

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

January 26, 2021

Location: St. Louis County Public Works Facility, Virginia, Minnesota

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

Absent: None

Convened: Chair Jugovich called the meeting to order at 10:33 a.m.

Commissioners Frank Jewell, Patrick Boyle, and Ashley Grimm participated by WebEx.

At 10:34 a.m., the Committee convened in a closed session for the purpose of discussing the proposed settlement and litigation strategy relating to *King v. County of St. Louis*, Case No. 69DU-CV-17-529, in accordance with Minn. Stat. § 13D.05, Subd. 3(b). At 12:05 p.m., the closed session concluded.

At 12:14 p.m., the Committee of the Whole meeting convened with all members present.

CONSENT AGENDA

Nelson/Jewell moved to approve the consent agenda. A roll call vote was taken; the motion passed. (7-0)

- Minutes of January 12, 2021
- Acquisition of Right of Way - Replacement of County Bridge 473 over East Two River (Clinton Township) [21-31]
- Acquisition of Right of Way - Replacement of County Bridge 684 over an Unnamed Tributary to the Little Fork River (Linden Grove Township) [21-32]
- Resolutions of Support for Funding Applications to the 2020 Local Road Improvement Program Solicitation – Midway Township (CSAH 13) [21-33]
- Cooperative Agreement with the Minnesota Department of Transportation and Wisconsin Central, Ltd. to Install Gates and Signals at Railroad Crossing DOT 260090S (Solway Township) [21-34]
- Cooperative Agreement with the Minnesota Department of Transportation and Wisconsin Central, Ltd. to Install Gates and Signals at Railroad Crossing DOT 260092F (Solway Township and Grand Lake Township) [21-35]
- Grant Agreement with MnDOT to Accept LBRP Grant Funds for Bridge 285 Reconstruction Project [21-36]
- Premise Permit Application for Lawful Gambling (Unorganized Township 61-13) [21-37]
- Sale of Surplus Fee Land – That Part of the Easterly 500 Feet of SE ¼ of SW1/4 of Section 2, T56N, R18W (McDavitt Township) [21-38]
- Abatement List for Board Approval [21-39]
- 2021 Special Legislation for the Private Sale of State Tax Forfeited Lands [21-40]
- Contract with TNT Timber, White Pine Contracting, Inc. and Reliable Handyman Services, LLC for the U.S. Forest Service Britt and Ely Project Sites [21-41]

- Utility Easement Across State Tax Forfeited Land to MN Power (City of Hoyt Lakes 59-14) [21-42]
- Conveyance of State Tax Forfeited Land to City of Virginia [21-43]
- Sale and Disposal of Abandoned Personal Property [21-44]
- Public Sale of Shoreland Lease Lots [21-45]

Public Works & Transportation Committee

Jugovich/Nelson moved to award a bid to KGM Contractors, Inc., Angora, MN, in the amount of \$2,222,690.15 for project CP 0131-469719 (Low), SAP 069-731-003; CP 0137-275617 (Tied), SAP 069-737-002; CP 0708-275608 (Tied), Bituminous Reclamation, located on CSAH 131 from TH 53 to CSAH 68 in the City of Mountain Iron, CSAH 137 from TH 37 to TH 169 in the City of Mountain Iron, and CR 708 from TH 169 to CR 661 in Great Scott Township. [21-46]. A roll call vote was taken; the motion passed. (7-0)

McDonald/Nelson moved to award a bid to Northland Constructors of Duluth, Inc., Duluth, MN, in the amount of \$854,000.00 for project CP 0059-366241; SAP 069-659-003, located on CSAH 59 0.2 miles North of CR 542 [21-47]. A roll call vote was taken; the motion passed. (7-0)

McDonald/Nelson moved to authorize the purchase of “Base One” material for the 2021 Capital Improvement Program from Team Lab Chemical Corporation of Detroit Lakes, MN, for \$247,500.00. [21-48]. A roll call vote was taken; the motion passed. (7-0)

McDonald/Jugovich moved to authorize the purchase order for the installation of ten (10) Dump Bodies with Hydraulic Systems and Snow Removal Equipment from Towmaster, Inc., of Litchfield, MN, for \$1,522,980.00. [21-49]. Commissioner Nelson asked that sales tax be broken out and requested that the resolution be moved without recommendation; Commissioners McDonald and Jugovich agreed with the request. A roll call vote was taken; the motion passed without recommendation. (7-0)

