

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

**August 8, 2023**

**Mountain Iron Community Center, 8586 Enterprise Drive, Mountain Iron, Minnesota**

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

**RESOLUTIONS FOR APPROVAL:**

**Minutes for August 1, 2023.**

**Public Health & Human Services Committee – Commissioner McDonald, Chair**

1. Authorize acceptance of additional grant funds in the amount of \$625,198 from the Minnesota Department of Human Services Housing and Supports and Services Division to continue development of Community Living Infrastructure and authorize contracts with community partners for the period of July 1, 2023, to March 31, 2024. *[23-315]*

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

2. Cooperative construction agreement #1053672 authorized with the Minnesota Department of Transportation for the construction of left-turn and right-turn lanes on Trunk Highway 37 at County State Aid Highway 5 in Cherry Township (SP 069-070-058, CP 0005-533030). *[23-316]*
3. Cooperative construction agreement #1053610 authorized with the Minnesota Department of Transportation for a resurfacing, lighting and sidewalk project on a portion of Trunk Highway 169 located in Chisholm and Mountain Iron, with St. Louis County acting as fiscal agent on behalf of the City of Mountain Iron (CP 0000-747491, SP 069-596-017). *[23-317]*

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

4. Approve use of up to \$15,000 of American Rescue Plan Act Revenue Loss funding for the Chisholm Kiwanis Club Splash Pad Sunshade Fixture Project. *[23-318]*
5. Authorize purchase of fiber-based network connection to the Brookston Transfer Station from the Fond du Lac Reservation for \$16,508 and pay KGM Contractors, Inc., \$12,500 for land clearing services for an estimated total of \$29,008 paid from American Rescue Plan Act Revenue Loss Funds. *[23-319]*

## **ST. LOUIS COUNTY BOARD OF COMMISSIONERS**

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6. Public hearing established for September 5, 2023, at 9:35 a.m., at the St. Louis County Courthouse, County Board Room, 2<sup>nd</sup> Floor, 100 N. 5<sup>th</sup> Avenue West, Duluth, MN, to consider the issuance of an Off-Sale Intoxicating Liquor License to Sean N Marv, LLC dba Viking Bar, Morcom Township. *[23-322]*
7. Award the continued group health plan administrative services contract to Blue Cross Blue Sheild of Minnesota at the administrative fee of \$45.27 per contract per month and stop-loss premium of \$17.47 per contract per month for the time period of January 1, 2024 through December 31, 2028. *[23-323]*
8. Claims and accounts for June 2023.
9. Application for a Temporary On-Sale Intoxicating Liquor License by YMCA Camp du Nord, Unorganized Township 64-13, for the dates of September 1 – 3, 2023, renewal.

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

10. Authorize purchase of one (1) SHERP Argo Centaur all-terrain vehicle from SHERP USA of Bemidji, MN, for the amount of \$181,142 with the 50% match (\$90,571) payable by the St. Louis County Sheriff's Office, Public Works Division and St. Louis County Rescue Squad using 2022 Emergency Management Performance American Rescue Plan Act Grant funds. *[23-320]*

### **Environmental & Natural Resources Committee – Commissioner Jugovich, Chair**

11. Utility easement across state tax-forfeited land located in Beatty Township and Unorganized Township 63-17 granted to Lake Country Power for an overhead powerline rebuild project, upon total payment of \$8,982. *[23-321]*

**Official Proceedings of the County Board of Commissioners**

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

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 1, 2023, are hereby approved.

**Request to Accept DHS Housing Support and Services Grant Community Living Infrastructure Additional Funding and Enter into Contracts with Community-Based Providers**

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

WHEREAS, The Minnesota Department of Human Services has awarded an additional \$625,198.00 in grant funds to St. Louis County Public Health and Human Services (PHHS) to implement a plan to improve system access to increase and improve opportunities for Minnesotans with disabling conditions to live in the community; and

WHEREAS, PHHS Behavioral Health and the PHHS Housing and Homelessness Programs teams have reviewed this opportunity and it meets unique needs of people with disabilities facing significant barriers in transitioning into community living from institutions, corrections, licensed facilities, or homelessness.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to accept additional grant funds in the amount of \$625,198.00 from the Minnesota Department of Human Services Housing and Supports and Services Division to continue development of Community Living Infrastructure and enter into contracts with community partners for the period of July 1, 2023, to March 31, 2024.

**BUDGET REFERENCE:**

230-232001-610100-23286-99999999-2022

230-232001-629900-23286-99999999-2022

230-232001-530714-23286-99999999-2022

**Cooperative Construction Agreement with Minnesota Department of Transportation  
for Trunk Highway 37 at County State Aid Highway 5 (East and West) Turn Lane Project  
- CP 0005-533030, SP 069-070-058**

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

WHEREAS, The Minnesota Department of Transportation (MnDOT), in cooperation with St. Louis County, is preparing a project to construct left-turn and right-turn lanes on Trunk Highway (TH) 37 at County State Aid Highway (CSAH) 5 (Hwy 5) east and west intersections; and

WHEREAS, This project will be completed in 2024 and is further identified as SP 069-070-058, CP 0005-533030; and

WHEREAS, Both the Minnesota Department of Transportation and St. Louis County were awarded Federal funding through the Highway Safety Improvement Program for this project; and

WHEREAS, Both intersections are prioritized in the Minnesota Department of Transportation Safety Plan and County Road Safety Plan and both intersections have experienced serious crashes.

THEREFORE, BE IT RESOLVED, That St. Louis County enters into MnDOT Agreement No. 1053672 with the State of Minnesota Department of Transportation for the following purposes:

To provide for payment by the County to the State for the County's share of the costs of grading, bituminous mill and overlay, and lighting construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 37 from 0.14 miles west of the west junction of County State Aid Highway No. 5 to 0.18 miles east of the junction of County State Aid Highway No. 5 under State Project No. 6947-57 and State Aid Project No. 069-070-058 (TH 37=216).

RESOLVED FURTHER, That the County Board Chair, County Auditor, Public Works Director and Assistant County Attorney are authorized to execute the Agreement and any amendments to the Agreement.

RESOLVED FURTHER, That the St. Louis County project numbers are SP 069-070-058, CP 0005-533030. Funds necessary for payment to the Minnesota Department of Transportation will be payable from Fund 200, Agency 220750, Object 652700.

