OFFICIAL PROCEEDINGS OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. LOUIS, MINNESOTA, HELD ON FEBRUARY 6, 2024

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6th day of February 2024, at 10:03 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 introduced City of Duluth Mayor Roger Reinert. Mayor Reinert commented that he has been visiting with local governments and the City of Duluth is interested in being a good partner with St. Louis County.

The Board recessed at 10:10 a.m. At 10:11 a.m., the Board reconvened with all members present.

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

Commissioner McDonald provided the Board with a Camp Esquagama report. Commissioner McDonald noted that the camp had the most ever campers in 2023 and had the best staff retention; eleven staff members are returning in 2024. In addition, Commissioner McDonald discussed the Explorers Camp expansion and touched on future camp improvements including the installation of new generators, shower house plans, and capping the old well.

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. 24-34, Appoint Members to Local Mental Health Advisory Council.—62108

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-40, County Dept Policy Update and Rescind Board Resolution No. 18-204.—62109

Linnea Mirsch, Public Health and Human Services Director, submitting Request for Board Action No. 24-48, Statewide Affordable Housing Aid Funding to Center City Housing Corporation for Wadena West Apartments – Supportive Housing.—62110

Job Classifications and Allotments approved during CY 2024.—62111

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-51, Appointment of Election Judges for Unorganized Townships.—62112

Brian Fritsinger, Deputy County Administrator, submitting Request for Board Action No. 24-52, Board Appointments to the Duluth Park and Recreation Commission.—62113

Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-43, 2024 Special Legislation for the Private Sale of State Tax-Forfeited Lands.—62114

Mark Knutson, Attorney, Beaumier Trogdon Orman Hurt & Viegas, PLLP, Duluth, MN, regarding abandonment of the Scandinavian Cemetery 32nd and London Road in Duluth.—62115

Jim Weikum, Executive Director, Arrowhead Library System, Mountain Iron, MN, regarding the appointment of Mollie Stanford as the new Executive Director effective January 29, 2024.—62116

Dillan Porter, Hunters for Hunters Chairman, Karlstad, MN, requesting a resolution be adopted and a letter to Senator Klobuchar be signed regarding a stance on removing wolves from Federal protection status and return wolf management to the State of Minnesota.—62117

Communications received in 2023.—62118

Mary Garness, Public Records and Property Valuation Director, submitting a report of all business transacted and monies received as County Recorder and Registrar of Titles for and during the year 2023.—62119

Commissioner McDonald submitting Camp Esquagama Report.—62120

Upon motion by Commissioner Grimm, supported by Commissioner Harala, resolutions numbered 24-74 through 24-94, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER GRIMM:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 23, 2024, are hereby approved.

Adopted February 6, 2024.—No. 24-74

WHEREAS, The 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:

North LAC Members	Term End Dates
Tony Yealey	January 2026
John Swenson	January 2026
South LAC Members	Term End Dates
Ashley Preston	November 2026
Cynthia Sequin	November 2026
Jnana Hand	November 2025
Brian Teskey	November 2026

Machenzie Joice	November 2025
Letisha Rice	November 2025
David Schreyer	November 2026
Sara Boots	November 2025
Natalie Listemaa	November 2026
Nicole Johnson	November 2025

Adopted February 6, 2024. No. 24-75

WHEREAS, The County of St. Louis is implementing County State Aid Construction Projects in 2024 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account; and

WHEREAS, Said County is prepared to proceed with the construction of said projects through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account; and

WHEREAS, The advance is based on the following determination of estimated expenditures:

Project No. SP 069-715-009	\$4,121,500
Project No. SP 069-609-050	\$1,012,350
Total 2023 Advance Amount:	\$5,133,850; an

Total 2023 Advance Amount: \$5,133,850; and WHEREAS, Repayment of the funds so advanced will be made in accordance with the provisions of Minn. Stat. § 162.08, Subd. 5 & 7, and Minnesota Rules, Chapter 8820; and

WHEREAS, The County acknowledges advance funds are released on a first-come first-serve basis and this resolution does not guarantee the availability of funds.

