

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JUNE 28, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 28<sup>th</sup> day of June 2022, at 9:32 a.m., at the Culver Town Hall, Brookston, Minnesota, with the following members present: Commissioners Patrick Boyle, Ashley Grimm, Keith Musolf, Keith Nelson, Mike Jugovich, and Chair Paul McDonald - 6. Absent: Frank Jewell - 1.

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

Township Supervisor Ted Klein welcomed the Board to the Town of Culver and said that the township is interested in building a new town hall and is exploring grant opportunities. Culver Township Fire Chief, Joe Haag, said that the fire department is expanding by twenty people and they are looking to expand the hall so they can park all four fire trucks inside.

Commissioner Jewell entered the meeting at 9:38 a.m.

Chair McDonald opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Jim Ray, Fredenberg Township Board Chair, discussed concerns about gravel pits located in Fredenberg Township. Mr. Ray commented that a formal inspection should be made of all gravel pits in the township to ensure that active pits are compliant and inactive/closed pits are off the books. Melissa Bell, of Fredenberg, provided the Board with a handout relating to the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road, and said that the CUP was not valid.

At 9:45 a.m., a public hearing was conducted, pursuant to Resolution No. 22-350, adopted June 14, 2022, to gather public input on proposed Tax Abatement Financing for the City of Hermantown to assist Oppidan's plan to develop The Pillars of Hermantown, a senior living housing community. St. Louis County Planning and Community Development Director Matthew Johnson said that the tax abatement request is for \$300,000 from St. Louis County, with a \$300,000 match from the City of Hermantown, for a total \$600,000 combined tax abatement. The total project cost is \$37 million and will create 35 full-time jobs. Chair McDonald asked if there were any governmental entities who wished to speak regarding the proposed action. City of Hermantown Administrator John Mulder said that the location has been vacant for approximately twenty years and generates approximately \$7,500 in property taxes annually. Once complete, the property will generate approximately \$500,000 in property taxes annually. The project was approved by the city council without public subsidy; however, Oppidan requested financing due to increasing costs due to the pandemic. Steve Overom commented that he assisted the city with the contract; however, they were unable to get a Project Labor Agreement (PLA) in place for the project. Chair McDonald asked if there were any supporters who wished to speak regarding the proposed action. Dan Olson, Vice President of the Duluth Building and Construction Trades Council, said that the trades are in favor of the project; however, materials and labor has already been bid out. Project Labor Agreements (PLA) ensure that local people work on the project. In addition, a PLA includes a no strike clause. Chair McDonald asked if there were any opponents or citizens who wished to speak regarding the proposed action; no

one requested the opportunity to speak. At 10:16 a.m., Commissioner Nelson, supported by Commissioner Boyle, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Chair McDonald asked for a motion to consider authorizing up to \$300,000 in tax abatement financing and an agreement with the City of Hermantown to assist Oppidan's plan to construct The Pillars of Hermantown; no motion was made.

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

The Board recessed at 10:17 a.m. At 1:04 p.m., the Board reconvened with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, and Chair Mike Jugovich - 7. Absent: None - 0.

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

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-275, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Gnesen Township).—61738

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-276, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Lakewood Township).—61739

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-274, Minnesota State Auditor's 2022 Performance Measurement Program Report.—61740

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 22-277, Establish Public Hearing for Michael Clement Cartway Petition (Unorganized Township 56-16).—61741

Kevin Gray, County Administrator, and James Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 22-281, Appointment to the Civil Service Commission.—61742

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 22-282R, Amended St. Louis County Rural Ambulance Run Reimbursement Policy and Rescind Resolution No. 84-674.—61743

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 22-289, Joint Powers Agreement – Anti-Heroin Task Force Program.—61744

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-292, Approval of a Broadband Infrastructure Grant – Lakewood Township.—61745

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-293, Fire Protection/First Responder Services Contracts for Unorganized Territories – 2023.—61746

Kevin Gray, County Administrator, and Brian Fritsinger, Deputy Administrator, submitting Board Letter No. 22-295, Northern Minnesota Historic Mine Tour Project.—61747

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 22-296, Public Safety Answering Point Console Replacement Project.—61748

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 22-299, Resolution Declaring a State of Local Disaster in St. Louis County.—61749

Kevin Gray, County Administrator, and James Foldesi, County Engineer/Public Works Director, submitting County Drainage Authority Board Letter No. 22-01, Establishment of Hearing on County Ditch #4 Reestablishment of Records, Partial Abandonment Petition, and Petitioners Request for Attorney Fees.—61750

Jim Ray, Fredenberg Town Board Chair, submitting a Borrow Pit Inspection Checklist for the Lakehead/Kaneski gravel pit.—61751

Melissa Bell, Fredenberg Township, submitting a handout: Reason to void LTI Conditional Use Permit for 6464 Fredenberg Lake Road, Duluth, MN.—61752

Agreement between the City of Proctor and St. Louis County for the Reconstruction of 2<sup>nd</sup> Street Project – Local Road Improvement Program (CP 0000-617698/SAP 069-594-001).—22-339

Contract for County State Aid Highway Project between St. Louis County and Mattison Contractors, Inc., Knapp, WI, for the W-Beam Guardrail project on various highways within the County.—22-340

Upon motion by Commissioner Nelson, supported by Commissioner Boyle, resolutions numbered 22-351 through 22-265, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of June 14, 2022, are hereby approved.

Adopted June 28, 2022. No. 22-351

WHEREAS, The Public Works Department currently has a reconstruction project (CP 0056-493050, SAP 069-656-020) in design for construction on Morris Thomas Road scheduled for construction in 2023; and

WHEREAS, The City of Duluth has proposed improvements to their utility system and has agreed to pay the non-participating local share items; and

WHEREAS, An agreement which outlines the responsibilities of both St. Louis County and the City of Duluth needs to be authorized to deliver the project to completion.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an

agreement, and any amendments approved by the County Attorney, with the City of Duluth for CP 0056-493050, SAP 069-656-020 with funds from the City of Duluth receipted into Fund 220, Agency 220595, Object 551501.

