECTION 282.241, the undersigned hereby makes application to repurchase from the State of Minnesota the following described tax-forfeited land, pursuant to Minnesota Statutes, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

### PROPERTY

Parcel Identification Number(s) (PIN) 100-0077-00560

Physical Street Address  
336 S. 2<sup>nd</sup> St. E.

Legal Description  
Lot 2, Block 4, ZUPONCIC ACRES 1<sup>ST</sup> ADD TO AURORA

City Aurora	State MN	ZIP 55705
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### APPLICANT

Applicant Name (First, Middle, Last, Suffix)

Eric Daniel Harp

Daytime Phone #

N/A

Mobile #

218-750-7578

Applicant Name (First, Middle, Last, Suffix)

Email

skibunharp@gmail.com

Mailing Address

336 S. 2<sup>nd</sup> St. E.

City

Aurora

State

MN

ZIP

55705

Applicant states and shows that at the time of the forfeiture to the State, they were (please check one):

- Owner  
 Heir(s) of the owner  
 Representative or devisee of owner  
 Person to whom the right to pay taxes is given by statute, mortgage or other agreement  
*(Provide documentation with application)*

### REPURCHASE JUSTIFICATION

Based on the following information, the County Board will determine how undue hardship or injustice resulting from the tax forfeiture will be corrected by the repurchase; or how the repurchase will best serve the public interest.

1. List all individuals or entities that are eligible to repurchase the parcel(s). Must provide legal documentation.

Eric Harp

**Who is Eligible to Repurchase:** Minnesota Statutes 282.241, Subdivision 1. Repurchase requirements: 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, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn the parcel of land.

2. Describe when and how you first became aware of any tax delinquency and explain by each year, why the property taxes were not paid.

2<sup>nd</sup> half 2019 health reasons unable to work.

2020  
2021  
2022

} Unable to work due to  
Covid 19



3. Did the tax forfeiture create an undue hardship or injustice for you?  Yes  No *If no, skip to #5.*

4. If your answer to question #3 is "Yes," please answer the following:

A. Explain how the tax forfeiture created an undue hardship or injustice for you.  
Unable to receive any help with A.E.O.A. For furnace repairs, help with electric, it is under the state's name.

B. If approved to repurchase, explain how the undue hardship or injustice will be corrected.  
~~I~~ I will be able to apply for help assuming my name will be on the deed

5. Explain, in detail, how allowing you to repurchase the parcel will promote the use of the land that will best serve the public interest.  
allowing my wife and twin boys to continue to live here, maintain the house, upkeep with the rest of the neighborhood

**WELLS** (Please check the appropriate box below)

<input checked="" type="checkbox"/> There are no wells on this property	<input type="checkbox"/> There are one or more wells on this property <i>(See enclosed well disclosure information sheet)</i>
<input type="checkbox"/> No change since last well certificate	<input type="checkbox"/> Well disclosure completed - \$50.00 enclosed <i>(Check Payable to St. Louis County Auditor)</i>

**MILITARY SERVICE**

Yes  No Are you currently in active military service?

If you have been discharged within the last 6 months, provide discharge date and attach documentation. Discharge Date:



**DEED NAME(S)**

Minnesota Statutes 282.302 Subdivision 1 requires the deed to be issued to the previous owner of record. Subdivision 2 provides the state deed must name the record owner's estate as grantee if the previous owner is deceased. (If more than two, attach additional list.)

Name (First, Middle, Last, Suffix)

Eric David Harp

Name (First, Middle, Last, Suffix)

Mailing Address *Where to send deed, contract for deed, billings, tax statements, etc.*

336 S. 2nd St. E.

City

Aurora

State

MN

ZIP

55705

Ownership (For Deed Purposes) Check One

 Single Ownership   
  Co-ownership: Joint Tenancy   
  Co-ownership: Tenancy in Common   
  Co-ownership: Other

If more than one, what is the relationship?

**AGREEMENT AND SIGNATURE**

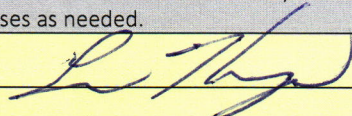
Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

If I am allowed to repurchase the parcel, I understand that there will be conditions on the repurchase, including, but not limited to the following:

- A. To combine any split tax parcels across structure or property into common ownership.
- B. To pay all county-incurred maintenance costs and administrative fees related to the tax forfeiture of the parcel prior to the repurchase.
- C. To pay and keep current all taxes and assessments.
- D. To keep and maintain property insurance on structures for the life of the contract for deed.
- E. To comply with all state and local code requirements.
- F. To not remove any structure, minerals, sand, gravel, topsoil, subsoil, peat, timber or timber products until the contract for deed has been paid in full.

In submitting this application, I understand that it will be disclosed to the County Board as part of a resolution, and that all the contents of this application will become accessible to any member of the public, and that the County may use any data or information provided for communication and other uses as needed.

Signature



Date

5/14/23

Signature

Date

**CONTACT****St. Louis County**

Land and Minerals Department  
 Government Services Center  
 320 West 2nd Street, Suite 302  
 Duluth, MN 55802

EMAIL: [landdept@stlouiscountymn.gov](mailto:landdept@stlouiscountymn.gov)

PHONE: (218) 726-2606

FAX: (218) 726-2600

WEB: [stlouiscountymn.gov](http://stlouiscountymn.gov)

**Incomplete Applications:** All application questions must be filled in for this repurchase application to be complete. All incomplete applications will be returned to the applicant to be completed and resubmitted.

Contact our office at 218-726-2606 for the current amount owed, which increases monthly.

**OFFICE USE ONLY****TAX DELINQUENCY**

Taxes became delinquent in (Year):

2018

Taxes remained delinquent and unpaid for the subsequent years of:

2019-2022

**REPURCHASE COSTS** (Check Payable to St. Louis County Auditor)

That pursuant to Minnesota Statutes, the total cost of the repurchase is:

\$ 7,741.98

Thru: Date 5.15.23

This amount is the greater value of all delinquent taxes and assessments computed under Section 282.241 and 282.251, together with all accrued interest and penalties, including fees and maintenance costs.





St. Louis County Board of Commissioners  
**Request for Board Action 23 – 272**

Committee: **Environmental & Natural Resources**  
From: Julie Marinucci, Director  
Land & Minerals  
Nancy J. Nilsen, County Auditor/Treasurer  
Reviewed by: Kevin Z. Gray, County Administrator

Date: June 27, 2023  
Attachments:  yes  no  
Consent:  yes  no

---

**ITEM: Repurchase of State Tax-Forfeited Land – Putkonen (Non-Homestead)**

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**Background/Overview:**

The County received an application from Sheila M. Putkonen, of Chisholm, MN, seeking to repurchase property located at 30 1<sup>st</sup> Street NW, Chisholm, MN. The applicant was the record owner of property which was forfeited to the State of Minnesota on December 7, 2022. Based on the application review and research by Land and Minerals staff, along with the Minnesota statutes referenced below, the applicant is eligible to repurchase said property and has made satisfactory application to do so.

**Policy Objectives:**

Minn. Stat. § 282.241 permits state tax-forfeited land to be repurchased by the previous owner upon payment of the sum of all delinquent taxes and assessments computed under Minn. Stat. § 282.251, together with penalties, interest, and maintenance costs, that accrued or would have accrued if the land had not forfeited to the state.

Minn. Stat. § 282.302, subd. 1, provides that the state’s eventual quit claim 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. The record owner at the time of forfeiture was Sheila M. Putkonen.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The applicant has made the required downpayment of \$1,713.07 to enter into a four-year contract for deed to pay all amounts due and owing under Minn. Stat. § 282.241 per county board guidelines. The repurchase of this property will promote the use of lands that will best serve the public interest. Funds will be deposited into Fund 240 (Tax-Forfeited Land Fund), except a service fee of \$500, which will be deposited into Fund 100 (General Fund).

**Recommendation:**

It is recommended that the St. Louis County Board approve the repurchase application of Sheila M. Putkonen of Chisholm, MN, 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 amount 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).

**Repurchase of State Tax-Forfeited Land – Putkonen  
(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, 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

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. \_\_\_\_, 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).



# St. Louis County Land and Minerals Department Tax-Forfeited Land Sales - Repurchase

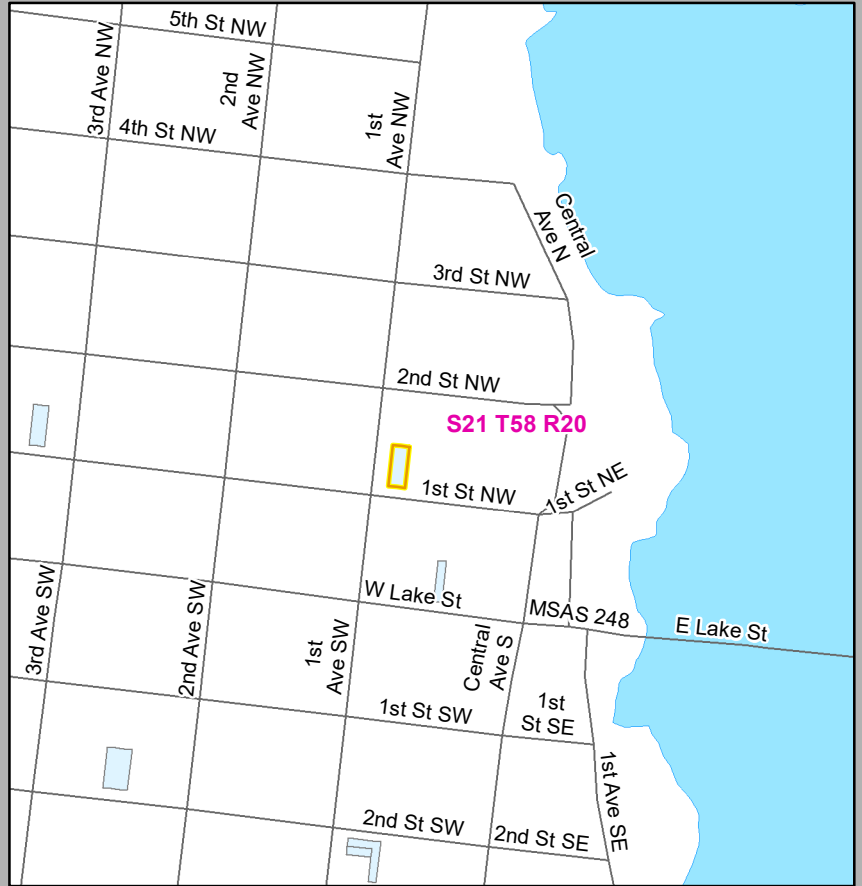
Legal: Lots 20 and 21, Block 1, CHISHOLM

Parcel Code: 020-0010-00210

LDK: 130433




Address: 30 1st Street NW  
Chisholm, MN 55719

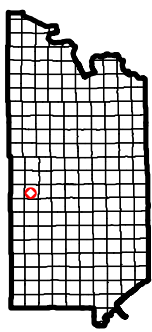
Acres: 0.10



City of Chisholm Sec: 21 Twp: 58N Rng: 20W

## Commissioner District # 7

-  Area of Interest
-  Tax Forfeited
-  Road



*St. Louis County, Minnesota*

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

**St. Louis County  
Land and Minerals Department**

**2023**







# REPURCHASE APPLICATION

## Tax-Forfeited Lands

St. Louis County, Minnesota

4000

PURSUANT TO MINNESOTA STATUTES, SECTION 282.241, the undersigned hereby makes application to repurchase from the State of Minnesota the following described tax-forfeited land, pursuant to Minnesota Statutes, Section 282.241, as amended; said land is situated in St. Louis County, Minnesota, and more particularly described as follows:

### PROPERTY

Parcel Identification Number(s) (PIN) 020-0010-00210

Physical Street Address  
30 1<sup>st</sup> Street NW

Legal Description  
Lots 20 and 21, Block 1, CHISHOLM

City Chisholm	State MN	ZIP 55719
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### APPLICANT

Applicant Name (First, Middle, Last, Suffix)  
Sheila Marie Potkonen

Daytime Phone #  
218-969-6773

Mobile #

Applicant Name (First, Middle, Last, Suffix)

Email  
sheila.potkonen@gmail.com

Mailing Address  
500 13<sup>th</sup> St. NW

City Chisholm	State MN	ZIP 55719
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Applicant states and shows that at the time of the forfeiture to the State, they were (please check one):

- Owner  
 Heir(s) of the owner  
 Representative or devisee of owner  
 Person to whom the right to pay taxes is given by statute, mortgage or other agreement  
*(Provide documentation with application)*

### REPURCHASE JUSTIFICATION

Based on the following information, the County Board will determine how undue hardship or injustice resulting from the tax forfeiture will be corrected by the repurchase; or how the repurchase will best serve the public interest.

