

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JUNE 27, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of June 2023, at 9:31 a.m., at the Halden Town Hall, Floodwood, Minnesota, with the following members present: Commissioners Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 6. Absent: Commissioner Annie Harala - 1.

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

Commissioner Jugovich introduced James Pavlek. Mr. Pavlek welcomed the Board to the Township and commented that it is important that the Board continue to hold meetings in townships.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Bryana Salo said that yesterday was the two-year anniversary of the death of her brother due to an unprosecuted homicide. Ms. Salo reviewed a timeline of correspondence with the County Attorney's Office since her brother's death. Ms. Salo read the Oath of Office the County Attorney is required to take and questioned if the County Attorney is faithfully fulfilling their duty if they go back on their word. Clayton Cich, of Fredenberg Township, requested that the McKeever gravel pit be inspected and said that all gravel pit inspections and site visits should be documented. Mr. Cich commented that landfills should be run by private entities and questioned why the county would want to run a landfill when we can haul waste to other areas. Bruce Anderson, of Duluth, commented that the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road should not have been issued because the owner had violations at another gravel pit. Mr. Anderson said that someone should step up and give their group some help with the gravel pit issue. Oly Olson, of Duluth, commented on safety concerns due to the increased truck traffic in Fredenberg and said the McKeever gravel pit is a year-round danger. Mr. Olson said the McKeever is in violation and needs to be inspected. Janet Olson, of Duluth, asked for an inspection of the McKeever pit and said the 6464 Fredenberg Lake Road CUP should not have been issued. Ms. Olson commented that it is heartbreaking for Bryana Salo's family and hopes someone reaches out to them and provide answers.

At 9:56 a.m., a public hearing was conducted, pursuant to Resolution No. 23-321, adopted June 13, 2023, to obtain public comment to further amend the 2023 Fee Schedule. Deputy Administrator Brian Fritsinger said that that St. Louis County Heritage and Arts Center (The Depot) staff has been reviewing the schedule and is proposing to further amend it to better align with additionally planned activities at the Depot. Different rates are proposed for Depot tenants, non-profit organizations, and for-profit organizations to encourage use of the Depot Theatre and its equipment. The proposed fee changes will help St. Louis County cover the operating costs of the Depot Theatre. Chair Boyle asked if there were any other governmental entities, supporters, opponents, or other comments from the public; no one requested the opportunity to speak. At 10:03 a.m., Commissioner Nelson, supported by Commissioner Grimm, moved to close the public hearing. The motion passed; six yeas, zero nays, one absent.

Commissioner Grimm, supported by Commissioner Musolf, moved that the St. Louis County Board approves the amended 2023 Fee Schedule to include additional fees with regard to the Depot Theatre and its equipment usage. The motion passed; six yeas, zero nays, one absent. Resolution No. 23-356.

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

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

Donna Viskoe, Purchasing Director, submitting Board Letter No. 23-256, Amendment to County Purchasing Rules and Regulations Related to Single Source Purchasing.—61978

James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 23-263, Confidential Public Employees Association 2023-2025 Collective Bargaining Agreement.—61979

James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 23-264, Unrepresented Employees Compensation Plan Update and Salary Range Increases for 2023-2025.—61980

James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 23-265, Management Compensation Plan Update, Salary Range Increases for 2023-2025 and Post-Retirement Health Care Savings Plan Policy Amendment.—61981

Julie Marinucci, Environment and Natural Resources Committee, submitting Board Letter No. 23-261, Gift of Land to St. Louis County (Parcel ID No. 010-3540-00620).—61982

Julie Marinucci, Environment and Natural Resources Committee, submitting Board Letter No. 23-262, Gift of Land to St. Louis County (Parcel ID No. 317-0010-00501, -00531).—61983

Upon motion by Commissioner McDonald, supported by Commissioner Nelson, resolutions numbered 23-338 through 23-355, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER McDONALD:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 13, 2023, are hereby approved.