Adopted June 28, 2022. No. 22-352

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for project CP 0101-235499, SP 069-701-007; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on May 26, 2022, 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>
KGM Contractors, Inc.	9211 Hwy. 53 Angora, MN 55703	\$676,771.71

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 Fund 220, Agency 220706, Object 652700 – Municipal State Aid, Motor Vehicle Lease Sales Tax and Federal Funds - \$676,771.71.

Adopted June 28, 2022. No. 22-353

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. 61635.

Adopted June 28, 2022. No. 22-354

RESOLVED, That the St. Louis County Board establishes a public hearing at 9:40 a.m., on July 12, 2022, in the Kabetogama Town Hall, 9707 Gamma Road, Kabetogama, MN, for the purpose of considering the issuance of an Off-Sale Intoxicating Liquor License for The Lake Effect Restaurant, Inc. dba Lake Effect Restaurant & Bar, Gnesen Township.

Adopted June 28, 2022. No. 22-355

RESOLVED, That the St. Louis County Board establishes a public hearing at 9:45 a.m., on July 12, 2022, in the Kabetogama Town Hall, 9707 Gamma Road, Kabetogama, MN, for the purpose of considering the issuance of an Off-Sale Intoxicating Liquor License for KDRS LLC dba The Breeze Inn, Lakewood Township.

Adopted June 28, 2022. No. 22-356

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 Paul Bunyan Communications (PBC) to St. Louis County's Broadband Infrastructure Grant program in the amount up to \$101,250 for a broadband public infrastructure construction project for the Ash Lake Area, which is in Unorganized Township 66-20; 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 Act Plan.

RESOLVED FURTHER, That the St. Louis County Board approves the Broadband Infrastructure Grant program request in the amount up to \$101,250 to be used for a broadband public infrastructure construction project in the Ash Lake Area.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate County officials to enter into and execute any funding agreement(s) and associated documents as necessary to administer the program, comply with the American Rescue Plan Act and fund projects, payable from Fund 239, Object 239054 or its designated fund.

RESOLVED FURTHER, That the applicant 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 June 28, 2022. No. 22-357

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board recently adopted Resolution No. 22-267, supporting the utilization of revenue loss dollars to maximize opportunities to work with a variety of providers on projects identified by the Board and consistent with the ARPA framework adopted by the Board; and

WHEREAS, The YWCA Duluth has identified a project to complete deferred repairs and maintenance to its Spirit Valley location which will assist a group of individuals and a community disproportionately impacted by the pandemic; and

WHEREAS, The YWCA Duluth has submitted documentation seeking funding assistance in the amount of \$108,534 from the County's ARPA funds to support the proposed facility repairs.

THEREFORE, BE IT RESOLVED, That after an initial review of the Project Eligibility form, application and other submitted materials, the project proposed has been determined to be

eligible as it is considered an enumerated use within a disproportionately impacted community by the pandemic.

RESOLVED FURTHER, That the St. Louis County Board approves the use of \$108,534 of Economic Development/ARPA funding for the YWCA Duluth (Spirit Valley Facility Repairs Project).

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

RESOLVED FURTHER, That the above project be payable from either Fund 239, American Rescue Plan Act or if more appropriate, Fund 178, Agency 178008.

Adopted June 28, 2022. No. 22-358

RESOLVED, That 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. 61624, is hereby approved and the County Auditor is authorized to issue the license to the following establishment:

Chaulklin Enterprises Inc. dba The Natural Choice, City of Cook, new.

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 June 28, 2022. No. 22-359

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. 61626, are hereby approved and the County Auditor shall issue checks in the following amounts:

100	General Fund	7,614,649.67
149	Personal Service Fund	730.67
155	Depot	73,594.08
160	MN Trail Assistance	17,439.54
169	Attorney Trust Accounts – VW	1,680.95
170	Boundary Waters – Forfeiture	5,000.00
173	Emergency Shelter Grant	78,392.01
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	76,962.80
179	Enhanced 9-1-1	644.40
180	Law Library	12,398.70
183	City/County Communications	301.74
184	Extension Service	45,333.85
192	Permit to Carry	5,022.67
200	Public Works	3,027,273.34
204	Local Option Transit Sales Tax	156,544.18
215	Ditching	13,508.25
220	State/Federal Road Aid	1,874,977.39
230	Public Health & Human Services	8,009,021.08

238	PHHS Conference	6,250.81
239	Pandemic Response Fund	573,008.91
240	Forfeited Tax	452,138.38
260	CDBG Grant	208,308.58
270	HOME Grant	39,313.02
288	Septic Loans – Env Trust Fund	47,361.00
289	ISTS Grant	67,885.96
290	Forest Resources	72,552.16
400	County Facilities	101,403.10
405	Public Works Building Const.	1,839.42
407	Public Works – Equipment	8,988.30
449	2020A – TST Bond	62,825.95
450	2021A – Capital Improvement	3,000.00
600	Environmental Services	686,981.15
715	County Garage	92,037.91
720	Property Casualty Liability	9,278.94
730	Workers Compensation	189,756.53
740	Medical Dental Insurance	1,419,942.44
770	Retired Employees Health Ins.	486.74
		<u><b>\$25,056,900.59</b></u>

Adopted June 28, 2022. No. 22-360

WHEREAS, Benefits to St. Louis County for participation in the Minnesota Council on Local Results and Innovation comprehensive performance measurement program are outlined in Minn. Stat. § 6.91 and include eligibility for a reimbursement as set by state statute; and

WHEREAS, Any city/county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The St. Louis County Board has adopted and implemented ten of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports continued participation in the Minnesota State Auditor's Performance Measurement Program.

RESOLVED FURTHER, That St. Louis County will continue to report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the city's/county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

RESOLVED FURTHER, That the St. Louis County Board approves submission of the 2022 St. Louis County Performance Measures Report found in County Board File No. 61740.