1. List all individuals or entities that are eligible to repurchase the parcel(s). Must provide legal documentation.

Sheila Potkonen

Who is Eligible to Repurchase: Minnesota Statutes 282.241, Subdivision 1. Repurchase requirements: 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, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn the parcel of land.

2. Describe when and how you first became aware of any tax delinquency and explain by each year, why the property taxes were not paid.

Property taxes have not been paid due to financial hardships. I changed jobs and have been working to get everything caught up. I also had a few weeks with no pay due to being out with covid.



3. Did the tax forfeiture create an undue hardship or injustice for you?

Yes

No

If no, skip to #5.

4. If your answer to question #3 is "Yes," please answer the following:

A. Explain how the tax forfeiture created an undue hardship or injustice for you.

B. If approved to repurchase, explain how the undue hardship or injustice will be corrected.

5. Explain, in detail, how allowing you to repurchase the parcel will promote the use of the land that will best serve the public interest.

I would like to repurchase the property and will be working with someone to fix up and update the property. We would like to open it as some sort of room & board facility. The building has been empty & not maintained for many years. When I purchased it I had full intentions to start working on it right away but was not able to as it was so out of compliance I didn't know where to start. Recently a friend reached out to me, we share the same ideas for the building and would like to start moving things along.

**WELLS** (Please check the appropriate box below)

There are no wells on this property

There are one or more wells on this property  
(See enclosed well disclosure information sheet)

No change since last well certificate

Well disclosure completed - \$50.00 enclosed  
(Check Payable to St. Louis County Auditor)

**MILITARY SERVICE**

Yes  No Are you currently in active military service?

If you have been discharged within the last 6 months, provide discharge date and attach documentation.

Discharge Date:



**DEED NAME(S)**

Minnesota Statutes 282.302 Subdivision 1 requires the deed to be issued to the previous owner of record. Subdivision 2 provides the state deed must name the record owner's estate as grantee if the previous owner is deceased. (If more than two, attach additional list.)

Name (First, Middle, Last, Suffix)

Sheila Marie Potkonen

Name (First, Middle, Last, Suffix)

Mailing Address *Where to send deed, contract for deed, billings, tax statements, etc.*

500 13th St. NW

City

Chisholm

State

MN

ZIP

55719

Ownership (For Deed Purposes) Check One

 Single Ownership   
  Co-ownership: Joint Tenancy   
  Co-ownership: Tenancy in Common   
  Co-ownership: Other

If more than one, what is the relationship?

**AGREEMENT AND SIGNATURE**

Applicant offers to pay upon such repurchase, by check or money order, as directed by the St. Louis County Board, the full price of repurchase as stated above, the terms of which will be stated by the contract and required by law.

If I am allowed to repurchase the parcel, I understand that there will be conditions on the repurchase, including, but not limited to the following:

- A. To combine any split tax parcels across structure or property into common ownership.
- B. To pay all county-incurred maintenance costs and administrative fees related to the tax forfeiture of the parcel prior to the repurchase.
- C. To pay and keep current all taxes and assessments.
- D. To keep and maintain property insurance on structures for the life of the contract for deed.
- E. To comply with all state and local code requirements.
- F. To not remove any structure, minerals, sand, gravel, topsoil, subsoil, peat, timber or timber products until the contract for deed has been paid in full.

In submitting this application, I understand that it will be disclosed to the County Board as part of a resolution, and that all the contents of this application will become accessible to any member of the public, and that the County may use any data or information provided for communication and other uses as needed.

Signature

Date

3-20-23

Signature

Date

**CONTACT**

**St. Louis County**  
 Land and Minerals Department  
 Government Services Center  
 320 West 2nd Street, Suite 302  
 Duluth, MN 55802

**EMAIL:** landdept@stlouiscountymn.gov  
**PHONE:** (218) 726-2606  
**FAX:** (218) 726-2600  
**WEB:** stlouiscountymn.gov

**Incomplete Applications:** All application questions must be filled in for this repurchase application to be complete. All incomplete applications will be returned to the applicant to be completed and resubmitted.

Contact our office at 218-726-2606 for the current amount owed, which increases monthly.

**OFFICE USE ONLY****TAX DELINQUENCY**

Taxes became delinquent in (Year):

2018

Taxes remained delinquent and unpaid for the subsequent years of:

2019-2022

**REPURCHASE COSTS** (Check Payable to St. Louis County Auditor)

That pursuant to Minnesota Statutes, the total cost of the repurchase is:

\$6,381.45

Thru: Date

6/30/23

This amount is the greater value of all delinquent taxes and assessments computed under Section 282.241 and 282.251, together with all accrued interest and penalties, including fees and maintenance costs.





St. Louis County Board of Commissioners  
**Request for Board Action 23 - 273**  
**Establishment of Public Hearing**

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Committee: **Finance & Budget**

Date: June 27, 2023

From: Nancy J. Nilsen, County Auditor/Treasurer

Attachments:  yes  no

Reviewed by: Kevin Z. Gray, County Administrator

Consent:  yes  no

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**ITEM: Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Unorganized Township 61-13)**

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**Background/Overview:**

The County has received an application for an Off-Sale Intoxicating Liquor License for the establishment known as:

The Hideaway Bar Inc. dba The Hideaway Bar, Unorganized Township 61-13.

The St. Louis County Liquor Licensing Committee reviewed the application and has recommended its approval.

**Policy Objectives:**

Minn. Stat. §340A.405, Subd. 2(d), relating to the issuance of off-sale intoxicating liquor licenses provides that "No license may be issued under this subdivision unless a public hearing is held on the issuance of the license. Notice must be given to all interested parties and to any city located within three miles of the premises to be licensed. At the hearing the county board shall consider testimony and exhibits presented by interested parties and may base its decision to issue or deny a license upon the nature of the business to be conducted and its impact upon any municipality, and the character and reputation of the applicant, and the propriety of the location."

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

According to the St. Louis County Fee Schedule, this establishment is applying for an Off-Sale Intoxicating Liquor License located in Area 2 and the annual license fee is \$250.00.

**Recommendation:**

It is recommended 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.

**Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License  
(Unorganized Township 61-13)**

BY COMMISSIONER \_\_\_\_\_

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.



## St. Louis County Board of Commissioners Request for Board Action 23-274

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Committee: **Public Works & Transportation** Date: June 27, 2023  
From: James T. Foldesi, Public Works Director/  
Highway Engineer Attachments:  yes  no  
Reviewed by: Kevin Z. Gray, County Administrator Consent:  yes  no

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**ITEM: Award of Bids: Grading, Aggregate Base, Bituminous Surfacing, and Signing Project (CP 0000-458860, SP 069-070-048, HSIP 6923(255))**

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### **Background/Overview:**

A grading, aggregate base, bituminous surfacing, and signing project is proposed for various county roads and township roads within St. Louis County.

Bids were requested and let on June 8, 2023 and the County received three bids for the project with the low bid being from KGM Contractors, Inc. in the amount of \$893,502.29, 6.41% under the engineer's estimate of \$954,725.50.

### **BIDS:**

- **KGM Contractors, Inc.** **\$893,502.29**  
Angora, MN
- Veit & Company, Inc. \$909,428.46  
Rogers, MN
- Ulland Brothers, Inc. \$959,387.00  
Cloquet, MN

The project is anticipated to start on August 1, 2023, with an anticipated completion date of July 31, 2024.

### **Policy Objectives:**

The project was bid in accordance with the County's purchasing rules.

### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The Department's 2023 budget and capital improvement plan includes funding for this project. The County will be using Federal and State Aid Funds to fund this project.

Funding: CP 0000-458860, SP 069-070-048, HSIP 6923(255)  
Fund 220, Agency 220745, Object 652700

### **Recommendation:**

It is recommended that the St. Louis County Board award the project (CP 0000-458860, SP 069-070-048, HSIP 6923(255)) to low bidder of KGM Contractors, Inc. in the amount of \$893,502.29 payable from:

**CP 0000-458860, SP 069-070-048, HSIP 6923(255)**  
Fund 220, Agency 220745, Object 652700 – Federal and State Aid Funds

**Award of Bids: Grading, Aggregate Base, Bituminous Surfacing, and Signing Project (CP 0000-458860, SP 069-070-048, HSIP 6923(255))**

BY COMMISSIONER \_\_\_\_\_

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



## St. Louis County Board of Commissioners Request for Board Action 23 - 275

Committee: **Finance & Budget**

Date: June 27, 2023

From: Donna Viskoe, Director, Purchasing

Attachments:  yes  no

Reviewed by: Kevin Z. Gray, County Administrator

Consent:  yes  no

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### ITEM: **Purchase of Property Insurance**

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#### **Background/Overview:**

St. Louis County has been purchasing property insurance on a loss limit basis versus a blanket property basis for several years. This type of coverage has provided favorable rates and lower deductibles on an exposure which has increased annually. The current policy with the Marsh McLennan Agency LLC company expires on July 24, 2023.

The Chubb Group of Insurance Companies, which has insured the county since 2005 has offered to renew coverage with the same terms and conditions as the existing coverage. The 2023- 2024 Insurance Policy includes a loss limit of \$125,000,000 per occurrence during the policy period. An annual review by the Purchasing Division suggests this limit will provide protection for all the largest county exposures. The recommended proposal includes coverage for all the county's requirements under one policy and one insurance group. All contractors' equipment will be covered on and away from the premises, subject to an \$8,000,000 loss limit and \$20,000 deductible per occurrence.

The Chubb Group proposes Property and Related Insurance coverage on major structures and equipment with a \$25,000 per occurrence deductible unless otherwise indicated below:

- Contractors' Equipment: \$20,000 deductible, insures equipment on and away from the scheduled premises
- Electronic Data Processing, Valuable Papers & Accounts Receivable: \$2,500 deductible
- Towers and Boiler and Machinery Property Damage: \$5,000 deductible
- Auto/Equipment Physical Damage: Wind & Hail only, \$100,000 deductible
- Earthquake and Flood: \$100,000 deductible; \$500,000 for High Hazard Flood Zones

#### **Policy Objectives:**

Minn. Stat. §375.32 and County Purchasing Rules, have been followed in obtaining a proposal and for authority in carrying such coverage.

#### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

This program continues to provide very broad coverage of the county's property, subject to the same deductibles and coverage as in the past several years. Based on the premium proposal of \$494,720 submitted by the Chubb Insurance Company, the rate is \$.076 per \$100 of value.

#### **Recommendation:**

It is recommended that the St. Louis County Board authorize the purchase of Property and Related Insurance coverage on major structures, equipment, amended contents and boiler and

machinery from the Chubb Group of Insurance Companies through Marsh McLennan Agency LLC at a premium of \$494,720 for the period July 24, 2023 through July 24, 2024. Funding for property insurance is payable from fund 720, Agency 720001, Object 635100.

It is further recommended the County Board authorize the addition and/or deletion of property from the policy as required throughout the policy period.



## Purchase of Property Insurance

BY COMMISSIONER \_\_\_\_\_

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.

## Business Insurance Proposal

# St. Louis County

4787 Midway Road Duluth, MN 55811

Presented By: Christopher F. James, CIC

Presented On: 6/20/2023

Policy Term: 07/23/2023 to 07/23/2024 (General Liability)

07/24/2023 to 07/24/2024 (Property)

Proposal Expires On: 07/23/2023

# Table of Contents

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## **SERVICE TEAMS**

- Risk Prevention Service Team

## **PREMIUM SUMMARY & COMPARISON**

- Premium Summary & Comparison
- Payment Terms

## **BUSINESS INSURANCE PROPOSAL**

- Named Insureds
- Location Schedule
- Property
- General Liability (Observation Road Only)

## **TERRORISM & DISCLOSURES**

- Terrorism Risk Insurance Coverage
- Compensation Disclosure & Limitation of Liability
- Disclaimer
- Best Rating & Best Financial Performance Rating

# Risk Prevention Service Team

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## Property & Casualty

CONTACT	TITLE	PHONE	FAX	EMAIL
Chris James	Senior Risk Consultant	P: 218-623-5775 C: 218-349-2015		<a href="mailto:Chris.James@marshmma.com">Chris.James@marshmma.com</a>
Rhonda Nikunen	VP Operations & Marketing	P: 218-625-2105 C: 218-213-6537	218-722-7756	<a href="mailto:Rhonda.Nikunen@marshmma.com">Rhonda.Nikunen@marshmma.com</a>
Jolissa Kowalik	Business Insurance Client Executive	P: 218-625-2115	218-722-7756	<a href="mailto:Jolissa.Kowalik@marshmma.com">Jolissa.Kowalik@marshmma.com</a>

## To Report a Claim:

CONTACT	TITLE	PHONE	FAX	EMAIL
<b>Claims In-Box</b> Judy Davern		218-625-2103		<a href="mailto:claims@marshmma.com">claims@marshmma.com</a>

# Premium Summary & Comparison

COVERAGE	CURRENT CARRIER	2021-2022 ANNUALIZED INCEPTION PREMIUMS	PROPOSED CARRIER	2022-2023 PROPOSED RENEWAL PREMIUMS
Property	Chubb / Federal Insurance Company	\$425,834.83	Chubb / Federal Insurance Company	\$494,720.00
General Liability – Observation Rd Only	Cincinnati Specialty Underwriters Insurance Company	\$991.00	Cincinnati Specialty Underwriters Insurance Company	\$1,090.00
	Broker Fee	\$35.00	Broker Fee	\$50.00
	Surplus Lines Tax/Fees	\$31.23	Surplus Lines Tax/Fees	\$34.20
		\$0.42		\$0.46
<b>Terrorism</b>		Rejected		Rejected
<b>Total Estimated Annual Premium:</b>		<b>\$426,892.48</b>		<b>\$495,894.66</b>

(This is a summary of estimated premiums and is not a binding contract or a guarantee of issued costs. Additional limits of liability may be available upon request. If foreign coverage is proposed, the premium may be adjusted to reflect the currency rate at the time of the effective date).