Adopted June 27, 2023. No. 23-338

WHEREAS, The U.S. Department of Health and Human Services, through the Health Resources and Services Administration, has made funds available through their Rural Health Network Development Planning Grant for planning activities for rural health care networks; and

WHEREAS, Public Health and Human Services (PHHS) and community partners were awarded \$99,871.00 for the period of July 1, 2023, to June 30, 2024; and

WHEREAS, PHHS will enter into contracts with the Northeast Services Cooperative and Essentia Health to plan and develop rural behavioral health networks.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes PHHS to accept the Rural Health Network Development Planning Grant in the amount of \$99,871 and contract with Northeast Services Cooperative and Essentia Health for the period of July 1, 2023, to June 30, 2024.

BUDGET REFERENCE:

230-232006-540295-23290-99999999-2023
230-232006-629900-23290-99999999-2023
230-232006-633100-23290-99999999-2023
230-232006-610000-23290-99999999-2023

Adopted June 27, 2023. No. 23-339

WHEREAS, Breitung Township has received State Park Road Account (SPRA) funding in the amount of \$418,000 for improvements to Stuntz Bay Access Road from Jasper Street to Lake Vermilion in Breitung Township, "Project" (SAP 069-600-051, CP 4598-710468); and

WHEREAS, The County is required to act as the fiscal agent and contract administrator for the State of Minnesota in administering the SPRA funds, and shall administer the construction contract for the Project; and

WHEREAS, Breitung Township shall prepare a plan for construction of the Project; and

WHEREAS, Breitung Township will be responsible for 100 percent of the cost to complete the Project in excess of SPRA funds authorized to the County.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a cooperative agreement with Breitung Township to receive and administer Minnesota Department of Natural Resources (DNR) State Park Road Account (SPRA) program funding for the improvements to Stuntz Bay Access Road (SAP 069-600-051, CP 4598-710468). Funds for this project will be receipted into Fund 220, Agency 220738, Object 551541.

Adopted June 27, 2023. No. 23-340

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-458862, SP 069-070-050, HSIP 6923(244); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on May 25, 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>
NTTK, Inc.	23791 67 th Avenue Saint Cloud, MN 56301	\$115,252.00

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 0000-458862, SP 069-070-050, HSIP 6923(244)

Fund 220, Agency 220735, Object 652700 – Federal Funds - \$103,726.80

Fund 200, Agency 203669, Object 652800 – Local Funds - \$11,525.20

Adopted June 27, 2023. No. 23-341

WHEREAS, The Northeast Regional ATV Trail Joint Powers Board (NRAJPB), on behalf of five (5) ATV clubs, has secured a State grant in the amount of \$1,960,000 from the Department of Iron Range Resources and Rehabilitation (IRRR) to complete work on various segments of the ATV trail system, hereinafter called the "Project" (CP 0000-754287); and

WHEREAS, The County shall act as the fiscal agent and contract administrator for any grants received by the NRAJPB and shall administer the planning, design, and construction contract for the Project; and

WHEREAS, The County shall enter into cooperative agreements with each of the five (5) ATV clubs to complete work on various segments of the ATV trail system; and

WHEREAS, Each ATV club, or its Consultants, shall perform the planning, design, environmental permitting, and right-of-way acquisition for the project; and

WHEREAS, Each individual ATV club will be responsible for 100 percent of the cost to complete the Project in excess of IRRR funds authorized to the NRAJPB and the County.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into cooperative agreements with five (5) ATV clubs to receive and administer Department of Iron Range Resources and Rehabilitation FY 2023 funding to complete various ATV trail system segments located in St. Louis County. This project is further identified as CP 0000-754287. Funds for this project will be receipted into Fund 220, Agencies 220739 - 220744, Object 532206.

