

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON MARCH 22, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 22<sup>nd</sup> day of March 2022, at 9:34 a.m., at the Cherry Town Hall, Iron Junction, 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, and for people affected by the war in Ukraine; followed by the pledge of allegiance.

Kip Borbiconi welcomed the Board to Cherry Township and thanked the Board for their support in bringing broadband to the area.

Chair McDonald opened the meeting to persons who wish to address the Board concerning issues not on the agenda, and no one came forth.

At 9:38 a.m., a public hearing was conducted, pursuant to Resolution No. 22-136, adopted March 1, 2022, to consider the issuance of an Off-Sale Intoxicating Liquor License to Cotton, Inc., dba El Toro/El Toro Package Store/Wilbert Café, Cotton Township. St. Louis County Attorney Kim Maki gave the initial presentation and submitted a packet that included documentation of required notices, minutes from the Liquor Licensing Committee meeting, proof of paid property taxes, and required documents for the license to the Clerk of the County Board. Commissioner Nelson asked Amy Martinich and Mike Frye, of Cotton, Inc., if they had read all liquor license requirements and if they will abide by them; the applicants responded yes. Chair McDonald asked if there were any governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 9:42 a.m., Commissioner Jewell, supported by Commissioner Jugovich, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jugovich, moved that an Off-Sale Intoxicating Liquor License shall be issued to Cotton, Inc., dba El Toro/El Toro Package Store/Wilbert Café, Cotton Township., located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$150.00, effective through June 30, 2022; that the license is approved contingent upon payment of real estate taxes when due; and 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. Commissioner Nelson thanked members of the Liquor Licensing Committee for calling a special meeting to ensure that the applicants get their liquor license by the time they close on the sale of the property. The motion passed; seven yeas, zero nays. Resolution No. 22-177.

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

Commissioner Jewell, supported by Commissioner Nelson, moved to adopt the updated “St. Louis County Depot Mission and Vision Statement”. Depot and Extension Director Mary Tennis gave the Board a presentation on the process of creating the depot statement. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 22-178.

Commissioner Jugovich, supported by Commissioner Musolf, moved to consider a resolution to request that the St. Louis County Board provide sponsorship of the Ranger Snowmobile & ATV Club trail re-route; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Jugovich, supported by Commissioner Musolf, moved that St. Louis County agrees to make application to the Minnesota Department of Natural Resources for the Federal Recreation Trail Program and to sponsor said multi-use trail re-route on behalf of the Ranger Snowmobile & ATV Club at no cost to the County; that if St. Louis County is awarded a grant, the County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project; that the appropriate county officials are authorized to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for the multi-use trail re-route; that St. Louis County and/or Ranger Snowmobile & ATV Club will comply with the Federal Purchasing Requirements as set forth in the 2022 Manual for Equipment Grants of the Federal Recreational Trails Program published by the Minnesota Department of Natural Resources; and further, that the St. Louis County Board names the fiscal agent, authorized to sign all easements, licenses, or other instruments associated with the purchase, subject to the approval of the County Attorney, for St. Louis County for this project as: Nancy J. Nilsen, County Auditor, 100 N. 5th Ave. West, #214, Duluth, MN, 55802. This Resolution is contingent upon the Ranger Snowmobile & ATV Club remaining individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails. St. Louis County assures the multi-use trail reroute acquired through this grant will be maintained for no less than twenty (20) years as required by the Federal Recreational Trail Grant Program or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources. The motion passed; seven yeas, zero nays. Resolution No. 22-179.

Commissioner Jugovich, supported by Commissioner Boyle, moved to reclassify certain state tax-forfeited parcels conservation and that the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located; and further that the reclassification of these parcels will be deemed approved if the county board does not receive notice of the municipality’s or town’s disapproval of the reclassification of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town. County Administrator Kevin Gray asked that the Board include wording to allow the department to make minor changes to the tax-forfeited lands to be reclassified. Commissioner Nelson, supported by Commissioner Jewell, moved to amend the resolution to authorize the Land and Minerals Department to make minor changes to the tax-forfeited lands to be reclassified including modifying legal descriptions to correct errors and ensure accuracy. The amendment passed; seven yeas, zero nays. After further discussion, the motion as amended passed; seven yeas, zero nays. Resolution No. 22-180.