THEREFORE, BE IT RESOLVED, That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Projects of the County of St. Louis in an amount up to \$5,133,850 in accordance with Minnesota Rules 8820, Subp. 9. St. Louis County hereby authorizes repayments from subsequent accruals to the Regular State Aid Construction Account of St. Louis County with repayment from the 2025 year allocation until fully repaid.

Adopted February 6, 2024. No. 24-76

WHEREAS, The Transportation Alternatives (TA) Program provides federal funding grant opportunities to local communities to fund projects such as pedestrian and bicycle facilities, historic preservation, and Safe Routes to School; and

WHEREAS, The Minnesota Department of Transportation State Aid for Local Transportation Office administers the Transportation Alternatives (TA) Program for local agencies; and

WHEREAS, The City of Floodwood is intending to submit an TA grant application for a bituminous overlay and subgrade correction of the community walking trail on the Floodwood River; and

WHEREAS, St. Louis County is the sponsoring agency for the Transportation Alternatives Program project; and

WHEREAS, The City of Floodwood will be responsible for 100 percent of the cost to complete the Project in excess of TA funds authorized to the County.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board agrees to act as sponsoring agency for a Transportation Alternatives grant for the bituminous overlay and subgrade correction of the community walking trail on the Floodwood River. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate County officials to enter into a cooperative agreement with the City of Floodwood to receive and administer any Transportation Alternatives (TA) funds awarded for the bituminous overlay and subgrade correction of the community walking trail on the Floodwood River.

Adopted February 6, 2024. No. 24-77

WHEREAS, The Public Works Department is preparing a project to construct left-turn lanes on US 2 at the intersection with County Road (CR) 223 (Munger Shaw Road) located in Solway Township; and

WHEREAS, St. Louis County is leading this project in cooperation with the Minnesota Department of Transportation which is funded by the Local Partnership Program for the year 2024 and is further identified as CP 0223-674639, SAP 069-596-018; and

WHEREAS, The Public Works Department submitted a funding request to the Local Partnership Program for this project in January 2021 and was provided notice in March 2022 that this project was selected to receive funding; and

WHEREAS, The County Road Safety Plan ranks this intersection as 45 out of 1,488 intersections by presence of risk factors (assigned 4 risk factors), which places this intersection in the top 4 percent of county road intersections by risk, and recommends the construction of left-turn lanes on US 2 at the intersection with CR 223 (Munger Shaw Road).

THEREFORE, BE IT RESOLVED, That St. Louis County enters into MnDOT Agreement No. 1055821 with the State of Minnesota Department of Transportation to provide for payment by the State to the County of the State's share of the costs of the left-turn lane construction, and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 2 at the junction of County Road No. 223 (Munger Shaw Road) under State Project No. 6908-71 (T.H. 2=203).

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 CP 0223-674639, SAP 069-596-018. State funds will be receipted into Fund 220, Agency 220767, Object 532304.

Adopted February 6, 2024. No. 24-78

WHEREAS, The RAISE Grant Program provides federal funding grant opportunities for surface transportation projects that will improve safety, environmental sustainability, quality of life, mobility and community connectivity and economic competitiveness; and

WHEREAS, The 2024 RAISE Grant solicitation will provide up to \$1.5 billion with a maximum funding request of \$25 million; and

WHEREAS, The St. Louis County Public Works Department proposes to submit a funding application to the RAISE Grant Program to obtain funding for the Rice Lake Road (CSAH 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 RAISE Grant 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 February 6, 2024. No. 24-79

WHEREAS, The Public Works Department's 2024 equipment budget includes funding for the replacement of two (2) sign trucks; and

WHEREAS, The Public Works Department, in tandem with the Purchasing Division, has solicited proposals for the purchase of two (2) sign trucks; and

WHEREAS, Proposals were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 27, 2023; and

WHEREAS, Custom Truck One Source, Inc., of St. Paul, Minnesota, was the sole responder, whose proposal demonstrated the clear capability and capacity to fulfill the purpose of the Request for Proposals in a cost-effective manner.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of two (2) sign trucks from Custom Truck One Source, Inc., of St. Paul, Minnesota, inclusive of additional fees and taxes for a total cost of \$868,618.00, payable from Fund 407, Agency 407001, Object 666300.