Adopted June 27, 2023. No. 23-342

WHEREAS, On November 29, 2022, the County Board adopted Resolution No. 22-644 allowing for the temporary revision to increase the amount for purchases before requiring a purchase order to \$10,000.00 and the single transaction limit on a procurement card to \$5,000.00 and the monthly limit to \$10,000.00, expiring March 30, 2023; and

WHEREAS, On April 4, 2023, the County Board Adopted Resolution No. 23-204 allowing for the extension of a temporary revision to the St. Louis County Purchasing Rules and Regulations to increase procurement card limits and increase the amount for purchases before requiring a purchase order to \$10,000.00 and the single transaction limit on a procurement card to \$5,000.00 and the monthly limit to \$10,000.00, expiring May 31, 2023; and

WHEREAS, The subcommittee set up in early 2023, at the request of the Board, to review the Purchasing Rules and Regulations policy, is working to complete and review any and all requested items, but will not be able to meet the May 31, 2023 deadline.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the extension of a temporary revision to the St. Louis County Purchasing Rules and Regulations to increase procurement card limits and increase the amount of purchases before a purchase order to \$10,000 and the single transaction on the procurement card to \$5,000 and the monthly limit to \$10,000, expiring September 30, 2023.

Adopted June 27, 2023. No. 23-343

WHEREAS, As part of the Purchasing Rules and Regulations Review Committee, Section IV, C of the rules related to single source purchasing was discussed; and

WHEREAS, The Committee has identified a need to amend this section of the policy to better fit the various statutory obligations of the county pertaining to this type of procurement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the amendment of Section IV, C of the County's Purchasing Rules and Regulations, solely for the change in the Single Source Procurement Policy and Form, to be used immediately for all single source procurement.

Adopted June 27, 2023. No. 23-344

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61855.

RESOLVED FURTHER, That said license is approved contingent upon license holder paying real estate or personal property taxes when due.

RESOLVED FURTHER, That if the named license holder sells their licensed place of business, the County Board may, at its discretion and after an investigation, transfer the license to a

new owner, but without pro-rated refund of the license fee to the license holder.

RESOLVED FURTHER, That said license shall be effective through June 30, 2024:

The Hideaway Bar, Inc. dba The Hideaway Bar, Unorganized Township 61-13, On-Sale & Sunday On-Sale Intoxicating Liquor License, transfer.

Adopted June 27, 2023. No. 23-345

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61855.

RESOLVED FURTHER, That said license is approved contingent upon license holder paying real estate or personal property taxes when due.

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

RESOLVED FURTHER, That said license shall be effective through October 31, 2023:

Fairhaven LLC dba Fairhaven LLC, Grand Lake Township, Seasonal On-Sale & Seasonal Sunday On-Sale Intoxicating Liquor License, new.

Adopted June 27, 2023. No. 23-346

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

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

WHEREAS, The Quad Cities ATV Club has requested sponsorship of the Quad Cities ATV System; and

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

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

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

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

Adopted June 27, 2023. No. 23-347

WHEREAS, The St. Louis County Confidential Public Employees Association (CPEA) collective bargaining agreement expired December 31, 2022; and

WHEREAS, St. Louis County and CPEA reached agreement on terms of a new collective bargaining agreement effective January 1, 2023, through December 31, 2025.

THEREFORE, BE IT RESOLVED, That the 2023-2025 Confidential Public Employees Association contract is ratified, and county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. 61979.

Adopted June 27, 2023. No. 23-348

RESOLVED, That the Unrepresented Employees Compensation Plan document update is approved, a copy of which is on file in County Board File No. 61980.

RESOLVED FURTHER, That salary ranges for employees covered under the Unrepresented Employees Compensation Plan have been updated to reflect increases of: 3.00% effective December 17, 2022; 3.00% effective December 16, 2023, and 3.00% effective December 14, 2024; in addition, a one-time cash payment of \$400 is approved for employees in 2023 upon implementation of the updated salary ranges.

Adopted June 27, 2023. No. 23-349

RESOLVED, That the Management Compensation Plan document update is approved, a copy of which is on file in County Board File No. 61981.

RESOLVED FURTHER, That the amended post-retirement health care savings plan policy covering appointed department heads and managers under the Management Compensation Plan is approved, a copy of which is on file in County Board File No. 61981.

RESOLVED FURTHER, That salary ranges for employees and officials covered under the Management Compensation Plan have been updated to reflect increases of: 3.00% effective December 17, 2022; 3.00% effective December 16, 2023, and 3.00% effective December 14, 2024; in addition, a one-time cash payment of \$400 is approved for employees in 2023 upon implementation of the updated salary ranges.