Commissioner Nelson, supported by Commissioner Jugovich, moved that the St. Louis County Board approves commencement of termination of the contracts for purchase or repurchase of state tax forfeited lands, according to the provisions of Minn. Stat. §§ 282.01, subd. 5, 282.40, and 559.21; and further, that the St. Louis County Auditor is authorized to sell or dispose of any abandoned personal property left remaining on the parcels described after making reasonable effort to provide at least 28 days' notice to the former owner, taxpayer, or any current occupants. The following citizens discussed issues they had regarding their contracts. Brian Knutson, of Duluth, spoke regarding contract C22180088. Mr. Knutson said that he fell off a two-story roof and asked the Board for a six-month grace period. Lee Branville, of Eveleth, spoke regarding contract C22180059. Mr. Branville discussed issues he has been experiencing with the Internal Revenue Service (IRS) resulting from his involvement with a non-profit organization. Mr. Branville commented that it could be up to six-months before he gets relief from levies and wage garnishments. Jason Karjala, of Nashwauk, spoke regarding contract C22180349. Mr. Karjala commented that the Assessor's Office reassessed his property and was working with the Auditor's Office to re-apply overpayment of property taxes on other parcels to this contract. Chris Larson, of Eveleth, spoke regarding contract C22180134. Mr. Larson commented that his property is in a sale-pending status with a closing date of May 31, 2022. Once the sale is complete, outstanding defaults will be cured. Julie Marinucci, St. Louis County Land and Minerals Director, said that this is a change in the cancellation process and the department is seeking Board approval prior to proceeding with the termination of contracts. There is a 60-day notice requirement and a 90-day publication requirement. Director Marinucci recommended that if the Board chooses to provide additional relief, that the contract be removed from the file and brought back for individual consideration. The Board removed contracts C22180059, C22180088, C22180134, and C22180349 from the list of contracts in default. The motion passed; seven yeas, zero nays. Resolution No. 22-181.

Commissioner Nelson, supported by Commissioner Jewell, moved that the St. Louis County Board authorizes a time extension to October 31, 2022, for contract holders of contracts: C22180059, C22180088, C22180134, and C22180349 to develop a solution(s) to cure default(s) for failure to pay the required installments and/or real estate taxes. The motion passed; seven yeas, zero nays. Resolution No. 22-182.

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

Kevin Gray, County Administrator, and Linnea Mirsch, Public Health & Human Services Director, submitting Board Letter No. 22-120, Opioid Remediation Advisory Committee Appointments.—61682

Kevin Gray, County Administrator, and Mary Tennis, Depot and Extension Director, submitting Board Letter No. 22-98R, Approval of the Updated St. Louis County Depot Mission and Vision Statement.—61683

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-129, Request for Sponsorship of Ranger Snowmobile & ATV Club Trail Re-route.—61684

Kevin Gray, County Administrator, Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-116, Reclassification of State Tax-Forfeited Lands as Conservation.—61685

Cancellation of Contracts for Purchase or Repurchase of State Tax-Forfeited Land approved during CY 2022.—61686

Kevin Gray, County Administrator, and Linnea Mirsch, Public Health & Human Services Director, submitting Board Letter No. 22-119, Public Health and Human Services Advisory Committee Appointments.—61687

St. Louis County On-line Software Subscriber Agreement between the County Auditor and Housing and Redevelopment Authority of Duluth, MN.—22-207

St. Louis County On-line Software Subscriber Agreement between the County Auditor and Members Cooperative Credit Union, Duluth, MN.—22-208

St. Louis County On-line Software Subscriber Agreement between the County Auditor and ML Abstracting, Inc., Elk River, MN.—22-209

Contract for County State Aid Highway (CSAH) Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for mill bituminous surface, bituminous pavement reclamation, aggregate base stabilization, plant mixed bituminous surface, aggregate base, aggregate base class 5, base stabilization, shoulder base aggregate, bituminous surfacing, and aggregate surfacing on CSAH 4, CSAH 138, County Road (CR) 396, CR 715, Wynne Ridge Road and Rocky Road (CP 0004-367845, SAP 069-604-081 Low; CP 0138-367846, SAP 069-738-009 Tied; CP 0396-367855 Tied; CP 0715-636792 Tied; CP 0000-640544 Tied.—22-210

Contract for County State Aid Highway Project between the County of St. Louis and Redstone Construction, LLC, Mora, MN, for Bridge Bundling Project consists of constructing 14 precast concrete box culverts, 7 prestressed concrete beam span bridges, and general work including bituminous paving, aggregate surfacing, excavation and embankment, piling, stream restoration, and railway coordination.—22-211

Amendment No. 1, Original Damion No. 2021-014838, between the County of St. Louis and Windsor MEP Engineers, LLC, Duluth, MN, to provide civil engineering and survey coordination for redesign and site planning for the canopy roof at the St. Louis County Depot, increasing the contract amount by \$5,000 due to change in design.—22-212

