

AGENDA



REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA

Tuesday, July 12, 2022, 9:30 A.M.

**Kabetogama Town Hall
9707 Gamma Road
Kabetogama, Minnesota**

Directions: Travel north on Highway 53 from Duluth approximately 134 miles, turn right onto Gamma Road/Salmi Road/CR 122, travel approximately 1 mile. The Kabetogama Town Hall/Lake Association Building is on your right.

**FRANK JEWELL
First District**

**PATRICK BOYLE-VICE CHAIR
Second District**

**ASHLEY GRIMM
Third District**

**PAUL McDONALD-CHAIR
Fourth District**

**KEITH MUSOLF
Fifth District**

**KEITH NELSON
Sixth District**

**MIKE JUGOVICH
Seventh District**

County Auditor
Nancy Nilsen

County Administrator
Kevin Gray

County Attorney
Kimberly Maki

Clerk of the Board
Phil Chapman

Citizens can appear at the meeting in person or submit comments for the public comment portion or for specific Board agenda items prior to the meeting by e-mailing them to publiccomment@stlouiscountymn.gov.

Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Administration Department 72 hours prior to the meeting at (218) 726-2450.****

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

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9:30 A.M. Moment of Silence
 Pledge of Allegiance
 Roll Call

AT THIS TIME CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA. [Speakers will be limited to 5 minutes each.]

FOR ITEMS LISTED ON THE BOARD AGENDA OR COMMITTEE OF THE WHOLE AGENDA, CITIZENS WILL BE ALLOWED TO ADDRESS THE BOARD AT THE TIME A MOTION IS ON THE FLOOR.

9:35 A.M. PUBLIC HEARING, pursuant to Resolution No. 22-336, adopted June 14, 2022, to receive citizen comments on the established priorities and funding recommendations for the 2022 Action Plan - Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant. **{22-300}**

9:40 A.M. PUBLIC HEARING, pursuant to Resolution No. 22-355, adopted June 28, 2022, to consider the issuance of an Off-Sale Intoxicating Liquor License to The Lake Effect Restaurant, Inc., dba Lake Effect Restaurant & Bar, Gnesen Township. **{22-301}**

9:45 A.M. PUBLIC HEARING, pursuant to Resolution No. 22-356, adopted June 28, 2022, to consider the issuance of an Off-Sale Intoxicating Liquor License to KDRS, LLD dba The Breeze Inn, Lakewood Township. **{22-302}**

CONSENT AGENDA

Approval of business submitted on the consent agenda.

REGULAR AGENDA

Central Management & Intergovernmental Committee – Commissioner Jewell, Chair

1. Appointment of elections judges for unorganized townships. **{22-303}** **[Has not been to committee; requires consent of the Board for consideration.]**

ADJOURNED:

BOARD LETTER NO. 22 – 300

FINANCE & BUDGET COMMITTEE

JULY 12, 2022 BOARD AGENDA 9:35 A.M.
PUBLIC HEARING

DATE: July 12, 2022

RE: Submission of 2022 HUD
Action Plan for CDBG, HOME,
and ESG Funds

FROM: Kevin Z. Gray
County Administrator

Matthew E. Johnson, Director
Planning and Community Development

RELATED DEPARTMENT GOAL:

To assist communities in achieving housing, economic development, and community development objectives. Secure and administer federal, state and other funding sources which implement county policies and maximize local resources.

ACTION REQUESTED:

The St. Louis County Board is requested to approve the St. Louis County fiscal year 2022 Action Plan and authorize the St. Louis County Planning and Community Development Director (Director) to submit the Plan to the U.S. Department of Housing and Urban Development (HUD).

BACKGROUND INFORMATION:

St. Louis County is an eligible entitlement county for program funding from HUD. The City of Duluth (City) receives separate HUD entitlements. The County's programs include the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG). The HUD application process requires submission of a five-year strategic plan, known as the Consolidated Plan and submission of an Action Plan within each year of the Consolidated Plan. These plans provide a vision of prioritized housing and community development needs and the proposed use of program funding to address those needs. They also set forth program goals, objectives, and benchmarks for measuring progress. Submission of the 2020-2024 Consolidated Plan was approved by County Board Resolution No. 20-196, dated April 14, 2020.

HUD has notified St. Louis County of the allocation of \$2,744,554 in combined entitlement funding for the CDBG, HOME, and ESG Programs for 2022. The 2022 allocation is up slightly from 2021, which was \$2,715,133. Funding receipt and use

require the Planning and Community Development Department to facilitate processes with respective Advisory Committees for each entitlement program that result in project funding recommendations for the programs. The Advisory Committee recommendations are incorporated into the annual HUD Action Plan and submitted to the St. Louis County Board for approval. The charts below highlight the HUD 2022 program award allocations and 2022 available program funding.

