

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 9, 2024**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 9th day of January 2024, at 9:31 a.m., at the Biwabik Town Hall, Gilbert, Minnesota, with the following members present: Commissioners Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Mike Jugovich and Vice-Chair Annie Harala - 6. Absent: Chair Commissioner Keith Nelson - 1.

Vice-Chair Harala noted that Chair Nelson is absent because he is giving a speech at Mille Lacs Band of Ojibwe's annual meeting regarding the Northern Lights Express (NLX).

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

Commissioner McDonald introduced Biwabik Township Supervisors Walter Hautala and Jim Paris. Mr. Hautala commented that Biwabik Township was incorporated in 1892 and the township has been using the current town hall since 2018. Mr. Hautala thanked the Board for resurfacing Biwabik and unorganized township roads. Mr. Hautala asked the county for assistance with the implementation of broadband in the area. Commissioner McDonald replied that he was just appointed to the Governor's Broadband Task Force and should be able to get the township more information relating to broadband programs.

As part of Chair Nelson's initiative to recognize citizens throughout St. Louis County, Commissioner McDonald posthumously recognized Byron Moren of Ely. Among his many accomplishments, Mr. Moren had a career in teaching and taught in Newfolden, Pine City, Grand Marais and Ely. Mr. Moren's daughter, Peggy Stolley, thanked the Board for their kind words and for recognizing her father.

Commissioner McDonald, supported by Commissioner Musolf, moved to approve the consent agenda. The motion passed; six yeas, zero nays, one absent (Nelson).

Commissioner Boyle, supported by Commissioner Musolf, moved to consider a resolution for a bid award for a multi-use pedestrian/bike trail project between the City of McKinley and the City of Biwabik; the item had not been to Committee of the Whole. The motion passed; six yeas, zero nays, one absent (Nelson).

Commissioner Musolf, supported by Commissioner McDonald, moved to award a bid to Mesabi Bituminous, Inc., Gilbert, MN, in the amount of \$2,228,853.95 for project CP 0000-3623RR, SP 069-090-018, HPPH H175(003)), Grading, Multi-Use Trail, Bituminous Pavement, Concrete Pavement, ADA Ramps, Aggregate Base, Culvert Installation and Signage located between the City of McKinley and the City of Biwabik from County Road 20 to 500' West of 1st Street North in the City of Biwabik. County Administrator Kevin Gray commented that the Board was asked to expedite this project to avoid supply chain issues that could potentially delay the project. Commissioner Musolf added that the contractor requested quicker approval so they could lock in the purchase price of materials. The motion passed; six yeas, zero nays, one absent (Nelson). Resolution No. 24-51.

Commissioner Musolf, supported by Commissioner McDonald, moved to award a bid to Hawkinson Construction Co., Inc., Grand Rapids, MN, in the amount of \$3,045,666.66 for project CP 0077-669551, SAP 069-677-011 (Low); CP 0115-669552, SAP 069-715-010 (Tied), Reclaim & Overlay located on County State Aid Highway (CSAH) 77 between TH 1/169 and CSAH 115; and CSAH 115 between 0.1 mile E. of County Road (CR) 418 and CSAH 77. Commissioner Grimm requested that Public Works Director Jim Foldesi give the Board an update of how this project fits in with his budget and other projects. The motion passed; six yeas, zero nays, one absent (Nelson). Resolution No. 24-52.

Commissioner McDonald, supported by Commissioner Musolf, moved to award a bid to KGM Contractors, Inc., Angora, MN, in the amount of \$4,816,754.58 for project CP 0115-439125, SP 069-715-009, STBG 6924(086), Bituminous Pavement Reclamation, Bituminous Paving, Aggregate Surfacing, and Base Stabilization located on CSAH 115 between US Hwy. 53 and CR 418. The motion passed; six yeas, zero nays, one absent (Nelson). Resolution No. 24-53.

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

Liquor Licensing Committee minutes approved during CY 2024.—62095

Public Works bid awards, contracts, grants & quotes approved during CY 2024.—62096

Easements and Rights-of-Way approved during CY 2024.—62097

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-15, Establishment of St. Louis County Absentee Ballot Board.—62098

Darren Jablonsky, Economic and Community Development Interim Director, submitting Request for Board Action No. 24-16, Appointments to the NE MN HOME Consortium Advisory Committee.—62099

Timber sales appraisal reports approved during CY 2024.—62100

Upon motion by Commissioner McDonald, supported by Commissioner Musolf, resolutions numbered 24-37 through 24-50, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER McDONALD:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 2, 2024, are hereby approved.