Grant Agreement between St. Louis County (Grantor) and St. Louis County Historical Society (Grantee) for cataloging services and/or collection/moving/storage needs in an amount up to \$99,000 and a funding allocation for Grantee, including Historical Society/Range Affiliates and Veterans' Memorial Hall, in the amount of \$446,998.—22-213

State of Minnesota Grant Contract between its Commissioner of Natural Resources and St. Louis County Sheriff's Office, for Off-Highway Vehicle (OHV) and All-Terrain Vehicle (ATV) grant activities during the period July 1, 2021, to June 30, 2023.—22-214

Agreement for Fiscal Services between the County of St. Louis, Nancy Nilsen, St. Louis County Auditor, and the ATV Joint Powers Board to provide fiscal services during the period December 1, 2021, to June 30, 2024.—22-215

Contract for County State Aid Highway Project between the County of St. Louis and Casper Construction, Inc., Grand Rapids, MN, to Construct Bridge 69K84 (County Bridge 142) and approaches over Bear Trap Creek, 5.1 miles W/SW of Twig, MN (CP 0874-358350 Br 142).—22-216

Contract for County State Aid Highway Project between the County of St. Louis and Asphalt Surface Tech Corp – ASTECH, St. Cloud, MN, for crack repair special, scrub seal, fog seal, and pavement markings on CSAH 5, CSAH 25, and various roads in the city of Chisholm (CP 0000-554771 2022 Scrub Seal Prime, consisting of 3 projects; SAP 069-030-056).—22-217

Contract for County State Aid Highway Project between the County of St. Louis and Ulland Brothers, Inc., Cloquet, MN, for grading, bituminous surfacing and lighting on Trunk Highway (TH) 2 at CSAH 98 (Canosia Road) (CP 0098-539985, SAP 069-698-015, SP 6908-70).—22-218

Agreement between the Department of the Army and County of Saint Louis, Minnesota, for design and construction assistance for the Tischer Creek Project.—22-219

State of Minnesota Department of Transportation and Saint Louis County Cooperative Construction Agreement, MnDOT Contract No. 1048419, for grading, bituminous and concrete surfacing, roundabout, lighting, and ADA improvement construction on TH 37 and CSAH 7 (CP 0007-395054, SP 069-070-045 & SP 6947-55 TJ 37=216).—22-220

State of Minnesota Department of Transportation and Saint Louis County Cooperative Construction Agreement, MnDOT Contract No. 1049159, for grading, bituminous and concrete surfacing, roundabout, lighting, and ADA improvement construction on TH 194 CP 0013-360675, SAP 069-613-044, SP 692-14 TH 194=008).—22-221

State of Minnesota Local Bridge Replacement Program Grant Agreement, MnDOT Agreement No. 1049134, SP No. 069-070-055, between its Commissioner of Transportation and St. Louis County Public Works.—22-222

Contract for County State Aid Highway Project between St. Louis County and KGM Contractors, Inc., Angora, MN, to Construct Bridge 69L04 (County Bridge 266) and Approaches over Second Creek, 5.3 Miles North of Hoyt Lakes, MN (CP 0666-515084 BR 266).—22-223

Upon motion by Commissioner Nelson, supported by Commissioner Musolf, resolutions numbered 22-159 through 22-176, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER NELSON:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 8, 2022, are hereby approved.

WHEREAS, The Minnesota Department of Human Services has made available grant funds to counties to implement a plan to improve system access and service delivery by engaging individuals with serious mental illness who are experiencing homelessness or exiting institutions who have complex needs and face high barriers to obtaining and maintaining housing; and

WHEREAS, This opportunity meets unique needs of the homeless population in St. Louis County and systemic barriers; and

WHEREAS, Community partners are willing to continue to engage in this work.

THEREFORE, BE IT RESOLVED, That the County Board authorizes the Public Health and Human Services Department to apply for a grant amendment award up to \$1,000,000 over a two-year grant cycle for Housing Supports for Adults with Serious Mental Illness (July 1, 2022 – June 30, 2024), with St. Louis County serving as the fiscal agent for the grant.

WHEREAS, The purpose of the Public Health and Human Services Advisory Committee is to seek input about the Public Health and Human Services delivery system and make recommendations to the St. Louis County Board and the Department relative to the service needs of the community; and

WHEREAS, The County has received a number of applications from candidates interested in serving on the Committee; and

WHEREAS, The County Board has previously received a list of those individuals and identified the candidates of which it wishes to appoint to the Committee.

