

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON APRIL 9, 2024**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9<sup>th</sup> day of April 2024, at 10:01 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Annie Harala, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Mike Jugovich and Chair Keith Nelson - 7. Absent: None - 0.

Chair Nelson asked for a moment of silence to honor those men and women who serve and protect this great nation and for those individuals adversely affected by conflict or violence both here and abroad; followed by the pledge of allegiance.

Chair Nelson noted that the meeting format will be Board/Committee/Board today.

The St. Louis County Board proclaimed the week of April 14-20, 2023, as Telecommunicators Week in St. Louis County. Commissioner Grimm read the proclamation. St. Louis County Undersheriff Jason Akerson thanked the Board for the recognizing 911 operators and supporting the Sheriff's Office.

At 10:12 a.m., a public hearing was conducted, pursuant to Resolution No. 24-150, adopted March 12, 2024, to consider amending the 2024 Fee Schedule. St. Louis County Extension and Depot Director Mary Tennis commented that the amendment helps to fine-tune the Theatre fee schedule and redefines non-profit so that more entities can conduct more events at the Depot Theatre. Chair Nelson asked if there were any governmental entities, supporters, opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 10:16 a.m., Commissioner Harala, supported by Commissioner Jugovich, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Harala, supported by Commissioner Jugovich, moved that the St. Louis County Board adopts the amended the 2024 Fee Schedule. The motion passed; seven yeas, zero nays. Resolution No. 24-214.

At 10:18 a.m., a public hearing was conducted, pursuant to Resolution No. 24-170, adopted March 26, 2024, to consider the issuance of an Off-Sale Intoxicating Liquor License to DRRY, LLC dba Sportsmen's Inn, Gnesen Township. St. Louis County Attorney Kim 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 Nelson asked Stephanie Gray, of DRRY, LLC, if she had read all liquor license requirements and if she will abide by them; the applicant responded yes. Ms. Gray commented that they also own Do North Pizza in Hermantown and plan on serving pizzas at the Sportsmen's Inn. Chair Nelson asked if there were any governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 10:22 a.m., Commissioner Musolf, supported by Commissioner Harala, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Musolf, supported by Commissioner McDonald, moved that an Off-Sale Intoxicating Liquor License shall be issued to DRRY, LLC dba Sportsmen's Inn, Gnesen Township, located in

Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.00; that said liquor license shall be effective through June 30, 2024; that said license is approved contingent upon payment of real estate taxes when due; and further, that if the named license holder sells the 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 license fee to the license holder. Chair Nelson noted that during a recent liquor licensing committee another applicant, who holds multiple licenses across the state, commended the Auditor's Office for their customer service. The motion passed; seven yeas, zero nays. Resolution No. 24-215.

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

Chair Nelson provided a report summarizing the number of rescue hours that the St. Louis Rescue Squad has spent in the Boundary Waters Canoe Area Wilderness (BWCAW) since 2016. Chair Nelson said rescue operations in the BWCAW is a huge expense for the county that is currently not being reimbursed at the federal level. Commissioner McDonald said there have been ongoing discussions with federal representatives and the Forest Service to seek reimbursement opportunities and he will update the Board on any progress.

The Board recessed at 10:31 a.m. At 12:17 p.m., the Board reconvened with the following members present: Commissioners Annie Harala, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Mike Jugovich and Chair Keith Nelson - 7. Absent: None - 0.

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

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

Proclamation: Telecommunicators Week – April 14-20, 2024.—62155

Ryan Logan, Planning and Zoning Director, submitting Request for Board Action No. 24-155, Rainy Headwaters – Vermilion Comprehensive Watershed Management Plan Work Plan and Budget.—62156

James Foldesi, Public Works Director/Highway Engineer, submitting Request for Board Action No. 24-159, Master Bridge Replacement Priority List.—62157

James Foldesi, Public Works Director/Highway Engineer, submitting Request for Board Action No. 24-160, Authorization to Apply to the Multimodal Project Discretionary Grant (MPDG) Program for the Rice Lake Road (CSAH) Corridor Project – CP 0004-490685.—62158

Julie Marinucci, Land and Minerals Director, submitting Request for Board Action No. 24-165, Reclassification of State Tax-Forfeited Lands to Conservation.—62159

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-166, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (New Independence Township).—62160

Darren Jablonsky, Interim Economic and Community Development Director, submitting Board Action No. 24-171, Broadband Infrastructure Grant – Normanna Township, American Rescue Plan Act Revenue Loss Funding.—62161

Commissioner Nelson submitting Summary of Boundary Waters Canoe Area Wilderness (BWCAW) Operations - St. Louis County Rescue Squad from 2016 to Date.—62162

Upon motion by Commissioner McDonald, supported by Commissioner Jugovich, resolutions numbered 24-198 through 24-213, 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 April 2, 2024, are hereby approved.