### Request to Bind Insurance Coverage as Proposed

Please bind insurance coverage as specifically quoted and identified in this proposal. I understand coverage is ONLY bound when written confirmation is received from the carrier(s).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

### Request to Bind Insurance Coverage with the Following Coverage / Carrier Change:

Please bind insurance coverage as specifically quoted and identified in this proposal. I understand coverage is ONLY bound when written confirmation is received from the carrier(s).

Coverage	Additional Premium	Accept	Decline
Property – Certified Acts of Terrorism	\$77,638+Fire Surcharge		
GL/Tower – Certified Acts of Terrorism	\$11.00		

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

## Non-Admitted Carriers Disclosure

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“Non-admitted Carriers” were developed for high-risk or unique exposures which conventional companies refuse to supply. A “Non-admitted Carrier” is not supported by state guarantee funds, meaning that if they fail, your premium and your insurance is probably lost. “Non-admitted Carriers” are generally not subject to regulation by your individual state insurance department therefore, the financial rating for a “Non-admitted Carrier” is of importance.

This proposed Insurance coverage is being quoted to you under your State’s Surplus Lines Insurance Act. The insurer is an eligible Surplus Lines Insurer, but is not otherwise licensed by your State.

In case of insolvency of the insurer after you purchase the proposed insurance coverages, payment of claims is not guaranteed.

This policy is not included for coverage under your State’s Insurance Guaranty Association.

Name of Insurer: Cincinnati Specialty Underwriters Insurance Company

I have read the foregoing notice and received a copy for my records this 20th day of June, 2023.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Premium Summary & Comparison

Coverage	Expiring	Renewal
Property*	\$421,768.00	\$490,519.00
EDP/Valuable Papers	Included	Included
Scheduled Equipment	Included	Included
Towers/Antenna's	Included	Included
Equip/Vehicles Inside Bldgs	Included	Included
Boiler & Machinery	Included	Included
Firemans Relief Charge	\$3,806.86	*\$4,201.00
<b>TOTAL PROPERTY</b>	<b>\$425,574.86</b>	<b>\$494,720.00</b>
Liability – Observation Rd.	<b>\$1,057.65</b>	<b>\$1,174.66</b>
<b>TOTALS</b>	<b>\$426,892.48</b>	<b>\$495,894.66</b>

\*Taxes are estimated pending final confirmation.

Certified Acts of Terrorism can be Included for an Additional Premium and applicable Surcharges on the Property. Signed Rejection form required to Exclude TRIA coverage.

25% Minimum Earned Premium at Binding applies to Liability for Observation Road.

Rating Basis	2022/2023	2023/2024	Exposure Change
St. Louis County Values	\$598,071,563	\$632,591,905	6%
City of Duluth & St. Louis Cty	\$866,000	\$866,000	0%
The Depot Bldg	\$6,300,000	\$6,300,000	0%
Business Income	\$2,500,000	\$2,500,000	0%
<b>TOTALS</b>	<b>\$607,737,563</b>	<b>\$642,197,905</b>	6%
Rate / \$100 of Values			Rate Change
Rate Excluding Tax	.07	.08	10%
			Premium Change
<b>Premium Change</b>	\$421,768	\$490,519	16%

# Premium Payment Terms

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<b>COVERAGE:</b>	<b>CARRIER</b>	<b>PAYMENT TERMS</b>
<b>Property</b>	Chubb / Federal Insurance Co	Annual Pay
<b>General Liability - Tower at Observation Rd ONLY</b>	Cincinnati Specialty Underwriters Insurance Company	Annual Pay



## Minimum Earned & Deposit Premiums

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We are providing clarification of the following terms as they are often misunderstood.

### **Minimum and Deposit**

This is the amount of premium due at inception. Although the policy is “ratable” that is, subject to adjustment based on a rate per exposure unit, under no circumstances will the annual earned premium be less than the minimum premium. In other words, the policy may generate an additional premium on audit, but not a return.

If such a policy is cancelled mid-term, the earned premium is the greater of the annual minimum multiplied by the short rate or pro-rate factor, or the actual earned as determined by audit, subject to a short rate penalty if applicable.

### **Minimum Earned Premium**

A minimum earned premium endorsement can be attached to either a flat charge policy or an adjustable policy. In either case, this amount is the least that will be retained by the carrier once the policy goes into effect. The amount retained would be the greater of the actual earned premium whether calculated on a pro-rate or short-rate basis, or the minimum earned premium.

### **Flat Cancellations**

Surplus lines carriers almost never allow flat cancellations. Once the policy is in effect, some premium will be earned.

## Named Insureds

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**St. Louis County – All Policies**

**City of Duluth – Property (The Depot Only) & GL (Observation Road Only).**

# Location Schedule

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<b>LOCATION #</b>	<b>ADDRESS</b>
001-001	PER STATEMENT OF VALUES ATTACHED

# Property

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## Limits

\$125,000,000 Limit Per Occurrence – Per Schedule On File with Company

### Sublimits Applicable

\$125,000,000 Buildings & Personal Property  
 \$2,000,000 Computer Hardware on Premise  
 2,500,000 Business Income & Extra Expense  
 8,000,000 Mobile Equipment –On Premise Sublimit  
 4,000,000 Vehicles While On Premise Only  
 15,000,000 Ordinance & Law or Green Standards  
 1,000,000 Business Income - Loss of Utilities

25,000,000 Earthquake

250,000 Personal Property - Any Other Location  
 250,000 Personal Property – In Transit  
 100,000 Pollutant Cleanup & Removal  
 \$50,000 Prohibition of Access – Per Occurrence  
 \$100,000 Prohibition of Access – Annual Aggregate Limit  
 \$91,388 Unmanned Aircraft Policy (Blanket) – Per Occurrence  
 \$91,388 Unmanned Aircraft Policy (Blanket) – Annual Aggregate

\$500,000 Blanket Limit for the Following:  
 Accounts Receivable / Electronic Data Processing Equipment / Fine Arts  
 Valuable Papers /Leasehold Interest / Non-Owned Detached Trailers  
 Outdoor Trees, Shrubs, Plants or Lawns / Pair & Set  
 Personal Property of Employees / Public Safety Service Charges  
 Research & Development Property

### Deductibles

\$25,000 Per Occurrence, Except as follows:  
 20,000 Mobile Equipment & Unmanned Aircraft Property  
 2,500 Computers, Valuable Papers & Account Receivables  
 5,000 Towers and Boiler & Machinery Property Damage  
 100,000 Auto/Equip Physical Damage – Wind & Hail Only  
 100,000 Earthquake  
 100,000 Flood, Except Flood Zone A (High Risk Premise)  
 500,000 Flood, Zone A (High Risk Premise)  
 48 Hrs Business Income, including Boiler & Machinery  
 72 Hrs Utility Interruption & Flood Zone A-Bus Inc/Extra Expense

**Valuation**

Replacement Cost – Bldgs & Business Personal Property (Excl Depot Bldg)  
Functional Replacement Cost – Depot Bldg  
Actual Cash Value – Equipment / On Premise Auto

**Causes of Loss**

Special Form, Including Equipment Breakdown, subject to policy terms, conditions, limitations and exclusions that apply.

**EXCLUSIONS/LIMITATIONS** *(Exclusions/Limitations include but not limited to the following. Please refer to your policy for a complete list of Exclusions/Limitations):*

NOTE: The insured is responsible for verifying their property limits are accurate and sufficient.

## Property (Continued)

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### **Flood Coverage**

	<u>25,000,000 Limit</u>
25,000,000	Flood – Per Occurrence (Inundation, Backup & Mud Flow Included)
25,000,000	Flood – Annual Aggregate - (Inundation, Backup & Mud Flow Included)
100,000	Direct Damage Deductible
48 Hr	Business Income – Waiting Period

Covered Locations:

All Locations, Except those listed below with lower limits

	<u>15,000,000 Limit</u>
15,000,000	Flood – Per Occurrence (Inundation, Backup & Mud Flow Included)
15,000,000	Flood – Aggregate (Inundation, Backup & Mud Flow Included)
100,000	Direct Damage Deductible
48 Hr	Business Income – Waiting Period

Covered Locations: 1425 E. 23<sup>rd</sup> St., Hibbing, MN

# Property (Continued)

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## **Flood Coverage - Continued**

	<u>5,000,000 Limit</u>
5,000,000	Flood – Per Occurrence (Inundation, Backup & Mud Flow Included)
10,000,000	Flood – Aggregate (Inundation, Backup & Mud Flow Included)
100,000	Direct Damage Deductible
48 Hr	Business Income – Waiting Period

Covered Locations: 11193 Hwy 1, Cook  
 5511 Crane Lake Road, Buyck  
 4892 Highway 21, Embarrass  
 4831 Highway 31, Brookston  
 4913 Pine Lane, Gilbert  
 1600 Miller Trunk Hwy, Duluth  
 8110 Munger Shaw Rd, Canyon  
 90 Jones Ave, Buhl  
 12906 Palmquist Rd, Orr  
 339 W Chapman St, Ely  
 100 Railroad St E, Floodwood  
 6397 Tower Rd, Duluth  
 7168 Green Rock Rd, Side Lake  
 3051 Hwy 53, Central Lakes  
 Kabetogma, 8580 Hwy 53, Ash Lake  
 329 W 10th St, Duluth  
 Maple Grove Rd, Solway Township  
 10682 Gheen Hill Parkway, Orr  
 9022 Swan Lake Rd, Alborn  
 Hwy 53, Virginia – Lookout Mtn  
 Hwy 53, Virginia, MN  
 9558 Ashawa Rd., Cook, MN



# Property (Continued)

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## **Flood Coverage - Continued**

	<u>1,000,000 Limit</u>
1,000,000	Flood – Per Occurrence (Inundation, Backup & Mud Flow Included)
1,000,000	Flood – Aggregate (Inundation, Backup & Mud Flow Included)
500,000	Direct Damage Deductible
72 Hr	Business Income – Waiting Period

Covered Locations: 3998 Landfill Rd., Hibbing  
 9384 Hwy 21 N., Babbitt  
 2 Marina Dr, Tower  
 305 Railroad St., Floodwood  
 11817 Floodwood Road, Floodwood  
 1430 Boise Forte Rd., Tower  
 6929 Crane Lake Rd., Crane Lake  
 6292 Crane Lake Rd., Crane Lake

**25,000,000**                      **Annual Policy Aggregate**

## Property (Continued)

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### **ADDITIONAL PROPERTY COVERAGES – Subject to \$25,000 Deductible**

#### **Newly Acquired or Constructed Premise**

\$5,000,000	Buildings (180 Days)
2,500,000	Business Personal Property (180 Days)
100,000	Personal Property at Existing Premises
2,500,000	Electronic Data Processing Equipment
250,000	Electronic Data
250,000	Communication Property
50,000	Fine Arts
250,000	Business Income

#### **Any Other Locations**

\$75,000	Accounts Receivable
75,000	Building Components
75,000	Electronic Data Processing Property
75,000	Fine Arts
75,000	Research & Development Property
75,000	Valuable Papers

#### **Debris Removal**

\$500,000	Premises on file with Company
50,000	Any Other Location
50,000	In Transit

#### **Exhibition, Fair or Trade Show**

\$75,000	Electronic Data Processing Property
75,000	Fine Arts
75,000	Personal Property

#### **Deferred Payments**

\$50,000	Limit
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#### **Extra Expense**

\$250,000	Limit
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# Property (Continued)

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**ADDITIONAL PROPERTY COVERAGES CONTINUED– Subject to \$25,000 Deductible**

**Fungus Cleanup or Removal**

\$50,000      Limit

**Installation**

\$50,000      Any Job Site  
 50,000      In Transit

**In Transit**

\$50,000      Accounts Receivable  
 50,000      Building Components  
 50,000      Electronic Data Processing Property  
 50,000      Fine Arts  
 50,000      Personal Property  
 50,000      Valuable Papers

**Other Coverages**

\$25,000      Loss of Master Key  
 25,000      Loss Prevention Expense  
 25,000      Mobile Communication Property  
 25,000      Processing Water  
 25,000      Preparation of Loss Fees

## General Liability

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<b>COVERAGE - OCCURRENCE FORM</b>	<b>LIMIT</b>
General Aggregate	\$2,000,000
Products & Completed Operations Aggregate	\$2,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Damage To Premises Rented to You	\$100,000
Medical Expense	Excluded
Deductible – Per Claim, Include LAE (Bodily Injury/Property Damage)	\$1,000

**COVERAGE INCLUDES:**

- Covered Location – **Tower on 7 Observation Rd, Duluth, MN - ONLY**
- Designated Premise Endorsement
- 25% Minimum Earned at Binding

**COVERAGE EXCLUSIONS/LIMITATIONS** *(Exclusions/Limitations included but not limited to the following. Please refer to your policy for a complete list of Exclusions/Limitations):*

- Medical Payments Exclusion
- Total Pollution Liability Exclusion
- Total Failure to Supply
- Communicable Disease Exclusion
- Employment - Related Practices Exclusion
- Professional Liability Exclusion
- Fungi/Mold or Bacteria Exclusion
- Silica Exclusion
- Nuclear Exclusion

# Terrorism Risk Insurance Act

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Effective November 26, 2002, Terrorism coverage provided by the Terrorism Risk Insurance Act of 2002 (TRIA) was made available in your policy(ies). In 2007, the federal government signed the version that was passed by the Senate and House. The bill eliminates the distinction between foreign and domestic acts of terrorism and otherwise keeps the program in tact under roughly its current terms through December 31, 2027.