THEREFORE, BE IT RESOLVED, That the St Louis County Board makes the following appointments to the Public Health and Human Services Advisory Committee:

District 1:	Kaitlin Erpestad, Pam Kramer	terms to expire 12/31/2025
District 2:	Tracy Goulet	term to expire 12/31/2025
District 3:	Mary Kirsling	term to expire 12/31/2025
District 5:	Gina Marsalla	term to expire 12/31/2025
District 6:	Loretta Bickford	term to expire 12/31/2025
At Large:	Nathaniel Coward	term to expire 12/31/2025

WHEREAS, As a result of the national settlement of a class action lawsuit involving several prescription opioid manufacturers and distributors, the state of Minnesota is estimated to receive \$300 million over the next 18 years; and of that, St. Louis County will be receiving the fifth largest local share; and

WHEREAS, On January 4, 2022, Chair Commissioner McDonald formed the Opioid Remediation Subcommittee to make recommendations on the distribution of settlement proceeds; and

WHEREAS, Chair Commissioner McDonald appointed Commissioners Boyle, Jugovich and Grimm in addition to representations from Public Health and Human Services, the Sheriff's Office and County Attorney's Office and called for an application period to solicit individuals from the Community with professional and/or lived experience relating to opioids; and

WHEREAS, The call for applications was posted by the Clerk of the Board and closed

February 25, 2022.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board makes the following twenty (20) appointments to the Opioid Remediation Subcommittee:

Greg Anderson  
Katie Bauman  
Laura Bennett  
Joseph Bianco  
Elizabeth Bilden  
Heather Blue  
Pat Conway  
Melissa Dybvig  
Beth Elstad  
Brandon Hankey

Bryan Johnson  
Sherry Johnson  
Danielle Jones  
Branden Mattson  
Jessica McCarthy-Nickila  
Jeff Polcher  
Lisa Prusak  
Susan Purchase  
Allison Vanneste  
Verne Wagner

Adopted March 22, 2022. No. 22-162

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Department and the customers it serves; and

WHEREAS, PHHS and the Human Resources Department conducted such a review when an Information Specialist I position became vacant serving the Home & Community Based Services and Behavioral Health Divisions and determined that reallocation to an Information Specialist II was appropriate; and

WHEREAS, County Fiscal Policies specify that any position change greater than three (3) pay grades must go to the County Board for approval.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of a 1.0 FTE Information Specialist I position (Position code 0413-022, Civil Service Basic Unit Pay Plan, Pay Grade B04) to a 1.0 FTE Information Specialist II (Civil Service Basic Unit Pay Plan, Pay Grade B10) in the Public Health and Human Services Department, resulting in an increase of \$5,324 to be accounted for in Fund 230, Agency 230005, Object 610100.

Adopted March 22, 2022. No. 22-163

WHEREAS, The St. Louis County Public Works Department shall act as the lead agency during the construction administration phase for State Project (SP) 8821-336 consisting of the replacement of four (4) Minnesota Department of Transportation (MnDOT) bridges located within Carlton County and along Trunk Highway (TH) 210; and

WHEREAS, St. Louis County has programmed MnDOT Bridges 6290, 6292, 6293, and 6294 to be replaced in year 2023; and

WHEREAS, St. Louis County has established a detour route for MnDOT Bridge 6290 replacement to be on Carlton County owned roads of County State Aid Highway (CSAH) 5 and CSAH 26 for a total distance of 4.0 miles; and

WHEREAS, St. Louis County has established a detour route for MnDOT Bridge 6292 replacement to be on Carlton County owned roads of County Road (CR) 123 and CR 120 for a total distance of 5.0 miles, and CSAH 4 and CR 61 to be used for a truck detour for a total distance of 15.7 miles; and

WHEREAS, St. Louis County has established a detour route for MnDOT Bridges 6293 and 6294 replacements to be on Carlton County owned roads of CSAH 22 and CSAH 6 for a total distance of 14.4 miles; and

WHEREAS, MnDOT shall reimburse Carlton County with state funds for the road life consumed costs estimated at \$9,643.21 for the established detour routes along TH 210 in Carlton County; and

WHEREAS, The maximum obligation of MnDOT under MnDOT Contract No. 1048199 (herein referred to as the “detour agreement”) shall be \$30,000 and shall not be exceeded unless increased by execution of an amendment to the detour agreement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby authorizes an agreement with MnDOT and Carlton County to designate St. Louis County as the lead agency in the construction administration phase of SP 8821-336, and for MnDOT to provide payment to Carlton County by state funds for the road life consumed costs incurred during use of Carlton County owned roads as the established detour routes along TH 210. Revenue received from MnDOT will be receipted to Fund 200, Agency 205003, Object 583100.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to execute and enter into the detour agreement as well as make any amendments to the detour agreement as needed.