Adopted February 6, 2024. No. 24-80

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0006-725970, SAP 069-606-031 (Low)(Low Prime); CP 0012-730398, SAP 069-612-019 (Br 103)(Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on January 11, 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:

LOW BIDDER

ADDRESS

AMOUNT

Veit & Company, Inc.

14000 Veit Place

\$2,589,881.20

Rogers, MN 55374

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 0006-725970, SAP 069-606-031 (Low)(Low Prime);

Fund 220, Agency 220768, Object 652700 – State Aid Funds - \$643,199.40

Fund 204, Agency 204267, Object 652806 – Transportation Sales Tax Funds - \$1,469,721.00 CP 0012-730398, SAP 069-612-019 (Br 103)(Tied)

Fund 220, Agency 220724, Object 652700 – State Aid and Soil & Water Conservation District Funds - \$476,960.80

Adopted February 6, 2024. No. 24-81

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 February 6, 2024. No. 24-82

WHEREAS, The County Debt Policy was last updated in 2018; and

WHEREAS, Terminology for leases has changed based on Governmental Accounting Standards Board (GASB) Standard 87 since the last update.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board adopts a new County Debt Policy, a copy of which can be found in Board File No. 62109, which incorporates GASB Standard 87.

RESOLVED FURTHER, That County Board Resolution No. 18-204 is hereby rescinded.

Adopted February 6, 2024. No. 24-83

WHEREAS, Congressionally chartered veteran organizations have a primary purpose of serving veterans, demonstrate commitment to veterans through sizeable organizational membership or performance of veterans services, and commit a significant portion of the organization's assets to veterans services; and

WHEREAS, Congressionally chartered veteran organizations, and the hospitality and fellowship opportunities they provide, are critical to the well-being of our military veterans; and

WHEREAS, Congressionally chartered veteran organizations owning real property in St. Louis County have suffered negative financial impacts due to the COVID-19 pandemic; and

WHEREAS, Nationwide the hospitality industry has experienced an approximately 17 percent decline in employment and 24 percent decline in revenue, on net, due to the COVID-19 pandemic; and

WHEREAS, The St. Louis County Board on December 14, 2021, adopted Resolution No. 21-721 directing administration to establish a process to offset these financial impacts in an amount no greater than their total 2021 property taxes; and

WHEREAS, The Board on December 13, 2022, adopted Resolution No. 22-673 directing administration to establish a process to offset these financial impacts in an amount no greater than their total 2022 property taxes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby approves the continued expenditure of American Rescue Plan Act (ARPA) funds to ameliorate negative financial impacts suffered by congressionally chartered veteran organizations owning property in St. Louis County due to the COVID-19 pandemic.

RESOLVED FURTHER, That the St. Louis County Board directs County Administration to establish a process by which these organizations may apply for ARPA funds to offset these financial impacts, in an amount no greater than their total 2023 property taxes.

Adopted February 6, 2024. No. 24-84

WHEREAS, St. Louis County receives iron ore royalties from tax-forfeited minerals; and WHEREAS, Minn. Stat. § 298.2215 allows a county to establish a scholarship program for local high school graduates.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board allocates and directs County Administration to distribute 2024 mineral royalties scholarship program funds in the amount of \$150,000 from Fund 100, Agency 104015, Object 590500.