**Cooperative Agreement with MnDOT for Trunk Highway 169 Resurfacing Project –  
CP 0000-747491, SP 069-596-017**

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

WHEREAS, The Minnesota Department of Transportation (MnDOT) is preparing a resurfacing project on Trunk Highway (TH) 169 beginning 2,025 ft. west of County State Aid Highway (CSAH) 67 (4th Ave. SE) in the City of Chisholm and ending 450 ft. west of CSAH 103 (Mud Lake Rd.)/CSAH 109 (Nichols Ave.) in the City of Mountain Iron; and

WHEREAS, This resurfacing project will be completed in 2024 and is further identified as SP 6935-94; and

WHEREAS, This resurfacing project includes the installation of new roadway lighting systems and replacement of certain existing roadway lighting systems at state/county road intersections; and

WHEREAS, This project also includes construction of sidewalk along Emerald Avenue, beginning at the north entrance to the Mountain Iron-Buhl School and ending at TH 169; and

WHEREAS, Emerald Avenue is a city street owned by the City of Mountain Iron and the City of Mountain Iron received Federal funding through the Small Cities Assistance Program to construct this sidewalk; and

WHEREAS, St. Louis County must act as the fiscal agent on behalf of the City of Mountain Iron for this sidewalk project.

THEREFORE, BE IT RESOLVED, That St. Louis County enters into MnDOT Agreement No. 1053610 with the State of Minnesota Department of Transportation for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the sidewalk construction and to provide maintenance and ownership of the lighting systems construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 169 from 2,025 feet west of County State Aid Highway No. 67 to 450 feet west of County State Aid Highway No. 103 under State Project No. 6935-94.

RESOLVED FURTHER, That the County Board Chair, County Auditor, Public Works Director and Assistant County Attorney are authorized to execute the Agreement and any amendments to the Agreement.

RESOLVED FURTHER, That the St. Louis County project numbers are SP 069-596-017, CP 0000-747491. Funds received from the City of Mountain will be receipted into Fund 220, Agency 220749, Object 551524. Funds necessary for payment on behalf of the City of Mountain Iron to the Minnesota Department of Transportation will be payable from Fund 220, Agency 220749, Object 652700.

**Chisholm Kiwanis Club Splash Pad Sunshade Fixture Project,  
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, The County Board has allocated up to \$900,000 of ARPA funds to be used for youth recreation/park projects; and

WHEREAS, Chisholm Kiwanis Club (Club) has identified a project, in cooperation with the City of Chisholm, to develop and construct a splash pad; and

WHEREAS, The Club has submitted documentation seeking funding assistance in the amount of \$15,000 from the County's American Rescue Plan Act Revenue Loss funds to support its project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$15,000 of American Rescue Plan Act Revenue Loss funding for the Chisholm Kiwanis Club Splash Pad Sunshade Fixture Project.

RESOLVED FURTHER, That the Club 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 Club for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.

**Environmental Services Brookston Transfer Station Fiber Connectivity Project,  
American Rescue Plan Act Revenue Loss Funds**

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

WHEREAS, Environmental Services Leadership, in coordination with the Information Technology (IT) Department, has identified network connectivity as a leading cause of system and network performance issues at the Brookston Transfer Station; and

WHEREAS, The IT Department is working closely with Environmental Services to modernize strategic solid waste transfer stations to include a new credit card processing system enabling citizens to utilize credit cards to pay for solid waste disposal where the success of this project depends on solid network communications; and

WHEREAS, The Environmental Services Department has reached an agreement with the Fond du Lac Reservation to allow it to tie into their existing fiber optic line.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology Department, in coordination with Environmental Services, to purchase fiber-based network connection from the Fond du Lac Reservation for \$16,508 and pay KGM Contractors, Inc. \$12,500 for land clearing services for an estimated total of \$29,008 paid from Fund 239 American Rescue Plan Act Revenue Loss Funds and monthly recurring costs to be determined payable via Fund 100, Agency 117001.

RESOLVED FURTHER, That the Fond du Lac Reservation shall comply and submit all necessary information, documentation and reporting materials required by the County, State or US Treasury to ensure that the project meets any and all conditions as required under the American Rescue Plan Act.

RESOLVED FURTHER, That KGM Contractors, Inc., shall comply and submit all necessary information, documentation and reporting materials required by the County, State or US Treasury to ensure that the project meets any and all conditions as required under the American Rescue Plan Act.

**Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License  
(Morcom Township)**

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

RESOLVED, That the St. Louis County Board establishes a public hearing on Tuesday, September 5, 2023, at 9:35 a.m., at the Duluth Courthouse, County Board Room, 100 N. 5<sup>th</sup> Avenue West, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for Sean N Marv, LLC dba Viking Bar, Morcom Township.

**Health Insurance Administrative Services – Award of Proposal**

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

WHEREAS, The County solicited competitive proposals from health insurance carriers interested in providing administrative health insurance services to the county for the plan year commencing in January 2024; and

WHEREAS, Competitive proposals were received from three carriers: HealthPartners, Medica, and Blue Cross Blue Shield of Minnesota; and

WHEREAS, It was concluded that Blue Cross Blue Shield of Minnesota offered the best alternative in terms of lowest fixed annual costs, overall network discounts and guarantees, employee wellness incentives, administration of the existing plan design and overall group health plan value.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby awards the continued group health plan administrative services contract to Blue Cross Blue Shield of Minnesota.

RESOLVED FURTHER, That the per contract per month administrative fee of \$45.27 is approved for January 1, 2024 – December 31, 2024.

RESOLVED FURTHER, That the per contract per month stop-loss premium of \$17.47 is approved for January 1, 2024 – December 31, 2024.

RESOLVED FURTHER, That the County Board authorizes the appropriate county officials to execute agreements for administrative services of the health plan for the time period covering January 1, 2024 – December 31, 2028.

**Claims and Accounts for June 2023**

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

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

100	General Fund	\$8,343,798.39
149	Personal Service Fund	542.75
155	Depot	84,683.96
160	MN Trail Assistance	10,662.26
169	Attorney Trust Accounts – VW	1,045.97
173	Emergency Shelter Grant	17,259.59
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	184,030.93
179	Enhanced 9-1-1	19,372.17
180	Law Library	12,957.26
183	City/County Communications	253.43
184	Extension Service	44,263.75
192	Permit to Carry	6,109.45
200	Public Works	3,180,497.10
204	Local Option Transit Sales Tax	849,401.59
215	Ditching	5,675.75
220	State/Federal Road Aid	4,149,527.97
230	Public Health & Human Services	8,524,464.67
239	Pandemic Response Fund	386,400.16
240	Forfeited Tax	420,167.19
260	CDBG Grant	51,171.13
270	Home Grant	17,376.72
281	SLC Septic Loans	178.45
289	On-Site Wastewater	63,249.84
290	Forest Resources	82,326.28
298	Opioid Remediation	2,491.00
324	2015B – Refunding 316-2008B	14,250.00
325	2015C – Capital Improve Bond	406,003.13
326	2016A – Capital Improve Bond	236,893.75
327	2016B Refunding 318-2013A	203,375.01
328	2-18A Capital Improve Bond	462,965.63
329	2018B Capital Improve Bond	260,300.00
330	2020A TST Capital Improve Bond	217,318.76
331	2020B Refunding 2013D & 2014A	38,603.75
332	2021A – Capital Improvement	261,943.76

