

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MAY 28, 2024**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28<sup>th</sup> day of May 2024, at 10:00 a.m., at the Northland Town Hall, Canyon, 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.

Northland Township Clerk Bobbi Pirkola welcomed the Board to Northland Township.

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

Commissioner Harala, supported by Commissioner Grimm, moved that the St. Louis County Board authorizes the appropriate County officials to enter into a Professional Services Agreement with Johnson Wilson Constructors of Duluth, MN, for Construction Manager at Risk preconstruction services at a cost not to exceed \$30,000. Deputy Administrator Brian Fritsinger said that the Property Management Department uses a BFA system to rank and score facilities with 0% being the best and 60% being the worst. The department's goal is to maintain facilities at a rating of 20%; the Depot is currently rated at 41%. Deputy Administrator Fritsinger noted that inflation has increased project cost estimates over the last 7-8 years. In response to Chair Nelson, Property Management Director Jerry Hall said most of the facilities that they take care of are within the threshold. Commissioner Boyle commented that there is a 4-5 year timeframe to get the building ready for the Northern Lights Express (NLX) project. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 24-281.

Commissioner McDonald, supported by Commissioner Musolf, moved that the St. Louis County Board hereby approves the continued expenditure of American Rescue Plan Act (ARPA) funds through contract amendments with listed schools and Districts extending the time frame of County ARPA funds through July 31, 2026, with additional county contributions designated, totaling 70% of the cost of ongoing mentors in 2024-25 school year and 40% of the cost of ongoing mentors in the 2025-26 school year; that \$78,673.04 will be paid to support the coordination of the program through July 31, 2026; that the school districts may adjust their budgets within each other as long as it does not exceed the grand total; and further, that the amount authorized in Board Resolution No. 21-427 and Board Resolution No. 22-444 may be moved between agencies so that remaining funds offset these contract amendments. The motion passed; seven yeas, zero nays. Resolution No. 24-282.

Commissioner Harala, supported by Commissioner Boyle, moved to consider a resolution to establish a public hearing to consider the issuance of an Off-Sale Intoxicating Liquor License to The Outpost, LLC dba The Outpost, Gnesen Township; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Musolf, supported by Commissioner Jugovich, moved that the St. Louis County

Board establish a public hearing on Tuesday, June 11, 2024, at 10:00 a.m., at the County Courthouse, County Board Room, 100 N. 5th Avenue West, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for The Outpost LLC dba The Outpost. The motion passed; seven yeas, zero nays. Resolution No. 24-283.

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

David Sipila, County Assessor, submitting Request for Board Action No. 24-214, Appointment of 2024 Special Board of Appeal and Equalization.—62172

Jerry Hall, Property Management Director, and Mary Tennis, St. Louis County Heritage & Arts Center (Depot) Construction Manager at Risk.—62173

Linnea Mirsch, Public Health & Human Services Director, submitting Request for Board Action No. 24-213, School Reengagement Check & Connect Program Transition Funding, American Rescue Plan Act COVID Response & Recovery Funding.—62174

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-216, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Gnesen Township).—62175

Mark Munger, Fredenberg Township, correspondence regarding his candidacy for the Minnesota House District 3B seat.—62176

Upon motion by Commissioner McDonald, supported by Commissioner Harala, resolutions numbered 24-273 through 24-280, 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 May 14, 2024, are hereby approved.

Adopted May 28, 2024. No. 24-273

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of County State Aid Highway (CSAH) 44 and to replace the existing bridge (County Bridge 382, State Bridge 7222) spanning the Cloquet River in Ault Township, further identified as County Project CP 0044-726786; and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location 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 of Commissioners 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 the tax forfeited lands necessary for the project.

RESOLVED FURTHER, That the Minnesota Department of Natural Resources is requested to grant the highway easements necessary for this project on state owned property located in parts of Government Lots 4, 8 and 11 in Section 10, Township 55 North, Range 12 West in Ault Township.