The premium charge to include terrorism coverage is outlined below:

COVERAGE	PREMIUM
Property	Pending
General Liability	\$11.

- With the exception of Workers’ Compensation, the Act gives you the right to reject the offer of terrorism coverage. You may waive such coverage by signing a written statement. (See Affirmation Waiver from insurance company.)
- The Terrorism Risk Insurance Program Reauthorization Act (TRIPRA) retains most of the provisions of the original program, however, the following coverages are not included under the federal program.
  - Commercial Automobile, Garage Liability, Dealer’s Blanket, Professional Liability Surety/Crime, Burglary & Theft and Farm Owner’s Multi-Peril.

**NOTE:**

Actual coverage provided by your policy for acts of terrorism, as defined in the Terrorism Insurance Act of 2015 are limited by the terms, conditions, exclusions, limits, other provisions of your policy, and/or any endorsements to the policy and are subject to applicable laws.



## Compensation Disclosure & Limitation of Liability

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Marsh & McLennan Agency LLC (“MMA”) prides itself on being an industry leader in the area of transparency and compensation disclosure. We believe you should understand how we are paid for the services we are providing to you. We are committed to compensation transparency and to disclosing to you information that will assist you in evaluating potential conflicts of interest.

As a professional insurance producer, MMA and its subsidiaries facilitate the placement of insurance coverage on behalf of our clients. As an independent insurance agent, MMA may have authority to obligate an insurance company on behalf of our clients and as a result, we may be required to act within the scope of the authority granted to us under our contract with the insurer. In accordance with industry custom, we are compensated either through commissions that are calculated as a percentage of the insurance premiums charged by insurers, or fees agreed to with our clients.

MMA engages with clients on behalf of itself and in some cases as agent on behalf of its non-US affiliates with respect to the services we may provide. For a list of our non-US affiliates, please visit: <https://mma.marshmma.com/non-us-affiliates>. In those instances, MMA will bill and collect on behalf of the non-US Affiliates amounts payable to them for placements made by them on your behalf and remit to them any such amounts collected on their behalf;

MMA receives compensation through one or a combination of the following methods:

- **Retail Commissions** – A retail commission is paid to MMA by the insurer (or wholesale broker) as a percentage of the premium charged to the insured for the policy. The amount of commission may vary depending on several factors, including the type of insurance product sold and the insurer selected by the client.
- **Client Fees** – Some clients may negotiate a fee for MMA’s services in lieu of, or in addition to, retail commissions paid by insurance companies. Fee agreements are in writing, typically pursuant to a Client Service Agreement, which sets forth the services to be provided by MMA, the compensation to be paid to MMA, and the terms of MMA’s engagement. The fee may be collected in whole, or in part, through the crediting of retail commissions collected by MMA for the client’s placements.
- **Contingent Commissions** – Many insurers agree to pay contingent commissions to insurance producers who meet set goals for all or some of the policies the insurance producers place with the insurer during the current year. The set goals may include volume, profitability, retention and/or growth thresholds. Because the amount of contingent commission earned may vary depending on factors relating to an entire book of business over the course of a year, the amount of contingent commission attributable to any given policy typically will not be known at the time of placement.

## Compensation Disclosure & Limitation of Liability

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- **Supplemental Commissions** – Certain insurers and wholesalers agree to pay supplemental commissions, which are based on an insurance producer’s performance during the prior year. Supplemental commissions are paid as a percentage of premium that is set at the beginning of the calendar year. This percentage remains fixed for all eligible policies written by the insurer during the ensuing year. Unlike contingent commissions, the amount of supplemental commission is known at the time of insurance placement. Like contingent commissions, they may be based on volume, profitability, retention and/or growth.
- **Wholesale Broking Commissions** – Sometimes MMA acts as a wholesale insurance broker. In these placements, MMA is engaged by a retail agent that has the direct relationship with the insured. As the wholesaler, MMA may have specialized expertise, access to surplus lines markets, or access to specialized insurance facilities that the retail agent does not have. In these transactions, the insurer typically pays a commission that is divided between the retail and wholesale broker pursuant to arrangements made between them.
- **Medallion Program and Sponsorships** – Pursuant to MMA’s Medallion Program, participating carriers sponsor educational programs, MMA events and other initiatives. Depending on their sponsorship levels, participating carriers are invited to attend meetings and events with MMA executives, have the opportunity to provide education and training to MMA colleagues and receive data reports from MMA. Insurers may also sponsor other national and regional programs and events.
- **Other Compensation & Sponsorships** – From time to time, MMA may be compensated by insurers for providing administrative services to clients on behalf of those insurers. Such amounts are typically calculated as a percentage of premium or are based on the number of insureds. Additionally, insurers may sponsor MMA training programs and events.

We will be pleased to provide you additional information about our compensation and information about alternative quotes upon your request. For more detailed information about the forms of compensation we receive please refer to our Marsh & McLennan Agency Compensation Guide at <https://www.marshmma.com/us/compensation-guide.html>.

MMA’s aggregate liability arising out of or relating to any services on your account shall not exceed ten million dollars (\$10,000,000), and in no event shall we be liable for any indirect, special, incidental, consequential or punitive damages or for any lost profits or other economic loss arising out of or relating to such services. In addition, you agree to waive your right to a jury trial in any action or legal proceeding arising out of or relating to such services. The foregoing limitation of liability and jury waiver shall apply to the fullest extent permitted by law.

Rev September 8, 2022

## Disclaimer

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No coverage is provided by this summary, nor can it be construed to replace any provision of the policy. Refer to the actual policy for complete information on the coverages provided. If there is a conflict between the policy and this summary, the provisions of the policy shall govern.

This proposal contains a brief outline of coverages and not a complete explanation of insurance being presented. It is intended to provide a summary of coverage for your review. Only the policy itself can provide a detailed description of the terms conditions, exclusions and endorsements of coverage. A complete specimen policy form will be made available upon your request. For details of coverage refer to the policy itself when issued. This document is neither a binder nor a legal interpretation of the insurance coverage.

In evaluating your exposures to loss, we are dependent upon information provided by you. You ultimately choose the values elected. If there are any areas that need to be evaluated prior to binding coverage, or should any of your exposures change after coverage is bound, such as the beginning of new operations, hiring employees in new states, buying additional property, autos, equipment, etc., please let us know so coverage can be discussed. While we will strive to place your insurance with reputable, highly rated companies, we cannot guarantee the financial stability of an insurance company.

In order to ensure that your important changes are properly communicated, please contact us as questions arise and or exposure changes occur. We must discuss how they affect your insurance program.

The changes in exposure that have an impact on your insurance program include, but are not limited to, those listed below:

1. Changes to any operation such as expansion to another state, new products, etc.
2. Mergers and/or acquisitions of new companies
3. Any assumed contractual liability, granting of indemnities, or hold harmless agreements
4. Circumstances which may require an increase in liability insurance limits
5. Any changes to fire or theft protection, such as installation or disconnection of sprinkler system, burglar alarms, etc. This includes alterations to same.
6. Any changes to scheduled equipment such as contractors' equipment, computer equipment, etc.
7. Property, of yours that is in transit, unless we have previously arranged for this insurance.
8. Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises purchased, constructed, or occupied.
9. Any new exposures or plans for foreign travel or operations

Your insurance program will only be as good as the communication between your organization and Marsh & McLennan Agency.

# Best Financial Rating

COMPANY	A.M. BEST RATING	WEBSITE	RATING DATE
Accident Fund	A XIII	www.accidentfund.com	11/17/2021
Acuity	A+ XV	www.acuity.com	1/12/2022
Affiliated FM Insurance Co.	A+ XV	www.affiliatedfm.com	1/13/2022
Allied Insurance Group	A+ XV	www.alliedinsurance.com	12/17/2020
American Compensation Ins Co. (RTW)	A XIV	www.rtw.com	3/2/2022
American Interstate	A IX	www.amerisafe.com	6/24/2021
Capitol Indemnity	A IX	www.capitolindemnity.com	9/17/2021
AXA XL / Catlin	A+ XV	www.xlcatlin.com	9/17/2021
AIG	A XV	www.aig.com	10/7/2021
Chubb	A++ XV	www.chubb.com	12/10/2020
Cincinnati Insurance Company	A+ XV	www.cinfin.com	2/2/2022
CNA	A XV	www.cnacentral.com	7/8/2021
Community Insurance Corporation	Not Rated	www.communityinsurancecorporation.com	N/A
Continental Western	A+ XV	www.continentalwestern.com	6/8/2022
Crum & Forster	A XIV	www.cfins.com	7/14/2021
Dakota Truck Underwriters (member of Dakota Group)	A- VII	www.rascompanies.com	7/21/2021
EMC	A XIV	www.emcinsurance.com	12/17/2021
Fidelity & Deposit of Maryland	A+ XV	www.zurichna.com	10/1/2021
Firemans Fund	A+ XV	www.firemansfund.com	6/2/2021
Hanover	A XV	www.hanover.com	6/21/2022
Harleysville	A+ XV	www.harleysvillegroup.com	12/22/2021
Hartford	A+ XV	www.thehartford.com	7/29/2021
Hartford Steam Boiler	A++ X	www.hsb.com	8/6/2021
Indiana Insurance (member of Liberty Mutual)	A XV	www.indiana-ins.com	6/29/2021
Indiana Lumbermens Mutual	A- VIII	www.plmilm.com	6/6/2022
Lexington	A XV	www.intactspecialty.com	10/7/2021
Liberty Mutual	A XV	www.aig.com	6/29/2021
Markel	A XV	www.libertymutualgroup.com	9/15/2021
Medmarc	A XIII	www.markelcorp.com	4/26/2022
Intact / Atlantic Specialty	A+ XV	www.medmarc.com	5/2/2022
Pennsylvania Lumbermens Mutual	A- VIII	www.plmins.com	6/16/2022
Philadelphia	A++ XV	www.phly.com	12/10/2020
QBE	A XV	www.qbena.com	3/11/2021
SFM	A- VIII	www.sfmic.com	3/3/2021
Society Insurance	A- VIII	www.societyinsurance.com	6/16/2022
Travelers	A++ XV	www.travelers.com	11/4/2021
United Fire & Casualty	A XI	www.ufginsurance.com	12/16/2021
United Heartland (see Accident Fund)	A XIII	www.accidentfund.com	11/17/2021
Virginia Surety	A XIV	www.assurant.com	7/22/2021
Wausau (member of Liberty Mutual)	A XV	www.wausau.com	6/29/2021
West Bend Mutual Insurance/NSI	A XIV	www.thesilverlining.com	6/2/2022
Western National Mutual Insurance Company	A+ X	www.wnins.com	7/22/2021
Westfield National Insurance Company	A XV	www.westfieldinsurance.com	1/20/2022
Zurich	A+ XV	www.zurichna.com	10/1/2021

**Secure Best's Ratings Scale**

**Vulnerable Best's Ratings**

A++ and A+	Superior	B and B-	Fair
A and A-	Excellent	C++ and C+	Marginal
B++ and B+	Very Good	C and C-	Weak
		D	Poor

**Financial Size Category (per million)**

FSC I less than 1	FSC V 10 to 25	FSC IX 250 to 500	FSC XIII 1,250 to 1,500
FSC II 1 to 2	FSC VI 25 to 50	FSC X 500 to 750	FSC XIV 1,500 to 2,000
FSC III 2 to 5	FSC VII 50 to 100	FSC XI 750 to 1,000	FSC XV greater than 2,000
FSC IV 5 to 10	FSC VIII 100 to 250	FSC XII 1,000 to 1,250	



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## St. Louis County Board of Commissioners Request for Board Action 23 - 276

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Committee: **Finance & Budget**

Date: June 27, 2023

From: Nancy J. Nilsen, County Auditor/Treasurer

Attachments:  yes  no

Reviewed by: Kevin Z. Gray, County Administrator

Consent:  yes  no

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**ITEM: St. Louis County Service Center Remodel, American Rescue Plan Act  
Revenue Loss Funding**

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### **Background/Overview:**

The County Board previously adopted Resolution No. 21-582 approving its framework associated with the use of ARPA monies. Within that framework were funds to assist with the remodeling and renovations of space to respond to the pandemic, protect staff and better assist the public. This includes improvements to the 1<sup>st</sup> floor of the Duluth Government Services Center and Duluth DMV Service Center at Miller Hill Mall.