Adopted June 27, 2023. No. 23-350

WHEREAS, Minnesota Power desires to plat existing lease lots in the Township of Fredenberg; and

WHEREAS, All lots conform to lot of record standards of St. Louis County Zoning Ordinance 62 and Subdivision Ordinance 60; and

WHEREAS, The final application and plat have been submitted pursuant to and in accordance with the County Lease Lot of Record Subdivision Plat procedure, and conform with the platting and recording requirements set forth by St. Louis County Subdivision Ordinance 60 and Subsurface Sewage Treatment System Ordinance 61.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of Apple Lake Estates, Sections 2, 3, 4, 9, 10, & 11, Township 52 North, Range 15 West (Fredenbergs).

Adopted June 27, 2023. No. 23-351

WHEREAS, Minnesota Power desires to plat existing lease lots in the Township of Gnesen; and

WHEREAS, The final application and plat have been submitted pursuant to and in accordance with the County Lease Lot of Record Subdivision Plat procedure, and conform with the platting and recording requirements set forth by St. Louis County Subdivision Ordinance 60 and Subsurface Sewage Treatment System Ordinance 61; and

WHEREAS, The Township of Gnesen held a public hearing on March 08, 2023, to solicit public input on the proposed plat and considered township input and public testimony.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to the plat of Carey Cove, Sections 31 & 32, Township 53N, Range 14W (Gnesen).

Adopted June 27, 2023. No. 23-352

WHEREAS, Robert S. Kovatovich has offered a gift of land to St. Louis County, legally

described as:

Legal: LOT 27, BLOCK 2, NORTONS STEEL PLANT DIVISION OF DULUTH
Parcel ID No: 010-3540-00620; and

WHEREAS, Minn. Stat. § 465.03 provides that the county may accept a grant or devise of real property, with or without conditions, upon passage of a resolution adopted by a two-thirds majority of the County Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the donation of land identified herein and authorizes the appropriate county officials to take all steps necessary to effect final execution and recording of the transfer.

Adopted June 27, 2023. No. 23-353

WHEREAS, Kathleen C. Murphy has offered a gift of land to St. Louis County, legally described as:

Legal: Undivided 1/4 interest of Govt Lot 2, Section 4, Township 62 North,
Range 14 West

Parcel ID No: 317-0010-00501

AND

Legal: Undivided 1/4 interest of Govt Lot 3, Section 4, Township 62 North,
Range 14 West

Parcel ID No: 317-0010-00531; and

WHEREAS, Minn. Stat. § 465.03 provides that the county may accept a grant or devise of real property, with or without conditions, upon passage of a resolution adopted by a two-thirds majority of the County Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the donation of land identified herein and authorizes the appropriate county officials to take all steps necessary to effect final execution and recording of the transfer.

Adopted June 27, 2023. No. 23-354

RESOLVED, That the appraisal reports for the sale of timber to be offered at DECORATIVE PRODUCTS SEALED BID AUCTION, Tracts 1 through 12 (totaling \$67,052.00), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 61859, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted June 27, 2023. No. 23-355

BY COMMISSIONER GRIMM:

WHEREAS, The St. Louis County Board held a public hearing at 9:35 a.m. on Tuesday, June 27, 2023, at the Halden Town Hall, Floodwood, MN, to receive comment and consider the amendment of the Fee Schedule for various St. Louis County Heritage and Arts Center services for the year 2023; and


WHEREAS, The St. Louis County Board previously adopted the 2023 Fee Schedule via Resolution No. 22-596 and the amended 2023 Fee Schedule via Resolution No. 23-96; and

WHEREAS, St. Louis County Heritage and Arts Center (The Depot) staff is proposing to amend the Fee Schedule to align with planned activities at the Depot.


THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the amended 2023 Fee Schedule to include additional fees with regard to the Depot Theatre and its equipment usage.

Unanimously adopted June 27, 2023. No. 23-356

At 10:05 a.m., June 27, 2023, Commissioner Musolf, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent.


Patrick Boyle, Chair of the Board
of County Commissioners

Attest:


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

(Seal of the County Auditor)