Adopted April 9, 2024. No. 24-198

WHEREAS, The Sauer Foundation provided grant funding to St. Louis County to conduct a Needs Assessment for Family Resource Centers from March 31, 2023, through April 30, 2024; and

WHEREAS, The Needs Assessment indicates that St. Louis County would benefit from the development of a county-level Community & Family Resource Center network and from strengthening pre-existing models of Community and Family Resource Centers.

THEREFORE, BE IT RESOLVED, That the St. Louis Board authorizes the Public Health and Human Services Department to apply and accept Development Phase grant funds in the amount of \$184,400 from the Sauer Foundation for the period of May 1, 2024, through April 30, 2025.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Public Health and Human Services Department to extend and enter into contracts with community partners to develop a network of Community/Family Resource Centers consistent with the St. Louis County Development Phase work plan for the period of May 1, 2024, through April 30, 2025.

**BUDGET REFERENCE:**

230-232008-629900-23287-99999999-2024

230-232008-545169-23287-99999999-2024

Adopted April 9, 2024. No. 24-199

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0009-565027, SP 069-609-050, STBG-CRP 6934(139); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 14, 2024, 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>
Northland Constructors of Duluth, a Division of Mathy Construction Company	4843 Rice Lake Road Duluth, MN 55803	\$3,139,400.00

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 0009-565027, SP 069-609-050, STBG-CRP 6934(139)

Fund 220, Agency 220653, Object 652700 – Federal and State Aid Funds - \$3,133,597.76

Fund 200, Agency 203625, Object 652800 – Local Funds - \$5,802.24

Adopted April 9, 2024. No. 24-200

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0025-509653, SAP 069-625-022; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 14, 2024, 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>
Ulland Brothers, Inc.	PO Box 340 Cloquet, MN 55720	\$2,696,380.00

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 0025-509653, SAP 069-625-022

Fund 220, Agency 220764, Object 652700 – Municipal State Aid & City of Cook Funds - \$2,695,141.40

Fund 200, Agency 203690, Object 652800 – Local Funds - \$1,238.60

With additional revenue budgeted for expense:

City of Cook – Fund 220, Agency 220764, Object 551507 - \$855,141.58

Adopted April 9, 2024. No. 24-201

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0958-529517, SP 069-598-069, BROS 6924(012) (Br 674); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 7, 2024, 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>
Redstone Construction, LLC	PO Box 218 Mora, MN 55051	\$1,336,575.10

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 0958-529517, SP 069-598-069, BROS 6924(012) (Br 674)

Fund 220, Agency 220774, Object 652700 – Federal and Bridge Bond Funds - \$1,086,354.50

Fund 204, Agency 204198, Object 652806 – Transportation Sales Tax Funds - \$250,220.60

Adopted April 9, 2024. No. 24-202

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Premise Permit Application, on file in the office of the County Auditor, identified as County Board File No. 62123 for:

Irving Community Association, Duluth, Minnesota, to operate lawful gambling out of the following:

Buffalo Valley, Inc. dba Buffalo House, Midway Township, 2590 Guss Road, Duluth, MN, new.

Adopted April 9, 2024. No. 24-203

RESOLVED, That pursuant to Minn. Stat. § 349.213, Subd. 2, the St. Louis County Board of Commissioners approves the following Premise Permit Application, on file in the office of the County Auditor, identified as County Board File No. 62123 for:

Irving Community Association, Duluth, Minnesota, to operate lawful gambling out of the following:

Grand View Restaurant, LLC dba Grand View Grill and Bar, Midway Township, 2820 Midway Road, Duluth, MN, new.