St. Louis County Safety and Risk Management reviewed the Service Center ergonomics of the work areas and has recommended changes to install sit stand desks and install glass between customers and staff. The modifications will create a safe environment for face-to-face interactions between customers and staff and will include resetting and facing all countertops to provide structural support for glass.

Recommended modifications include changing staff counter heights to provide prompt ergonomically efficient service to customers and changing HVAC controls to provide office setting humidity and CO-2 levels to better the air quality within the service center. Modifications to counters will create a counter that better meets requirement of the Americans with Disabilities Act (ADA) and a building a counter that will allow for more social distancing in the lobby while customers wait to get serviced.

### **Policy Objectives:**

Under the U.S. Treasury's Final Rule guidance, as it relates to the American Rescue Plan Act (ARPA), the costs associated with the construction of these units may be considered an eligible use. However, the space at the mall is leased, which presents different rules which are more complicated and as a result it is proposed that Revenue Loss funds instead be used. The project has followed and met all County Purchasing rules in terms of the improvement process.

### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The proposed \$100,000 would be funded from the Revenue Loss category of the County's ARPA funding framework. The project had been previously included in the Covid Response category of the County's Framework. There is currently uncommitted Revenue Loss funding of approximately \$3.1 million available under the adopted framework for future Board allocations.

**Recommendation:**

It is recommended that the County Board consider approving the use of up to \$100,000 of American Rescue Plan Act Revenue Loss funding for the remodel of the St. Louis County DMV Service Center from Fund 239, American Rescue Plan Act Revenue Loss.

**St Louis County Service Center Remodel, American Rescue Plan Act  
Revenue Loss Funding**

BY COMMISSIONER \_\_\_\_\_

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 Act Plan 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.



## St. Louis County Board of Commissioners Request for Board Action 23 - 277

Committee: **Finance & Budget**

Date: June 27, 2023

From: Brian Fritsinger, Deputy Administrator

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

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### ITEM: **American Rescue Plan Act Revenue Loss Projects Funding**

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#### **Background/Overview:**

The County Board has previously adopted a framework for the use of its American Rescue Plan Act (ARPA) and its ARPA Revenue Loss funding.

Commissioner Nelson has asked that the following three projects be considered for funding from the Revenue Loss category of the framework:

- **Lake Vermilion Fire Brigade Parking Lot Improvements - \$144,200**  
The Lake Vermilion Fire Brigade is a volunteer 501c3 and operates several boats to provide emergency rescues along Lake Vermilion, located in Unorganized Township 63-17. The Brigade is looking for funding to assist with the pavement of a road to the lake for access, parking area, and helipad area for staging for rescue services. The proposed project has been fully permitted and is proposed to be constructed upon receipt of full funding.
- **Mesabi Fit Coalition/Virginia Community Foundation - \$100,000**  
This project involves the purchase and rehabilitation of the former Mesabi YMCA building in Mountain Iron. A local non-profit, Mesabi Fit Coalition, has been formed in an effort to raise funding for the purpose of purchasing, rehabilitating and reopening a establishing a regional wellness center for the local community. The facility would provide aquatics, fitness, gymnasium space, multi-use space and other activities. The Iron Range Resources Board previously approved a \$1,000,000 funding package this past December to assist with the project. The Minnesota State Legislature under the 2023 Tax Finance & Policy Bill (Chapter 64, Article 6, Section 11, a), approved a grant of \$100,000 to assist the project. The cost estimate for the proposed Phase 1 improvements is \$2.7 million.
- **St. Louis County Agricultural Society 4-H Building - \$250,000**  
This project is to construct and furnish a facility at the at the North St. Louis County Fairgrounds which would house both a food booth and equipment for the St. Louis County 4-H Club. This building would be constructed in the summer of 2024. The project, through St. Louis County, was granted \$250,000 from the Minnesota State Legislature under the 2023 Tax Finance & Policy Bill (Chapter 64, Article 6, Section 11, a). Project costs unfortunately have been represented to exceed the grant amount and the County has been asked to match an amount up to a similar amount (\$250,000)

The above projects are not considered eligible projects for direct funding from ARPA funds. As a result, should the Board support the projects funding must come from ARPA Revenue Loss or other County funding sources.

Formal ARPA grant applications will be requested but have not been submitted for these projects. Staff will work to further clarify as to specific recipients and other items, and the Board is being asked to provide some flexibility in terms of the recipients in the resolution in the case that the actual project recipient for the identified projects is different.

**Policy Objectives:**

All projects being funded with ARPA or ARPA Revenue Loss funding must comply with U.S. Treasury rules, county purchasing rules and a variety of other federal, state and county rules depending on the scope and intended use of the project funding.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

To date, the County has obligated approximately \$11.5 million in ARPA Revenue Loss monies for a variety of projects. There is currently uncommitted Revenue Loss funding of approximately \$3.1 million available under the adopted framework for future Board allocations.

**Recommendation:**

Should the County Board support provision of funding for the projects identified a resolution has been prepared for its consideration.



## American Rescue Plan Act Revenue Loss Projects Funding

BY COMMISSIONER \_\_\_\_\_

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, Mesabi Fit Coalition/Virginia Community Foundation and St. Louis County Agricultural Society/4-H have identified projects 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 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 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, The Lake Vermilion Fire Brigade, Mesabi Fit Coalition/Virginia Community Foundation, and 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 Lake Vermilion Fire Brigade, Mesabi Fit/Virginia Community Foundation, St. Louis County Fair Association and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.



## St. Louis County Board of Commissioners Request for Board Action 23 - 278

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Committee: **Intergovernmental & Central Management**

Date: June 27, 2023

From: Brian Fritsinger, Deputy Administrator

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

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### **ITEM: Amendments to the Standing Rules and Bylaws of County Board**

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#### **Background/Overview:**

The County Board, similar to most counties in Minnesota, adopt standing rules and bylaws to detail how the Board shall conduct its business and perform its duties as a County Board. Those standing rules were first adopted in 1987 and have been amended numerous times since that time.

Over the past several years the County Attorney's office and Administration have been reviewing the rules for consistency in practice, error corrections and statutory requirements/changes. The County Board has met on two occasions to review proposed changes and provide feedback as to the possible changes to be considered. The attached amended document reflects those discussions.

In the future, staff would propose that these rules and bylaws be reviewed on an annual basis as part of the annual meeting in January. This would provide an opportunity for the Board to reaffirm the policies and procedures as well as consider any changes that might be suggested.

#### **Policy Objectives:**

Minn. Stat. §§ 370 to 403 along with others provide for County governance and powers. Article I, Section 5 of the Standing Rules requires that the rules and bylaws can be amended by a five-sevenths (5/7) vote of the members of the Board and that the Commissioners shall have a minimum of 5 days to review the proposed rules, bylaws and amendments.

#### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

There is no specific budgetary impact resulting from the proposed changes.

#### **Recommendation:**

It is recommended that the St. Louis County Board approve the amended Standing Rules and Bylaws of the County Board.

## **Amendments to the Standing Rules and Bylaws of County Board**

BY COMMISSIONER \_\_\_\_\_

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.

STANDING RULES AND BYLAWS OF THE  
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Adopted July 13, 1987 - Res #467

Amended by:

Res #607 of 9/28/87; Res #777 of 12/14/87; Res #32 of 1/12/88;  
Res #762 of 10/4/88; Res #1 of 1/8/91; Res #99 of 1/21/97  
RES #809 of 10/21/97; Res #980 of 12/23/97; Res #\_\_\_\_ of \_\_/\_\_/23

ARTICLE I. INTRODUCTION

Section 1. Purpose

The St. Louis County Board of Commissioners (the “Board”) desires to conduct its business and perform all of its responsibilities and duties in an orderly, efficient, uniform, fair, and lawful manner. These Rules and Bylaws are established for that purpose. The Board also desires that the general public have available to it the Rules and Bylaws that will be in force at Board meetings and hearings.

Section 2. Application of Rules and Bylaws

Unless otherwise specifically indicated, these Rules and Bylaws shall apply to the transaction and administration of all Board meetings and hearings.

Section 3. Compliance with Applicable Law

The Board intends for these Rules and Bylaws and all Board actions to comply with all relevant law and the hearing and notice provisions of St. Louis County Ordinances.

Section 4. Non-Exclusivity of Rules and Bylaws

These Rules and Bylaws are not and cannot be the totality of regulations of Board activity. Federal law, state law and relevant county ordinances may also be applicable to Board matters.

Section 5. Adoption, Amendments

These Rules and Bylaws may be amended by a five-sevenths (5/7) vote of the members of the Board present and voting at a public meeting. All proposed Rules and Bylaws and amendments thereto shall be presented in

writing to all Commissioners. All Commissioners shall have a minimum of five (5) days to review the proposed Rules and Bylaws and amendments thereto. These Rules and Bylaws and all amendments shall become effective immediately upon approval by the Board.

Section 6. Available to the Public

Copies of these Rules and Bylaws shall be available for public review at the Commissioners' offices in Duluth, Hibbing, Virginia, and Ely.

ARTICLE II. MEETING RULES AND BYLAWS

Section 1. Time and Place of Meetings

The Board shall meet as required by Minn. Stat. § 375.07 on the first Tuesday after the first Monday in January, at 9:30 a.m. to conduct organizational and regular business, and if a special board of equalization is not appointed, during the month of June as required by Minn. Stat. § 274.14, at the County Board Room, Courthouse, Duluth, Minnesota. Regularly scheduled board meetings will be held on the first, second, third, and/or fourth Tuesdays of the month in any facility located in the county so long as the facility is open to the public, pursuant to Minn. Stat. Chapter 13D, as amended from time to time (the "Open Meeting Law"). Additional meetings may be scheduled upon approval of the Board.

All Board meetings, including Committee of the Whole meetings and Board workshops, shall be held upon notice given in accordance with the Open Meeting Law, and shall be held in facilities that are compliant with the Americans with Disabilities Act As Amended (ADAAA). Persons requiring accommodation under the ADAAA to attend Board meetings should contact County Administration at least 72 hours prior to the meetings at (218) 726-2450.

Section 2. Agenda

2.01. General

Regular Protocol. Every resolution or matter considered by the Board shall be in writing with an accompanying explanation of its purpose from the County Administrator. No matter or resolution shall be placed upon the agenda of business for routine consideration at any regularly-held meeting of the Board unless the same has been considered by the Committee of the Whole at its regular meetings. Resolutions and other agenda items may be referred by the Committee of the Whole to the Board meeting with or without recommendation for passage. If referred to the Board either without a unanimous vote or without recommendation, the resolution shall be placed on the regular agenda.



Special/Urgent Protocol. Any resolution or matter not considered by the Committee of the Whole may be considered by the Board if it is included in the agenda transmitted to the Board no later than the previous Thursday, and upon suspension of the rules in accordance with Article II, Section 18 below. The resolution or matter shall be in writing with an accompanying explanation of its purpose from the County Administrator.

Emergency Protocol. Any resolution or matter not included on the agenda may be considered by the Board if it is presented in writing and upon suspension of the rules in accordance with Article II, Section 18 below.

Please see the attached Protocol for the Introduction of Resolutions for County Board Action for a depiction of these processes.

## 2.02. Consent Agenda

A consent agenda shall be prepared by the Clerk in consultation with the County Administrator and consist of routine, noncontroversial actions that can be grouped together and handled in one motion by the Board. Any consent agenda items considered by the Committee of the Whole do not require an accompanying explanation of purpose when presented to the Board at the regular meeting. The consent agenda items shall be scheduled and considered as one item of business at the next regular Board meeting. In the minutes of the meeting, the actions passed in the consent agenda motion shall be recorded individually and in full. Consent agenda items shall not be discussed separately unless any Commissioner requests that an item be removed from the consent agenda, in which case it will be considered separately as part of the regular agenda.

## 2.03 Communications

When the Clerk transmits the agenda to the Commissioners, the Clerk shall also provide the Commissioners with a list of all petitions and communications received since the previous Board meeting.