Adopted June 28, 2022. No. 22-361

WHEREAS, A cartway petition has been presented to the St. Louis County Board by, Michael Clement, the owner of property described as E ½ of SE ¼ of NE ¼ and NE ¼ of SE ¼, Section 8, Township 56N, Range 16W, containing at least five (5) acres of land which has no established access to it, except over the lands of others, to connect the petitioners land to a public road.

THEREFORE, BE IT RESOLVED, That pursuant to Minn. Stat. § 164.08, Subd. 2, a public hearing shall be held at 9:35 a.m. on Tuesday, July 26, 2022, at the Rice Lake City Hall, 4107 Beyer Rd., Rice Lake, MN, 55803, to hear the cartway petition of Michael Clement to establish a cartway over the property of Roberta Bouley and Northland Constructors of Duluth, private owners, described as West 300 feet of the NW ¼ of NW ¼, Section 9, Township 56N, Range 16W (“Bouley property”) and SW ¼ of NW ¼, Section 9, Township 56N, Range 16W and SE ¼ of NW ¼, Section 9, Township 56N, Range 16W.

The location of the cartway on these properties is proposed to be as illustrated on “Exhibit A” of the attached Petition and further described in the attached survey from Northern Lights Survey both found in County Board File No. 61741.

RESOLVED FURTHER, That all affected landowners are entitled to judicial review of damages and need for the cartway, pursuant to Minn. Stat. § 164.08, Subd. 7, following a determination to establish the cartway.

Adopted June 28, 2022. No. 22-362

RESOLVED, That the St. Louis County Board appoints Brittany Jacobson as a regular member of the Civil Service Commission for a three-year term ending June 28, 2025.

Adopted June 28, 2022. No. 22-363

WHEREAS, On October 9, 1984, the St. Louis County Board approved Resolution No. 84-674 establishing a policy that reflects rates for the Rural Ambulance Run Reimbursement Policy; and

WHEREAS, The Sheriff’s Office has recently identified a need to revise and increase this aged resolution as an incentive for agencies to continue providing emergency ambulance services within rural St. Louis County; and

WHEREAS, A multi-year analysis was done, and it is recommended that the rate of \$16.00 per emergency run be increased to \$23.00 and the \$0.22 mileage rate remain unchanged; and

WHEREAS, St. Louis County will continue to require the same reporting criteria as stated; and

WHEREAS, Minn. Stat. § 383C.201 provides that “[t]he Board of County Commissioners of St. Louis County may contract with the owner, owners, or operators of a licensed ambulance upon such terms and conditions as may be agreed upon between them for the use of ambulance service in the county,” and that “[t]he board may appropriate all money necessary to carry out the provisions of this section.”

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the amended Rural Ambulance Run Reimbursement Policy including an emergency run rate of \$23.00 per run and \$0.22 mileage rate.

RESOLVED FURTHER, That the St. Louis County Board rescinds Resolution No. 84-674.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to negotiate and execute ambulance-service contracts that are consistent with the amended policy pursuant to Minn. Stat. § 383C.201.

Adopted June 28, 2022. No. 22-364

RESOLVED, That the appraisal reports for the sale of timber to be offered at DECORATIVE PRODUCTS SEALED BID AUCTION, Tracts 1 through 7 (totaling \$73,646.30), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File



No. 61625, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted June 28, 2022. No. 22-365

Upon motion by Commissioner Nelson, supported by Commissioner Jewell, resolutions numbered 22-366 through 22-381, as submitted on a second consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a 0.19-mile-long segment of Leiding Township Road 7992 (Johnson Road) and replace the existing County Bridge 777 (State Bridge L9571) spanning the Pelican River one mile south of Orr in Leiding Township (CP 7992-398713, SAP 069-599-049); and

WHEREAS, Acquisition of right-of-way for this project was authorized by County Board Resolution No. 21-110 adopted on February 9, 2021; and

WHEREAS, The following described parcels of needed right-of-way have not yet been acquired by negotiation and direct purchase:

Parcel 1 Owners and Interests:

John P. Luoma, a single man, fee owner.  
10635 Johnson Road  
Orr, Minnesota 55771

Virginia Cooperative Credit Union, mortgagee  
307 1<sup>st</sup> Street North  
P.O. Box 1225  
Virginia, Minnesota 55792

Property Legal Description:

Beginning at the quarter post between Sections 7 and 18, in Township 64, North of Range 19, go South 53 rods to the south bank of the Pelican River; thence South 27 rods to center post; thence 80 rods to 1/16 post; thence West 76 rods to bank of Elbow River; thence North 52 rods to a bend in the river; thence by offsetting go 54 rods East to a bend in the river; thence North 28 rods to east bank of river; thence East 20 rods to the 1/16 post leaving the river as a boundary line on the West of the Northeast Quarter of Northwest Quarter (NE 1/4 of NW 1/4), containing 34.5 acres, more or less; also four acres in the Southeast corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4) of Section Eighteen (18) from the river South to the 1/16 post and the river North and West as a boundary line, all of the above described land being in the Northwest Quarter of Section 18, Township 64, North of Range 19, St. Louis County, Minnesota.

EXCEPT

All that part of the Northeast Quarter of Northwest Quarter (NE 1/4 of NW 1/4), Section Eighteen (18), Township Sixty-four (64) North of Range Nineteen (19) West of the Fourth Principal Meridian described as follows:

South of the South bank of Pelican River and North of the North right-of-way line of Highway No. 7992.