U.S. Department of Housing and Urban Development (HUD) 2022 Program Award Allocations			
PROGRAM	FUND	AMOUNT	AREA COVERED
Community Development Block Grant	260	\$1,956,049	St. Louis County (excluding Duluth)
HOME Investment Partnership Program	270	\$619,382	St. Louis (excluding Duluth), Cook, Lake, Itasca, and Koochiching Counties
Emergency Solutions Grant	173	\$169,123	St. Louis County (excluding Duluth)
TOTAL AWARDS		\$2,744,554	

The CDBG and HOME budgets below include program income and unexpended or reprogrammed funds received during the previous year. Program income is the repayment of assistance provided to a client through down payment assistance or single-family rehab programs. These programs require the client to maintain residence in the assisted property for a period of time known as an affordability period. Failure to do so invokes repayment of the assistance. Unexpended and reprogrammed funds are from previously funded projects that did not proceed or set-aside funds that can be used in future funding rounds.

2022 Available Program Funding Total Funding	
PROGRAM	AMOUNT
Community Development Block Grant (CDBG)	
HUD 2022 Allocation	\$1,956,049
Program Income	\$91,640
Unexpended and Reprogrammed Funds	\$170,000
Total	\$2,217,689
HOME Investment Partnership Program (HOME)	
HUD 2022 Allocation	\$619,382
Program Income	\$169,213
Total	\$788,595
Emergency Solutions Grant (ESG)	
HUD 2022 Allocation	\$169,123
Total	\$169,123
TOTAL AWARDS	\$3,175,407

The Action Plan is made available for a 30-day public comment period and County Board Public Hearing. Following the public hearing, the Action Plan is presented to the St. Louis County Board for approval and submission to HUD. The 2022 Action Plan was

available for public comment from June 10, 2022 to July 10, 2022, and the public hearing was scheduled for July 12, 2022.

RECOMMENDATION:

Subject to the conclusion of the public hearing, it is recommended that the St. Louis County Board approve the St. Louis County 2022 Action Plan and further authorizes the signing of the HUD entitlement agreement and execution of the agreements for all referenced 2022 CDBG, HOME, and ESG projects listed in County Board File No._____.

Submission of 2022 HUD Action Plan for CDBG, HOME, and ESG Funds

BY COMMISSIONER _____

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, establishes the Community Development Block Grant Program (CDBG) for the purpose of developing viable communities by providing decent housing and a suitable living environment, and by expanding community opportunities principally for low- and moderate-income persons; and

WHEREAS, Title II of the Affordable Housing Act of 1990, as amended, establishes the HOME Investment Partnerships Program (HOME) for the purposes of expanding the supply of affordable housing units for low-income families; and

WHEREAS, Subtitle B of Title IV of McKinney Homeless Assistance Act of 1987, as amended and reauthorized under the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, establishes homeless assistance programs including the Emergency Solutions Grant (ESG) program for purposes of providing homeless prevention and rapid re-housing assistance to homeless families; and

WHEREAS, The Secretary of Housing and Urban Development (HUD) is authorized to make grants to cities and counties to finance local CDBG, HOME and ESG programs, submitted and approved in accordance with the Consolidated Plan regulations; and

WHEREAS, The St. Louis County Board desires to carry out the HUD entitlement programs, including CDBG, HOME, and ESG and the projects identified in the fiscal year 2022 Action Plan; and

WHEREAS, The St. Louis County Board conducted a public hearing on the fiscal year 2022 Action Plan on July 12, 2022, to receive public comment.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Planning and Community Development Director to prepare and submit the fiscal year 2022 Action Plan and amendments thereto, and all assurances and understanding contained therein, to the United States Department of Housing and Urban Development for those projects and corresponding funding levels as set forth in the Plan as described in County Board File No. _____, and to act in connection with its submission and subsequent activity, and to provide such additional information as may be required.

RESOLVED FURTHER, That upon HUD approval of the 2022 Action Plan, the St. Louis County Board accepts the 2022 HUD entitlement grants and authorizes the St. Louis County Planning and Community Development Director and a representative of the County Attorney to execute the grant agreements on behalf of St. Louis County,

along with all the necessary forms, attachments, addendums, certifications, and subsequent forms to implement the programs and complete the agreements between St. Louis County and the U.S. Department of Housing and Urban Development.

RESOLVED FURTHER, That grant funds will be allocated as follows:

\$ 1,956,049 CDBG Grant 2022 to Fund 260
\$ 619,382 HOME Grant 2022 to Fund 270
\$ 169,123 ESG Grant 2022 to Fund 173

RESOLVED FURTHER, That the St. Louis County Board allocates funding from the entitlement grants and program income to 2022 projects and authorizes the Planning and Community Development Director and a representative of the County Attorney to execute agreements for these projects with disbursements related to the CDBG agreements are to be made from CDBG Fund 260, HOME agreements from HOME Fund 270, and ESG agreements from ESG Fund 173 according to the specific 2022 projects included in the County Board File No. _____.