## Section 3. Officers

### 3.01. Election of Officers

The Board shall elect a Chair and a Vice Chair each year at the meeting on the first Tuesday after the first Monday in January. The County Auditor will conduct the election of the Chair. The Chair, once elected, will conduct the election of the Vice Chair.

The person conducting the election will call for nominations. In order to be considered, a nomination must be seconded. If more than one nomination is made and seconded, the nominees are voted upon in the order they were nominated. If the first nominee receives an affirmative vote by a majority of the Commissioners present and voting, the remaining nominees are not voted upon. All votes shall be by voice vote unless a Commissioner demands a roll call. Any nominee is entitled to decline their nomination.

### 3.02 Presiding Officer

The Chair shall preside at meetings of the Board, and in case of nonattendance, the Vice Chair shall preside. If both are absent, the Board shall appoint a chair from the Commissioners present.

### Section 4. Quorum

At all meetings of the Board, four Commissioners shall constitute a quorum.

### Section 5. Roll Call

At the hour appointed for any meeting, the presiding officer shall call the meeting to order, and the Clerk shall proceed to call the roll, note the absentees, and announce if a quorum is not present. The Clerk shall note in the minutes the time and point in the proceedings when any Commissioner absent for roll call takes a seat in the Board Room, or when any Commissioner leaves prior to adjournment.

### Section 6. Order of Business in Regular Board Meetings

The Board shall proceed to the business before it in the following order:

1. Roll call, determination of quorum, and introductory activities
2. Special events, if any
3. Opportunity for citizens to be heard on items not appearing on the agenda
4. Hearings, if any
5. Consent agenda
6. Regular agenda
7. Recess or adjournment

Section 7. Public Comment

Any citizen desiring to be heard on an appropriate matter may be given reasonable amount of time, not to exceed five minutes, for such purpose. Citizens desiring to be heard on an item listed on the agenda will be allowed to address the Board at a time a motion is on the floor. Citizens are expected to state their name and address for the record, address their remarks to the entire County Board, refrain from personal attacks, and abide by the county's policy regarding use of civility in the conduct of County Board meetings (County Board Resolution No. 560, adopted on September 9, 2003).

Section 8. Duties and Privileges of the Chair

The Chair shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Board.

Section 9. Restriction on Private Discussion

When a Commissioner is speaking, other Commissioners shall not engage in private discussions.

Section 10. Calls to Order

A Commissioner called to order shall immediately suspend remarks unless permitted to explain. If no appeal is made, the decision of the Chair shall be deemed conclusive. If a Commissioner chooses to appeal from the decision of the Chair, the Board shall decide the point without debate.

Section 11. Special Rules of the Board

To the extent not addressed in these Rules and Bylaws, Board activities are governed by Robert's Rules of Order. Special rules of the Board are as follows:

1. Motion to table: A motion to table a resolution may be made (1) to a date certain; or (2) without identification of a date upon which it will be taken off the table.

A motion to table to a date certain will lay the matter on the table until the date identified in the motion. The motion may be taken up from the table either on the date certain or prior to the date certain upon majority vote.

A motion to table without identification of a specific date upon which it will be taken off the table must be taken off the table upon majority vote at the next Board meeting or the motion dies.

Motions to table must be seconded and shall be decided without debate. Motions to table may only be made at Board meetings, not at Committee of the Whole meetings. At Committee of the Whole meetings, if Commissioners do not want to act on a particular matter after it has been moved and seconded, there shall be a motion to send the matter back to County Administration. Motions to send a matter back to County Administration must be seconded and shall be decided without debate.

2. Board files: As a receptacle for voluminous information that supports resolutions, county staff may refer to board files in board letters and resolutions; such references incorporate the contents of the board files into the board letters and resolutions. If a Commissioner requests revision to a board file and no other Commissioners object, county staff may revise the contents of board files between the Committee of the Whole and Board meetings to reflect the Commissioner's request. If any Commissioner objects to a requested revision, the board file may only be revised by formal amendment. When a resolution is considered at a Board meeting that was previously approved at the Committee of the Whole, county staff may recommend or a Commissioner may request revision to a board file. If no Commissioners object to the suggested revision, the board file may be revised without formal action. If any Commissioner objects, the board file may only be revised by formal amendment. Information that may be provided in a board file includes, but is not limited to: (1) a list of tax forfeited properties that the Land and Minerals Department recommends for auction; and (2) lengthy legal descriptions of properties being acquired or conveyed. Board files are maintained by the County Auditor.
3. Friendly amendments: In the course of debate on a proposed resolution, any Commissioner may offer a friendly amendment that the Commissioner believes is noncontroversial. If no Commissioners object to the proffered friendly amendment, the resolution may be revised accordingly. If any Commissioner objects to the proffered friendly amendment, the resolution will not be revised unless the amendment is approved through the formal amendment process.
4. Directive motions: The Board, by consensus of the Commissioners, may make a directive motion to County Administration to take a particular action in accordance with the Board's direction. Directive motions include, but are not limited to, directives to County Administration to send specific correspondence on behalf of the Board.

5. Motion to Reconsider: Any Commissioner who voted with the prevailing side may move to reconsider an action of the Board, provided no property rights that have vested will be jeopardized. A motion to reconsider must be made no later than the next regular meeting after such action was taken. A motion to reconsider shall be in order at any time except when a motion on another question is pending. A motion to reconsider may be made only once on any matter or subject, and the same number of votes shall be required to reconsider any action as was required to pass or adopt the same.
6. Division of question: If a question in debate contains several distinct propositions, any Commissioner may have the same divided.
7. Adjournment: A motion to adjourn shall be entertained only after the completion of the formal agenda and shall be decided without debate.

#### Section 12. Appropriations by Resolution

Every resolution appropriating any amount of money must also contain a statement indicating the amount of the appropriation from the proper fund and item for the payment of the resulting obligation, pursuant to Minn. Stat. § 383C.013.

#### Section 13. Voting

The manner in which each Commissioner votes upon all propositions shall be entered in the journal of the proceedings of the Board, but it shall not be necessary to call for the yeas and nays on every proposition unless a Commissioner demands a roll call. If roll call is not demanded, the Chair or other presiding officer of the Board shall direct the Clerk of the Board to enter in the journal of the proceedings that the vote on any such proposition was taken. A Commissioner may abstain from voting on a question only upon demonstration of a conflict of interest, such abstention being noted before the vote is taken. If any Commissioner suspects that a fellow Commissioner has a conflict of interest relative to any question, the suspecting Commissioner may make a point of order. The Chair may then rule on the point of order, in which case it is not subject to debate, but the Chair may allow any Commissioner an opportunity to explain their position. The decision of the Chair may be appealed to the Board. Alternatively, the Chair may submit the point of order to the judgment of the Board, in which case the point of order becomes debatable.

#### Section 14. Committees

The standing committees of the Board of Commissioners are as follows:

1. Central Management and Inter-Governmental Committee. The Committee shall consider methods of centralizing county administration, deal with labor relations and litigation, and provide for communication and cooperation between the Board, the County Administrator, and departments in line with the organizational structure resolution adopted by the Board. Further, this Committee shall consider all matters relating to state and federal legislation, administrative rules, and government operations and any impact these may have on the county and its administration.
2. Finance and Budget Committee. The Committee shall consider budget and finances, taxes, abatement applications, levies, assessments, licenses, and the purchase and sale of all property, buildings, supplies, and equipment.
3. Environment and Natural Resources Committee. The Committee shall consider all matters relating to environmental services, solid waste, land, zoning, land-use planning, plats, tax-forfeited lands, forestry, and agriculture.
4. Public Works and Transportation Committee. The Committee shall consider all matters relating to construction, repair and maintenance of highways, and all related buildings, vehicles, transportation, supplies, and equipment.
5. Public Health and Human Services Committee. The Committee shall consider all matters relating to public health, economic services and supports, and social service programs.
6. Public Safety and Corrections Committee. The Committee shall consider all matters concerning law enforcement, emergency communications, emergency management, and community corrections, including but not limited to related joint powers entities and task forces.

All standing committees of the Board shall consist of all Commissioners. Each Commissioner, except the Chair, shall be appointed the chair of one standing committee. The standing committee chairs shall serve as the liaison between the Board and departments, shall be appointed by the Board Chair, and shall report to the Committee of the Whole.

St. Louis County has adopted the County Administrator form of government. Pursuant to Minn. Stat. § 375A.06 and the St. Louis County Administrative Procedure, the County Administrator is charged with properly administering the affairs of the county. Accordingly, all resolutions are provided by the County Administrator to the Board via the



Committee of the Whole agenda, which is transmitted to the Board on the Thursday prior to the Board meeting. The standing committee chairs shall sponsor the resolutions provided by the County Administrator relating to their respective committees. If they refuse to do so, the Board Chair shall designate another Commissioner to sponsor that particular resolution. A standing committee chair who refuses to sponsor a resolution shall so notify the Board Chair at the Committee of the Whole prior to the regular Board meeting.

Please see the attached Protocol for Resolutions to be placed on the Committee of the Whole Agenda for a depiction of this process.

#### Section 15. Committee of the Whole Meetings

The Board shall schedule regular times for Committee of the Whole meetings. The Board Chair shall preside over Committee of the Whole meetings but shall designate individual chairs of standing committees to chair their respective committees. The schedule of Committee of the Whole meetings shall be adopted by resolution of the Board. The standing committees of the Board will meet at Committee of the Whole meetings. The order of business for Committee of the Whole meetings is as follows:

1. Roll call, determination of quorum, and introductory activities
2. Consent agenda
3. Regular agenda
4. Time specific and special events
5. Commissioner reports
6. Adjournment

#### Section 16. Special Committees

Special committees may be created by the Board Chair for a term of one year; the chair and members of special committees shall be appointed by the Board Chair or, if the Board Chair desires, by majority vote of the Board. Special committees shall report to the Board at a Committee of the Whole meeting. Matters referred to special committees shall be acted upon without undue delay. Special committees are subject to the requirements of the Open Meeting Law.

Section 17. Closed Session Protocol

Meetings may only be closed to the public for certain purposes enumerated in the Open Meeting Law. In order to request a closed session, County Administration, in conjunction with the county department desiring the closed session, shall submit a board letter outlining the basis and need for a closed session, accompanied by a resolution to close the Committee of the Whole meeting. If the subject of the closed session requires Board action, County Administration and county staff shall also submit a board letter and resolution approving the requested action.

At the Committee of the Whole meeting, if the resolution to close the meeting is approved, the Chair will close the Committee of the Whole meeting to the public. After completion of the closed meeting, the Chair will reopen the meeting. If county staff submitted a board letter and resolution requesting certain action, it will then be considered in accordance with the protocol set forth in Article II, Section 14 above.

Section 18. Suspension of Rules

These rules may be suspended by a five-sevenths (5/7) vote of the members of the Board present and voting, except as to those matters that are provided for by law.

Section 19. Use of Speaker Phones and Interactive Technology

Commissioners' in-person attendance is preferred at County Board meetings and workshops. However, Commissioners may, from time to time, attend Board meetings by speaker phone or interactive technology, provided that such attendance is in compliance with the requirements of the Open Meeting Law.

ARTICLE III. HEARING RULES AND BYLAWS

Section 1. Notice

Notice of all hearings of the Board shall be made in a manner in accordance with all statutory and ordinance notification requirements by the Clerk of the Board. If the County Attorney determines that additional notice is necessary to comply with constitutional procedural due process requirements, the Clerk will provide whatever additional notice is recommended.

## Section 2. Hearing Records

### 2.01. Open Hearings

All hearings of the Board shall be open to the public. The votes of the Commissioners on any matter shall be recorded and shall be available to the public.

### 2.02. Exhibits

All exhibits submitted to the Board for hearing purposes become the property of St. Louis County.

### 2.03. Record Maintenance

The Clerk shall be required to maintain all records created at public hearings. The Clerk shall preserve or dispose of the records in accordance with state law.

### 2.04. Hearing Records

A verbatim record of all public hearings will be made by means of tape recording or electronic means, or if deemed appropriate by the Chair, by means of a court reporter. The public is specifically allowed to preserve and record the proceedings of the Board at any of its hearings by using voice recording instruments, court reporters, stenographers, or other reasonable means of record preservation.

## Section 3. Hearing Continuances and Postponements

### 3.01. Postponements

Postponements after personal or published notice will not be permitted.

### 3.02. Continuances

The Board may continue a hearing if it determines a need exists for additional information or if fairness dictates the need for additional time.

## Section 4. Conduct of Hearing

### 4.01. General

The Chair shall commence and direct the hearing. All parties shall have the right to present evidence, rebuttal testimony, and argument with respect to the issues, and to cross-examine witnesses.

#### 4.02. Quorum Needed for Hearing

There shall be no fewer than four Commissioners in attendance to hold any public hearing.