(P.I.N. # 425-0010-02800 Abstract property)

Property Physical Address:  
10635 Johnson Road  
Orr, Mn 55771

Rights to be acquired:

An 80.00 foot wide PERMANENT EASEMENT for Highway purposes over, under, and across the above-described property. The center line of this easement is described as follows:

Commencing at the northwest corner of Section 18, Township 64 North, Range 19 West and assuming that the west line of the northwest quarter of said Section 18 bears South 00 degrees 45 minutes 46 seconds West; thence South 68 degrees 38 minutes 29 seconds East a distance of 2631.95 feet to the point of beginning of the center line to be described; thence South 22 degrees 05 minutes 46 seconds East a distance of 86.75 feet; thence along a tangential curve, concave to the northeast, having radius of 250.00 feet and central angle of 52 degrees 30 minutes 00 seconds for a distance of 229.07 feet; thence South 74 degrees 35 minutes 46 seconds East a distance of 240.10 feet; thence along a tangential curve, concave to the southwest, having radius of 250.00 feet and central angle of 05 degrees 54 minutes 20 seconds for a distance of 25.77 feet; thence South 68 degrees 41 minutes 26 seconds East for a distance of 83.49 feet and there terminating. The easement sidelines are lengthened or shortened to terminate at the east and north property lines.

Described permanent easement contains approximately 0.60 acre, of which 0.32 acre is existing roadway and 0.28 acre is new highway right of way.

TOGETHER WITH a TEMPORARY CONSTRUCTION EASEMENT over a 10.00-foot-wide strip of land westerly of, and adjacent to, the above-described permanent easement and lying between the north property line and a line drawn perpendicular to the highway center line from engineer's station 21+00.

Described Temporary Easement contains approximately 0.03 acre and shall automatically expire on December 31, 2023.

Parcel 3 Owners and Interests:  
Nicholas Gibson and Stacie Gibson, a married couple, fee owners.  
10642 Johnson Road  
Orr, Minnesota 55771

U.S. Bank Home Mortgage, mortgagee  
7601 Penn Ave. S., Ste A1  
Richfield, Minnesota 55423

Property Legal Description:

Beginning at the northeast quarter (NE 1/4) post of the northwest quarter (NW 1/4) of Section Eighteen (18) in Township Sixty-four (64) North of Range Nineteen (19) West of the Fourth Principal Meridian, go west Six Hundred Twenty-four feet (624'); thence southerly along the Town Road as at present laid out, One Thousand Thirty feet (1030'); thence East Three Hundred Thirty-seven feet (337'); thence North Seven Hundred Twenty-five feet (725') to the place of beginning, containing nine acres, more or less.  
(P.I.N. # 425-0010-02760 Abstract property)

Property Physical Address:  
10642 Johnson Road  
Orr, Mn 55771

Rights to be acquired:

A PERMANENT EASEMENT for Highway purposes over, under, and across all that part of the above-described property lying west of a line 40.00 feet east of, and parallel with, the following described highway center line:

Commencing at the northwest corner of Section 18, Township 64 North, Range 19 West and assuming that the west line of the northwest quarter of said Section 18 bears South 00 degrees 45 minutes 46 seconds West; thence South 75 degrees 08 minutes 23 seconds East a distance of 2465.27 feet to the point of beginning of the line to be described; thence South 19 degrees 01 minutes 49 seconds East a distance of 65.83 feet; thence along a tangential curve, concave to the west having radius of 250.00 feet and central angle of 11 degrees 56 minutes 02 seconds for a distance of 52.07 feet; thence South 07 degrees 05 minutes 46 seconds East a distance of 151.46 feet; thence along a tangential curve, concave to east, having radius of 250.00 feet and central angle of 15 degrees 00 minute 00 seconds for a distance of 65.45 feet; thence South 22 degrees 05 minutes 46 seconds East a distance of 86.75 feet and there terminating. The easement sidelines are lengthened or shortened to terminate at the south and west property lines.

Described permanent easement contains approximately 0.49 acre, of which 0.44 acre is existing roadway and 0.05 acre is new highway right of way.

TOGETHER WITH a TEMPORARY CONSTRUCTION EASEMENT over a 10.00-foot-wide strip of land east of, and adjacent to, the above-described Permanent Easement and lying between the Pelican River and a line drawn perpendicular to the highway center line from engineer's station 17+75.

AND TOGETHER WITH a TEMPORARY CONSTRUCTION EASEMENT over a 10.00 foot-wide strip of land east of, and adjacent to, the above-described Temporary Construction Easement and lying between the Pelican River and a line drawn perpendicular to the highway center line from engineer's station 19+00.

Described Temporary Easement areas contain a total of approximately 0.07 acre and shall automatically expire on December 31, 2023.

THEREFORE, BE IT RESOLVED, Pursuant to Minn. Stat. §163.02 and 117.012 et.al., the St. Louis County Board authorizes the County Attorney to acquire the remaining right of way necessary for the project through eminent domain proceedings payable from Fund 200, Agency 203001, Objects 636500, 636600 and 637500.

Adopted June 28, 2022. No. 22-366

WHEREAS, The Minnesota Department of Transportation (MnDOT) has prepared a project for the landscaping and aesthetic features construction upon, along and adjacent to Trunk Highway (TH) 135 from 760 feet west of 1<sup>st</sup> Avenue North to 730 feet west of County State Aid Highway (CSAH) 4 in the City of Biwabik (CP 0000-597354, SAP 069-596-015); and

WHEREAS, The City of Biwabik applied for and was awarded Transportation Alternatives (TA) Federal Aid funds to complete landscaping and aesthetic feature construction upon, along and adjacent to TH 135 within the city; and

WHEREAS, St. Louis County was required to act as the City of Biwabik's sponsor to receive and disburse the TA Federal Aid funds; and

WHEREAS, St. Louis County must enter into a cooperative construction agreement with MnDOT to receive and disburse the TA Federal Aid funds to the City of Biwabik for the landscaping and aesthetic features construction upon, along and adjacent to TH 135 from 760 feet west of 1<sup>st</sup> Avenue North to 730 feet west of CSAH 4 in the City of Biwabik (CP 0000-597354, SAP 069-596-015).

THEREFORE, BE IT RESOLVED, That St. Louis County enters into MnDOT Agreement No. 1049853 with the State of Minnesota Department of Transportation for the following purposes:

To sponsor the City of Biwabik's Transportation Alternatives Federal Aid for the share of the costs of the landscaping and aesthetic features construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway 135 from 760 feet west of 1<sup>st</sup> Avenue North to 730 feet west of County State Aid Highway No. 4 within the corporate City limits of Biwabik, under State Aid Project No. 069-596-015 and State Project No. 6912-80 (TH 135=035).