Adopted April 9, 2024. No. 24-204

WHEREAS, In a State Supervised County Administered government for Social Services, Minnesota DHS/MNIT provides the major systems (MAXIS, METS, MMIS, MEC<sup>2</sup>, PRISM, SSIS, MnCHOICES, SMI) that county workers use every day to deliver services to residents; mission-critical systems capture data, automate complex program policies, and provide functionality to support human services administration; and

WHEREAS, Many of these systems are aging (e.g., MAXIS, SSIS, PRISM and SMI are 20+ years old) and have not been fully modernized while some are newer (e.g., METS, MnCHOICES, MEC<sup>2</sup>) but lack basic functionality needed to meet user need; and

WHEREAS, Minnesota counties also invest heavily in technologies that support, extend, and fills gaps in and around state systems and Counties achieve maximum functionality including interfaces with DHS systems and implementation of DHS live forms when banding together to leverage access; and

WHEREAS, Since 2008 NCT CaseWorks has been the primary social service system provider in Minnesota and in 2024 over 55 counties utilize CaseWorks for Social Service and Economic Assistance programming; and

WHEREAS, One-time funds are available for implementation and ongoing maintenance costs will be moderated by increased reimbursement and reductions in Information Technology (IT) programming expenses as well as the cost avoidance for future IT needs in St. Louis County.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology Department, with use of State of Minnesota Contract 128340/NASPO Agreement AR2472, to purchase implementation services, CaseWorks software subscription, and ongoing maintenance from Carahsoft Technology, Corp. - Reston, Virginia, the distributor of Next Chapter Technology, Inc. (NCT) for a 5-year term commencing December 1, 2023, through December 31, 2028, for an initial contract price not to exceed \$3,167,250.68.

RESOLVED FURTHER, That it is recommended that the St. Louis County Board authorize the Information Technology Department to renew the county's subscription term for one or more additional terms in the future, provided that the total cost associated with the renewal is not \$175,000 more than the total cost stated above.

BUDGET REFERENCE: 230-230038-629900-99999-99999999-9999

230-231014-629900-99999-99999999-9999

230-231014-530727-99999-99999999-9999

230-999999-311401-99999-99999999-9999

Adopted April 9, 2024. No. 24-205

WHEREAS, The existing St. Louis County ShoreTel phone system has been in use for over 15 years and the county is in need of a phone system which meets the needs of in-office and mobile workers, provides for more integrated collaboration features, and maintains a more current and supported platform; and

WHEREAS, The current ShoreTel phone system will no longer be supported within a few years, so the St. Louis County Information Technology Department (IT) formed a phone system replacement selection committee to outline critical requirements for a new phone system; and

WHEREAS, The Mitel MyVoice Business phone system platform was recommended by the phone system selection committee, and subsequently recommended by the IT Steering Committee.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology Department to enter into a contract with Black Box, sourced with use of cooperative agreement #120122-MBS, offered through Sourcewell for the hardware, software, and services for the purchase of a new St. Louis County phone system for a total of \$1,367,522.28 payable from Fund 100, Agency 117501, 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 yearly software maintenance and support costs estimated to be \$100,000 annually to be budgeted in the Information Technology Budget in future years from Fund 100, Agency 117001, Object 634800.

Adopted April 9, 2024. No. 24-206

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following application for permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 62085:

Vernon Skoglund dba Silver Fox Lodge, Gnesen Township, renewal.

Adopted April 9, 2024. No. 24-207

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. 62124.

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, 2024:  
Shagawalleye LLC dba Lake View Lodge, Morse Township, Seasonal On-Sale &  
Seasonal Sunday On-Sale Intoxicating Liquor License, new.

Adopted April 9, 2024. No. 24-208

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. 62124.

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, 2024:  
Beaver River Farm LLC dba Beaver River Farm Wedding & Event Center,  
Fredenberg Township, Seasonal On-Sale & Seasonal Sunday On-Sale Intoxicating  
Liquor License, new.

Adopted April 9, 2024. No. 24-209

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. 62124:

Lake 14 & Lake Leander Club, Unorganized Township 60-19, Temporary On-Sale Intoxicating Liquor License, for the date of July 6, 2024 (rain date July 7, 2024), renewal.

Adopted April 9, 2024. No. 24-210

WHEREAS, Minnesota Power desires to plat existing lease lots in Unorganized Township 53-15; 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 Otter Cove, Sections 25, 26, and 27, Township 53N, Range 15W (Unorganized Township).