#### 4.03. Order of Hearing

The following procedure shall govern the order of persons appearing before the Board:

1. The county staff report, if any, shall be given and include, but not be limited to, a description of the request or issue, analysis of the facts, communications received, conclusions, and recommendations. All appropriate county departments may present information relevant to the matter at this time.
2. The party to be affected or a representative.
3. Representatives of other governmental units or agencies that may be appropriate, such as the local town or state agency.
4. Others in favor of the proposal.
5. Others opposed to the proposal.
6. Other comments or evidence from the public.
7. Final statements from county staff, if any.

#### 4.04. Evidence

##### a. Admissibility

The Board may admit and consider all evidence which possesses probative value and may exclude incompetent, irrelevant, immaterial and repetitious evidence.

##### b. Record

All information which is offered and accepted into evidence by any party to the hearing shall be made a part of the hearing record. No factual information or evidence shall be considered in the determination of any matter unless it is part of the record.

c. Documentary Evidence

Any witness offering written materials such as letters, records, reports, plans, studies or any other documents must provide a copy for each Commissioner, the Clerk, other parties, and a copy available for public inspection at the location of the hearing. Where copies of evidence are not practically available, the Chair, in his or her discretion, may accept one copy and make it available for inspection or allow a witness to read a document into the record.

d. Official Notice

The Board may take notice of general facts within its knowledge by a unanimous vote but any party shall have the right to contest the facts so noticed. The Commissioners may utilize their experience and knowledge in the evaluation of the evidence in the hearing record.

4.05. Examination of Witnesses

a. Commissioners may question any witness during that witness's testimony or at the end of all testimony.

b. Any individual may make a request to cross-examine a witness. If possible, this should be accomplished by directing suggested cross-examination questions to the Chair. If specifically requested, the Chair may allow individuals to personally cross-examine witnesses. The Chair may act to prevent repetitive, argumentative or irrelevant questions and to expedite the cross-examination to the extent consistent with disclosure of all relevant testimony and information.

Section 5. Deliberations

5.01. Board Letters and Resolutions

County Administration and staff shall prepare a board letter and resolution relative to each hearing for consideration by Commissioners. Such board letters and resolutions shall be provided to the Commissioners with the agendas for the Board meetings at which the hearings are scheduled; these resolutions are not required to be approved at the Committee of the Whole prior to consideration by the regular Board.

5.02. General

Deliberations shall be made in public. However, no additional testimony may be offered after the close of the public hearing. Commissioners may

ask specific questions, provided that the questions are intended to clarify information that is already in evidence. The Chair shall not allow any new information or arguments to be offered at this time. The County Attorney, acting as legal advisor and parliamentarian, shall be permitted to ask questions to clarify motions or information that is in the record.

#### 5.03. Timing

Unless the hearing is continued or reopened, deliberations on a matter shall take place after the close of the public hearing.

#### 5.04. Continued Deliberations

If the Board desires to continue deliberations, it may do so. However, no additional testimony or information may be provided to the Board unless the public hearing is reopened. Commissioners may inspect any relevant geographical site or evidence without reopening the hearing.

#### 5.05. Voting

Only those Commissioners attending the hearing, either in person or by speaker phone or interactive technology, may deliberate and vote. If a hearing is continued to or reopened in a subsequent meeting, a Commissioner's attendance at all portions of the hearing is required in order for that Commissioner to deliberate and vote.

The provisions of Article II, Section 14 of these Standing Rules are incorporated herein and shall apply to all votes taken in connection with Board hearings.

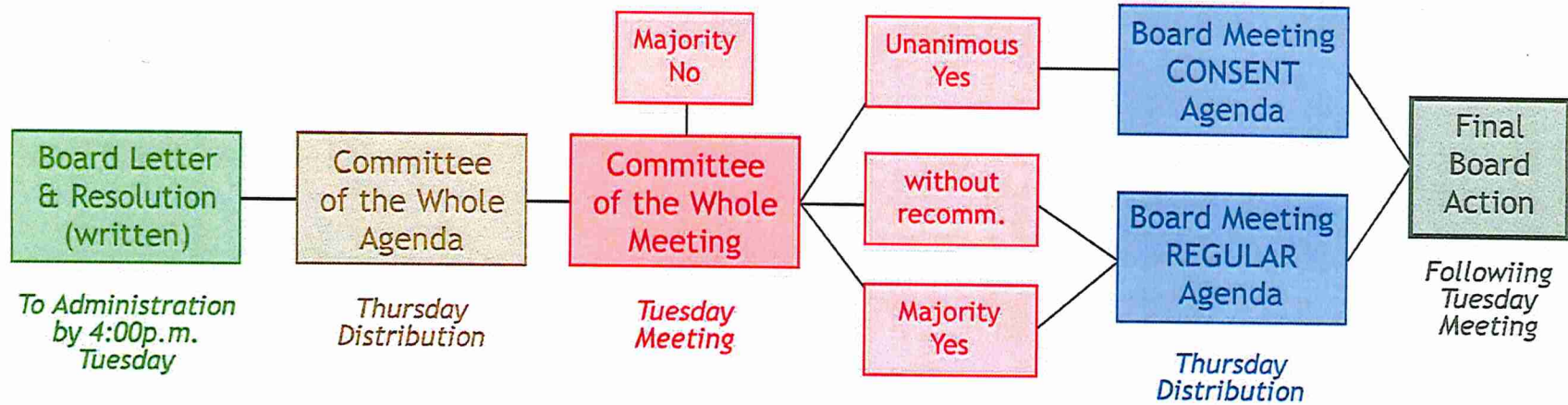
### Section 6. Findings of Fact

Findings of fact shall be approved and made a part of the Board file in all cases when required by law or deemed necessary by the County Attorney. Proposed findings of fact may be set forth in the board letters and resolutions provided to the Board as set forth in Article III, Section 5.01 above.

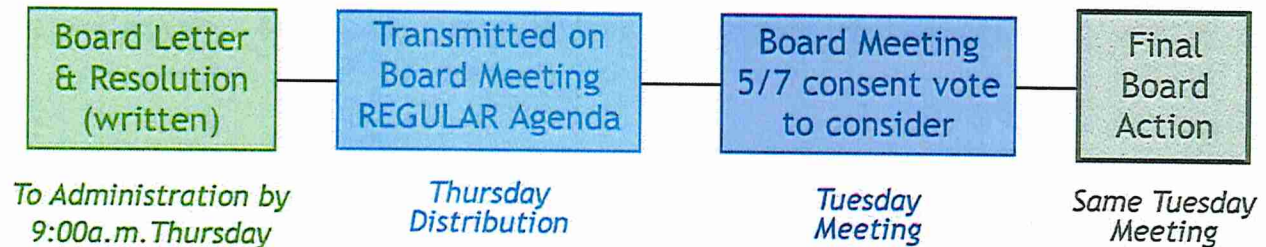


# Protocol for the Introduction of Resolutions for County Board Action

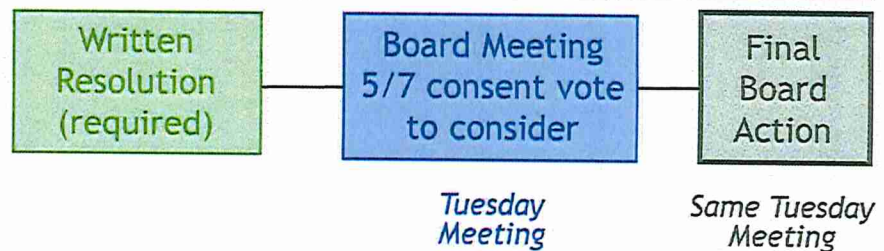
## 1. REGULAR PROTOCOL



## 2. SPECIAL/URGENT PROTOCOL



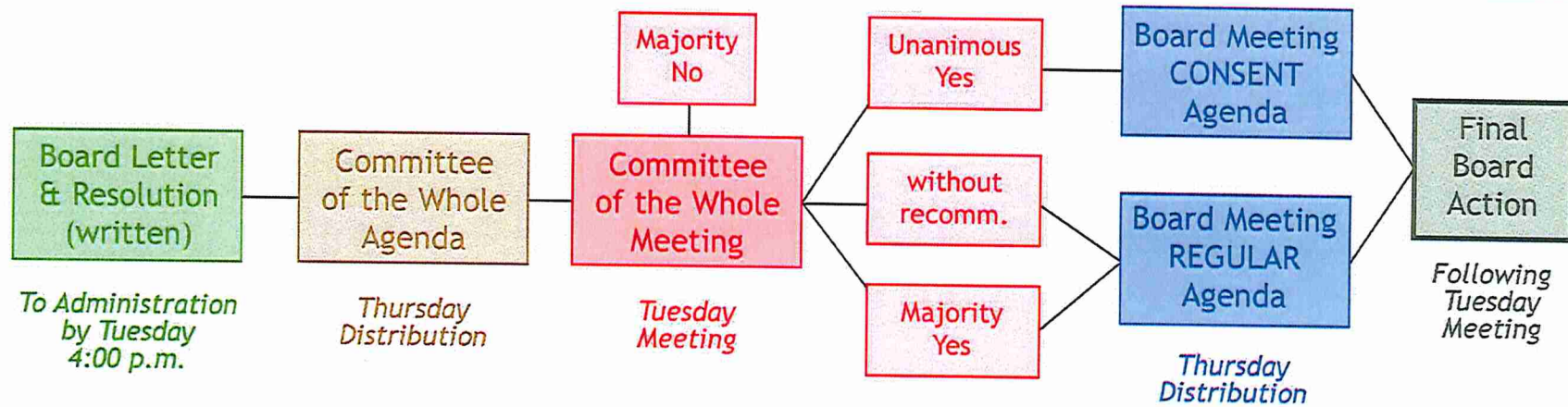
## 3. EMERGENCY/TIME SENSITIVE PROTOCOL



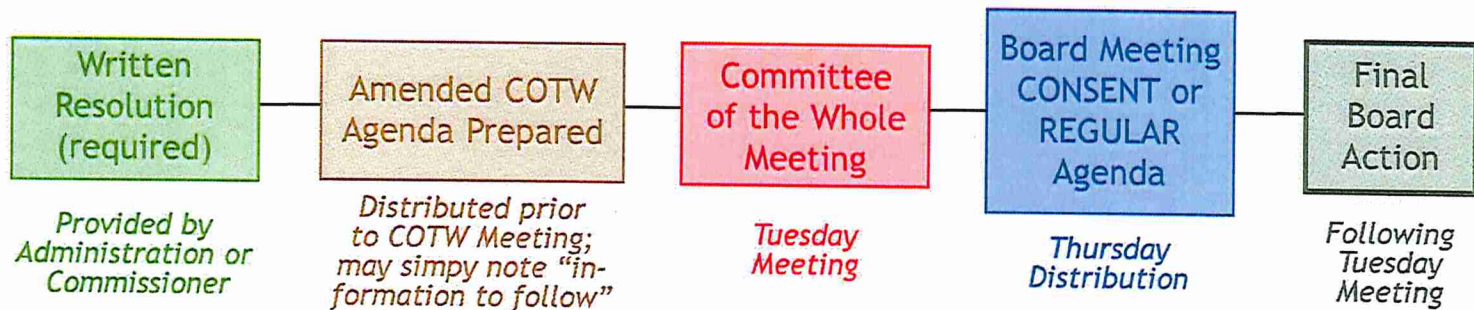
# Protocol for Resolutions to be placed on the Committee of the Whole Agenda

"The COTW Agenda will be prepared by the County Administrator and transmitted to the Board on the Thursday prior to the Board meeting."

## 1. REGULAR PROTOCOL



## 2. SPECIAL/URGENT PROTOCOL





## St. Louis County Board of Commissioners Request for Board Action 23 - 279

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Committee: **Public Safety and Corrections** Date: June 27, 2023  
From: Gordon Ramsay, County Sheriff  
James R. Gottschald, Director Human Resources  
and Administration Attachments:  yes  no  
Reviewed by: Kevin Z. Gray, County Administrator Consent:  yes  no

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**ITEM: Approval of New Job Class – Emergency Support Services Administrator and Reallocation of a 1.0 FTE Deputy Sheriff – Division Commander Position to Emergency Support Services Administrator**

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### **Background/Overview:**

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. 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.

The purpose of the proposed Emergency Support Services Administrator class is to direct the coordination of county-wide response to emergencies and operation of the county's 9-1-1 emergency communications center. This administrative work was previously performed by an incumbent of the Deputy Sheriff – Division Commander job class, who recently resigned from the county to accept a Chief of Police position in southwest Minnesota. The proposed job class will manage Emergency Support division staff, coordinate countywide efforts to mitigate, prepare for, respond to, and recover from disasters; implementing and administer communications center rules, procedures, and standards related to operation of the telecommunications and Computer Aided Dispatch (CAD) system. The class will also coordinate services with user representatives and emergency service providers.