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

RESOLVED FURTHER, That TA Federal Aid funds for this project are estimated to be \$269,606.11 and will be accounted for in Fund 220, Agency 220707, Object 540702.

Adopted June 28, 2022. No. 22-367

WHEREAS, The Virginia and Eveleth-Gilbert School Districts merged into the Rock Ridge School District in 2020; and

WHEREAS, The Rock Ridge school campus is currently under construction and is located in the City of Eveleth; and

WHEREAS, The Minnesota Department of Transportation, St. Louis County, City of Eveleth, City of Virginia, St. Louis and Lake Counties Regional Railroad Authority, and the Rock Ridge School District are working through a cooperative effort to accomplish transportation improvements for the Rock Ridge school; and

WHEREAS, The Minnesota Department of Transportation and St. Louis County submitted grant proposals to the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program and the Nationally Significant Multimodal Freight and Highway Projects (INFRA) Grant Program as part of the Multimodal Project Discretionary Grant (MPDG) Opportunity to fund the transportation improvements, which programs are part of the Infrastructure Investment and Jobs Act (IIJA); and

WHEREAS, In anticipation of project funding and to be prepared to deliver the components of the Rock Ridge school transportation improvements for which St. Louis County is responsible, the Public Works Department is leading the preliminary planning, environmental and design engineering services for the new Progress Parkway Extension roadway; and

WHEREAS, The Public Works Department has identified the need to secure an engineering consultant to assist with the development of this new roadway; and

WHEREAS, The Public Works Department has selected Sambatek to provide the preliminary planning, environmental and design engineering services for the project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a professional services agreement, and approves any amendments authorized by the County Attorney, with Sambatek to perform preliminary planning, environmental and design engineering services for County State Aid Highway 142 (Progress Parkway Extension) located in the City of Eveleth (CP 0142-592214) with the total cost of these services not-to-exceed \$1,135,525, payable from Fund 200, Agency 203623, Object 626600.

Adopted June 28, 2022. No. 22-368

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. 61635.

Adopted June 28, 2022. No. 22-369

WHEREAS, The Human Resources Department periodically reviews job classifications which are no longer being used and are not anticipated to be needed again in the foreseeable future; and

WHEREAS, The Civil Service Commission approved six (6) classified job classes for abolishment at their June 20, 2022 Civil Service Commission meeting; and

WHEREAS, The Human Resources Department recommends that the County Board approve the abolishment of the following job classes: Blacksmith, Community Development Representative, Forest Recreation Specialist, Resource Data Supervisor, Tax Forfeited Land Coordinator, and Workers' Compensation Administrator.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes abolishing the job classification titles of: Blacksmith, Community Development Representative, Forest Recreation Specialist, Resource Data Supervisor, Tax Forfeited Land Coordinator, and Workers' Compensation Administrator, effective immediately.

Adopted June 28, 2022. No. 22-370

WHEREAS, Beginning in 2021, the St. Louis County Sheriff's Office has faced twenty-one opiate-related overdose cases, in which four resulted in death and classified as 3<sup>rd</sup> degree murder investigations; and

WHEREAS, These investigations consume extensive manpower and often last weeks and/or months, resulting in significant personnel costs; and

WHEREAS, This Joint Powers Agreement (JPA) gives the St. Louis County Sheriff's Office the opportunity to work with the Bureau of Criminal Apprehension (BCA) to investigate illicit activities related to the distribution of heroin or unlawful distribution of prescription opioids, and submit overtime reimbursement as allowed under the Community Oriented Policing Services Anti-Heroin Task Force Program; and

WHEREAS, This JPA will expire five years from the date of execution unless terminated with or without cause, upon 30 days written notice to either party, or if federal funding is no longer available.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the JPA with the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the BCA, to participate in the Minnesota Anti-Heroin Task Force Program and authorizes the appropriate county officials to sign the agreement.

Adopted June 28, 2022. No. 22-371

WHEREAS, Public Works has reviewed the needs and conditions of the existing garages, cold storage buildings and salt/sand domes to determine potential replacements and consolidations and is proceeding with replacement of one new campus in Kugler Township to replace the two garages located in Tower and Embarrass, one new campus near the Whiteface Reservoir to replace the two garages located in Brimson and Town of White, and construction of one new campus in Culver Township to replace the existing Brookston garage; and

WHEREAS, The Construction Manager at Risk (CMAR) 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 CMAR create a cohesive project design and delivery team and the selection committee chose McGough Construction, Incorporated of Duluth, MN, as the most qualified and competitively priced firm; and

WHEREAS, The CMAR holds a single contract with the County and holds all contracts directly with subcontractors, and bids for Bid Package 1 (RFB # 5731B) subcontractors and suppliers were opened on December 29, 2021, with an aggregate cost of the bid package for hard construction totaling in an amount not to exceed \$4,255,235; and

WHEREAS, The CMAR holds a single contract with the County and holds all contracts directly with subcontractors, and bids for Bid Package 2 (RFB # 5731C) subcontractors and suppliers were opened on April 29, 2022, with an aggregate cost of the bid package for hard construction totaling in an amount not to exceed \$5,304,808; and

WHEREAS, The CMAR holds a single contract with the County and holds all contracts directly with subcontractors, and bids for Bid Package 3 (RFB # 5731D) subcontractors and suppliers were opened on June 2, 2022, with an aggregate cost of the bid package for hard construction totaling in an amount not to exceed \$13,742,423.68; and

WHEREAS, The CMAR contract guaranteed maximum price (GMP) is an aggregate of combined subcontractor bids, construction project management and fees, and overall on-site project general conditions expenses for BP1, BP2 and BP3 with the cost for all of the general conditions and expenses is still being negotiated; and

WHEREAS, The building permits, negotiated fee for overhead and profit, project contingency, bond and insurance costs shall not exceed \$23,430,123.68.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an amendment of the professional services contract with McGough Construction, Inc., of Duluth, MN, and approve any amendments authorized by the County Attorney, for the CMAR services, with a GMP for the Public Works county wide improvements construction project in an amount not to exceed \$23,430,123.68.