400	County Facilities	160,301.55
403	Emergency Repairs	40,122.25
405	Public Works Building Construction	75,680.50
407	Public Works – Equipment	1,385,919.10
450	2021A – Capital Improvement	5,652.00
600	Environmental Services	960,057.92
640	Plat Books	11.13
715	County Garage	74,546.35
720	Property Casualty Liability	17,958.65
730	Workers Compensation	268,541.13
740	Medical Dental Insurance	4,304,687.36
770	Retired Employees Health Ins.	438.00
		<u><b>\$35,853,543.46</b></u>
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**Application for Temporary On-Sale Intoxicating Liquor  
(Unorganized Township 64-13)**

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

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for a Temporary On-Sale Intoxicating Liquor License is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61855:

YMCA Camp du Nord, Unorganized Township 64-13, Temporary On-Sale Intoxicating Liquor License, for the dates of September 1 - 3, 2023, renewal.

**Award of Bid: Purchase of SHERP All-Terrain Vehicles**

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

WHEREAS, On June 13, 2023, the St. Louis County Board adopted Resolution No. 23-323, the application and acceptance of the 2022 Emergency Management Performance American Rescue Plan Act Grant; and

WHEREAS, The grant award included the purchase of a SHERP all-terrain vehicle that will be utilized by the St. Louis County Sheriff's Office, Public Works Division and St. Louis County Rescue Squad; and

WHEREAS, The St. Louis County Sheriff's Office, in tandem with the Purchasing Division, has solicited proposals for the purchase of a 2023 SHERP Argo Centaur; and

WHEREAS, SHERP USA was the sole Responder whose Proposal best demonstrated, in St. Louis County's sole opinion, the clear capability and capacity to best fulfill the purpose of the Request for Proposals in a cost-effective manner; and

WHEREAS, The St. Louis County Emergency Management Division, Public Works Division and the St. Louis County Rescue Squad will fund the 50% match (\$90,571.00).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of a SHERP Argo Centaur, from SHERP USA of Bemidji, Minnesota for \$181,142.00, 50% payable from Fund 100, Agency 132001, Object 665900, and 50% from Fund 100, Agency, 132999, Object 665900, Grant 13203, Year 2022.

**Utility Easements across Tax-Forfeit Lands to Lake Country Power  
(Beatty Township 63-18 and Unorganized Township 63-17)**

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

WHEREAS, Lake Country Power is requesting five (5) 50-foot-wide utility easements across state tax-forfeited lands as part of an overhead powerline rebuild project on an existing line in Beatty Township (63-18) and Unorganized Township (63-17); and

WHEREAS, The existing line is not under a current easement agreement; and

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

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

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

RESOLVED FURTHER, That the granting of these easements is conditioned upon payment in the amount of a \$7,840 land use fee, an \$896 timber damage fee, a \$200 administration fee, and a \$46 recording fee, for a sum total of \$8,982. Funds will be deposited into Fund 240 (Tax-Forfeited Land Fund).

## EXHIBIT A

### (Legal Description)

#### **Utility Easements across State Tax-Forfeited Lands to Lake Country Power (Beatty Township 63-18 and Unorganized Township 63-17)**

##### **Easement A: Section 10, T63N R18W**

A right-of-way easement for utility purposes over, under and across a strip of land, 50.00 feet in width, located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), Section 10, Township 63 North, Range 18 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Commencing at the northeast corner of said Section 10; thence South 0 degrees 09 minutes 58 seconds West, assumed bearing along the east line of said Section 10, a distance of 1934.00 feet to the point of beginning of the centerline to be described; thence South 61 degrees 03 minutes 30 seconds West a distance of 1415.77 feet to the south line of said Southeast Quarter of the Northeast Quarter and said centerline there terminating.

##### **Easement B: Section 2, T63N R18W**

A right-of-way easement for utility purposes over, under and across a strip of land, 50.00 feet in width, located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4), Section 2, Township 63 North, Range 18 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Commencing at the south quarter corner of said Section 2; thence North 0 degrees 46 minutes 36 seconds West, assumed bearing along the north-south quarter line of said Section 2, a distance of 651.50 feet to the point of beginning of the centerline to be described; thence South 25 degrees 10 minutes 30 seconds West a distance of 728.48 feet to the south line of said Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and said centerline there terminating.

##### **Easement C: Section 1, T53N R18W**

A right-of-way easement for utility purposes over, under and across a strip of land, 50.00 feet in width, located in Section 1, Township 63 North, Range 18 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Commencing at the east quarter corner of said Section 1; thence North 0 degrees 33 minutes 22 seconds West, assumed bearing along the east line of said Section 1, a distance of 763.00 feet to the point of beginning of the centerline to be described; thence North 26 degrees 15 minutes 00 seconds West a distance of 437.00 feet; thence South 70 degrees 52 minutes 00 seconds West a distance of 3188.04 feet to the south line of the Southeast Quarter of the Northwest Quarter of said Section 1 and said centerline there terminating.

**Easement D: Government Lots 5 and 6, Section 6, T63N R17W**

A right-of-way easement for utility purposes over, under and across a strip of land, 50.00 feet in width, located in Government Lots 5 and 6, Section 6, Township 63 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Commencing at the west quarter corner of said Section 6; thence North 0 degrees 33 minutes 22 seconds West, assumed bearing along the west line of said Section 6, a distance of 763.00 feet to the point of beginning of the centerline to be described; thence South 26 degrees 15 minutes 00 seconds East a distance of 155.00 feet; thence South 30 degrees 10 minutes 00 seconds East a distance of 206.00 feet; thence South 32 degrees 17 minutes 00 seconds East a distance of 266.00 feet; thence South 36 degrees 17 minutes 00 seconds East a distance of 1241.00 feet; thence South 60 degrees 19 minutes 00 seconds East a distance of 168.07 feet to the east line of said Government Lot 6 and said centerline there terminating.

