

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JULY 25, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of July 2023, at 9:31 a.m., at the Proctor City Hall, Proctor, Minnesota, with the following members present: Commissioners Annie Harala, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 5. Absent: Commissioners Ashley Grimm and Paul McDonald - 2.

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 Musolf introduced City of Proctor Mayor Chad Ward. Mayor Ward thanked the Board for their support of the 2nd Street project and welcomed the Board to the City of Proctor.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, said that the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road was issued in error and the CUP should be null and void. Ms. Bell commented that there were three falsifications on the CUP application. In addition, the county did not perform an inspection of the McKeever gravel pit which was being operated by the applicant. Clayton Cich, of Fredenberg Township, commented that the McKeever gravel pit is in violation and noted the county has inspected the Clearwater pit; however, it has not inspected the McKeever pit. Oly Olson, of Duluth, said the CUP issued to 6464 Fredenberg Lake Road should have never been granted. Mr. Olson commented that five criteria must be met for a valid CUP and only one criteria was met by the applicant. Mr. Olson asked if new staff has been hired in the Planning Department to replace the staff that originally approved the CUP. Chair Boyle responded that this is the portion of the meeting when the Board listens to citizens; the Board does not respond to questions.

Chair Boyle noted that Commissioners Grimm and McDonald and County Administrator Gray are absent from the meeting because they are attending the National County Association meeting.

At 9:52 a.m., a public hearing was conducted, pursuant to Resolution No. 23-361, adopted July 11, 2023, to consider the issuance of an Off-Sale Intoxicating Liquor License to The Hideaway Bar, Inc., dba The Hideaway Bar, Unorganized Township 61-13. Commissioner Nelson noted that the applicant was unable to attend the public hearing and asked St. Louis County Attorney Kim Maki how the Board should handle the public hearing. Attorney Maki recommended that the Board move forward with the public hearing, so that anyone who attended this meeting could be given the opportunity to testify; then continue the meeting to a future date so the applicant could attend. The Board agreed with Attorney Maki's recommendation and opened the public hearing. Attorney Maki gave the initial presentation and submitted a packet that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes, and required documents for the license to the Clerk of the County Board. Chair Boyle asked if there were any representatives from the establishment, governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 9:57 a.m., Commissioner Nelson, supported by Commissioner Harala, moved to continue the public hearing at 9:30 a.m. on August 8, 2023. The motion passed; five yeas, zero nays, two absent (Grimm, McDonald).

Commissioner Musolf, supported by Commissioner Nelson, moved to approve the consent agenda. The motion passed; five yeas, zero nays, two absent (Grimm, McDonald).

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

Penalty and Interest Abatement Lists approved during CY 2023.—61991

Upon motion by Commissioner Musolf, supported by Commissioner Nelson, resolutions numbered 23-380 through 23-392, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER MUSOLF:

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

Adopted July 25, 2023. No. 23-380

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

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

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

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

Adopted July 25, 2023. No. 23-381

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

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

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

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

Adopted July 25, 2023. No. 23-382

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

WHEREAS, The plans and specifications for the replacement of the State Trail Bridge would typically require the disassembly and disposal of the existing structure; however, the County, on

behalf of the Prospector ATV Club, has requested that the County be permitted to utilize and reuse the State Trail Bridge on a new segment of the Prospector ATV trail where the 5 Ton Load Rating meets the requirements of the operations and maintenance of a trail of that type; and

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

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

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

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

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

Adopted July 25, 2023. No. 23-383

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

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

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

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

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

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

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

Adopted July 25, 2023. No. 23-384

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.

RESOLVED, That the St. Louis County Board approves the applications for abatement of penalty and interest identified in County Board File No. 61991.

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

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

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

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

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

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

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

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:

May 2023

100	General Fund	\$8,266,271.68
149	Personal Service Fund	804.65
155	Depot	107,404.56
160	MN Trail Assistance	55,492.99
169	Attorney Trust Accounts – VW	1,721.41
173	Emergency Shelter Grant	23,599.13
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	10,301.97

179	Enhanced 9-1-1	158,330.70
180	Law Library	13,930.86
183	City/County Communications	316.98
184	Extension Service	126,819.50
190	Sheriff Explorers	150.00
191	Recorder's Deposit Account	17.00
192	Permit to Carry	7,098.79
200	Public Works	3,468,404.70
204	Local Option Transit Sales Tax	68,893.46
220	State/Federal Road Aid	1,501,653.82
230	Public Health & Human Services	8,362,719.81
239	Pandemic Response Fund	171,432.25
240	Forfeited Tax	467,084.29
260	CDBG Grant	81,375.24
281	SLC Septic Loans	178.45
289	On-Site Wastewater	66,198.37
290	Forest Resources	5,725.75
298	Opioid Remediation	6,407.98
400	County Facilities	82,024.92
403	Emergency Repairs	72,680.00
405	Public Works Building Construction	6,497.54
407	Public Works – Equipment	39,425.22
450	2021A – Capital Improvement	3,185,331.47
600	Environmental Services	721,115.69
715	County Garage	56,428.74
720	Property Casualty Liability	17,395.90
730	Workers Compensation	272,317.54
740	Medical Dental Insurance	2,880,396.08
770	Retired Employees Health Ins.	542.00
		<u>\$30,306,555.41</u>

Adopted July 25, 2023. No. 23-388

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

Adopted July 25, 2023. No. 23-389

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

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

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

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

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

Adopted July 25, 2023. No. 23-390

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

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive, perpetual, 43-foot-wide right-of-way and utility easement to Alex and Ahlena Kerry Manthei across state tax-forfeited lands as described in County Board File No. 61882.

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

Adopted July 25, 2023. No. 23-391

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

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

Legal: Govt Lot 1, EXCEPT that part thereof lying Southwesterly of the Northeasterly line of the right of way of the Duluth, Rainy Lake and Winnipeg Railway Company; AND EXCEPT Commencing at the Southeast corner of said Lot 1; thence running North along the east line thereof, a distance of 1311.44 feet; thence running West, a distance of 460 feet; thence running South, a distance of 251 feet; thence running West, a distance of 103.5 feet; thence running South to the Northeasterly line of the right of way of the Duluth, Rainy Lake and Winnipeg Railway Company; thence running Southeasterly along the Northeasterly line of said Railroad right of way to the south line of said Lot 1; thence running East along the south line of said Lot 1 to the Point of Beginning.

Section 18, Township 62 North, Range 18 West

Parcel ID No: 120-0040-00110

LDKey: 130470; and

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

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Northwood, LLC of Wayzata, MN, on file in County Board File No.

61911, subject to payments including total taxes and assessments of \$13,246.33, deed fee of \$25, deed tax of \$43.71, recording fee of \$46, and maintenance cost of \$19, for a total of \$13,380.04 to be deposited into Fund 240 (Tax-Forfeited Land Fund), plus a service fee of \$500 to be deposited into Fund 100 (General Fund).

Adopted July 25, 2023. No. 23-392

At 9:58 a.m., July 25, 2023, Commissioner Harala, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; five yeas, zero nays, two absent (Grimm, McDonald).



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)