Adopted April 9, 2024. No. 24-211

WHEREAS, The St. Louis County Land and Minerals Department has prepared timber appraisals on certain tracts of timber to be offered at public auction as recommended by the Land Commissioner; and

WHEREAS, The appraisals and terms and conditions of the public auction are described in County Board File No. 62100; and

WHEREAS, Minn. Stat. § 282.04, Subd. 1(a), authorizes the county auditor, with terms and conditions set by the county board, to sell state tax forfeited timber upon any tract approved by the natural resources commissioner; and

WHEREAS, By operational order from the natural resources commissioner, counties with land commissioners are authorized to sell timber on state tax forfeited lands without further approval from the state; and

WHEREAS, St. Louis County timber auctions may include timber from non-tax forfeited lands under administration of the Land and Minerals Department, such as county owned forest lands.

THEREFORE, BE IT RESOLVED, That the appraisal reports and terms and conditions for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 28, totaling \$1,588,252.21, as submitted by the Land Commissioner and identified in County Board File No. 62100, are approved and the County Auditor is authorized to sell the tracts as listed in said appraisal reports.

RESOLVED FURTHER, That proceeds received from the sale of timber are to be deposited into Fund 240 (Tax Forfeited Land Fund) or Fund 100-143001 (County Fee Fund), as appropriate to class of land.

Adopted April 9, 2024. No. 24-212

WHEREAS, On February 20, 2024, by County Board Resolution No. 24-111, the St. Louis County Board of Commissioners approved the adoption of the Rainy Headwaters - Vermilion Comprehensive Watershed Management Plan (Plan); and

WHEREAS, Each of the six partners has executed the Memorandum of Agreement for the purpose of implementation of the Plan; and

WHEREAS, It is anticipated that on April 24, 2024, the Minnesota Board of Water and Soil Resources (BWSR) will approve the Plan; and

WHEREAS, The Rainy Headwaters – Vermilion Watershed will receive \$1,004,508 of Watershed Implementation Based Funding from the Minnesota Board of Water and Soil Resources (BWSR) for the 2024-2025 biennium; and

WHEREAS, On March 1, 2024, the Rainy Headwaters – Vermilion Policy Committee approved and recommends approval by the six partners and their governing bodies the Work Plan and Budget.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the Rainy Headwaters – Vermilion Work Plan and Budget allowing the Parties to execute the implementation of the work plan categories and identified projects, practices, and goals of the Plan.

Adopted April 9, 2024. No. 24-213

WHEREAS, The St. Louis County Board held a public hearing at 10:05 a.m. on Tuesday, April 9, 2024, at the Duluth Courthouse, Duluth, MN, to receive comment and consider the adoption of the amended Fee Schedule for various county services for the year 2024.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts the amended 2024 Fee Schedule on file in County Board File No. 62140.

Adopted April 9, 2024. No. 24-214

WHEREAS, DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating Liquor License; and

WHEREAS, Minn. Stat. § 340A.405, Subd. 2(d), requires that a public hearing be held prior to the issuance of an Off-Sale Intoxicating Liquor License; and

WHEREAS, A public hearing was held on Tuesday, April 9, 2024, at 10:10 a.m. at the Duluth Courthouse, County Board Room, 100 N. 5<sup>th</sup> Avenue West, Duluth, MN, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, DRRY Ventures, LLC has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.

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

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, That if the named license holder sells the 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 license fee to the license holder.

Adopted April 9, 2024. No. 24-215

Upon motion by Commissioner Harala, supported by Commissioner Musolf, resolutions numbered 24-216 through 24-232, as submitted on a second consent agenda, were unanimously adopted as follows:



**BY COMMISSIONER HARALA:**

WHEREAS, The County has prepared plans to complete a Reclaim & Overlay project on County State Aid Highway (CSAH) 115 between US Hwy. 53 and County Road (CR) 418, further identified as CP 0115-439125, SP 069-715-009, STBG 6924(086); and

WHEREAS, The County has received \$2,052,500 of Federal State Block Grant (STBG) funds for the project; of which, \$1,678,500 will be reimbursed in FY 2024, and \$374,000 will be reimbursed in FY 2025; and

WHEREAS, The County and MnDOT need to enter into an agreement for advance construction, which allows for 1) MnDOT to act as the agent in accepting federal aid in connection with the project, and 2) letting the project in 2023 before federal funds are available.