**Easement E: NE 1/4 SE 1/4 Section 6, T63N R17W**

A right-of-way easement for utility purposes over, under and across a strip of land, 50.00 feet in width, located in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4), Section 6, Township 63 North, Range 17 West of the Fourth Principal Meridian, St. Louis County, Minnesota, the centerline of which is described as follows:

Commencing at the southeast corner of said NE 1/4 SE 1/4; thence North 3 degrees 03 minutes 51 seconds East, assumed bearing along the east line of said NE 1/4 SE 1/4, a distance of 83.32 feet to the point of beginning of the centerline to be described; thence North 85 degrees 09 minutes 00 seconds West a distance of 92.11 feet; thence South 72 degrees 43 minutes 30 seconds West a distance of 318.00 feet to the south line of said NE 1/4 SE 1/4 and said centerline there terminating.

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON AUGUST 1, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 1<sup>st</sup> day of August 2023, at 9:35 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Annie Harala, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 7. Absent: None - 0.

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

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Mary Murphy, former Minnesota House Representative, discussed the intent of legislation and expectations of citizens relating to the Northeast Regional Corrections Center (NERCC) and The Depot. Melissa Bell, of Duluth, provided the Board a handout and said that the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road has not been revoked by the county and the CUP should be null and void due to three falsifications on the application. Ms. Bell said she was told by the County Attorney's Office that there was a 60-day window to appeal the permit. Ms. Bell stated that Minnesota Statute § 15.992, Subdivision 4, does not limit the right of an agency to suspend, limit, revoke, or change a license for failure to comply with applicable laws or rules. Clayton Cich, of Fredenberg Township, commented that there has been documented issues at the McKeever gravel pit since 2008 and the county is liable and must pay. Ann Cich, of Fredenberg Township, discussed Section 8 of St. Louis County Ordinance 62. Ms. Cich reiterated that any permit issued in error shall be null and void.

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

Commissioner Musolf, supported by Commissioner Harala, moved that the St. Louis County Board authorizes the purchase of nine (9) Chevrolet Equinox (1XY26) SUVs in accordance with the State of Minnesota Contract Pricing as follows: Nine (9) Sport Utility Vehicles, AWD, 4 Door, (Chevrolet Equinox 1XY26) from North Country GM of Hibbing, MN, at the State of Minnesota Contract price of \$\$27,993.60 each. Additional fees associated with the purchase of these vehicles are as follows: Excise Tax of \$20.00 each, 6.5% motor vehicle sales tax of \$1,819.59 per unit, estimated license and registration fees of \$55.00 per unit, for a fully loaded acquisition price of \$268,993.71, delivered to St. Louis County Public Works. County Administrator Kevin Gray noted that the revised board letter and resolution fully discloses the Minnesota state contract release number and clearly highlights the motor vehicle sales tax in addition to the purchase price of the vehicles. The motion passed; seven yeas, zero nays. Resolution No. 23-416.

Chair Boyle, supported by Commissioner Grimm, moved that that the St. Louis County Board authorizes Depot appropriate County staff to negotiate and enter into leases for space within The Depot consistent with the recommendations of the Selection Team as follows:

- Depot Foundation: permission to negotiate and enter lease for current spaces;
- Duluth Art Institute: proposal rejected;

- Lake Superior Railroad Museum: permission to negotiate and enter lease for 43,201 square feet of space, consistent with current lease, with additional areas being used by LSRM not subject to current lease being added;
- Minnesota Ballet: permission to negotiate and enter lease for current spaces and the theatre box office;
- Duluth Superior Symphony Association: permission to negotiate and enter lease for current spaces;
- St. Louis County Historical Society: permission to negotiate and enter lease for current spaces;

and further, authorizes the Depot Operations Committee to implement competitive bidding processes as needed in the future. Administrator Gray provided the Board with a brief overview of the submitted proposals. A point of personal privilege was taken at 10:00 a.m. At 10:07 a.m., the Board reconvened with all members present. Gerri Williams, of Duluth, commented that she was disappointed that the Committee recommended not to renew the Duluth Art Institute's lease. The deadline creates a hardship for the Institute, and they should be able to relocate without having to scramble. Ms. Williams urged the Board to reject the Committee's recommendation. David Benson, Interim Executive Director of the St. Louis County Historical Society, introduced himself to the Board and said he will be meeting with county staff tomorrow. Ron Hein, President of the St. Louis County Historical Society, provided the Board with an update regarding the search for a new Executive Director and the move of artifacts to Wells Fargo storage. Tom Rauschenfels, of Duluth, commented that large corporations and hotel chains have received public subsidies; artists should also have the opportunity to receive public subsidies. Mr. Rauschenfels questioned if the county has a vision for the Heritage and Arts Center and asked what will happen to the space vacated by the Duluth Art Institute. Tiss Underdahl, of Duluth, said she is concerned that it will be nearly impossible for the Duluth Art Institute to secure a space by year-end. The short notice will sideline two years of curating and scheduling for both the George Morrison and John Seffl galleries. Ms. Underdahl asked the Board to consider giving the Institute the opportunity to continue to negotiate and remain in their space through 2024. Ms. Underdahl read a letter in support of the Duluth Art Institute from Ann Klefstad. Aryn Bergsven, of Duluth, said she was concerned about the future of the Duluth Art Institute and commented that she has brought over 2,000 students to the Duluth Art Institute. The organization supports the intent of The Depot and provides easy access for citizens and guests. Ken Buehler, Executive Director of the Lake Superior Railroad Museum and General Manager of the North Shore Scenic Railroad, commented that the Lake Superior Railroad Museum requested the underground space with the intention of displaying the Seacrest train model in the area. The Seacrest family donated the model to the Lake Superior Railroad Museum, along with a \$283,000 endowment; in addition, the museum has secured a \$600,000 grant from the Depot Foundation. Mr. Buehler said Northspan conducted a study and estimated that if the model was installed, it would bring an additional 60,000 visitors to the Depot. Mr. Buehler addressed space concerns and indicated the museum is working on a condensed version of the model that would fit in a smaller space. Maude Dornfeld, Executive Director of the Minnesota Ballet, commented that the ballet uses the Studio Four space at least six days a week for classes and rehearsals. Ms. Dornfeld said the ballet is committed to making space available for non-profit special events, emerging artists, and small grassroots organizations. Ms. Dornfeld said it is conceivable that the ballet would have to shut their doors if they did not have the revenue from Studio Four. Christina Woods, Executive Director of the Duluth Art Institute, thanked speakers for their support of the Duluth Art Institute. Robin Washington, Board President of the Duluth Art Institute, said the requirement by the county to commit to a specific rate is not negotiation; the Institute is willing to negotiate. Commissioner McDonald noted that during last year's Request For Proposals (RFP) process the Board made a conscious commitment to house the Seacrest model in The Depot. Commissioner Harala commented