The Civil Service Commission approved the creation of the Emergency Support Services Administrator job class specification at its May 8, 2023 meeting. The Civil Service Supervisors bargaining unit has accepted the salary grade recommendation at Grade E30A: \$80,454 - \$116,376 (annual steps and longevities through twenty-two years of service in the Civil Service Supervisors Unit Pay Plan).

Human Resources has reviewed the proposed duties of the position and determined that the Emergency Support Services Administrator class is appropriate.

### **Policy Objectives:**

The process and requirements for the creation and maintenance of a classification plan is addressed under Minn. Stat. §383C.037, §383C.039 and civil service rules 3.1-3.6. County fiscal policies require position reallocations of greater than three pay grades to be approved by the County Board.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The reallocation of the Deputy Sheriff – Division Commander position will result in an annual cost decrease with a levy savings of approximately \$4,956, which is based on the salary of the vacant 1.0 FTE Deputy Sheriff – Division Commander (\$7,117/mo. at Grade T31B, Step 1) compared to that of a 1.0 FTE Emergency Support Services Administrator (\$6,704/mo. at Grade 30A, Step 1).

**Recommendation:**

It is recommended that the St. Louis County Board approve the new Emergency Support Services Administrator classification, assigned to Grade E30A in the Civil Service Supervisors Unit Pay Plan.

It is further recommended that the Board reallocate a vacant 1.0 FTE Deputy Sheriff – Division Commander (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 E30A, Step 1) in the Sheriff's Office.



**Approval of New Job Class – Emergency Support Services Administrator and Reallocation of a 1.0 FTE Deputy Sheriff – Division Commander Position to Emergency Support Services Administrator**

BY COMMISSIONER \_\_\_\_\_

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, 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, 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.



## St. Louis County Board of Commissioners Request for Board Action 23 – 280

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Committee: **Environment & Natural Resources**

Date: June 27, 2023

From: David Fink, Environmental Services Director

Attachments:  yes  no

Reviewed by: Kevin Z. Gray, County Administrator

Consent:  yes  no

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**ITEM: Authorization to Approve and Adopt the Proposed Northeast Minnesota Regional Solid Waste Management Plan**

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**Background/Overview:**

Minnesota State Statutes require counties to develop a solid waste management plan and update the plan at least once every ten years. St. Louis County developed its plan in May 1988 with subsequent plan updates in 1991, 1992, 1996, 1999, 2003 and 2013.

St. Louis County Environmental Services, in partnership with the counties of Aitkin, Carlton, Cook, Itasca, Koochiching, Lake (Counties), and the Western Lake Superior Sanitary District (WLSSD), collaborated to develop the proposed Northeast Minnesota Regional Solid Waste Plan (Regional Plan). The Regional Plan was developed over an approximately 24-month period working closely with the Solid Waste Officers of the Northeast Region (SWONER) with support from the elected local government officials composing the Northeast Waste Advisory Council (NEWAC).

The primary components of the Regional Plan include characterizing the existing system and programs, evaluating program options, and developing a recommended implementation plan for the designated 10-year planning period. Participants in the Regional Plan intend to collaborate and share resources across the region.

Key portions of this plan revolve around expanding solid waste disposal capabilities. The proposed plan identifies expansion of the St. Louis County Regional Landfill in Virginia, MN to allow for acceptance of Municipal Solid Waste (MSW) from other participants of this plan. It also includes plans to improve the Materials Recovery Facility in Virginia to increase capacity for the same reason. In addition, the plan identifies the potential Canyon facility as a centralized site for long term future MSW disposal.

The plan has been submitted and reviewed by the MPCA and placed on public notice for a 30-day review and comment period which will end on July 21, 2023. The MPCA has recommended that the respective counties and WLSSD take formal action on the plan prior to the end of the review and comment period. This issue has been discussed and approved by the Solid Waste Subcommittee at its May 26, 2023 meeting. The complete document has been provided to the County Board under separate cover. An executive summary is attached.

**Policy Objectives:**

Minnesota Statutes 115A and Minnesota Rules 9215 require that each county, district, or multi-county area maintain and implement a solid waste management plan that has been approved by both the local jurisdiction and Minnesota Pollution Control Agency.

**Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

The majority of the cost to prepare and finalize the plan was paid for with a Planning grant awarded through the Minnesota Pollution Control Agency. Additional cost of \$35,109.72 (Resolution No. 20-618) to complete the plan was paid from Fund 600, Agency 600001. This plan does not create an undue burden on Environmental Services budgets.

**Recommendation:**

It is recommended that the St. Louis County Board approve the adoption of the Northeast Minnesota Regional Solid Waste Management Plan.



**Authorization to Approve and Adopt the Proposed Northeast Minnesota  
Regional Solid Waste Management Plan**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The Counties of Aitkin, Carlton, Koochiching, Cook, Lake, Itasca, St. Louis, and the Western Lake Superior Sanitary District 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.

## EXECUTIVE SUMMARY

The northeast Minnesota counties of Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, and St. Louis (Counties) and the Western Lake Superior Sanitary District (WLSSD) collaborated to develop the Northeast Minnesota Regional Solid Waste Plan (Regional Plan). The Regional Plan was developed over an approximately 24-month period working closely with the Solid Waste Officers of the Northeast Region (SWONER) with support from the elected local government officials composing the Northeast Waste Advisory Council (NEWAC). The primary components of the Regional Plan include characterizing the existing system and programs, evaluating program options, and developing a recommended implementation plan for the designated 10-year planning period.

The northeast region disposed of an estimated 167,000 tons of municipal solid waste (MSW) in calendar year 2020 as reflected in **Table ES-1**. An estimated 40-percent of the region's MSW was disposed at the Superior Landfill located in Superior, Wisconsin, 32-percent of the region's MSW was disposed at the St. Louis County Landfill, and the remainder was disposed at landfills outside the region.

**Table ES-1: NE MN Waste Flow**

County	Estimated Quantity Generated for Disposal in 2020 (Tons)	Current Landfill Facilities Being Used
Aitkin	9,777 <sup>a</sup>	-East Central Solid Waste Commission Landfill (Mora, MN) -Lake Area Landfill (Sarona, WI)
Carlton	10,670 <sup>a</sup>	-Superior Landfill (Superior, WI)
Cook	3,065 <sup>a</sup>	-Superior Landfill (Superior, WI)
Itasca	29,194 <sup>a</sup>	-Elk River Landfill (Elk River, MN)
Koochiching	7,493 <sup>a,b</sup>	-Mar-Kit Landfill (Hallock, MN) -St. Louis County Regional Landfill (Virginia, MN)
Lake	5,759 <sup>a,c</sup>	-Superior Landfill (Superior, WI) -St. Louis County Regional Landfill (Virginia, MN)
St. Louis	53,481 <sup>a</sup>	-St. Louis County Regional Landfill (Virginia, MN)
WLSSD	47,689 <sup>a</sup>	-Superior Landfill (Superior, WI)
<b>Total</b>	<b>167,128<sup>d</sup></b>	--
<b>Total to Superior Landfill</b> (Carlton, Cook, Lake, and WLSSD)	<b>67,183<sup>d</sup></b>	--

(a) Derived from Goal Volume Table data provided by MPCA and confirmed via County provided data.

(b) Nearly all MSW transported to Mar-Kit Landfill; one township goes to St. Louis County Regional Landfill.

(c) Nearly all MSW generated transported to Superior Landfill; Fall Lake Township goes to St. Louis County Regional Landfill.

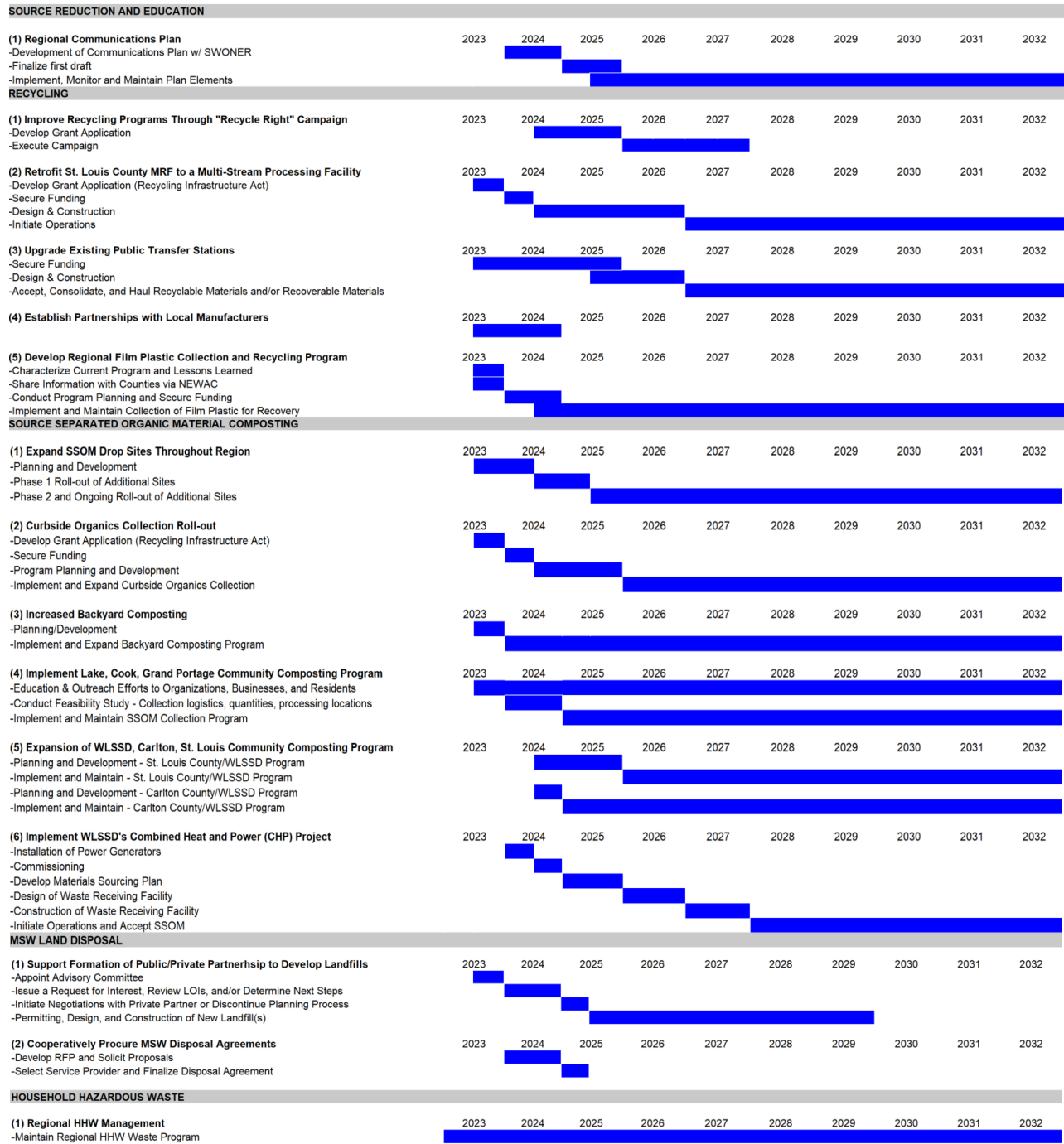
(d) Includes all waste generated within Carlton County, including the portion of Carlton County within WLSSD boundaries.

Based on an evaluation of the existing programs and facilities, stakeholder input identifying key barriers and opportunities, and feedback from the SWONER and NEWAC, a detailed implementation plan was formulated. The implementation plan provided in **Figure ES-1** includes a summary description of regional program initiatives, recommended steps to implement these initiatives, and a proposed timeline. These regional efforts supplement the existing and proposed programs within the individual Counties/WLSSD. The proposed regional as well as local county initiatives are detailed further in **Section 5**.

For all of the regional program initiatives described in **Figure ES-1**, there is support from the Counties/WLSSD within the Region to move forward with implementation.

**Figure ES-1: Proposed Regional Implementation Plan**

NE MN Regional Plan - Proposed Joint Regional Initiatives Implementation Plan



Note: Timeline reflects overall regional initiatives. Individual county timelines and participation may vary within each initiative.

The proposed program initiatives and timeline were used to develop the waste and diversion projections for the Goal Volume Tables (GVTs) included in **Appendix X**. Based on the outcomes of the GVT analysis, the proposed regional system is projected to impact the management of the material streams over the 10-year planning period as characterized in **Table ES-2** and **Figure ES-2**. Overall, the proportion of the municipal solid waste stream generated in the region will be reduced from 55-percent to 50-percent over the 10-year planning period.

**Table ES-2: Proposed Regional System Quantities of Materials (Tons)**

Material Streams	2023 <sup>a</sup>	2032 <sup>a</sup>	Percent Change
Recycling	125,432	135,758	+ 8.2%
Organics	13,243	17,560	+ 32.6%
Landfill	169,144	157,411	- 7.0%

(a) Based on the Goal Volume Table (GVT) analysis, which considers both projected population change and new program implementation.

**Figure ES-2: 2023 and 2032 Projected Waste Quantities**