Adopted May 28, 2024. No. 24-274

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 May 28, 2024. No. 24-275

RESOLVED, Pursuant to St. Louis County Ordinance No. 51, as amended, the application for license to sell tobacco products at retail, on file in the office of the County Auditor, identified as County Board File No. 62150, is hereby approved and the County Auditor is authorized to issue the license to the following establishment:

GUR PETRO LLC dba Swan Lake Market & Liquor, New Independence Township, transfer.

RESOLVED FURTHER, That if the named license holder sells their licensed 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.

Adopted May 28, 2024. No. 24-276

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06, authorization is hereby granted to Frygard, LLC dba Timbers Edge Grill & Bar, Unorganized Township 56-17, to sell/serve outside the designated serving area of the County Liquor License for the date of June 7, 2024, as per application on file in the office of the County Auditor, identified as County Board File No. 62124.

Adopted May 28, 2024. No. 24-277

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. 62106, are hereby approved and the County Auditor shall issue checks in the following amounts:

**April 2024**

100	General Fund	\$8,931,492.42
149	Personal Service Fund	2,453.75
155	Depot	107,859.93
160	MN Trail Assistance	57,526.36
169	Attorney Trust Accounts-VW	1,917.58
173	Emergency Shelter Grant	23,856.59
178	Economic Development – Tax Forfeit	91,123.73
180	Law Library	696.62
183	City/County Communications	374.80
184	Extension Service	65,779.27
190	Sheriff Explorers	204.40
192	Permit to Carry	14,415.18
200	Public Works	3,211,213.79
204	Local Option Transit Sales Tax	27,870.39

220	State/Federal Road Aid	563,396.46
228	2022 Flooding Event	11,850.00
230	Public Health & Human Services	9,565,706.85
235	Statewide Affordable Housing	54,607.64
238	HHS Conference	13,373.15
239	Pandemic Response Fund	1,634,862.93
240	Forfeited Tax	536,624.62
260	CDBG Grant	62,178.77
270	Home Grant	12,753.75
288	Septic Loans – Env Trust Fund	2,000.00
289	On-Site Wastewater	81,298.65
290	Forest Resources	7,095.04
298	Opioid Remediation	70,079.34
400	County Facilities	46,288.50
402	Depreciation Reserve Fund	34,008.31
403	Emergency Repairs	15,527.50
405	Public Works Building Construction	196,392.58
407	Public Works – Equipment	389,907.62
600	Environmental Services	869,731.57
640	Plat Books	21.85
715	County Garage	218,603.72
720	Property Casualty Liability	10,263.85
730	Workers Compensation	172,670.52
740	Medical Dental Insurance	870,515.76
770	Retired Employees Health Insurance	459.50

\$27,977,003.30

Adopted May 28, 2024. No. 24-278

WHEREAS, Minn. Stat. § 274.13 requires that county commissioners constitute a County Board of Appeal and Equalization each year to hear complaints of taxpayers and review assessments of real and personal property throughout the county; and

WHEREAS, The statute empowers the County Board of Appeal and Equalization to appoint a Special Board of Appeal and Equalization to which it may delegate all powers and duties of the County Board of Appeal and Equalization; and

WHEREAS, The St. Louis County Board, having reviewed the matter, determines it is in the public interest to appoint said Special Board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following individuals to serve as the Special Board of Appeal and Equalization for Assessment Year 2024:

District 1	John Vigen, Duluth
District 2	Lynn Nephew, Duluth
District 3	Sherri Puckett, Duluth
District 4	Steve Abrahamson, Tower
District 5	Tim Peterson, Hermantown
District 6	Dawn Cole, Eveleth
District 7	James Marx, Hibbing

RESOLVED FURTHER, That the Special Board of Appeal and Equalization is:

- Delegated all powers and duties of the County Board of Appeal and Equalization;
- To report the results of their deliberations back to the St. Louis County Board in the form of minutes kept by the Clerk of the County Board;

- Directed to hold at least one meeting day in Duluth, and one day in Virginia, Minnesota;
- To be compensated at the rate of \$300 per meeting day, payable from Assessor's Department Fund 100, Agency 118001, Object #635300 - Non-employee fees and be reimbursed for mileage and expenses at the current CONUS rate from Assessor's Department Object #635500 - Non-employee travel; and
- Directed to convene at 10:00 AM, June 18, 2024, in Duluth, MN.