that correspondence from the Duluth Art Institute lead her to believe that they did not want to negotiate, and she would like to have space within The Depot to house the Seacrest model. Commissioner Jugovich commented that the Seacrest model should be housed at The Depot. St. Louis Property Management Director Jerry Hall said there has been numerous failures of the HVAC system. The estimated cost for replacement was \$8.1 million in 2016 and he estimated the cost for replacement would be over double today. St. Louis County Extension and Depot Director Mary Tennis said construction will affect every part of the building and noted that information was included as part of the 2022 and 2023 RFP process. Commissioner Harala briefly exited the meeting from 10:58 a.m. to 11:00 a.m. Commissioner Grimm discussed the RFP process and noted that the intent was to have a meaningful subsidy for The Depot. Commissioner Grimm commented on the need for increased funding for The Depot due to ongoing building issues and noted that rental rates amount to approximately \$300,000. Commissioner Nelson commented that the City of Duluth needs to be more active regarding The Depot and noted that the Board promised they would find space for the Seacrest model. Commissioner Nelson, supported by Commissioner Harala, moved to amend the resolution to include wording that the Seacrest train model shall be incorporated into The Depot space. The amendment passed; seven yeas, zero nays. Commissioner Musolf commented that the square footage cost included in the RFP is not out of line for a non-profit and said the Seacrest model needs to be incorporated into The Depot. Chair Boyle said replacement of the HVAC system is a top priority to prepare the building for the Northern Lights Express (NLX) project. Chair Boyle commented that additional time should be given to allow the Duluth Art Institute to transition to their new space. Chair Boyle, supported by Commissioner Harala, moved to amend the resolution to authorize appropriate county staff to negotiate and execute an extension of the 2023 Duluth Art Institute Lease for space within The Depot, said extension terminating no later than May 1, 2024. The amendment passed; seven yeas, zero nays. After further discussion, the motion as amended passed; seven yeas, zero nays. Resolution No. 23-417.

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

Linnea Mirsch, Public Health and Human Services Director, submitting Request for Board Action No. 23-294, Appoint Members to Local Mental Health Advisory Council.—61992

James Gottschald, Human Resources and Administration Director submitting Request for Board Action No. 23-314, Deputy Sheriff Unit 2023-2025 Collective Bargaining Agreement.—61993

Darren Jablonsky, Interim Planning and Community Development Director, submitting Request for Board Action No. 23-308, Authorization to Apply for and Accept FY2024 MPCA SSTS Base Grant and SSTS Low-Income Fix-Up Grant.—61994

James Foldesi, Public Works Director/Highway Engineer, submitting Request for Board Action No. 23-396R, State Contract Purchase of Nine All-Wheel Drive SUVs.—61995

Mary Tennis, Depot and Extension Director, submitting Request for Board Action No. 23-301, Permission to Enter into Negotiations for Tenant Lease Agreements at The Depot.—61996

Upon motion by Commissioner Nelson, supported by Commissioner Harala, resolutions numbered 23-395 through 23-415, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of July 25, 2023, are hereby approved.

Adopted August 1, 2023. No. 23-393

WHEREAS, Farm to School programming enhances student learning and well-being; and  
WHEREAS, Farm to School programming is supported by a collaborative Community Health Needs Assessment and Community Health Improvement Plan developed by multiple partners within Bridging Health Duluth; and

WHEREAS, Essentia Health has made funds available to Public Health and Human Services (PHHS) in the amount of \$34,000 for the time period of July 1, 2023, through June 30, 2024, for purposes of managing the Farm to School program; and

WHEREAS, PHHS wishes to enter into contract with community provider(s) for the amount up to \$34,000 for the time period of July 1, 2023, through June 30, 2024, for purposes of implementing the Farm to School program.

THEREFORE, BE IT RESOLVED, That St. Louis County Board authorizes PHHS to enter into contract and accept up to \$34,000 from Essentia Health for the time period of July 1, 2023, through June 30, 2024, for the Duluth Farm to School program; and

THEREFORE, BE IT ALSO RESOLVED, That St. Louis County Board authorizes PHHS to enter into contract with a community provider(s) for the amount up to \$34,000 for the time period of July 1, 2023 through June 30, 2024 for the purposes of implementing the Farm to School program in Duluth Public Schools.

BUDGET REFERENCE: 230-233999-545158-23333-99999999-2023

230-233999-629900-23333-99999999-2023

Adopted August 1, 2023. No. 23-394

WHEREAS, Local Mental Health Advisory Council (Minn. Stat. § 245.466 Subd. 5) establishes that the County Board shall establish a Local Mental Health Advisory Council; and

WHEREAS, The goal of the Local Advisory Councils (LACs) is to utilize the knowledge of diverse groups of individuals in order to improve mental health services for Minnesotans; and

WHEREAS, St. Louis County has a North LAC and a South LAC that will serve in an advisory role to the Public Health and Human Services Department on ways to improve mental health services.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the list of members to the North LAC and to the South LAC as follows:

<u>North LAC Members</u>	<u>Appointment End Dates</u>	<u>South LAC Members</u>	<u>Appointment End Dates</u>
Heather Kainz	June 2025	Alison Shulstad	June 2025
Katy Lofquist	June 2024	Rochelle Koehne	June 2024
Linda O'Neil Deremee	June 2025	Roger Raymond, Jr.	June 2024
Jennifer Rich	October 2025	Sonja Wildwood	June 2024
Lacy Podlogar	August 2023	Taylor Soghigian	October 2023
Brenda Shafer-Pellinen	November 2024	Traci Laughlin	June 2024
Tod Swenson	July 2024	Jessica Marquadt	June 2025
Macy Viita	June 2024	Tara Aase	June 2026
Samantha Stocco	June 2026	Jessica Marie Johnson	June 2025
Howard Anthony	June 2026		
Blair Smith	June 2025		
Katrina Broten	June 2026		

Melissa Brusacoram June 2026  
Colleen Davern June 2025  
Dana Stroschein June 2025  
Joseph Laufeia June 2026

Adopted August 1, 2023. No. 23-395

WHEREAS, The Centers for Disease Control and Prevention have made funds available to states for purposes of supporting efforts to recruit, retain, and train a skilled and diverse public health workforce, and address longstanding public health infrastructure needs; and

WHEREAS, The Minnesota Department of Health is granting the Carlton-Cook-Lake-St. Louis Community Health Board \$787,575 for the timeframe of March 6, 2023, through November 30, 2027, for these purposes; and

