

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON SEPTEMBER 6, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 6<sup>th</sup> day of September 2022, at 9:33 a.m., at the St. Louis County Courthouse, Duluth, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Paul McDonald -7. Absent: None - 0.

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

The St. Louis County Board declared its steadfast commitment to supporting St. Louis County residents living with a mental health and substance use disorder and co-occurring disorders so they may build and strengthen their wellbeing through a collaboration with St. Louis County and community resources. The Board proclaimed the month of September 2022 as Recovery Month in St. Louis County, Minnesota. Commissioner Boyle read the proclamation. Gena Bossert, St. Louis County Behavioral Health Director, thanked the behavioral health staff for their work. Beth Elstad, Executive Director of Recovery Alliance Duluth, thanked the Board for their support and said that Recovery Alliance Duluth opened an office in Virginia two years ago. Director Elstad noted that the Virginia office provided services to approximately 600 people in the first quarter of 2022. The annual Walk for Recovery event will be held on September 17<sup>th</sup> at Leif Erickson Park from 1:00 p.m. to 5:00 p.m., and Iron Range Night Out will be held on September 20<sup>th</sup> at Virginia's Olcott Park from 4:00 p.m. to 7:00 p.m.

Chair McDonald opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Bruce Anderson, of Duluth, commented that the Conditional Use Permit (CUP) issued to LTI should be voided because the septic system was not in compliance and the CUP was issued before LTI owned the property. Mr. Anderson read correspondence between Melissa Bell and the County Administrator. Melissa Bell, of Duluth, said that the CUP that was issued to 6464 Fredenberg Lake Road is invalid and provided the Board with a handout with various questions relating to the issuance of the CUP. Clayton Cich, of the Fredenberg Township Board, asked when the written inspection reports would be provided to the township. Oly Olson, of Duluth, said that the CUP issued to 6464 Fredenberg Lake Road is invalid and said it is the responsibility of the Board to void the CUP. Stanley Henriksen, of Duluth, discussed concerns he had regarding the lack of information he has been provided relating to the sale of property located on the McQuade Road.

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

Commissioner Boyle, supported by Commissioner Musolf, moved to consider a resolution to approve the Northeast Service Cooperative (NESC) application to the St. Louis County's Broadband Infrastructure Grant Program in the amount up to \$400,000 for broadband public infrastructure construction program. The motion passed; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Jugovich, moved that the St. Louis County Board approves a Broadband Infrastructure Grant in the amount of up to \$400,000 to Northeast Service Cooperative (NESC) to be used for a broadband public infrastructure construction project; 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; and further, that Northeast Service Cooperative 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. Brad Gustafson, St. Louis County Planning Manager, noted that NESC is not able to provide service directly to households; however, providers are able to connect to their infrastructure. The motion passed; seven yeas, zero nays. Resolution No. 22-482.

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

Proclamation: Recovery Month – September 2022.—61784

St. Louis County Canvassing Board Minutes for the Canvass of the August 9, 2022 Primary Election Results. Meeting date August 12, 2022.—61785

St. Louis County Canvassing Board Minutes for the Canvass of the August 9, 2022 Limited County Sheriff's Office Recount – City of Duluth, Precincts 3, 6 & 8. Meeting date August 19, 2022.—61786

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-394, Approval of a Broadband Infrastructure Grant – Northeast Service Cooperative (NESC).—61787

Melissa Bell, Duluth, submitting a handout titled: Voiding a Permit Issued in Error, LTI Holding – 6464 Fredenberg Lake Road, Conditional Use Permit Extractive Use Class II.—61788

Memorandum of Understanding between St. Louis County Board of Commissioners and AFSCME Council 5 (Local 1934), Jail/911 Unit for Double Time OT to Cover Certain Shifts.—22-368

Agreement for Professional Services between the County of St. Louis and Bolton & Menk, Inc., Minneapolis, MN, to perform preliminary planning and final design to construct a new green infrastructure stormwater treatment system to serve a portion of Woodland Avenue (County State Aid Highway -CSAH 9) located in the City of Duluth to improve water quality in Tischer Creek (CP 0009-689681).—22-369

Agreement for Services between the County of St. Louis and Alliant Engineering, Inc., Minneapolis, MN, for design engineering services for reduced conflict intersections (J-Turns) located at US 169 at CSAH 25 in Great Scott Township and US 169 at CSAH 103/CSAH 109 in the City of Mountain Iron (SP 069-070-067, CP 0025-590637 for US 169 at CSAH 25, and SP 069-070-073, CP 0103-677359 for US 169 at CSAH 103/CSAH 109).—22-370

Cooperative Agreement between the County of St. Louis and City of Duluth related to Woodland Avenue/Hartley Park Green Infrastructure Project (CP 0009-689681).—22-371

State of Minnesota Local Bridge Replacement Program Grant Agreement, MnDOT Agreement No. 1050051, SP 069-701-007.—22-372

Tax-Forfeited Land Lease Agreement between the St. Louis County Land and Minerals Department (Lessor) and the Town of White for the East Range Water Board (Lessee) for the term of August 1, 2022, through August 1, 2062 (40-year term).—22-373

Grant Agreement No. 5771N between the County of St. Louis and Greenwood Township, MN, for water system improvements.—22-374

2021 Emergency Management Performance Grant, Grant Contract Agreement No. A-EMPG-2021-STLOUICO-075, between the Minnesota Department of Public Safety Homeland Security and Emergency Management Division and the St. Louis County Sheriff’s Office/Emergency Management Division for the term January 1, 2021, through October 31, 2022.—22-375