RESOLVED FURTHER, That the Board approves the disbursement of scholarship funds for the 2024-2025 school year as follows:

• Minnesota North College Mesabi Range Foundation: \$37,500

- Minnesota North College Hibbing Foundation: \$37,500
- Minnesota North College Vermilion Foundation: \$37,500
- Lake Superior College Foundation: \$37,500

RESOLVED FURTHER, That the Board approves the annual allocation of remaining mineral royalties funds, which have not been previously committed, for growing a fund for a future corpus.

Adopted February 6, 2024. No. 24-85

WHEREAS, The State of Minnesota "Statewide Affordable Housing Aid" was approved as part of in the State 2023 Legislative Session as authorized by Minn. Stat. §477A.36 Statewide Local Housing Aid; and

WHEREAS, Funds distributed under this aid program must be spent on a qualifying project; and

WHEREAS, The County has identified supportive housing a priority to use the aid consistent with project eligibility criteria while working on a longer-term policy proposal; and

WHEREAS, There is a need for financial support to Center City Housing Corporation for the construction of a 60-unit Wadena West Apartments Supportive Housing project in the amount of up to \$300,000; and

WHEREAS, The County Board supports that the project qualifies for the aid; and

WHEREAS, Funding is available through the State of Minnesota FY 2024 "Statewide Affordable Housing Aid".

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a one-time financial grant contribution to Center City Housing Corporation in the amount of up to \$300,000 for Wadena West Apartments construction costs.

RESOLVED FURTHER, That if necessary, appropriate County officials are authorized to negotiate the terms and conditions and execute appropriate grant/funding agreement(s) for a 20-year deferred loan and its associated security with the Center City Housing Corporation.

RESOLVED FURTHER, That issuance of the agreement to Center City Housing Corporation will be conditional upon Center City Housing Corporation securing all development funding by December 31, 2024.

Adopted February 6, 2024. No. 24-86

WHEREAS, The St. Louis County Board had established a committee in 2018 to review the operations and maintenance of the St. Louis County Heritage and Arts Center (Depot); and

WHEREAS, It has been recommended to place a 1.0 FTE Maintenance Worker/Helper at the Depot to better control building operations, save costs, and help guide the building into future building projects related to the HVAC upgrades and the Northern Light Express.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a 1.0 FTE Maintenance Worker/Helper to provide maintenance services for the St. Louis County Heritage and Arts Center (Depot), payable from Fund 155, Agency 155001.

Adopted February 6, 2024. No. 24-87

WHEREAS, Since the initial addition of an Urban 4-H Youth Educator position assigned to the Depot in 2023, the Cooperative Extension Committee has discussed and recommended the creation of an additional Extension Educator Agriculture & Natural Resources position to develop an

agritourism role for St. Louis County; and

WHEREAS, The Committee also unanimously recommended approval of short-term temporary program staff to assist with the delivery of 4-H afterschool programs county-wide (Urban 4-H Youth Educator assigned to the Depot);

THEREFORE BE IT RESOLVED, That the St. Louis County Board approves and authorizes the appropriate county officials to sign the second amendment to the 2022-2024 Memorandum of Agreement with the University of Minnesota Extension creating an additional Extension Educator Agriculture & Natural Resources position and a short-term temporary program staff for 4-H afterschool programs in St. Louis County, totaling \$76,224 in 2024 (pro-rated for balance of 2024 based on employment dates), \$66,814 payable from Fund 100, Agency 104500, Object 629900 and \$9,410 payable from Fund 184, Agency 186010, Object 629900.

Adopted February 6, 2024. No. 24-88

WHEREAS, The St. Louis County Board is required by Minn. Stat. § 204B.21, Subd. 2, to appoint election judges for precincts located in unorganized townships and election judges performing election-related duties assigned by the county auditor; and

WHEREAS, The appointments shall be made at least 25 days before the election at which the election judges will serve; and

WHEREAS, The St. Louis County Board is responsible for setting election judge compensation rates for state and county elections in unorganized townships.