WHEREAS, The Carlton-Cook-Lake-St. Louis Community Health Board wishes to contract for up to \$231,018 to Public Health & Human Services (PHHS) for the time period of March 6, 2023, through November 30, 2027, for purposes of recruiting, retaining, and training a skilled and diverse public health workforce, addressing longstanding public health infrastructure needs; and

WHEREAS, The Minnesota Department of Health has made funds available to community health boards for purposes of supporting and strengthening the local public health system; and

WHEREAS, The Carlton-Cook-Lake-St. Louis Community Health Board wishes to contract with PHHS for up to \$60,000 for the time period of July 1, 2023, through June 30, 2024, for these purposes; and

WHEREAS, PHHS wishes to enter into a contract with Superior Healthcare Consulting, LLC for up to \$240,000 for the timeframe of July 1, 2023, through June 30, 2025, for project management services to address longstanding public health infrastructure needs.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to enter into contract and accept up to \$231,018 from the Carlton-Cook-Lake St. Louis Community Health Board for the time period of March 6, 2023, through November 30, 2027, for purposes of recruiting, retaining, and training a skilled and diverse public health workforce, and addressing longstanding public health infrastructure needs.

RESOLVED FURTHER, That the St. Louis County Board authorizes PHHS to enter into a contract and accept up to \$60,000 from the Carlton-Cook-Lake St. Louis Community Health Board for the time period of July 1, 2023, through June 30, 2024, for purposes of supporting and strengthening the local public health system.

RESOLVED FURTHER, That the St. Louis County Board authorizes PHHS to enter into a contract with Superior Healthcare Consulting, LLC for the amount up to \$240,000 for the timeframe of July 1, 2023, through June 30, 2025, for purposes of addressing longstanding public health infrastructure needs.

RESOLVED FURTHER, That the St. Louis County Board authorizes PHHS to utilize the Centers for Disease Control and Prevention grant funding to support personnel expenses of position code G0802-002 for purposes of delivering sustainable mental health and substance use resources.

Adopted August 1, 2023. No. 23-396

WHEREAS, A Request for Bids has been issued and received by the St. Louis County Purchasing Division for Bid #5912 - 2023 Liquid Surface Treatment (Calcium Chloride/Magnesium Chloride) requesting services to furnish and apply 900,000 gallons of liquid calcium chloride; and

WHEREAS, The St. Louis County Board previously authorized the St. Louis County Purchasing Division to enter into contract with EnviroTech Services, Inc. of Greeley, CO, for 900,000 gallons of 38% liquid calcium chloride delivered and applied for the bid price of \$1.25 cents per gallon, with a total cost of \$1,125,000 plus \$100,000 for alternates, for a total cost of

\$1,225,00.00, payable from Fund 200, Agency 207001, Object 653400; and

WHEREAS, Public Works has determined that it is necessary to increase the original contract value by \$200,000.00 for an additional 160,000 gallons of liquid calcium chloride to allow the department to appropriately treat roads impacted by drier than normal weather conditions and provides a reasonable solution to numerous complaints made by the public.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Purchasing Division to amend Contract 5912 with EnviroTech Services, Inc. of Greeley, CO, for 1,100,000 gallons of 38% liquid calcium chloride delivered and applied for the bid price of \$1.25 cents per gallon, plus \$100,000.00 for alternates, bringing the total contract cost to an amount not to exceed \$1,425,000, payable from Fund 200, Agency 207001, Object 653400.

Adopted August 1, 2023. No. 23-397

WHEREAS, The Public Works Department is pursuing a permanent landslide repair consisting of natural infrastructure (riprap, select granular embankment, crushed filter rock) and layers of geogrid reinforcement to create a Reinforced Soil Slope (RSS) design along approximately 1,500' of County State Aid Highway (CSAH) 61 from the northbound shoulder to the shoreline of Lake Superior; and

WHEREAS, The proposed project is eligible for the Federal Highway Administration (FHWA) Promoting Resilient Operations for Transformative, Efficient, and Cost-Savings Transportation (PROTECT) Discretionary Program grant opportunity; and

WHEREAS, The total eligible project costs are estimated to be \$5,900,000; and

WHEREAS, FHWA Federal share shall not exceed 80 percent (80%) of the total eligible project costs; and

WHEREAS, Upon selection and acceptance of award, St. Louis County is obligated to provide a 20% grant match of up to \$1,180,000.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to apply for the FHWA PROTECT Discretionary Program grant opportunity for the CSAH 61 Reinforced Soil Slope Project (CP 0061-726178).

RESOLVED FURTHER, That upon selection and acceptance of award, St. Louis County is authorized to provide funding for the 20% grant match.

Adopted August 1, 2023. No. 23-398

WHEREAS, The Public Works Department has identified an opportunity to reduce the environmental impacts of urban stormwater that discharges untreated from a Woodland Avenue storm sewer to Tischer Creek in the City of Duluth's Hartley Park; and

WHEREAS, The total project costs are estimated to be \$2,000,000; and

WHEREAS, A federal grant with the Department of the Army Civil Engineers (USACE) has been secured for up to \$600,000 and is in the process of being amended to provide an additional \$900,000, for a total of \$1,500,000; and

WHEREAS, St. Louis County is obligated to provide a 25% match and has been approved on Board Resolution No. 21-640 to provide up to \$200,000; and

WHEREAS, The Public Works Department has identified a Minnesota Board of Water and Soil Resources (BWSR) grant opportunity that, if selected, could provide up to \$500,000 toward construction costs for the Woodland Avenue green infrastructure project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to apply for the Minnesota Board of Water and Soil Resources (BWSR) grant for the Woodland Avenue green infrastructure project, further identified as CP 0009-689681.

RESOLVED FURTHER, That advancement of this project to construction is contingent on securing additional grant funding for the 25% match to limit St. Louis County's financial responsibility.

Adopted August 1, 2023. No. 23-399

WHEREAS, St. Louis County Public Works was awarded a grant from the Department of the Army in 2021 for construction of green infrastructure on Woodland Avenue. Pursuant to County Board Resolution 21-640, the Public Works department entered into an agreement with the Department of the Army to accept grant funds in the amount of \$600,000 with a required 25% match and coverage of all overages. The project is further identified as CP 0009-689681 ("Tischer Creek Project"); and

WHEREAS, The scope of the "Tischer Creek Project" has expanded significantly, requiring additional funding to advance to construction. With a total estimated project cost of \$2,000,000, the Department of the Army has agreed to increase the federal grant amount, providing St. Louis County Public Works up to \$1,500,000; and

WHEREAS, Advancement of this project to construction is contingent upon securing additional grant funding for the 25% match to limit St. Louis County's financial responsibility.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts additional federal grant funds in the amount of \$900,000, increasing the total federal grant amount to \$1,500,000. Funds from the Department of the Army will be received into Fund 220, Agency 220653, Object 540982.