Fire Protection and First Responder Services Agreement – CY 2023 between the County of St. Louis and the City of Babbitt to provide services in Unorganized Townships 61-12 and 61-13 during the period January 1, 2023, through December 31, 2023.—22-376

Fire Protection Services Agreement – CY 2023 between the County of St. Louis and the City of Cook to provide services in Unorganized Townships 62-17 and 63-17 during the period January 1, 2023, through December 31, 2023.—22-377

Fire Protection and First Responder Services Agreement – CY 2023 between the County of St. Louis and the Ellsburg Volunteer Fire Department, Inc., Cotton, MN, to provide services in Unorganized Township 55-13, identified as Sections 22 through 28 and Sections 31 through 36, during the period January 1, 2023, through December 31, 2023.—22-378

Fire Protection Services Agreement – CY 2023 between the County of St. Louis and the City of Floodwood to provide services in Unorganized Townships 52-21 during the period January 1, 2023, through December 31, 2023.—22-379

Fire Protection Services Agreement – CY 2023 between the County of St. Louis and the Makinen Volunteer Fire Department, Inc., Makinen, MN, to provide services in Unorganized Township 56-16 during the period January 1, 2023, through December 31, 2023.—22-380

Upon motion by Commissioner Jewell, supported by Commissioner Jugovich, resolutions numbered 22-477 through 22-481, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER JEWELL:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of August 9, 2022, are hereby approved.

Adopted September 6, 2022. No. 22-477

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:

July 2022		
100	General Fund	7,040,323.76
148	Volunteer Fire Departments	313,647.58
149	Personal Service Fund	250.00

155	Depot	52,599.74
160	MN Trail Assistance	6,837.99
169	Attorney Trust Accounts – VW	1,560.27
171	Controlled Substances	3,070.79
173	Emergency Shelter Grant	34,025.83
176	Revolving Loan Fund	65.97
178	Economic Development – Tax Forfeit	797,871.36
179	Enhanced 9-1-1	1,600.00
180	Law Library	3,993.68
183	City/County Communications	254.05
184	Extension Service	40,585.04
191	Recorders Deposit Account	34.00
192	Permit to Carry	12,665.41
200	Public Works	3,361,528.67
204	Local Option Transit Sales Tax	2,940,986.87
215	Ditching	8,625.00
220	State/Federal Road Aid	6,623,629.21
230	Public Health & Human Services	7,621,137.56
239	Pandemic Response Fund	869,983.17
240	Forfeited Tax	439,566.73
250	St. Louis County HRA	75,000.00
260	CDBG Grant	126,903.52
270	HOME Grant	24,424.68
289	ISTS Grant	71,665.91
290	Forest Resources	56,386.83
400	County Facilities	4,387.63
402	Depreciation Reserve Fund	28,845.90
407	Public Works – Equipment	53,350.00
449	2020A – TST Bond	132,720.53
450	2021A – Capital Improvement	108,675.00
600	Environmental Services	521,548.96
640	Plat Books	60.75
715	County Garage	114,580.76
720	Property Casualty Liability	15,652.25
730	Workers Compensation	279,457.36
740	Medical Dental Insurance	2,783,453.38
770	Retired Employees Health Ins.	473.24
		<b><u>\$34,572,429.40</u></b>

Adopted September 6, 2022. No. 22-478

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to Pequaywan Inn Resort, LLC dba Pequaywan Inn, Unorganized Township 54-13, to sell/serve outside the designated serving area of the County Liquor License for the date of September 9, 2022, as per application on file in the office of the County Auditor, identified as County Board File No. 61636.

Adopted September 6, 2022. No. 22-479

RESOLVED, That pursuant to Ordinance No. 28, Section 11, Subdivision 11.06 authorization is hereby granted to KDRS LLC dba The Breeze Inn, Lakewood Township, to sell/serve outside the designated serving area of the County Liquor License for the date of October 8, 2022, as per application on file in the office of the County Auditor, identified as County Board File No. 61636.

Adopted September 6, 2022. No. 22-480

RESOLVED, That the appraisal report for sale of timber, numbered C19220084 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 61625, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted September 6, 2022. No. 22-481

**BY COMMISSIONER JEWELL:**

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 a Northeast Service Cooperative (NESC) request for a grant from St. Louis County's Broadband Infrastructure Grant Program in the amount of up to \$400,000 for a broadband public infrastructure construction project; and

WHEREAS, NESC was awarded a grant of \$3.34 million from the U.S. Economic Development Administration's Broadband Infrastructure Program to help financially support this approximately \$4.18 million broadband public construction project; 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 Plan Act.

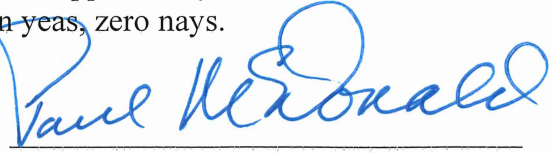
RESOLVED FURTHER, That the St. Louis County Board approves a Broadband Infrastructure Grant in the amount of \$400,000 to Northeast Service Cooperative to be used for a broadband public infrastructure construction project.

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 Northeast Service Cooperative 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.

Unanimously adopted September 6, 2022. No. 22-482

At 10:10 a.m., September 6, 2022, Commissioner Jewell, supported by Commissioner Musolf, 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)