

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

September 7, 2021

Location: Government Services Center, Duluth, Minnesota

Present: Commissioners Jewell, Boyle, Grimm, McDonald, Musolf, Nelson and Chair Jugovich

Absent: None

Convened: Chair Jugovich called the meeting to order at 10:06 a.m.

CONSENT AGENDA

Boyle/Musolf moved to approve the consent agenda The motion passed. (7-0)

- Minutes of August 10, 2021
- Semi-Independent Living Services Contracts for SFY 2022 and 2023 [21-364]
- Authorization to Convert the Family Services Collaborative Joint Powers Agreement to a Collaborative Interagency Agreement [21-365]
- Local Operational Research Assistance (OPERA) Program Grant for Remote Monitoring Camera Project [21-366]
- Professional Services Agreement with HDR, Inc. to Develop a Railroad Crossing Safety Plan for Railroad Crossings Located on County Roads in St. Louis County [21-367]
- Cooperative Construction Agreement with the Minnesota Department of Transportation to Construct Left-Turn Lanes on US 2 at the Intersection of CSAH 98 in Solway Township 21-368]
- Highway Right-of-Way Easements Across State Tax Forfeited Land Proposed for Auction [21-369]
- Acquisition of Right of Way-CSAH 13 Projects [21-370]
- Controlled Access Relocation CSAH 13 (Sandstrom Request) [21-371]
- Violation of St. Louis County Ordinance No. 28, (Unorganized Township 59-16) [21-372]
- Premise Permit Application for Lawful Gambling (Unorganized Township 59-21) [21-373]
- Abatement List for Board Approval [21-374]
- Cancellation of Forfeiture List for Board Approval [21-375]
- Authorization to Apply for Depot Foundation Grant for St. Louis County Heritage & Arts Center: Depot Lounge [21-376]
- 2021 HUD CDBG Entitlement Grant Increase and Mortgage Term Standardization [21-377]
- Professional Services Agreement with Dovetail Partners, Inc. [21-378]
- Application and Acceptance of the 2022 DWI Officer Grant Along with the Addition of 1.0 Deputy Sheriff FTE [21-379]
- Authorization to Apply for and Accept FY2022 MPCA SSTS Base Grant and Low-Income Fix-Up Grant Funding [21-380]
- Special Sale to the Duluth Housing and Redevelopment Authority (HRA) for Affordable Housing [21-381]
- Special Sale to the City of Proctor for Affordable Housing [21-382]

- Repurchase of State Tax Forfeited Land – Kacer (Homestead) [21-383]
- Cancellation of Contract for Purchase of State Tax Forfeited Land – Nicholas [21-384]
- Cancellation of Contract for Purchase of State Tax Forfeited Land – Sorg [21-385]
- Cancellation of Contract for Purchase of State Tax Forfeited Land – Koralia [21-386]
- Cancellation of Contract for Purchase of State Tax Forfeited Land – Walker [21-387]
- Cancellation of Contract for Purchase of State Tax Forfeited Land – Troumbly [21-388]
- Cancellation of Contract for Repurchase of State Tax Forfeited Land – Saice [21-389]
- Cancellation of Contract for Repurchase of State Tax Forfeited Land – Abel [21-390]

Establishment of Public Meetings

Nelson/Boyle moved that the St. Louis County Board establishes public meetings to gather comment on the proposed property tax levy and operating budget for year 2022 on Monday, November 22, 2021, 7:00 p.m., St. Louis County Courthouse, Virginia, MN, and Monday, November 29, 2021, 7:00 p.m., St. Louis County Government Services Center, Duluth, MN. [21-392]. The motion passed. (7-0)

Establishment of Public Hearings

Nelson/Jugovich moved that the St. Louis County Board will convene a public hearing on Tuesday, November 16, at 9:35 a.m., at the Industrial Town Hall, Saginaw, MN, to consider the adoption of the fee schedule for various county services for the year 2022. [21-391]. The motion passed. (7-0)

Public Works & Transportation Committee

McDonald/Nelson moved that the St. Louis County Board authorizes a cooperative agreement with the MnDOT to accept funding from the Local Road Improvement Program for the CSAH 138 (Giants Ridge Road) pavement replacement project scheduled to be completed in 2022; and further, that St. Louis County does hereby agree to the terms and conditions of the grant consistent with Minn. Stat. § 174.52 and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The County Board Chair, Public Works Director and the Assistant County Attorney are hereby authorized to execute the Local Road Improvement Program grant agreement and any amendments thereto for and on behalf of St. Louis County. Local Road Improvement Program funds will be receipted into Fund 220, Agency 220613, Object 521612. [21-393]. The motion passed. (7-0)