THEREFORE, BE IT RESOLVED, That the County Board appoints election judges for unorganized townships, as on file in Board File No. 62112, for the 2024 election cycle at a rate of \$13.50 per hour where funding will be from Auditor/Elections: Fund 100, Agency 127001, Object 635300.

RESOLVED FURTHER, That the County Auditor and/or Clerk of the County Board may make election judge appointments to fill vacancies should they occur.

Adopted February 6, 2024. No. 24-89

WHEREAS, The City of Duluth has formally established a Parks and Recreation Commission; and

WHEREAS, Under the by-laws of the Commission, St. Louis County is authorized to appoint one representative of the County Board to serve on the Commission for an indefinite term.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby appoints the following representatives to the Duluth Parks and Recreation Commission with terms expiring December 31, 2024:

Commissioner Grimm, Representative Commissioner Boyle, Alternate

Adopted February 6, 2024. No. 24-90

WHEREAS, Historically, the Public Records and Property Valuation Department has maintained and funded a GIS position to leverage the subject matter expertise required for assessment and recording related functions; and

WHEREAS, Currently, the vacant 1.0 FTE GIS Principal Position is not funded within the Public Records and Property Valuation Department adopted 2024 budget; and

WHEREAS, Data Fund Integration fund funding is available; and

WHEREAS, The Public Records and Property Valuation Department is requesting funding in the amount of \$91,000 for FY2024 as well as in future years to meet the current and ongoing GIS needs of the Public Records and Property Valuation Department; and

WHEREAS, Due to the current activities in the Recorder's Office, working towards the purchase and installation of a new system to include data integration and aggregation, this funding stream is appropriate and closely aligned with the goals of the related statutory provision.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of the Data Fund Integration fund to fund the vacant 1.0 FTE GIS Principal Position within the Public Records and Property Valuation Department.

Adopted February 6, 2024. No. 24-91

WHEREAS, Surface Leases L34180009 and L34180010, located on tax-forfeited lands in Basset Township (T59N-R12W), were granted to Teck American, Inc., pursuant to Minn. Stat. § 282.04, subd. 1(f), for a period of ten (10) years; and

WHEREAS, The Leases permit assignment to another entity with the written approval of the County; and

WHEREAS, Transfer and assignment of the Leases will support continuing a responsible mining operation within Basset Township (T59N-R12W) and the generation of public revenue to the Tax-Forfeited Land Trust.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the assignment of Surface Leases L18230009 and L18230010 from Teck American, Inc., to NewRange Copper Nickel, LLC and authorizes the appropriate County officials to satisfy all steps necessary under the Leases to effect same.

Adopted February 6, 2024. No. 24-92

WHEREAS, St. Louis County may seek legislation to authorize the private sale of state tax-forfeited land notwithstanding the public sale requirements in Minnesota Statutes Chapter 282; and WHEREAS, St. Louis County's best interest would be served from a land management point of view if the tax-forfeited parcels described in County Board File No. 62114 are released for sale.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports legislation enabling the sale of state tax-forfeited land described in County Board File No. 62114.

Adopted February 6, 2024. No. 24-93

WHEREAS, The Minnesota Public Utilities Commission (PUC) issued a Notice of Comment Period for PUC Dock Number E-999/CI-23-151, "In the Matter of an Investigation into Implementing Changes to the Renewable Energy Standard and the Newly Created Carbon Free Standard under Minn. Stat. § 216B.1691"; and

WHEREAS, Woody biomass is currently not an eligible renewable energy source per Minn. Stat. § 216B.1691, subd. 1.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board recommends that the Minnesota Public Utilities Commission support the inclusion of woody biomass as an eligible renewable energy source per Minn. Stat. § 216B.1691.

Adopted February 6, 2024. No. 24-94

At 10:21 a.m., February 6, 2024, Commissioner Musolf, supported by Commissioner Jugovich, 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)