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 161.36, the Commissioner of Transportation be appointed as Agent of St. Louis County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

RESOLVED FURTHER, That the County Board Chair, County Auditor, Public Works Director and Assistant County Attorney are hereby authorized and directed for and on behalf of St. Louis County to execute and enter into an Agreement, and any amendments to the Agreement, with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in MnDOT Contract Number 1056611, a copy of which said Agreement was before the County Board and which is made a part hereof by reference.

RESOLVED FURTHER, That funds for CP 0115-439125, SP 069-715-009 will be receipted into Fund 220, Agency 220760, Object 540702.

Adopted April 9, 2024. No. 24-216

WHEREAS, St. Louis County has reviewed the pertinent data provided by routine bridge safety inspections and produced a list of bridges identified as high priority for replacement, rehabilitation, or removal within the next five years; and

WHEREAS, St. Louis County intends to replace, rehabilitate, or remove these structures as soon as funds are available.

THEREFORE, BE IT RESOLVED, That the list of bridges provided are high priorities for replacement, major rehabilitation, or removal, and St. Louis County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available.

RESOLVED FURTHER, That St. Louis County does hereby request authorization to replace, rehabilitate, or remove such bridges.

RESOLVED FURTHER, That St. Louis County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

Adopted April 9, 2024. No. 24-217

WHEREAS, The MPDG Program provides federal funding grant opportunities for surface transportation projects that will improve/expand infrastructure in rural areas and improve safety, economic strength and global competitiveness, equity, and climate and sustainability; and

WHEREAS, The 2024 MPDG Program solicitation will provide up to \$5.1 billion for the 2025-2026 Mega, INFRA and Rural Surface Transportation Programs; and

WHEREAS, The St. Louis County Public Works Department proposes to submit a funding application to the MPDG Program to obtain funding for the Rice Lake Road (County State Aid Highway 4) Corridor Project; and

WHEREAS, If awarded funding, St. Louis County would be responsible for design engineering, environmental documentation and permitting, right-of-way acquisition, bidding and construction engineering and administration at the cost of St. Louis County; and

WHEREAS, The Federal Highway Administration (FHWA) requires that funding recipients agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right-of-way or property ownership acquired without prior approval from the FHWA.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Department to submit a funding application to the MPDG Program to obtain funding for the Rice Lake Road (CSAH 4) Corridor Project located in the cities of Duluth and Rice Lake, further identified as CP 0004-490685.

RESOLVED FURTHER, That if awarded funding, St. Louis County will provide the necessary cost contribution for this project, including any necessary cost share of potential cost overruns.

RESOLVED FURTHER, That St. Louis County agrees to assume ownership and full responsibility for operation and maintenance of county road infrastructure constructed under this grant.

Adopted April 9, 2024. No. 24-218

WHEREAS, The St. Louis County Public Works Department is planning a reconstruction project on part of County State Aid Highway (CSAH) 156 (Harvey Street) from CSAH 21 (Central Avenue) 0.65 miles easterly to 9<sup>th</sup> Ave. East within the city of Ely, further identified as CP 0156-299087/SAP 069-756-001; and

WHEREAS, These improvements consist of grading, aggregate base, storm sewer, curb, gutter, sidewalks, bituminous surfacing, and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Works Director, or his designee, to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the county, any easement documents as may become necessary. Right-of-way acquisition is payable from Fund 200, Agency 203001.

RESOLVED FURTHER, That pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant highway easements across tax forfeited lands necessary for the project.

Adopted April 9, 2024. No. 24-219

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. 62102.

Adopted April 9, 2024. No. 24-220

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, James Joseph Hoffman of Virginia, MN, has applied to repurchase state tax-forfeited land legally described as:

Legal: That part of Govt Lot 4 described as follows: Beginning at a point 1080 feet East of the Section corner located at the joiner of Section 25 and 36, and Section 30 and 31; thence North 350 feet to Miller Trunk Road; thence Southeasterly along said road 496 feet to the East line of Govt Lot 4; thence

South 250 feet to the South Line of Govt Lot 4; thence West to Point of Beginning. Section 30, Township 68 North, Range 20 West

Parcel ID No: 739-0010-04830

LDKey: 130725; and

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

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

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

WHEREAS, The applicant has made payment in full 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 James Joseph Hoffman of Virginia, MN, on file in County Board File No. 62152, to the Estate of Benedict Hoffman III, subject to payments including: total taxes and assessments of \$969.06, deed fee of \$25, deed tax of \$1.65, recording fee of \$46, for a total of \$1,041.71, to be deposited into Fund 240 (Tax-Forfeited Land Fund); plus a service fee of \$500, to be deposited into Fund 100 (General Fund).