Adopted August 1, 2023. No. 23-400

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

Adopted August 1, 2023. No. 23-401

WHEREAS, Property Management, with the assistance of the Purchasing Division, solicited a Request for Proposal seeking a qualified contractor to provide all architectural and engineering services related to the reconstruction of the northern half of the Green Lot adjacent to the Government Services Center; and

WHEREAS, Proposals were due on July 7, 2023, with responses submitted from the following firms: Windsor Engineering – Duluth, MN; Northland Consulting, LLC – Duluth, MN; and LHB, Inc. – Duluth, MN; and

WHEREAS, Objective evaluation and review of the received responses found Northland Consulting, LLC of Duluth, MN, to be the most qualified to provide the requested services at the lowest proposed project cost.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into an agreement with Northland Consulting, LLC of Duluth, MN, to provide all architectural and engineering services related to the reconstruction of the northern half of the Green Lot adjacent to the Government Services Center not to exceed \$111,705 payable from Fund 100, Agency 128010, Object 626600.

Adopted August 1, 2023. No. 23-402

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 County Board has allocated up to \$900,000 of ARPA funds to be used for youth recreation/park projects; and

WHEREAS, Breitung Township has identified a project to improve its existing recreation facilities; and

WHEREAS, The Township has submitted documentation seeking funding assistance in the amount of \$20,000 from the County's American Rescue Plan Act Revenue Loss funds to support its project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$20,000 of American Rescue Plan Act Revenue Loss funding for the Breitung Township Recreation and Culture Improvement Project.

RESOLVED FURTHER, That Breitung Township 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 Township for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.

Adopted August 1, 2023. No. 23-403

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, Property Management, with the assistance of the Purchasing Division, solicited a Request for Bids seeking a qualified contractor to provide all construction services related to the remodeling of Room 104; and

WHEREAS, Bids were requested and due on July 17, 2023, and the County received five bids for the project with the low bid being from Gardner Builders, LLC providing the low bid of \$347,550.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$347,550 of American Rescue Act Plan Revenue Loss funds for the remodel of the first floor of the Duluth Government Services Center.

RESOLVED FURTHER, That the St. Louis County Board awards the project to the low bidder and authorizes the appropriate county officials to enter into an agreement with Gardner Builders, LLC of Duluth, MN, to provide all construction services related the remodeling of Room 104 in the Duluth Government Services Center for the lump sum of \$347,550.

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

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

Adopted August 1, 2023. No. 23-404

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Authentic Property Investments, LLC dba Eagle's Nest Resort, Fredenberg Township, to sell/serve outside the designated serving area of the County Liquor License for the date of August 23, 2023 (Rain Date August 24, 2023), as per application on file in the office of the County Auditor, identified as County Board File No. 61855.

Adopted August 1, 2023. No. 23-405

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Watters LLC dba Island Lake Inn, Gnesen Township, to sell/serve outside the designated serving area of the County Liquor License for the date of September 2, 2023, as per application on file in the office of the County Auditor, identified as County Board File No. 61855.

Adopted August 1, 2023. No. 23-406

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:

Sean N Marv, LLC dba Viking Bar, Morcom Township, On-Sale & Sunday On-Sale Intoxicating Liquor License, transfer.

Adopted August 1, 2023. No. 23-407

WHEREAS, The Deputy Sheriff Unit collective bargaining agreement expired December 31, 2022; and

WHEREAS, Law Enforcement Labor Services, Inc., Local #288 (LELS) 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 Deputy Sheriff Unit 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. 61993.

Adopted August 1, 2023. No. 23-408

WHEREAS, The Sheriff's Office 2023 capital budget includes four (4) pickup trucks; and  
WHEREAS, North Country GM of Hibbing, MN, responded with State of Minnesota contract price for four (4) pickup trucks for \$183,500.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of four (4) Chevrolet Silverado 1500 (CK10543) pickup trucks in accordance with the State of Minnesota Contract Pricing as follows:

Two (2) 1500 Crew Cab Trucks, 4WD, 4 Door, (Chevy Silverado CK10543) from North Country GM, of Hibbing, MN, at the State of Minnesota Contract price of \$46,385.00 each. Additional fees associated with the purchase of this vehicles are as follows: Excise Tax of \$20.00 each, tax exempt, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$41,200.00, for a fully loaded acquisition price of \$133,970.00 delivered to EATI, payable from Fund 100, Agency 129003, Object 666300 and 643200 (pickups/vans), Sheriff Marked.

Two (2) 1500 Crew Cab Trucks, 4WD, 4 Door, (Chevy Silverado CK10543) from North Country GM, of Hibbing, MN, at the State of Minnesota Contract price of \$45,365.000 each. Additional fees associated with the purchase of this vehicles are as follows: Excise Tax of \$20.00 each, 6.5% motor vehicle sales tax of \$2,948.73 per unit, estimated license and registration fees of \$55.00 per unit, and a gear up cost of \$32,000.00, for a fully loaded acquisition price of \$122,730.00 delivered to EATI, payable from Fund 100, Agency 129003, Object 666300 and 643200 (pickups/vans), Sheriff Unmarked.

Adopted August 1, 2023. No. 23-409

WHEREAS, The St. Louis County Sheriff's Office, in tandem with the Purchasing Division, has solicited proposals for the purchase of Hibbing and Virginia Lockup Facilities Foodservices in accordance with Minnesota Department of Health, as well as the Minnesota Department of Corrections Regulations; and

WHEREAS, Inmates at these facilities are provided three (3) meals per day, in accordance with the Minnesota Department of Public Health regulations and Minn. Stat. § 641.15; and

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

WHEREAS, Boomtown Brewery & Woodfire Grill was the sole responder whose proposal best demonstrated, in St. Louis County's sole opinion, the clear capability and capacity to best fulfill the purpose of the Request for Proposals in a cost-effective manner; and

WHEREAS, The resulting contract cost would be \$12.50 per meal with payment being made only for services rendered and accepted whether greater or less than any stated amounts.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an agreement with Boomtown Brewery & Woodfire Grill of Hibbing, MN, to provide food services to the Hibbing and Virginia lockup facilities for a one (1) year term, with four (4) optional annual extensions, at a cost of \$12.50 per meal, from Fund 100, Agency 137002, Object 635500.