Finance & Budget Committee

Nelson/Jugovich moved to authorize the IT Department to purchase two (2) Pure Storage Area Network devices including hardware, software, professional services, and maintenance from Insight Public Sector, Inc. under MN State Contract (Contract Number MNWNC-125//101417) for an estimated fee of \$276,607.44. [21-50]. Information Technology Director Jeremy Craker said that the new devices will have increased efficiency, which is required to support the number of GIS applications across the county. After further discussion, a roll call vote was taken; the motion passed. (7-0)

Central Management & Intergovernmental Committee

Jewell/Jugovich moved to appoint Garrison Hale to the Arrowhead Library System Board of Directors for a three (3) year term expiring on December 31, 2023. [21-51]. A roll call vote was taken; the amended motion passed. (7-0)

Jewell/Musolf moved to reappoint Doug Hoffbauer to the St. Louis County Cooperative Extension Committee for a three-year term ending December 31, 2023. [21-52]. A roll call vote was taken; the amended motion passed. (7-0)

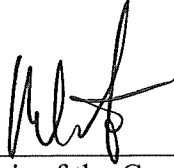
Nelson/Jugovich moved that the St. Louis County Board opposes state or federal legislation which places a moratorium on issuing permits for nonferrous mining operations or withdrawal of lands from future exploration and potential development in Northeastern Minnesota; and that a copy of this resolution be sent to federal and state legislators to demonstrate the County Board's continued support of state and federal environmental review and permitting standards for the continued exploration and development of all ferrous and nonferrous mining operations in Minnesota. [21-53]. Commissioner Jewell discussed multiple resolutions of support that he felt the Board should consider in future meetings. Commissioner Grimm requested a point of order and asked if the resolutions Commissioner Jewell discussed were an amendment to the initial motion or future discussion items. Commissioner Jewell clarified that the resolutions of support were for future consideration over the next eleven months. Commissioner Jewell asked if there were citizens that would like to address the Board. Caleb Rouse-Zittler, of Babbitt, spoke in opposition of the resolution and stated that it would be irresponsible to harm the wilderness. Jessica Polachick, of Babbitt (currently residing in Pennsylvania), said that she opposes unsafe mining because of the lasting effects to the area. Ms. Polachick said that more than fifty-five science and economic studies document significant harm to the Boundary Waters Canoe Area Wilderness and the Superior National Forest if copper nickel mining were to occur in the headwaters of the Boundary Waters. Benjamin Stagg, of Duluth, spoke in opposition of copper nickel mining; by approving the resolution the county would send a message that it opposes "prove it first" mining. Levi Greg, of Duluth, spoke in opposition of the resolution and felt the resolution opposed "prove it first" mining. Josiah Robert, of Duluth, commented that he opposed the resolution and felt mining operations should be well vetted before opening to ensure operations are safe. Chair Jugovich commented that state legislation instituting a moratorium on nonferrous mining is important to the area, because approval of the legislation would effectively shut down the projects. Commissioner Nelson read portions of a resolution that the Board passed in 2011 in support of the existing open, transparent and comprehensive environmental review and permitting process for nonferrous mining in Northeastern Minnesota. Currently, a mine has made it through the permitting process and NEPA process; if state legislation were passed, it would be unfair that existing projects that have met requirements would pause. A Point of Personal Privilege was requested at 1:09 p.m. At 1:19 p.m., the Board reconvened with all members present. Commissioner Nelson encouraged the Board to review Senate File 59 and commented that once the permitting requirements have been met, the permit should be issued. Commissioner Grimm stated that it was concerning that copper nickel mining has never been done safely in the United States and commented on labor concerns relating to copper nickel mining. Commissioner Musolf commented that this legislation affects all communities, not just the Iron Range. Commissioner McDonald said that Minnesota has a science-based environmental review and permitting process and encouraged people to let the permitting process take place. After further discussion, a roll call vote was taken; the motion passed. (4-3 Jewell, Boyle, Grimm)

COMMISSIONER DISCUSSION ITEMS AND REPORTS

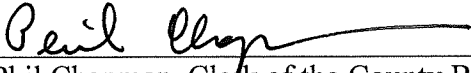
Commissioner Nelson noted the recent passing of Carol Begich, wife of former State Representative Joe Begich. Commissioner Nelson commented that the Begich's were champions for the Iron Range.

Commissioner Jewell said that the list of resolutions he discussed earlier were important to the citizens of St. Louis County; he plans to bring the resolutions forward for Board consideration.

At 1:45 p.m., Musolf/Nelson moved to adjourn the Committee of the Whole meeting. A roll call vote was taken; the motion passed. (7-0)



Mike Jugovich, Chair of the County Board



Phil Chapman, Clerk of the County Board