Adopted April 9, 2024. No. 24-221

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

WHEREAS, The applicants, Amber Julia Jacobson and April L. Jacobson of Duluth, MN, have applied to repurchase state tax-forfeited land legally described in County Board File No. 62152; and

WHEREAS, The applicants were the owners of record at the time of forfeiture and are eligible to repurchase the property; and

WHEREAS, Minn. Stat. § 282.302, subd. 1, provides that the deed must be issued to the record owners of the property at the time of the expiration of the redemption period established under § 281.23, which were Amber Julia Jacobson and April L. Jacobson; and

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

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Amber Julia Jacobson and April L. Jacobson of Duluth, MN, on file in County Board File No. 62152, subject to payments including: total taxes and assessments of \$5,423.97, deed fee of \$25, deed tax of \$17.90, recording fee of \$92, for a total of \$5,558.87, to be deposited into Fund 240 (Tax-Forfeited Land Fund); plus a service fee of \$500, to be deposited into Fund 100 (General Fund).

Adopted April 9, 2024. No. 24-222

WHEREAS, All parcels of land becoming the property of the State of Minnesota in trust for the taxing districts through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, subd. 1; and

WHEREAS, The parcels described in County Board File No. 62159 forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as non-conservation; and

WHEREAS, The goals of classification and reclassification are to encourage the most economical and efficient use of the property, reduce local and state government expenses, conserve and develop the state's natural resources, and encourage economic development; and

WHEREAS, The Land and Minerals Department has recommended that these parcels be reclassified as conservation after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 requires that notice of the classification or reclassification of lands situated within a municipality or town must be transmitted to its governing body.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board reclassifies the tax-forfeited parcels described in County Board File No. 62159 as conservation, and a notice of the reclassification shall be transmitted by the Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

RESOLVED FURTHER, That the reclassification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcel is located, or if the County Board receives affirmative notice from the municipality or town prior to the end of the 60 days of the date on which the resolution is delivered to the clerk.

Adopted April 9, 2024. No. 24-223

RESOLVED, That the St. Louis County Board establish a public hearing on Tuesday, May 7, 2024, at 10:05 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 MN Stores L.L.C. dba Snak Atak Liquor #6, New Independence Township.

Adopted April 9, 2024. No. 24-224

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for CP 0009-689681; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 22, 2024, 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>
Northland Constructors of Duluth, a Division of Mathy Construction Company	4843 Rice Lake Road Duluth, MN 55803	\$2,062,000.00

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 0009-689681

Fund 220, Agency 220708, Object 652700 – Local, USACE 529 Grant, and BWSR Grant Funds  
With additional revenue budgeted for expense:

USACE, Fund 220, Agency 220708, Object 540982 - \$1,500,000.00

BWSR, Fund 220, Agency 220708, Object 530104 - \$500,000.00

Adopted April 9, 2024. No. 24-225

WHEREAS, Bids have been received electronically by St. Louis County Public Works Department for CP 0000-590669, SP 069-070-062, SP 069-070-065, HSIP 6924(240); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 28, 2024, 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>
Century Traffic, LLC	1265 Hickory Street Pewaukee, WI 53072	\$684,521.90

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 0000-590669, SP 069-070-062, SP 069-070-065, HSIP 6924(240)

Fund 220, Agency 220784, Object 652700 – Federal Funds - \$577,000.00

Fund 200, Agency 203692, Object 652800 – Local Construction Funds - \$107,521.90

Adopted April 9, 2024. No. 24-226

WHEREAS, The Public Works Department budgets annually for the application of liquid calcium chloride on gravel roads as part of its summer dust abatement program, and associated alternate deduct pricing models; and

WHEREAS, Bids were publicly solicited with the assistance of the Purchasing Division for RFB 6018 Liquid Surface Treatment (Calcium Chloride/Magnesium Chloride) seeking 1,000,000 gallons of liquid calcium chloride (38% concentration and natural brine solution) delivered and applied with a 30% reserve option; and