BOARD LETTER NO. 22 - 301

FINANCE & BUDGET COMMITTEE

JULY 12, 2022 BOARD AGENDA 9:40 A.M.
PUBLIC HEARING

DATE: July 12, 2022 **RE:** Public Hearing to Consider Off-Sale Intoxicating Liquor License (Gnesen Township)

FROM: Kevin Z. Gray
County Administrator

Nancy J. Nilsen
County Auditor/Treasurer

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider an Off-Sale Intoxicating Liquor License for The Lake Effect Restaurant, Inc. dba Lake Effect Restaurant & Bar, Gnesen Township.

BACKGROUND:

The Lake Effect Restaurant, Inc. has made application for an Off-Sale Intoxicating Liquor License for the establishment known as Lake Effect Restaurant & Bar, Gnesen Township. Minn. Stat. § 340A.405, Subdivision 2(d), relating to the issuance of off-sale intoxicating liquor licenses provides that "No license may be issued under this subdivision unless a public hearing is held on the issuance of the license. Notice must be given to all interested parties and to any city located within three miles of the premises to be licensed. At the hearing the county board shall consider testimony and exhibits presented by interested parties and may base its decision to issue or deny a license upon the nature of the business to be conducted and its impact upon any municipality, and the character and reputation of the applicant, and the propriety of the location."

The County Liquor Licensing Committee considered and approved the application and recommends Board approval. According to the St. Louis County Fee Schedule, this establishment is applying for an Off-Sale Intoxicating Liquor License located in Area 3 and the annual license fee is \$150.00.

RECOMMENDATION:

It is recommended that the St. Louis County Board consider the testimony at the public hearing and barring any valid objection, approve the issuance of the off-sale license.

**Public Hearing to Consider Off-Sale Intoxicating Liquor License
(Gnesen Township)**

BY COMMISSIONER _____

WHEREAS, The Lake Effect Restaurant, Inc. dba Lake Effect Restaurant & Bar, Gnesen Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an Off-Sale Intoxicating liquor license; and

WHEREAS, A public hearing was held on July 12, 2022, at 9:40 a.m., in the Kabetogama Town Hall, 9707 Gamma Road, Kabetogama, MN, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, The Lake Effect Restaurant, Inc. has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to The Lake Effect Restaurant, Inc. dba Lake Effect Restaurant & Bar, Gnesen Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.00.

RESOLVED FURTHER, That said liquor license shall be effective through June 30, 2023.

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, That if the named license holder sells the licensed place of 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 license fee to the license holder.

BOARD LETTER NO. 22 - 302

FINANCE & BUDGET COMMITTEE

JULY 12, 2022 BOARD AGENDA 9:45 A.M.
PUBLIC HEARING

DATE: July 12, 2022 **RE:** Public Hearing to Consider Off-Sale Intoxicating Liquor License (Lakewood Township)

FROM: Kevin Z. Gray
County Administrator

Nancy J. Nilsen
County Auditor/Treasurer

RELATED DEPARTMENT GOAL:

To provide mandated and discretionary licensing services in a timely manner.

ACTION REQUESTED:

The St. Louis County Board is requested to consider an Off-Sale Intoxicating Liquor License for KDRS, LLC dba The Breeze Inn, Lakewood Township.

BACKGROUND:

KDRS LLC has made application for an Off-Sale Intoxicating Liquor License for the establishment known as The Breeze Inn, Lakewood Township. Minn. Stat. § 340A.405, Subdivision 2(d), relating to the issuance of off-sale intoxicating liquor licenses provides that "No license may be issued under this subdivision unless a public hearing is held on the issuance of the license. Notice must be given to all interested parties and to any city located within three miles of the premises to be licensed. At the hearing the county board shall consider testimony and exhibits presented by interested parties and may base its decision to issue or deny a license upon the nature of the business to be conducted and its impact upon any municipality, and the character and reputation of the applicant, and the propriety of the location."

The County Liquor Licensing Committee considered and approved the application and recommends Board approval. According to the St. Louis County Fee Schedule, this establishment is applying for an Off-Sale Intoxicating Liquor License located in Area 1 and the annual license fee is \$500.00.

RECOMMENDATION:

It is recommended that the St. Louis County Board consider the testimony at the public hearing and barring any valid objection, approve the issuance of the off-sale license.