McDonald/Jugovich moved that the St. Louis County Board hereby requests, pursuant to Minn. Stat. § 282.04, Subd. 1a(e), a free conveyance of the state tax forfeited parcels 410-0022-00690, 410-0022-00700, and 410-0022-00850 for use as part of a Maintenance and Garage Facility project, with the \$250 application fee payable from Fund 200, Agency 203001. St. Louis County Public Works Director Jim Foldesi said that this facility will be a consolidation of the Embarrass and Tower facilities and noted that the acquisition of private parcels will minimize the wetland impact. [21-394]. The motion passed. (7-0)

McDonald/Jewell moved that the St. Louis County Board authorizes the Public Works Director to proceed with the acquisition of the necessary lands and temporary easements for County Project 0000-621901, and to execute the documents as may become necessary on behalf of the county. Acquisition of lands is payable from Fund 200, Agency 203001. The State of Minnesota Department of Transportation (MnDOT) is requested to sell said State of Minnesota owned lands for use as part of a Maintenance and Garage Facility project. Director Foldesi indicated that acquisition of the parcels could help accelerate the project because land could be cleared. [21-395]. The motion passed. (7-0)

A Point of Personal Privilege was requested at 10:23 a.m. At 10:39 a.m., the Board reconvened with all members present.

Time Specific Presentation

At 10:39 a.m., Dr. Peter Larsen, of the University of Minnesota, gave the Board a presentation regarding Chronic Wasting Disease (CWD) and Captive Deer Farms. Dr. Larsen said that CWD is caused by misfolded prion protein and not by a virus or a bacteria. CWD prions are not restricted to the brain and spinal cord and can be detected in muscles, skin, feces, urine, semen, etc. CWD is transmitted by bodily fluids via direct or indirect contact and can remain infectious in soil for years. To stop the spread of CDW prions, DNR surveillance combined with active hunting pressure is critical. In addition, new diagnostic tools for both wild and farmed heard are important. Craig Engwall, Executive Director of the Minnesota Deer Hunters Association, commented that every cervid farm animal that dies must be tested; however, a recent audit indicated that approximately 1/3 were not tested in Minnesota. Director Engwall spoke in favor of a moratorium on any new captive cervid farms and a buyout of existing captive cervid farms.

Finance & Budget Committee

Commissioner Boyle briefly exited the meeting from 11:58 a.m. to 12:01 p.m.

Nelson/McDonald moved that the St. Louis County Board approves the 2021 second quarter budget changes. [21-396]. The motion passed. (6-0, Boyle absent)

Nelson/McDonald moved that the St. Louis County Board, acting on behalf of unorganized townships for the purpose of road and bridge maintenance and construction, adopts and certifies a maximum levy of \$1,700,775.17 for the year 2022 to be levied only in such unorganized townships. [21-397].

Commissioner McDonald noted that property valued at \$100,000 would have a tax increase of approximately \$1.60. The motion passed. (7-0)

Nelson/Boyle moved that the St. Louis County Board certifies the St. Louis County Housing and Redevelopment Authority (HRA) maximum property tax levy for 2022 in the amount of \$230,228. [21-398]. The motion passed. (7-0)

Nelson/Jewell moved that the St. Louis County Board certifies the maximum property tax levy for 2022 in the amount of \$156,496,531.73. [21-399]. St. Louis County Administrator Kevin Gray gave the Committee an overview of the 2022 preliminary levy proposal and said that the levy increase was 5.94%. The impact to taxpayers will be approximately 1.69%, due to the approximate 4.25% increase in 2021 property tax base growth. The county portion of property taxes will increase by approximately \$4.57 for every \$50,000 of value. Commissioner Jewell briefly exited the meeting from 12:28 p.m. to 12:30 p.m. After further discussion, the motion passed without recommendation. (7-0)

Public Safety & Corrections Committee

Grimm/Boyle moved that the St. Louis County Board authorizes the County Attorney's Office to enter into a purchase agreement with Prosecutor by Karpel for a case management system and to purchase data migration services and SHIELD referral interface development from Equivant to migrate current

and historical data from the existing DAMION case management system to the Prosecutor by Karpel case management system for a total of \$548,640 with \$340,000 payable from Fund 100, Agency 113999, Object 634801, Grant 11309, Year 2020, and funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139 in the amount of \$208,640. [21-400]. St. Louis County Attorney Mark Rubin said that the current system was implemented before the internet and needs an upgrade. The upgrade will reduce clerical and attorney time spend on cases due to integration of research. The motion passed. (7-0)

Central Management & Intergovernmental Committee

Nelson/Jugovich moved that the St. Louis County Board hereby appoints Alan Stanaway, of Mt. Iron, to the Community Development Block Grant (CDBG) Citizen Advisory Committee with a term ending April 30, 2024. [21-401]. The motion passed. (7-0)