Adopted March 22, 2022. No. 22-164

WHEREAS, The St. Louis County Public Works Department shall act as the lead agency during the construction administration phase for State Project (SP) 8821-336 consisting of the replacement of four (4) Minnesota Department of Transportation (MnDOT) bridges located within Carlton County and along Trunk Highway (TH) 210; and

WHEREAS, St. Louis County has programmed MnDOT Bridges 6290, 6292, 6293, and 6294 to be replaced in year 2023; and

WHEREAS, St. Louis County has established a detour route for MnDOT Bridge 6290 replacement to be on City of Cloquet owned road designated as a frontage road between Moorhead Road to TH 33 for a total distance of 1.1 miles; and

WHEREAS, MnDOT shall reimburse the City of Cloquet with state funds for the road life consumed costs estimated at \$574.32 for the established detour routes along TH 210 in Carlton County; and

WHEREAS, The maximum obligation of MnDOT under MnDOT Contract No. 1048201 (herein referred to as the “detour agreement”) shall be \$1,900 and shall not be exceeded unless increased by execution of an amendment to the detour agreement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby authorizes an agreement with MnDOT and the City of Cloquet to designate St. Louis County as the lead agency in the construction administration phase of SP 8821-336, and for MnDOT to provide payment to the City of Cloquet by state funds for the road life consumed costs incurred during use of city owned roads as the established detour routes along TH 210. Revenue received from MnDOT will be receipted to Fund 200, Agency 205003, Object 583100.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate county officials to execute and enter into the detour agreement as well as make any amendments to the detour agreement as needed.

Adopted March 22, 2022. No. 22-165



WHEREAS, The Public Works Department has entered into a contract agreement with Hawkinson Construction Company, Inc., of Grand Rapids, MN, to complete the rehabilitation of County State Aid Highway (CSAH) 27 from CSAH 5 to CSAH 7, CSAH 76 from Trunk Highway (TH) 169 to the Itasca County Line, County Road (CR) 444 from Helstrom Road to CSAH 16, Hibbing Landfill Road from TH 169 to its north terminus, and CSAH 5 from CSAH 27 to TH 37 during the 2022 construction season (SAP 069-625-024, CP 0025-673937); and

WHEREAS, It was determined that CSAH 25 from CSAH 27 to CR 661 (Fraser Road), which is directly adjacent to SAP 069-625-024, CP 0025-673937, is in need of rehabilitation; and

WHEREAS, Since recent bids have been consistently below engineer's estimates, the Public Works Department would like to take advantage of these low bids and desires to benefit from economies of scale by including the rehabilitation work on CSAH 25 from CSAH 27 to CR 661; and

WHEREAS, Hawkinson Construction Company, Inc., has provided a unit price quote of \$664,357.73 to complete the work on CSAH 25 from CSAH 27 to CR 661.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a change order to the contract agreement with Hawkinson Construction Company, Inc., in the amount of \$664,357.73 to complete the rehabilitation of CSAH 25 from CSAH 27 to CR 661 in Lavell and McDavitt Township in the 2022 construction season, with funds payable from Fund 220, Agency 220694, Object 652700.

Adopted March 22, 2022. No. 22-166

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-395025, SP 069-070-043; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 3, 2022, and the low responsible bid 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>
Traffic Marking Service	621 Division St. East Maple Lake, MN 55358	\$48,869.50

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 0000-395025, SP 069-070-043**

Fund 220, Agency 220695, Object 652700 – Federal Funds - \$43,982.55

Fund 200, Agency 203647, Object 652800 – Local Construction Funds - \$4,886.95

Adopted March 22, 2022. No. 22-167

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-649269 (2022 Southeast Crushing); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 3, 2022, and the low responsible bid 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	\$296,682

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 0000-649269 (2022 Southeast Crushing)**

Fund 200, Agency 201106, Object 650200 – Local Maintenance, St. Louis County Bridge Department, Colvin Township, Cotton Township and Normanna Township Funds - \$296,682

With additional revenue budgeted for expense:

Colvin Township, Fund 200, Agency 201106, Object 551586 - \$4,500

Cotton Township, Fund 200, Agency 201106, Object 551563 - \$15,000

Normanna Township, Fund 200, Agency 201106, Object 551621 - \$7,980

Adopted March 22, 2022. No. 22-168

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-369670; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 3, 2022, and the low responsible bid determined; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on March 3, 2022, and the low responsible bid 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>
Traffic Marking Service	621 Division St. East Maple Lake, MN 55358	\$512,981.60