Adopted May 28, 2024. No. 24-279

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 Information Specialist III position at the St. Louis County Jail in Duluth, it was determined by Human Resources that reallocation to the Information Specialist II classification 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, The St. Louis County Board approves the reallocation of a vacant 1.0 FTE Information Specialist III position Civil Service Basic Unit, \$3,745.63/mo. at Grade B14, Step 1, position code 0420-063, to the Information Specialist II (Civil Service Basic Unit, \$3,318.25/mo. at Grade B10, Step 1) in the Sheriff's Office, payable from Fund 100, Agency 137002, Object 610100.

Adopted May 28, 2024. No. 24-280

#### **BY COMMISSIONER HARALA:**

WHEREAS, On November 15, 2022, the St. Louis County Board adopted Resolution No. 22-589 authorizing a service agreement with Architecture Advantage, LLC of Duluth, MN, in the amount of \$599,875 for the planning, design, preparation of construction bid documents, project administration, project commissioning and close out for the Depot's mechanical, electrical and plumbing infrastructure improvement project; and

WHEREAS, Upon completion of Phase I (predesign) of the project, it was determined that the total project cost would be closer to \$16 million and involved a higher complexity of design work; and

WHEREAS, Costs for Phase II and Phase III increased due to the higher complexity of design work; and

WHEREAS, On September 12, 2023, the St. Louis County Board adopted Resolution No. 23-467 amending the agreement with Architecture Advantage to reflect increased pricing from \$559,875 to \$884,400; and

WHEREAS, The Construction Manager at Risk (CMR) is an integral part of the project's Integrated Design Process in the role as construction professionals in which the owner, the architect, and the CMR create a cohesive project design and delivery team and the selection committee chose Johnson Wilson Constructors of Duluth, MN, as the most qualified and competitively priced firm.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into a Professional Services Agreement with Johnson Wilson Constructors of Duluth, MN, for Construction Manager at Risk preconstruction services at a cost not to exceed \$30,000, payable from Fund 400, Agency 400024 with funds transferred from Fund 403, Agency 403001.

Unanimously adopted May 28, 2024. No. 24-281

**BY COMMISSIONER McDONALD:**

WHEREAS, School Reengagement efforts following the COVID-19 pandemic were categorically eligible investments and the County Board supported an initial investment of \$5,183,159 in 2021 via Resolution No. 21-427 and an amended increase of \$221,398 in 2022 via Resolution No. 22-444, and an amended increase of 1,468,000 via Resolution No. 23-565, for a total of \$6,872,557; and

WHEREAS, An additional \$578,403.76 is requested to fund the county share of year 4 and year 5; and

WHEREAS, Each school district budget's may change during year 4 and year 5 so the funds may be reallocated to each of the school districts depending on actual expenditures; and

WHEREAS, Significant student engagement was reported after year 2, with sustained school interest in continuing the program and noted impacts of a 72% decrease in student absences and a 73% decrease in suspensions across the 34 schools participating in the program; and

WHEREAS, Funds are expected to remain within the existing contracts due to staff vacancies; and

WHEREAS, The St. Louis County Board's Revised American Rescue Plan Act (ARPA) framework adopted October 23, 2023, via Resolution No. 23-565, included authorization for the program to continue an additional 2 school years with a school cost-share utilizing remaining funds in the COVID Response & Recovery Category; and

WHEREAS, Following Departmental outreach, the following schools responded with interest in program continuation and commitment to the school cost-share as proposed:

**Check & Connect Program Continuation/ Sustainability Years 5 & 6 Funding Table:**

<b>Fiscal Agent/ Contractor/Budget Reference/Funding</b>	<b>Number of Mentors that will continue</b>	<b>Additional County</b>	<b>Proposed Amended Contract Max</b>
St. Louis County School District/Fiscal Agent for Hibbing, Mountain Iron, Rock Ridge, East Range, St. Louis County, Chisholm, Ely, Mesabi, and Vermillion/239-239501-695007	16.4	\$799,772.77 Plus \$78,673.04 for Coordination	\$3,597,411.58
Proctor Public School/239-239512-695100	3	\$113,650.07	\$662,265.30
Duluth Public School/239-239513-695100	15	\$925,490.10	\$2,648,566.10
Edison School/239-239514-695100	1	\$46,900.21	\$146,900.21
Stella Marais School/239-239515-695100	.7	\$34,925.28	\$114,925.28
Hermantown School District/239-239518-695100	1	\$44,434.79	\$124,434.79

University of Minnesota/239-239516-695100	Training, Program Coordination, Evaluation, Coaching, Technical Support	Additional \$2,557.50 up to \$156,457.50
<b>Grand Total: \$1,468,000 plus \$578,403.76</b>		<b>\$2,046,403.76</b>

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby approves the continued expenditure of American Rescue Plan Act (ARPA) funds through contract amendments with the listed schools and Districts extending the time frame of County ARPA funds through July 31, 2026, with additional county contributions in the amounts designated above, totaling 70% of the cost of ongoing mentors in 2024-25 school year and 40% of the cost of ongoing mentors in the 2025-26 school year.

RESOLVED FURTHER, That the \$78,673.04 listed above will be paid to support the coordination of the program through July 31, 2026.

RESOLVED FURTHER, That the school districts may adjust their budgets within each other as long as it does not exceed the grand total.

RESOLVED FURTHER, That the amount authorized in Board Resolution No. 21-427 and Board Resolution No. 22-444 may be moved between agencies so that remaining funds offset these contract amendments.

Unanimously adopted May 28, 2024. No. 24-282

#### **BY COMMISSIONER MUSOLF:**

RESOLVED, That the St. Louis County Board establishes a public hearing on Tuesday, June 11, 2024, at 10:00 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 The Outpost LLC dba The Outpost.

Unanimously adopted May 28, 2024. No. 24-283

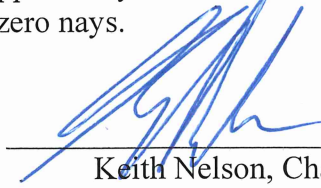
Commissioner Boyle noted that this is Deputy Administrator Brian Fritzinger is retiring at the end of the month and today is his last Board meeting. Commissioner Boyle commended Deputy Administrator Fritsinger for his leadership and work during the pandemic. Commissioner Boyle discussed an incident he experienced in the Boundary Waters over the Memorial Day weekend in which winds shifted and blew him of course; he and his daughter ended up staying at a camp for 8-9 hours until the winds tapered off.

Chair Nelson commented that St. Louis County is rock solid from top to bottom and professionalism starts at the Board level. Chair Nelson said his comments a few weeks ago regarding the need for the federal government to reimburse counties for Boundary Waters rescues does not change his commitment to county response; it is strictly bringing attention to the cost impacts of rescue operations in the area.

Commissioner Jugovich commented that the Board pushes County Administration hard and he would like to see both Deputy Administrator positions filled.

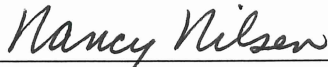
Commissioner Harala wished Deputy Administrator Fritsinger well and said “May your skates be sharper than your pencils and may your paper turn into fishing lures.”

At 10:29 a.m., May 28, 2024, Commissioner Jugovich, supported by Commissioner Harala, 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)