**Public Hearing to Consider Off-Sale Intoxicating Liquor License
(Lakewood Township)**

BY COMMISSIONER _____

WHEREAS, KDRS LLC dba The Breeze Inn, Lakewood Township, St. Louis County, Minnesota, has applied for an Off-Sale Intoxicating liquor license; and

WHEREAS, Minn. Stat. § 340A.405, Subdivision 2(d), requires that a public hearing be held prior to the issuance of an Off-Sale Intoxicating liquor license; and

WHEREAS, A public hearing was held on July 12, 2022, at 9:45 a.m., in the Kabetogama Town Hall, 9707 Gamma Road, Kabetogama, MN, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, KDRS LLC has complied in all respects with the requirements of Minnesota Law and St. Louis County Ordinance No. 28; and

WHEREAS, The Liquor Licensing Committee of the St. Louis County Board of Commissioners has considered the nature of the business to be conducted and the propriety of the location and has recommended approval of the application.

THEREFORE, BE IT RESOLVED, That an Off-Sale Intoxicating Liquor License shall be issued to KDRS LLC dba The Breeze Inn, Lakewood Township, located in Area 1, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500.00.

RESOLVED FURTHER, That said liquor license shall be effective through June 30, 2023.

RESOLVED FURTHER, That said license is approved contingent upon payment of real estate taxes when due.

RESOLVED FURTHER, That if the named license holder sells the licensed place of 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 license fee to the license holder.

BOARD LETTER NO. 22 - 303

CENTRAL MANAGEMENT & INTERGOVERNMENTAL

BOARD AGENDA NO. 1

DATE: July 12, 2022

RE: Appointment of Election
Judges for Unorganized
Townships

FROM: Kevin Z. Gray
County Administrator

Nancy J. Nilsen
County Auditor/Treasurer

RELATED DEPARTMENT GOAL:

To maintain high election standards and public confidence in the election process in compliance with state and federal election laws.

ACTION REQUESTED:

The St. Louis County Board is requested to authorize appointment of election clerks/judges to perform election judge duties and set compensation rates for election judges serving in designated polling places for precincts in the unorganized townships.

BACKGROUND:

As governing body for all unorganized townships within St. Louis County, the Board is responsible for appointing election judges and setting compensation rates for state and county elections in unorganized townships not voting by mail ballot (a designation established by previous Board actions).

Minn. Stat. § 204B.31, Subd. 1d, mandates that “election judges shall receive at least the prevailing Minnesota minimum wage for each hour spent carrying out their duties at the polling place and attending training sessions.”

RECOMMENDATION:

It is recommended that the St. Louis County Board approve the appointment of election judges for unorganized townships with polling places and set their compensation at \$12.00 per hour with funding available in the 2020 Auditor Election Budget, Fund 100, Agency 127001, Object 635300.

Appointment of Election Judges for Unorganized Townships

BY COMMISSIONER: _____

WHEREAS, The County Board is the governing body for all unorganized townships within St. Louis County, and

WHEREAS, The County Board is responsible for appointing election judges and setting compensation rates for state and county elections in unorganized townships not voting by mail ballot.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the election judges and head judges for unorganized townships not voting by mail as on file in Board File No. _____, for the 2022 Primary and General Elections at a rate of \$12 per hour with funding available from the Auditor Election Budget, Fund 100, Agency 127001, Object 635300.

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

2022 St. Louis County Unorganized Township Election Judges

UNORGANIZED TOWNSHIP 57-16 (Unorganized Precinct 14)

Lakeland Fire Hall

4667 Vermilion Trl - Gilbert, MN

Clerk/Head Judge	Jan Dzwonkowski	Gilbert, MN
Judge	Edith Carr	Gilbert, MN
Judge	Nancy Chapman	Gilbert, MN
Judge	Elaine Elmquist	Gilbert, MN
Judge	Wanda Lerol	Gilbert, MN

UNORGANIZED TOWNSHIP 60-18 (Unorganized Precinct 15)

Sand Lake Chapel

9038 Biss Road - Britt, MN

Clerk/Head Judge	Mary Elaine Arola	Britt, MN
Judge	Mary Jean Eilertson	Britt, MN
Judge	Melody Kottom	Britt, MN
Judge	Mary Ann Murphy	Britt, MN
Judge	Shirley Olson	Britt, MN
Judge	Kim Orton	Britt, MN
Judge	Patricia Stone	Britt, MN

UNORGANIZED TOWNSHIP 60-19 (Unorganized Precinct 16)

Evergreen Volunteer Fire Hall

10233 Highway 65 - Britt, MN

Clerk/Head Judge	Victoria Emmons	Britt, MN
Judge	Diane Falstrom	Britt, MN
Judge	Margaret Morgan	Britt, MN

UNORGANIZED TOWNSHIP 56-16 (Unorganized Precinct 17)

Makinen Community Center

6601 Wilson Road - Makinen, MN

Clerk/Head Judge	Sharon Wefel	Gilbert, MN
Judge	Elaine Jarvi	Makinen, MN
Judge	Randy Melhus	Iron, MN
Judge	Kelly Sather	Eveleth, MN