WHEREAS, Bids were received and opened by the St. Louis County Purchasing Division on Monday, April 1, 2024, with EnviroTech Services, Inc. of Greeley, CO, providing the lowest bid price of \$1.37 per gallon; and

WHEREAS, The Request for Bids included an alternate deduction allowing the option for bulk delivery of liquid chloride to four (4) Public Works campuses (Pike Lake, Virginia, Hibbing, Tower) and a secondary alternate deduction to allow Public Works the ability to pick up liquid calcium chloride at the vendor's storage facility.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the contract award, and for the appropriate county officials to enter into an agreement and approve any amendments authorized by the County Attorney, with EnviroTech Services, Inc. of Greeley, CO, to provide delivery and application of Calcium Chloride Liquid Surface Treatment services for a price not to exceed \$1,781,000.00 plus \$100,000 for alternates, for a total cost of \$1,881,000.00, payable from Fund 200, Agency 207001, Object 653400.

RESOLVED FURTHER, That the St. Louis County Board authorizes appropriate county officials to include contract extension language to allow the Public Works Department the opportunity to negotiate future year pricing for up to four (4) seasonal terms provided that the

Contractor has satisfactorily performed the services herein described as determined solely by the contracting agency. Failure to agree on payment shall prevent renewal of this Contract.

Adopted April 9, 2024. No. 24-227

WHEREAS, The Public Works Department has experienced a low number of applicants applying for entry level civil engineering technical positions and the Department would like to create a new alternative entry level class that allows for a pathway for them to hire individuals who do not have prior experience or education in the field, and provide them with on-the-job training; and

WHEREAS, The Department requested the creation of an Engineering Aide class to develop that pathway; and

WHEREAS, The Civil Service Commission approved creation of the Engineering Aide job class specification at its March 11, 2024 meeting and the Civil Service Basic bargaining unit has accepted the salary grade recommendation at Grade B14.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the new Engineering Aide job class, assigned to Pay Grade B14 in the Civil Service Basic Unit Pay Plan.

Adopted April 9, 2024. No. 24-228

WHEREAS, High-speed internet broadband service has become vital to St. Louis County's economy and is an important public infrastructure for all residents, businesses, and public facilities within St. Louis County; and

WHEREAS, There are unserved and underserved broadband service areas in St. Louis County; and

WHEREAS, The County has allocated funding through St. Louis County's Broadband Infrastructure Grant Program which is funded by the American Rescue Plan Act (ARPA); and

WHEREAS, The Broadband Infrastructure Grant Program is designed to assist communities with financing broadband public infrastructure to expand investment in high-speed broadband initiatives in their communities to unserved or underserved areas in St. Louis County; and

WHEREAS, The County has received an application from Normanna Township, in partnership with Mediacom, LLC, to St. Louis County's Broadband Infrastructure Grant program requesting up to \$400,000 for a broadband public infrastructure construction project; and

WHEREAS, St. Louis County will contract with Normanna Township for funding for the broadband infrastructure project; and

WHEREAS, The County has previously identified economic development as a strategic priority; and

WHEREAS, The County has statutory authority through Minn. Stat. § 375.83 to make such a contribution.

THEREFORE, BE IT RESOLVED, That after the review of the project application and associated materials, the project proposed has been determined to be eligible under the Broadband Infrastructure Component of the Final Rule of the American Rescue Plan Act (ARPA).

RESOLVED FURTHER, That the St. Louis County Board approves the use of up to \$400,000 of ARPA Broadband Infrastructure Grant program revenue loss funding for the Normanna Township broadband public infrastructure construction project.

RESOLVED FURTHER, That if Mediacom, LLC's application to the Minnesota Department of Employment and Economic Development's (DEED) Border to Border Grant Program is not approved by August 31, 2024, or if Normanna Township declines St. Louis County Broadband Infrastructure funding, the resolution is automatically rescinded and the funds may be reappropriated to other projects.

RESOLVED FURTHER, That the St. Louis County Board authorizes appropriate County officials to enter into and execute any funding agreement(s) and associated documents to administer

the program, comply with the American Rescue Plan Act as necessary, and fund projects, payable from Fund 239, Object 239054 Revenue Loss Funding or its designated fund.