RESOLVED FURTHER, That funding is available in Fund 450, Agencies 450002 (Culver), 450003 (Kugler) and 450004 (Whiteface), Object 660266 with costs split between these three agencies.

Adopted June 28, 2022. No. 22-372

WHEREAS, St. Louis County has in excess of \$607,737,563.00 in property to insure; and

WHEREAS, St. Louis County has been purchasing property insurance on a loss limit basis which is less expensive with lower deductibles than a scheduled buildings type of insurance; and

WHEREAS, The current policy expires on July 24, 2022, and St. Louis County received a proposal from the current insurer, Chubb Group of Insurance Companies, through Otis-Magie Insurance Agency of Duluth, MN, to provide coverage at the rate of \$.0701 per \$100 of value for the coming year.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase

of Property and Related Insurance coverage on major structures and equipment, amended contents, and boiler and machinery from Chubb Group of Insurance Companies through Otis-Magie Insurance Agency of Duluth, MN, for the period July 24, 2022, to July 24, 2023, at the annual premium of \$425,834.83. payable from: Fund 720 (Property, Casualty, Liability), Agency 720001 (Property, Casualty, Liability), Object 635100 (Insurance).

RESOLVED FURTHER, That the Purchasing Division is authorized to add or delete county properties to the policy or increase the base amount on future determination of valuation of county structures during the policy period.

Adopted June 28, 2022. No. 22-373

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 Mediacom, LLC on behalf of Lakewood Township, to St. Louis County's Broadband Infrastructure Grant program in the amount up to \$345,000 for a broadband public infrastructure construction project for the township; 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.

WHEREAS, St. Louis County will contract with Lakewood Township for funding requested through Mediacom, LLC for the broadband infrastructure project.

THEREFORE, BE IT RESOLVED, That after 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 Act Plan.

RESOLVED FURTHER, That the St. Louis County Board approves a Broadband Infrastructure Grant program award in the amount up to \$345,000 to Lakewood Township to be used for a broadband public infrastructure construction project in the Township.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate County officials to enter into and execute any funding agreement(s) and associated documents as necessary to administer the program, comply with the American Rescue Plan Act and fund projects, payable from Fund 239, Object 239054 or its designated fund.

RESOLVED FURTHER, Lakewood Township and 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 June 28, 2022. No. 22-374

WHEREAS, The St. Louis County Board is authorized to act on behalf of unorganized townships for purposes of furnishing fire protection and/or first responder services, pursuant to

Minn. Stat. § 365.243; and

WHEREAS, The following legally organized corporations under the State of Minnesota have notified St. Louis County of their intent to provide fire protection and/or first responder services in said townships for the year 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to levy for the furnishing of fire protection and/or first responder services in unorganized townships in the following estimated amounts, to be accounted for in Fund 148, Agency 148001, Object 699100 as detailed below:

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

<u>City of Babbitt</u>	
Unorganized Townships 61-12 & 61-13	\$81,884
<u>Bearville Township Volunteer Fire Dept.</u>	
Unorganized Township 62-21 & 63-21 (Sections 25-36)	\$9,760
<u>Central Lakes Volunteer Fire Dept.</u>	
Unorganized Township 56-17	\$54,600
<u>City of Chisholm</u>	
Unorganized Township 59-21	\$17,943
(Everything <u>except</u> 13041 Memory Lane through 13083 Memory Lane)	
<u>Colvin Volunteer Fire Dept.</u>	
Unorganized Township 55-14 & 55-15 (Sections 1-21 and 29 & 30)	\$19,950
<u>City of Cook</u>	
Unorganized Townships 62-17 & 63-17	\$15,750
<u>Ellsburg Volunteer Fire Dept.</u>	
Unorganized Township 55-15 (Sections 22-28 and 31-36)	\$5,078
<u>Embarrass Region Volunteer Fire Dept.</u>	
Unorganized Township 61-14	\$6,774
<u>Evergreen Volunteer Fire Dept.</u>	
Unorganized Townships 60-19 & 60-20	\$47,698
<u>City of Floodwood</u>	
Unorganized Township 52-21	\$16,530
<u>French Volunteer Fire Dept.</u>	
Unorganized Township 59-21 (13041 Memory Lane through 13083 Memory Lane)	\$1,406
<u>Gnesen Volunteer Fire Dept.</u>	
Unorganized Township 53-15	\$19,753
<u>Greenwood Township Volunteer Fire Dept.</u>	
Unorganized Township 63-15	\$10,500
<u>Lake Kabetogama Area Fire Dept.</u>	
Unorganized Townships 67-20, 67-21, 68-19, 68-20, 68-21 & 69-19	\$36,750
<u>Lakeland Volunteer Fire Dept.</u>	
Unorganized Township 57-16	\$80,850
<u>Makinen Volunteer Fire Dept.</u>	



Unorganized Township 56-16	\$46,200
<u>Morse-Fall Lake Rural Protection Assoc.</u>	
Unorganized Townships 63-14, 64-12, 64-13, 65-13 & 65-14	\$33,278
<u>Northland Volunteer Fire Dept.</u>	
Unorganized Township 53-16	\$18,900
<u>City of Orr</u>	
Unorganized Township 63-19, 63-21 (Sections 1-24), 64-21 (Section 21, NE ¼ of NE ¼), 64-21 (Sections 22-27), 64-21 (Section 28, SW ¼ of SW ¼), 64-21 (Section 29, SE ¼ of SE ¼ & SW ¼ of S/W ¼), 64-21 (Sections 30-36), & 66-20	\$13,461
<u>Palo Regional Volunteer Fire Dept.</u>	
Unorganized Townships 56-14, 57-14 & 58-14 (Sections 25-36)	\$37,800
<u>Pequaywan Lake Volunteer Fire Dept.</u>	
Unorganized Township 54-13	\$6,720
<u>Pike-Sandy-Britt Volunteer Fire Dept.</u>	
Unorganized Townships 59-16 & 60-18	\$58,944
<u>Silica Volunteer Fire Dept.</u>	
Unorganized Township 55-21	\$47,250