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 0000-369670**

Fund 200, Agency 207001, Object 651800 – Local Maintenance, Canosia Township, City of Chisholm, City of Hermantown, City of Rice Lake, City of Virginia and Lake County Funds - \$512,981.60

With additional revenue budgeted for expense:

Canosia Township, Fund 200, Agency 207001, Object 551511 - \$7,117.20

City of Chisholm, Fund 200, Agency 207001, Object 551530 - \$352.40

City of Hermantown, Fund 200, Agency 207001, Object 551503 - \$22,000

City of Rice Lake, Fund 200, Agency 207001, Object 551521 - \$1,121.40

City of Virginia, Fund 200, Agency 207001, Object 551505 - \$15,201.60

Lake County, Fund 200, Agency 207001, Object 551508 - \$27,310

Adopted March 22, 2022. No. 22-169

WHEREAS, The Public Works Department has a project to replace culverts on County State Aid Highway (CSAH) 5, beginning at CSAH 27 (Zim Road) and ending at CSAH 16 (Town Line Road) (SAP 069-605-054, CP 0005-475803); and

WHEREAS, One of the culverts to be replaced is located within the railroad right-of-way at the railroad crossing identified as DOT #061254G; and

WHEREAS, A permit agreement with the BNSF Railroad Company is required to allow entry into the railroad right-of-way.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a permit agreement with the BNSF Railway Company to replace a culvert at the railroad crossing identified as DOT #061254G on CSAH 5 located in the City of Hibbing and Lavell Township, with funds payable from Fund 200, Agency 200008, Object 637900.

Adopted March 22, 2022. No. 22-170

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0137-395072, SP 069-070-046, SP 6935-93; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 10, 2022, and the low responsible bid 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>
Ulland Brothers, Inc.	PO Box 340 Cloquet, MN 55720	\$543,760

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 0137-395072, SP 069-070-046, SP 6935-93**

Fund 220, Agency 220571, Object 652700 – Federal, State Aid and MNDOT Funds - \$543,760

With additional revenue budgeted for expense:

MNDOT, Fund 220, Agency 220571, Object 532304 - \$271,880

Adopted March 22, 2022. No. 22-171

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0007-369674, SP 069-070-056, SP 6911-40; and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 10, 2022, and the low responsible bid 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	\$519,016.70

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 0007-369674, SP 069-070-056, SP 6911-40**

Fund 220, Agency 220584, Object 652700 – Federal and State Aid Funds - \$519,016.70

Adopted March 22, 2022. No. 22-172

RESOLVED, That pursuant to the provisions of Minn. Stat. § 340A, as amended, and Rules and Regulations adopted by this Board under St. Louis County Ordinance No. 28, dated May 22, 1978, as amended, the following applications for permit authorizing the consumption and display of intoxicating liquor are hereby approved, on file in the office of the County Auditor, identified as County Board File No. 61645.

Hugo's, Inc. dba Hugo's, Ault Township, renewal;  
Wilkins Pine Aire Resort, Inc. dba Pine Aire Resort, Kabetogama Township,  
renewal.

Adopted March 22, 2022. No. 22-173

WHEREAS, Minn. Stat. § 180 requires counties with five (5) or more mines in operation to appoint an inspector of mines and to fulfill associated inspection and investigation related responsibilities; and

WHEREAS, Since 1991 St. Louis County has provided mine inspection services to Itasca County through a cooperative activity services agreement; and

WHEREAS, St. Louis County Safety and Risk Management Division, Mine Inspector's Office has sufficient staff to continue to provide this service and has updated the services agreement to reflect the current costs associated with providing these services; and

WHEREAS, The current agreement is an amount not to exceed \$18,000 with a budgeted amount of \$3,000 in revenue based upon historic levels of service.

THEREFORE, BE IT, RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to enter into a Mine Inspection Services Agreement with Itasca County through December 31, 2024, with funds to be deposited into Fund 100, Agency 138001, Object 552506.

Adopted March 22, 2022. No. 22-174

WHEREAS, St. Louis County has worked with the Gilbert Police Department for the last 11 years on the Off-Highway Vehicle (OHV) Safety Enforcement Grant under a Memorandum of Understanding (MOU) created in 2011 but has since expired; and

WHEREAS, The State of Minnesota, Department of Natural Resources offers OHV Safety Enforcement Grants to enhance enforcement and public education activities for off-highway vehicle use; and

WHEREAS, The grant award is \$48,162 per year, for two years, in which the City of Gilbert will receive up to \$15,000 each year. This is a repetitive grant that does not require a county match.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an updated MOU with City of Gilbert for work on the OHV Safety Enforcement Grants.