Adopted January 9, 2024. No. 24-37

WHEREAS, The U.S. Department of Health and Human Services, through the Health Resources and Services Administration, has made funds available through their Rural Health Network Development Planning Grant for the planning and development of rural behavioral health care networks; and

WHEREAS, Public Health and Human Services (PHHS) has been working with a variety of community partners on the development of these networks; and

WHEREAS, PHHS wishes to make application for \$100,000 in grant funds to assist with these efforts for the period of July 1, 2024, to June 30, 2025.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes PHHS to submit a grant application in an amount up to \$100,000 to the U.S. Department of Health and Human Services under its Rural Health Network Development Planning Grant program for the period of July 1, 2024, to June 30, 2025.

Adopted January 9, 2024. No. 24-38

WHEREAS, The Public Works Department has a project planned for 2024 on County State Aid Highway (CSAH) 25 (Vermilion Drive) beginning at Trunk Highway 53 and ending at CSAH 24 (2nd Street SE) located in the City of Cook; and

WHEREAS, The City of Cook intends to reconstruct North River Street from 300 feet north of Vermilion Drive to CSAH 115 and reconstruct 1st Avenue SW from 1st Street SW to River Street in conjunction with the County's CSAH 25 reconstruction project; and

WHEREAS, St. Louis County will be responsible for 100 percent of the cost of the CSAH 25 roadway & street lighting reconstruction; and

WHEREAS, The City of Cook will be responsible for 100 percent of the North River Street reconstruction and 1st Avenue SW reconstruction; and

WHEREAS, The reconstruction of the storm sewer on CSAH 25 (Vermilion Drive) will be responsibility of St. Louis County (55%) and the City of Cook (45%); and

WHEREAS, Upon completion of the Project and certification of final payment, the City of Cook shall assume ownership of the CSAH 25 street lights and lighting system and be responsible, at its cost and expense, to operate and maintain the CSAH 25 street lights and lighting system.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into a cooperative agreement, and any amendments, with the City of Cook for the reconstruction of CSAH 25 (Vermilion Drive) from TH 53 to CSAH 24, North River Street from 300 feet north of Vermilion Drive to CSAH 115, and 1st Avenue SW from 1st Street SW to River Street.

RESOLVED FURTHER, That this project is further identified as SAP 069-625-022, CP 0025-509563. Funds received from the City of Cook will be receipted into Fund 220, Agency 220764, Object 551534.

Adopted January 9, 2024. No. 24-39

WHEREAS, Authorized representatives of the St. Louis County Public Works Department and the City of Hibbing have met and agreed that the City of Hibbing can and will accept the reversion of a remnant segment of County Road 763 (Wilpen Trail), located entirely within the corporate limits of the city, for inclusion in the city's system of streets; and

WHEREAS, That part of County Road 763 (also known as the "Wilpen Trail") is to be revoked as a County Road and reverted to the City of Hibbing to then become a municipal street. The center line of said road being described as follows:

Commencing at the southeast corner of Section 2, Township 57 North, Range 20 West; thence North 01 degree 46 minutes 04 seconds West, assumed bearing, along the east line of the southeast quarter of said Section 2 a distance of 239.04 feet to the point of beginning of the center line to be described; thence South 89 degrees 59 minutes 34 seconds West a distance of 65.93 feet; thence along a tangential curve, concave to the north, having radius of 500.00 feet and central angle of 9 degrees 51 minutes 25 seconds a distance of 86.02 feet; thence North 80 degrees 09 minutes 01 seconds West a distance of 2057.72 feet; thence North 79 degrees 50 minutes 52 seconds West a distance of 430 feet, more or less, to the

point of intersection with that existing municipal street known as "Wilpen Trail" and said center line there terminating; and

WHEREAS, St. Louis County has now repaired and improved the segment specified in Hibbing City Council Resolution 23-11-04, adopted November 15, 2023; and

WHEREAS, The City of Hibbing has agreed to assume all future ownership and maintenance responsibilities for the revoked road.

THEREFORE, BE IT RESOLVED, That pursuant to Minnesota Statutes, Chapter 163.11, subdivisions 1, 5, and 9, the County Board of St. Louis County hereby revokes, as a County Road, the above-described road segment which shall then become a street of the City of Hibbing.

RESOLVED FURTHER, That the Clerk of the County Board is hereby instructed to forward two certified copies of this resolution to the City of Hibbing.

Adopted January 9, 2024. No. 24-40

WHEREAS, St. Louis County Public Works Department is planning a highway drainage project on County State Aid Highway (CSAH) 49 (Three Lakes Road) in Northland Township and Unorganized Township (53-16) – CP 0049-796818; and

WHEREAS, The improvement consists of grading, clearing, culvert replacement, and ditching as determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for said construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes the Public Works Director, or his designee, to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the County, any easement documents as may become necessary.