**Total Levy for Unorganized Township Fire  
Protection and/or First Responder Services**

**\$687,779**

Adopted June 28, 2022. No. 22-375

WHEREAS, On March 10, 2020, the St. Louis County Board adopted Resolution No. 20-124 authorizing a contribution in the amount of \$15,000 to the United Way of Northeastern Minnesota (UWNEMN) in support of a week of veteran-focused programming and events, including presentation of “The Wall that Heals: Vietnam Veterans Memorial Replica & Mobile Education Center” (“The Wall that Heals”); and

WHEREAS, Because the COVID-19 pandemic resulted in cancellation of the 2020 event, the County never made the original contribution; and

WHEREAS, The event has been rescheduled to occur in 2022, and The Wall that Heals was to be presented at the Chisholm football field from June 23-26, 2022.

WHEREAS, UWNEMN has requested a contribution in the amount of \$20,000 in support of the 2022 event and while the Board has already authorized a \$15,000 contribution, Board approval is needed for the additional \$5,000; and

WHEREAS, Such contribution is authorized pursuant to Minn. Stat. § 375.18, Subd. 10.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an additional contribution to UWNEMN in the amount of \$5,000 for use associated with The Wall that Heals, payable from Fund, 100 Agency 104001, Object 629900.

Adopted June 28, 2022. No. 22-376

WHEREAS, Visit Grand Rapids is serving as fiscal agent to the multi-organizational

Northern Minnesota Mine Tour Project promoting tourism and economic development within St. Louis County and the surrounding region; and

WHEREAS, Representatives of Visit Grand Rapids previously met with and presented its request for funding to the St. Louis County Board at its meeting on July 13, 2021; and

WHEREAS, Visit Grand Rapids has requested a one-time financial assistance grant in the amount of up to \$36,000; and

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

WHEREAS, Assisting the multi-organizational partnership with economic development strengthens the regional St. Louis County economy; and

WHEREAS, Funding is available through Economic Development funds; and

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

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves a one-time financial assistance grant contribution in the amount of up to \$36,000 to Visit Grand Rapids, fiscal agent to the multi-organizational partnership, to implement the Northern Minnesota Mine Tour Project.

RESOLVED FURTHER, That if necessary, the St. Louis County Board authorizes the appropriate County officials execute appropriate funding agreement(s) and associated documents, payable from Fund 178, Object 311008 or its designated fund.

Adopted June 28, 2022. No. 22-377

WHEREAS, The Sheriff's Office has identified a need for new Public Safety Answering Point (PSAP) consoles; and

WHEREAS, Design, capabilities and product line needs for this replacement project fall under a single source procurement justification; and

WHEREAS, Russ Bassett has designed and implemented an electrical bonding component that will meet Motorola's bonding and grounding requirements in order to maintain the current warranty; and

WHEREAS, Russ Bassett has the ability to manufacture all of their own components needed for this project's scope of work and the ability to manufacture within the United States, which has resulted in timely productions without experiencing supply chain delay; and

WHEREAS, This console portion of this project will be funded from St. Louis County's State 911 fee allocation.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of fourteen (14) sit-stand PSAP consoles in the amount of \$389,882.88, payable from Fund 179, Agency 179001, Object 640300, and flooring materials furnished and installed from Russ Bassett in the amount \$138,500, also payable from Fund 179, Agency 179001, Object 640300 for a total estimated project value of \$528,382.

Adopted June 28, 2022. No. 22-378

WHEREAS, Due to severe Spring storms starting on May 29, 2022, St. Louis County sustained damages in the form of debris on roadways, trees down over power lines and roadways, and damage to utility infrastructure; and

WHEREAS, St. Louis County, Electrical CO-OP's, Townships and Cities are conducting a Damage and Impact Assessment Report for submission to Minnesota Homeland Security and

Emergency Management (HSEM) to determine eligibility for state public disaster assistance in accordance with Minn. Stat. § 12B.30; and

WHEREAS, The St. Louis County Sheriff's Office Division of Emergency Management requests that the St. Louis County Board declare St. Louis County in a STATE OF LOCAL DISASTER due to the May 29, 2022 severe storms.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners hereby declares a STATE OF LOCAL DISASTER in St. Louis County, Minnesota, due to conditions resulting from severe Spring Storms starting May 29, 2022 and request state public disaster assistance in accordance with Minn. Stat. § 12B.30, for any eligible storm recovery activities.

Adopted June 28, 2022. No. 22-379

WHEREAS, Approximately 5.5 million gallons of leachate from the Regional Landfill (Landfill) is collected, pumped and stored annually in two HDPE-lined ponds where it is aerated, denitrified and land applied on a 60 acre sprayfield; and

WHEREAS, The Landfill's Minnesota Pollution Control Agency (MPCA)-issued permit requires the Environmental Services Department (Department) conduct extensive surface and groundwater monitoring to ensure the leachate treatment system performs as intended, allowing the continuation of land application of leachate as the County's preferred leachate treatment option versus transport to a wastewater treatment facility; and

WHEREAS, In recent years, the MPCA (and the Environmental Protection Agency) identified Per- and Polyfluoroalkyl substances (PFAS) as an emerging water contaminant of interest resulting in landfill leachate coming under increased scrutiny and management requirements due to an increased presence of PFAS; and

WHEREAS, In 2019 and 2020, the Department contracted with Northeast Technical Services, Inc., the Department's environmental engineer, to construct, maintain, and evaluate the efficacy of a microcosm-scale Wetland Treatment System (WTS) designed to remove leachate contaminants of interest, including PFAS; and