RESOLVED FURTHER, That Normanna Township, in partnership with Mediacom, LLC, 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 required under the American Rescue Plan Act.

Adopted April 9, 2024. No. 24-229

WHEREAS, St. Louis County has been purchasing chilled water from Duluth Energy Systems (DES) for air conditioning of the St. Louis County Courthouse and Government Services Center in Duluth, MN, under a contract initiated in 2004; and

WHEREAS, The 20-year term contract expired on January 1, 2024; and

WHEREAS, Property Management recommends the contract not be renewed due to reliability and cost considerations; and

WHEREAS, A 2022 preliminary engineering feasibility evaluation demonstrated that an investment of approximately \$900,000 in chiller equipment for the two buildings would be paid back in 7-8 years at demand and usage rates currently charged by DES; and

WHEREAS, On February 21, 2023, the St. Louis County Board adopted Resolution No. 23-123, and entered an agreement with Windsor Engineers to provide all engineering services related to design, bid specifications and construction administration for chiller systems and related building modifications at the St. Louis County Courthouse and Government Service Center in Duluth, MN; and

WHEREAS, On June 13, 2023, the St. Louis County Board adopted Resolution No. 23-320, to procure the emergency purchase of the chiller equipment due to extended lead times and the need to procure it before the 2024 cooling season; and

WHEREAS, In March of 2024, Property Management, with the assistance of the Purchasing Division, solicited a Request for Bids (RFB) seeking a qualified contractor to provide all services related to the installation and integration of new chiller equipment at the Duluth Courthouse and Duluth Government Services Center; and

WHEREAS, Gardner Builders, LLC provided the lowest lump sum bid of \$774,217.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into an agreement with Gardner Builders, LLC to provide all services related to the installation and integration of new chiller equipment at the Duluth Courthouse and Duluth Government Services Center for the lump sum of \$774,217 payable from the following funds:

Fund 400, Agency 400004, Object 663100

Fund 400, Agency 400006, Object 663100

Adopted April 9, 2024. No. 24-230

WHEREAS, Whenever vacancies occur in the Sheriff's Office, a review is done to determine if the position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Office; and

WHEREAS, After the recent review of a recently vacated position, it was determined that creation of an Emergency Management Specialist job class and reallocation of a 1.0 FTE position, 0847-006, to that Emergency Management Specialist class was appropriate; and

WHEREAS, The Civil Service Commission approved creation of the Emergency Management Specialist job class specification at its March 11, 2024 meeting and the Civil Service Basic bargaining unit has accepted the salary grade recommendation at Grade B20; and

WHEREAS, Human Resources has reviewed the proposed duties of the position and

determined that the Emergency Management Specialist class is appropriate.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the new Emergency Management Specialist job class, assigned to Pay Grade B20 in the Civil Service Basic Unit Pay Plan.

RESOLVED FURTHER, That there is no further Board action required for the reallocation of position 0847-006, payable from 100-132001-610100, as both the former Planner I and proposed Emergency Management Specialist class are allocated to the same pay grade and bargaining unit.

Adopted April 9, 2024. No. 24-231

WHEREAS, Property Management entered into an agreement with RW Fern Associates, Inc., to provide architectural and engineering services for the construction of a new laundry and bath building at Camp Esquagama in Gilbert, MN, for \$71,000; and

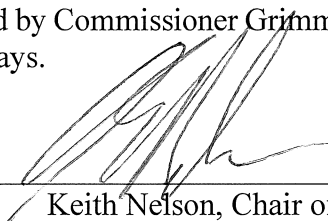
WHEREAS, Due to changes in the scope of the project and the discovery of deficiencies in the existing electrical distribution system that need to be corrected, RW Fern Associates, Inc., submitted a request to amend their contract to account for the additional services that need to be provided; and

WHEREAS, The requested amount of \$14,900 to cover the increased scope of work will bring the total contract to \$85,900 which requires County Board approval.


THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the amendment of the existing contract with RW Fern Associates, Inc., to provide architectural and engineering services for the construction of a new laundry and bath house at Camp Esquagama for \$14,900, increasing the total to \$85,900 payable from Fund 403, Agency 403005, Object 660265.

Adopted April 9, 2024. No. 24-232

At 12:18 p.m., April 9, 2024, Commissioner Boyle, supported by Commissioner Grimm, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

  
\_\_\_\_\_  
Keith Nelson, 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)