RESOLVED FURTHER, That the State of Minnesota Department of Natural Resources is requested to provide St. Louis County with an easement across State of Minnesota lands located in Section 2, Township 53 North, Range 17 West of the Fourth Principal Meridian. A complete description of the easement area will be provided to the State of Minnesota when the survey of the same is completed prior to formal easement application.

RESOLVED FURTHER, That pursuant to Minn. Stat. § 282.04, Subd. 4, the St. Louis County Board authorizes the County Auditor to grant highway easements across tax-forfeited lands necessary for the project. Right-of-way acquisition is payable from Fund 200, Agency 203001.

Adopted January 9, 2024. No. 24-41

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0187-555605, SAP 069-598-077 (Br 204); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 14, 2023, 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	\$262,241.75
	Angora, MN 55703	

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:

CP 0187-555605, SAP 069-598-077 (Br 204)

Fund 220, Agency 220763, Object 652700 – LBRP Bridge Bond Funds - \$167,991.65

Fund 200, Agency 203679, Object 652800 – Local Construction Funds - \$94,250.10

Adopted January 9, 2024. No. 24-42

WHEREAS, The St. Louis County Public Works Department has applied to the Minnesota Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of State Bridge 69L20 (County Bridge 204), further identified as CP 0187-555605, SAP 069-598-077; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this bridge construction project is available, and the project has been selected to receive Local Bridge Replacement Program (LBRP) grant funding supported through the State Transportation Fund (Bridge Bonds); and

WHEREAS, The amount of the grant has been determined to be \$167,991.65 by reason of the lowest responsible bid.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, 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.

RESOLVED FURTHER, That the appropriate County officials are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

RESOLVED FURTHER, That the project will be funded by a combination of LBRP Funds (2023 LBRP Funds – SAAS Acct 377, \$167,991.65) and local funds (\$94,250.10). LBRP funds received for this project will be receipted into Fund 220, Agency 220763, Object 530401.

Adopted January 9, 2024. No. 24-43

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0016-555210, SAP 069-616-059 (Br 437) (Low); CP 0592-555606, SAP 069-598-076 (Br 603) (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 21, 2023, 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>
TNT Construction Group, LLC	40 County Road 63 Grand Rapids, MN 55744	\$1,178,800.00

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:

CP 0016-555210, SAP 069-616-059 (Br 437) (Low)

Fund 220, Agency 220765, Object 652700 – State Aid and Bridge Bond Funds - \$732,034.02

CP 0592-555606, SAP 069-598-076 (Br 603) (Tied)

Fund 220, Agency 220766, Object 652700 – Bridge Bond Funds - \$378,243.00

Fund 200, Agency 203680, Object 652800 – Local Funds - \$68,522.98

Adopted January 9, 2024. No. 24-44

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-692697, SAP 069-600-052; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 21, 2023, 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>
Rachel Contracting, LLC	4180 Napier Court NE St. Michael, MN 55377	\$285,353.70

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:

CP 0000-692697, SAP 069-600-052

Fund 220, Agency 220733, Object 652700 – State Park Road Account and Crane Lake Township Funds

With additional revenue budgeted for expense:

Crane Lake Township, Fund 220, Agency 220733, Object 551629

Adopted January 9, 2024. No. 24-45

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0078-685127 (Low); CP 0540-558221 (Tied); CP 0910-685125 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 21, 2023, 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	\$4,384,770.20

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:

CP 0078-685127 (Low):

Fund 200, Agency 203681, Object 652800 – Local Construction Funds - \$2,720,146.60

CP 0540-558221 (Tied):

Fund 204, Agency 204266, Object 652806 – Transportation Sales Tax Funds - \$1,313,897.70

CP 0910-685125 (Tied):

Fund 204, Agency 204267, Object 652806 – Transportation Sales Tax Funds - \$350,725.90

Adopted January 9, 2024. No. 24-46

WHEREAS, Minn. Stat. § 471.38, Subd. 3a, used to only require school boards to annually delegate authority to a designated business administrator or chief financial officer or the officer's designee(s) to make electronic funds transfers; and

WHEREAS, Minn. Stat. § 471.38, Subd. 3a, has now been updated to require all local governing boards to annually delegate authority to a designated business administrator or chief financial officer or the officer's designee(s) to make electronic funds transfers.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby delegates authority to the County Auditor and Auditor designees to make Electronic Funds Transfers during 2024.

Adopted January 9, 2024. No. 24-47

WHEREAS, St. Louis County is required by Minn. Stat. § 203B.121, Subd.1, to establish an Absentee Ballot Board; and

WHEREAS, The Absentee Ballot Board brings uniformity in the processing of accepting,

counting and rejecting returned absentee ballots in St. Louis County.

THEREFORE, BE IT RESOLVED, That the County Board establishes an Absentee Ballot Board that shall consist of a sufficient number of Election Judges and may include Deputy Auditors to perform the duties required in Minn. Stat. § 203B.