Adopted March 22, 2022. No. 22-175

WHEREAS, Minn. Stat. § 282.241 provides that state tax-forfeited land may be repurchased by the previous owner subject to payment of delinquent taxes and assessments, with penalties, interest, and maintenance costs; and

WHEREAS, The applicant, Hidden Estates Homeowners Association of Duluth, MN, has applied to repurchase state tax-forfeited land legally described as:

CITY OF DULUTH

OUTLOT A and OUTLOT B, HIDDEN ESTATES

Parcel codes: 010-2166-00140,00150; and

WHEREAS, The applicant was the owner of record at the time of forfeiture and is eligible to repurchase the property; and

WHEREAS, Resolution of any outstanding county or municipal code violations will become a condition of the repurchase; and

WHEREAS, The applicant shall either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a four-year contract for deed, satisfying same, to repurchase the non-homestead property; and

WHEREAS, Approving the repurchase will promote the use of lands that will best serve the public interest.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the repurchase application by Hidden Estates Homeowners Association of Duluth, MN, on file in County Board File No. 61662, subject to payments including total taxes and assessments of \$2,350.32, deed fee of \$25, deed tax of \$1.65, and recording fee of \$66, for a total of \$2,442. 97 to be deposited into Fund 240 (Forfeited Tax Fund), plus a service fee of \$500 to be deposited into Fund 100 (General Fund), and further subject to any other conditions discussed herein.

Adopted March 22, 2022. No. 22-176

**BY COMMISSIONER NELSON:**

WHEREAS, Cotton Inc. dba El Toro/El Toro Package Store/Wilbert Café, Cotton 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 March 22, 2022, at 9:35 a.m., in the Cherry Town Hall, 9831 Hwy. 37, Iron Junction, 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, Cotton, 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 Cotton Inc. dba El Toro/El Toro Package Store/Wilbert Café, Cotton 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, 2022.

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.

Unanimously adopted March 22, 2022. No. 22-177

**BY COMMISSIONER JEWELL:**

WHEREAS, The St. Louis County Board initiated a high-level Depot Visioning process with representation of each of the organizations leasing space in the Depot; and

WHEREAS, Board Chair McDonald created the Depot Operations Committee (Committee) at the 2022 Organizational Meeting; and

WHEREAS, The Committee recommended that County Staff incorporate County Extension into the Depot Vision, establish a Vision Statement, and share the updated Depot Mission and Vision

Statement with the Board; and

WHEREAS, The result of these efforts is the updated “St. Louis County Depot Mission and Vision Statement”, which can be used as a management and decision-making tool, to communicate tenant expectations for organizations wanting to lease space at the St. Louis County Depot, and to provide clarity regarding the Government Program operated therein pursuant to Minnesota Statute § 16A.695 and §§ 471.15 - 471.19.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby adopts the updated “St. Louis County Depot Mission and Vision Statement”, as found in County Board File No. 68683.

Unanimously adopted March 22, 2022. No. 22-178

**BY COMMISSIONER JUGOVICH:**

WHEREAS, St. Louis County serves as the sponsor of various winter recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and

WHEREAS, The construction and maintenance of these trails are funded through the Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

WHEREAS, The Ranger Snowmobile & ATV Club has requested that St. Louis County make application to the Minnesota Department of Natural Resources for the Federal Recreation Trail Program and that it serves as the local government sponsor for the multi-use trail re-route, to be funded by the Minnesota Department of Natural Resources for the Federal Recreational Trail Program.

THEREFORE, BE IT RESOLVED, That St. Louis County agrees to make application to the Minnesota Department of Natural Resources for the Federal Recreation Trail Program and to sponsor said multi-use trail re-route on behalf of the Ranger Snowmobile & ATV Club at no cost to the County.

RESOLVED FURTHER, That if St. Louis County is awarded a grant, the County agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project.

RESOLVED FURTHER, That the appropriate county officials are authorized to sign grant applications, agreements, and reimbursement claims to the Minnesota Department of Natural Resources for the multi-use trail re-route.

RESOLVED FURTHER, That St. Louis County and/or Ranger Snowmobile & ATV Club will comply with the Federal Purchasing Requirements as set forth in the 2022 Manual for Equipment Grants of the Federal Recreational Trails Program published by the Minnesota Department of Natural Resources.