WHEREAS, The results from the project were highly encouraging, prompting the Department to replicate its research efforts with the microcosm-scale WTS in 2021 and develop a larger scale WTS; and

WHEREAS, The Legislative-Citizen Commission on Minnesota Resources (LCCMR) issued a Request for Proposal for Fiscal Year 2022 projects that aim to protect, conserve, preserve, and enhance Minnesota's air, water, land, fish, wildlife, and other natural resources and uses Minnesota Environment and Natural Resources Trust Fund to fund approved projects; and

WHEREAS, The Department prepared a proposal for a grant in an amount up to \$501,000 to fund a demonstration project focused on development, implementation, and evaluation of a semi-passive, demonstration-scale engineered wetland treatment system with integrated outflow-filtration for reducing PFAS and other Landfill leachate contaminants of interest; and

WHEREAS, On March 23, 2021, the St. Louis County Board authorized Resolution No. 21-208 allowing the Department to submit the proposal to LCCMR; and

WHEREAS, On June 3, 2022, the LCCMR notified the Department that St. Louis County was awarded a \$446,000 grant for Fiscal Year 2022 from the Minnesota Environmental & Natural Resources Trust Fund for the Regional Landfill Leachate PFAS Reduction Demonstration Project; and

WHEREAS, Project costs incurred prior to July 1, 2022, and formal approval of the final work plan by the LCCMR are not eligible for grant reimbursement; and

WHEREAS, A local match is not required for this grant, but additional funds to support the project are proposed to be provided from American Rescue Plan Act Fund (Fund 239, Agency 239200).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Environmental Services Department to accept \$446,000 in grant funding from the Legislative-Citizen Commission on Minnesota Resources for a Fiscal Year 2022 Minnesota Environmental & Natural Resources Trust Fund Grant to fund the Regional Landfill Leachate PFAS Reduction Demonstration Project, Fund 600, Agency 607999, Object 530820, Grant 60701, Grant Year 2022.

Adopted June 28, 2022. No. 22-380

WHEREAS, Upgrades to the existing St. Louis County Regional Landfill (Landfill) leachate treatment system are required to meet new regulated parametric loading and groundwater permit standards; and

WHEREAS, The Landfill is the only mixed municipal solid waste (MSW) landfill in northeastern Minnesota, providing MSW disposal to the County's Solid Waste Management Area; and

WHEREAS, Landfill capacity is projected to last another twenty-two years based on current fill rates and potentially an additional fifty years based on Landfill expansion options currently being evaluated; and

WHEREAS, Approximately 5.5 million gallons of leachate from the Landfill is collected, pumped and stored annually in two HDPE-lined ponds where it is aerated, denitrified and land applied on a 60 acre sprayfield; and

WHEREAS, The Landfill's Minnesota Pollution Control Agency (MPCA) issued permit requires the Environmental Services Department (Department) to conduct extensive surface and groundwater monitoring to ensure the leachate treatment system performs as intended, allowing the continuation of land application of leachate as the County's preferred leachate treatment option versus transport to a wastewater treatment facility; and

WHEREAS, In recent years, the MPCA (and the Environmental Protection Agency) identified Per- and Polyfluoroalkyl substances (PFAS) as an emerging water contaminant of concern resulting in landfill leachate coming under increased scrutiny and management requirements due to an increased presence of PFAS; and

WHEREAS, In 2019 and 2020, the Environmental Services Department contracted with Northeast Technical Services, Inc., the Department's environmental engineer, to construct, maintain, and evaluate the efficacy of a microcosm-scale Wetland Treatment System (WTS) designed to remove leachate contaminants of interest, including PFAS; and

WHEREAS, The results from the project were highly encouraging, prompting the Department to replicate its research efforts with the microcosm-scale WTS in 2021 and develop a larger scale WTS; and

WHEREAS, The Department prepared a proposal to the LCCMR for a Fiscal Year 2022 Minnesota Environmental & Natural Resources Trust Fund grant and was recently awarded \$446,000 to assist the Department in funding a demonstration project focused on development, implementation, and evaluation of a semi-passive, demonstration-scale engineered WTS with integrated outflow-filtration for reducing PFAS and other Landfill leachate contaminants of concern; and

WHEREAS, The Department plans to submit a major permit modification application for the Landfill (Permit SW-405) to the MPCA by the end of 2022 to focus is on enhanced leachate treatment and to begin the process of expanding the Landfill's permitted boundary to position the facility to provide solid waste service far into the future; and

WHEREAS, Major permit modification approval by the MPCA will allow the County to construct and operate the enhanced leachate treatment system as part of a demonstration project; and

WHEREAS, Construction of two demonstration project wetland treatment ponds cells will be the first component completed for the demonstration project but does not qualify for LCCMR grant reimbursement with the remainder of components to be covered by \$446,000 grant allocation; and

WHEREAS, Mesabi Bituminous, Inc. submitted a quote to construct the wetland treatment ponds at a total cost of \$137,860.50; and

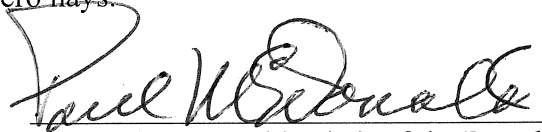
WHEREAS, St. Louis County seeks to invest \$10,000,000 in 2021-2024 American Rescue Plan Act funds through its Environmental Services Department to support the treatment of water within the St. Louis County Solid Waste Management Area; and

WHEREAS, U.S. Treasury guidance has identified clean water and landfill improvements to provide clean water as an eligible use of American Recovery Act Funds.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the quote from Mesabi Bituminous, Inc. for \$137,860.50 to construct two demonstration project wetland treatment ponds at the Regional Landfill from American Rescue Plan Fund 239, Agency 239200.

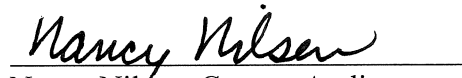
Adopted June 28, 2022. No. 22-381

At 1:05 p.m., June 28, 2022, Commissioner Jugovich, supported by Commissioner Grimm, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Paul McDonald, 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)