RESOLVED FURTHER, That the County Board appoints the Absentee Ballot Board judges, as on file in Board File No. 62096, for the 2024 election cycle at a rate of \$13.50 per hour with funding available from Auditor/Elections, Fund 100, Agency 127001, Object 635300.

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

Adopted January 9, 2024. No. 24-48

WHEREAS, The St. Louis County Board desires to carry out the Housing and Urban Development (HUD) entitlement programs, including Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Shelter/Solutions Grant (ESG) and their projects; and

WHEREAS, The St. Louis County Board wishes to appoint two (2) At-Large Housing Professionals to serve on the NE MN HOME Consortium Advisory Committee; and

WHEREAS, The County Board was given a three-week review period through Board Memo No. 23-55 dated December 13, 2023, as required by Board policy; and

WHEREAS, The current At-Large Housing Professional member and alternate member are willing to continue to serve.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board appoints the following At-Large Housing Professional member and alternate member to the NE MN HOME Consortium Advisory Committee for terms ending December 31, 2026:

At-Large Housing Professional – Member: Scott Zahorik

At-Large Housing Professional – Alternate: Angela Neal

Adopted January 9, 2024. No. 24-49

WHEREAS, The St. Louis County Land and Minerals Department has prepared timber appraisals on certain tracts of timber to be offered at public auction, as recommended by the Land Commissioner; and

WHEREAS, The appraisals and terms and conditions of the public auction are described in County Board File No. 62100; and

WHEREAS, Minn. Stat. § 282.04, Subd 1(a), authorizes the county auditor, with terms and conditions set by the county board, to sell state tax-forfeited timber upon any tract approved by the natural resources commissioner; and

WHEREAS, By operational order from the natural resources commissioner, counties with land commissioners are authorized to sell timber on state tax-forfeited lands without further approval from the state; and

WHEREAS, St. Louis County timber auctions may include timber from non-tax-forfeited lands under administration of the Land and Minerals Department, such as county-owned forest lands.

THEREFORE, BE IT RESOLVED, That the appraisal reports and terms and conditions for the sale of timber to be offered at PUBLIC SEALED BID TIMBER AUCTION, Tracts 1 through 35 (totaling \$989,579.92), as submitted by the Land Commissioner and identified in County Board File No. 62100, are approved, and the County Auditor is authorized to sell the tracts as listed in said appraisal reports.

RESOLVED FURTHER, That proceeds received from the sale of timber are to be deposited into Fund 240 (Tax Forfeited Land Fund) or Fund 100-143001 (County Fee Fund) as appropriate to class of land.

BY COMMISSIONER MUSOLF:

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-3623RR, SP 069-090-018, HPPH H175(003); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 21, 2023, 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>
Mesabi Bituminous, Inc.	PO Box 728 Gilbert, MN 55741	\$2,228,853.95

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:

CP 0000-3623RR, SP 069-090-018, HPPH H175(003)

Fund 220, Agency 220134, Object 652700 – Federal and Regional Railroad Authority Funds

Unanimously adopted January 9, 2024. No. 24-51

BY COMMISSIONER MUSOLF:

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0077-669551, SAP 069-677-011 (Low); CP 0115-669552, SAP 069-715-010 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 14, 2023, 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>
Hawkinson Construction Co., Inc.	PO Box 278 Grand Rapids, MN 55744	\$3,045,666.66

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:

CP 0077-669551, SAP 069-677-011 (Low);

Fund 239, Agency 239657, Object 652809 – ARPA Funds - \$1,786,161.75

CP 0115-669552, SAP 069-715-010 (Tied)

Fund 239, Agency 239658, Object 652809 – ARPA Funds - \$1,259,504.91

Unanimously adopted January 9, 2024. No. 24-52

BY COMMISSIONER McDONALD:

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0115-439125, SP 069-715-009, STBG 6924(086); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on December 7, 2023, 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	\$4,816,754.58

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:

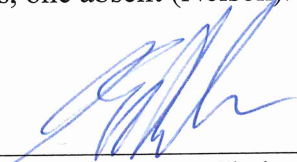
CP 0115-439125, SP 069-715-009, STBG 6924(086)

Fund 220, Agency 220760, Object 652700 – Federal and State Aid Funds - \$4,362,421.24

Fund 239, Agency 239659, Object 652809 – ARPA Funds - \$454,333.34


Unanimously adopted January 9, 2024. No. 24-53

At 10:31 a.m., January 9, 2024, Commissioner Boyle, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Nelson).



Keith Nelson, Chair of the Board
of County Commissioners

Attest:



Nancy Nilsen, County Auditor / *Phil Chapman*
and Ex-Officio Clerk of the Board *Deputy Auditor*
of County Commissioners

(Seal of the County Auditor)