RESOLVED FURTHER, That the St. Louis County Board names the fiscal agent, authorized to sign all easements, licenses, or other instruments associated with the purchase, subject to the approval of the County Attorney, for St. Louis County for this project as: Nancy J. Nilsen, County Auditor, 100 N. 5<sup>th</sup> Ave. West, #214, Duluth, MN, 55802.

RESOLVED FURTHER, That this Resolution is contingent upon the Ranger Snowmobile & ATV Club remaining individually named as an insured on the general liability policy covering St. Louis County sponsored State Grant-in-Aid Trails.

RESOLVED FURTHER, That St. Louis County assures the multi-use trail re-route acquired through this grant will be maintained for no less than twenty (20) years as required by the Federal

Recreational Trail Grant Program or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources.

Unanimously adopted March 22, 2022. No. 22-179

**BY COMMISSIONER JUGOVICH:**

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified or reclassified as conservation or non-conservation as required by Minn. Stat. § 282.01, subd. 1; and

WHEREAS, The parcels of land described in County Board File No. 61685 forfeited to the State of Minnesota for nonpayment of real estate taxes and were previously classified as non-conservation; and

WHEREAS, The St. Louis County Land and Minerals Department has recommended that the parcels be reclassified as conservation after considering, among other things, the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, utilities and other public services, and their peculiar suitability or desirability for particular uses; and

WHEREAS, These parcels of land are located inside the boundaries of a municipality or town, and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The town or municipality is considered to have approved the classification or reclassification and sale of these parcels if the county board is not notified of the disapproval of the classification or reclassification and sale within 60 days of the date the request for approval was transmitted to the town or municipality in which the parcels are located.

THEREFORE, BE IT RESOLVED, That the state tax-forfeited parcels described in County Board File No. 61685 shall be reclassified as conservation, and the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcels are located.

RESOLVED FURTHER, That the reclassification of these parcels will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Land and Minerals Department to make minor changes to the tax-forfeited lands to be reclassified including modifying the legal descriptions to correct errors and ensure accuracy.

Unanimously adopted March 22, 2022. No. 22-180

**BY COMMISSIONER NELSON:**

WHEREAS, The contracts for purchase or repurchase of state tax forfeited-lands listed and legally described in County Board File No. 61686 are now in default for failure to pay the required installments and/or real estate taxes; and

WHEREAS, Minn. Stat. § 282.04, subd. 2(d), authorizes the County Auditor, with the approval of the County Board, to dispose of or sell, as appropriate, any abandoned personal property

left remaining on tax-forfeited lands after making reasonable efforts to provide at least 28 days' notice to the former owner, taxpayer, or any current occupants;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves commencement of termination of the contracts for purchase or repurchase of state tax-forfeited lands listed and described in County Board File No. 61686, according to the provisions of Minn. Stat. §§ 282.01, subd. 5, 282.40, and 559.21.

RESOLVED FURTHER, That the St. Louis County Auditor is authorized to sell or dispose of any abandoned personal property left remaining on the parcels described herein after making reasonable effort to provide at least 28 days' notice to the former owner, taxpayer, or any current occupants.

Unanimously adopted March 22, 2022. No. 22-181

**BY COMMISSIONER NELSON:**

WHEREAS, The contracts for purchase or repurchase of state tax forfeited lands listed and legally described in County Board File No. 61686 are now in default for failure to pay the required installments and/or real estate taxes; and

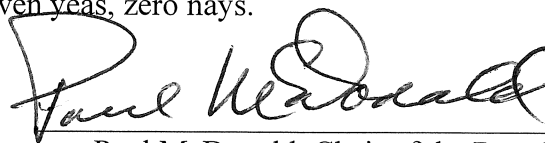
WHEREAS, At the March, 22 2022, Board meeting, the St. Louis County Board reviewed and considered commencement of termination of the contracts for purchase or repurchase of state tax forfeited lands listed and described in County Board File No. 61686, according to the provisions of Minn. Stat. §§ 282.01, subd. 5, 282.40, and 559.21; and

WHEREAS, The St. Louis County Board considered verbal testimony from contract holders regarding contract numbers: C22180059, C22180088, C22180134, and C22180349, and determined that a time extension to develop a solution to cure default(s) for failure to pay the required installments and/or real estate taxes was appropriate.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a time extension to October 31, 2022, for contract holders of contracts: C22180059, C22180088, C22180134, and C22180349 to develop a solution(s) to cure default(s) for failure to pay the required installments and/or real estate taxes.

Unanimously adopted March 22, 2022. No. 22-182

At 10:53 a.m., March 22, 2022, Commissioner Jugovich, supported by Commissioner Grimm, 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)