Jewell/McDonald moved that the St. Louis County Board appoint a St. Louis County Attorney upon Attorney Rubin's retirement and for the remainder of the applicable term, and until a successor qualifies. [21-402]. Administrator Gray commented that there was one finalist for the position, St. Louis County Assistant County Attorney Kim Maki. Commissioner Jewell noted that the county received two applications; however, one applicant withdrew from consideration because that person accepted a position with Anoka County. Assistant County Attorney Maki commented that she has worked with the county for ten years and is thrilled to continue working at St. Louis County. Nelson/Jewell moved to amend the motion and appoint Kimberly J. Maki to serve as St. Louis County Attorney upon Attorney Rubin's retirement and for the remainder of the applicable term, and until a successor qualifies. The annual salary for the appointed person for the remainder of calendar year 2021 shall be the amount associated with Step 5 of Grade 34E of Pay Plan AE in the St. Louis County Management Compensation Plan. After further discussion, the motion as amended passed without recommendation. (7-0)

A Point of Personal Privilege was requested at 1:12 p.m. At 1:32 p.m., the Board reconvened with all members present.

Environment & Natural Resources Committee

Musolf/Boyle moved that the St. Louis County Board calls upon the Minnesota Legislature to, as soon as possible, enact legislation prohibiting new captive cervid farms in the state, and further calls upon state agencies to immediately prohibit the transport of farmed cervids within the state and halt the registration of any new captive cervid farms until such time that the legislature enacts such legislation. For purposes of this issue only, the St. Louis County Board waives County Board Resolution No. 85-103 and related guidelines, and hereby sets a public hearing to occur on Tuesday, September 28, 2021, at 9:35 a.m., at the Alborn Community Center, 6388 Hwy. 7, Alborn, MN, 55702, to consider and receive public input in connection with an interim zoning ordinance placing a moratorium on any new captive cervid farms in St. Louis County until such time that the County Board is able to study and consider enacting a permanent ordinance. [21-403]. Craig Sterle, of the Izaak Walton League, spoke in favor of the moratorium and in favor of a buyout of existing captive cervid farms. After further discussion, the motion passed. (7-0)

Musolf/McDonald moved that the St. Louis County Board authorizes the appropriate county officials to enter into a Memorandum of Agreement with Local Government Units to collectively develop and adopt a coordinated watershed management plan for implementation consistent with the Board of Water and

Soil Resources Operating Procedures for One Watershed, One Plan for the Rainy River – Headwaters/Vermilion River Watershed. [21-404]. The motion passed. (7-0)

Nelson/Boyle moved that the St. Louis County Board appoints Commissioner McDonald as Policy Committee member and Commissioner Jugovich as an alternate to the Rainy River–Headwaters/Vermilion River One Watershed, One Plan Policy Committee. [21-405]. Planning Director Matt Johnson commented that having elected officials on the committee will be beneficial to planners who will continue to be part of the committee. After further discussion, the motion passed. (7-0)

McDonald/Nelson moved that the St. Louis County Board authorizes the appropriate county officials to execute a contract with Carleton Companies, Inc., for the demolition of the former V.L. Reishus High School and Natatorium located in Biwabik at the bid price of \$458,600.00 in accordance with the specifications of Bid No. 5735 and addendums, payable from the Economic Development Blight Project Fund 178, Agency 178005, and subject to approval of the County Attorney. [21-406]. Due to the large variance of the submitted bids, Commissioner Nelson requested that the Board be made aware of any change order over 5%. The motion passed. (7-0)

COMMISSIONER DISCUSSION ITEMS AND REPORTS

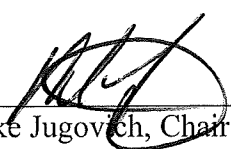
Commissioner Nelson commented regarding an anonymous letter that was sent to Commissioners and County Administration using county stationery and county postage. Commissioner Nelson said that taxpayer money/county resources should not be used for this type of correspondence and urged County Administration to address the situation with staff. Commissioner Nelson mentioned that the upcoming Wirtanen Farm Fall Festival proves how successful the festival is; approximately 1,500 people attend the annual festival. Commissioner Nelson has been involved with the Wirtanen Farm for over 22 years.

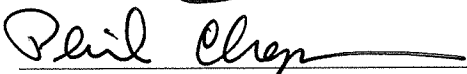
Commissioner McDonald said that the Wirtanen Farm Fall Festival will be held this Saturday (September 11, 2021) from 10:00 a.m. to 4:00 pm. Commissioner McDonald encouraged people to attend the event and said that there will be several new vendors this year and music entertainment will be provided by Jon Niemi and Steve Solkela.

Commissioner Jugovich noted that over the summer Youth in Action (YIA) has been actively holding events including the Redhead Trail Hike, Meet Up Chow Down, Races in the Park in Buhl, and the Buhl Beach Bash.

Commissioner Jewell noted a recent coffee event that was held at the Depot; 2,000 people attended the event. Commissioner Jewell acknowledged the work of Depot Director Mary Tennis and Kristin Johnson.

At 2:30 p.m., Nelson/Jewell moved to adjourn the Committee of the Whole meeting. The motion passed. (7-0)


Mike Jugovich, Chair of the County Board


Phil Chapman, Clerk of the County Board