Adopted August 1, 2023. No. 23-410

WHEREAS, The Registrar of Titles is authorized to require Registered Land Survey Number 152 pursuant to Minn. Stat. § 508.47; and

WHEREAS, The County Surveyor and Examiner of Titles have approved Registered Land

Survey Number 152; and

WHEREAS, The final prints have been submitted for filing.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board grants final approval to Registered Land Survey Number 152 located in part of the NE ¼ of SW ¼ in Section 26, Township 55 North, Range 15 West.

Adopted August 1, 2023. No. 23-411

WHEREAS, The Minnesota Pollution Control Agency (MPCA) notified the Planning and Community Development Department that FY2024 funding is available to assist in Subsurface Sewage Treatment System (SSTS) program administration and upgrades; and

WHEREAS, The MPCA SSTS Base Grant is \$21,200 per county for counties that administer an SSTS program; and

WHEREAS, The MPCA SSTS Low-Income Fix-up Grant Program has funding available, with the County requesting to apply for up to an additional \$40,000 for eligible SSTS (Notice of Non-Compliance issued, Imminent Threat to Public Health or Safety, or Failing to Protect Groundwater) for low-income residents; and

WHEREAS, St. Louis County has applied for, and received, funding through this grant since 2012 and this is an annual distribution and additional funding that can be applied for in future fiscal years.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Community Development Department to apply for and accept up to \$61,200 in FY2024 SSTS Base and Low-Income Fix-up Grant Funding from the Minnesota Pollution Control Agency. Funds will be deposited into Fund 289, Agency 289999, Revenue 530102, Grant 28902, Year 2024 for \$21,200, and Fund 285, Agency 285999, Revenue 532503, Grant 28501, Year 2024 for up to \$40,000 or its designated fund.

Adopted August 1, 2023. No. 23-412

WHEREAS, Bruce Kainz and Mark Larson have requested a non-exclusive, 33-foot-wide access lease for right-of-way purposes across county fee land and tax-forfeit land on the abandoned DM&IR railroad grade in Breitung and Eagles Nest Townships to access privately owned property; and

WHEREAS, Minn. Stat. § 373.01, subd. 1(a)(4), authorizes the St. Louis County Board to grant leases, if deemed conducive to the interests of the County's inhabitants, for access road purposes over county fee lands; and

WHEREAS, Under Minn. Stat. § 373.01, subd. 1(b), leases that do not exceed \$15,000 in any one year may be directly negotiated and are not subject to the public advertising or competitive bidding procedures set forth therein; and

WHEREAS, Minn. Stat. § 282.04, subd. 1(d), authorizes the St. Louis County Auditor to grant leases across state tax-forfeited land for such purposes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a five-year, non-exclusive right-of-way lease for access purposes over county fee and tax-forfeit lands to Bruce Kainz and Mark Larson, as further described in County Board File No. 61882.

RESOLVED FURTHER, That the granting of this right of way lease is conditioned upon payment of a \$1,921 land use fee and a \$75 administration fee, for a sum total of \$1,996 of which \$1,825.50 will be deposited into Fund 100, Agency 143001 (County Fee) and \$170.50 will be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted August 1, 2023. No. 23-413

WHEREAS, The St. Louis County Land & Minerals (SLCLM) project identified blighted residential properties located within the Department of Iron Range Resources & Rehabilitation (IRRR) service area and the project is eligible for the Residential Redevelopment Program Grant; and

WHEREAS, The IRRR Residential Redevelopment Program Grant provides funding for the removal of blighted residential structures; and

WHEREAS, The match will be achieved with SLCLM department blight funds; and

WHEREAS, SLCLM will utilize department staff and equipment in collaboration with the St. Louis County Environmental Services Solid Waste division for dumpster and demolition debris disposal.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of the IRRR Residential Redevelopment Grant in the amount of \$34,860.

Adopted August 1, 2023. No. 23-414

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

WHEREAS, The IRRR Development Partnership provides funding in part for research to support long-term regional economic growth; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of the IRRR Development Partnership Grant in the amount of \$25,000.

Adopted August 1, 2023. No. 23-415

**BY COMMISSIONER MUSOLF:**

WHEREAS, The Public Works Motor Pool 2023 vehicle budget includes nine (9) SUVs; and

WHEREAS, North Country GM of Hibbing, MN, responded with the State of Minnesota contract price for nine (9) SUVs, of \$268,993.71.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of nine (9) Chevrolet Equinox (1XY26) SUVs in accordance with the State of Minnesota Contract Pricing as follows:

Nine (9) Sport Utility Vehicles, AWD, 4 Door (Chevrolet Equinox 1XY26) from North Country GM of Hibbing, MN, at the State of Minnesota Contract price of \$27,993.60 each. Additional fees associated with the purchase of these vehicles are as follows: Excise Tax of \$20.00 each, 6.5% motor vehicle sales tax of \$1,819.59 per unit, estimated license and registration fees of \$55.00 per unit, for a fully loaded acquisition price of \$268,993.71, delivered to St. Louis County Public Works, payable from Fund 715, Agency 715001, Object 666100, Motor Pool.

Unanimously adopted August 1, 2023. No. 23-416

**BY COMMISSIONER BOYLE:**

WHEREAS, Minn. Stat. § 373.01 and St. Louis County Purchasing Rules require a competitive bidding process for the lease of county owned property; and

WHEREAS, A Request for Proposals was completed and the Selection Team made its recommendations.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes Depot appropriate County staff to negotiate and enter into leases for space within The Depot consistent with the recommendations of the Selection Team as follows:

- Depot Foundation: permission to negotiate and enter lease for current spaces;
- Duluth Art Institute: proposal rejected;
- Lake Superior Railroad Museum: permission to negotiate and enter lease for 43,201 square feet of space, consistent with current lease, with additional areas being used by LSRM not subject to current lease being added;
- Minnesota Ballet: permission to negotiate and enter lease for current spaces and the theatre box office;
- Duluth Superior Symphony Association: permission to negotiate and enter lease for current spaces;
- St. Louis County Historical Society: permission to negotiate and enter lease for current spaces.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Depot Operations Committee to implement competitive bidding processes as needed in the future.

RESOLVED FURTHER, That the Seacrest Model Train shall be incorporated into Depot space.

RESOLVED FURTHER, That the St. Louis County Board authorizes appropriate County staff to negotiate and execute an extension of the 2023 Duluth Art Institute Lease for space within The Depot, said extension terminating no later than May 1, 2024.

Unanimously adopted August 1, 2023. No. 23-417

At 11:38 a.m., August 1, 2023, Commissioner Nelson, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

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Patrick Boyle, Chair of the Board  
of County Commissioners

Attest:

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

(Seal of the County Auditor)