

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON JANUARY 25, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 25th day of January 2022, at 9:31 a.m., at the Hermantown City Hall, Hermantown, Minnesota, with the following members present: Commissioners Frank Jewell, Patrick Boyle, Ashley Grimm, Keith Musolf, Keith Nelson and Chair Paul McDonald - 6. Absent: Commissioner Mike Jugovich - 1.

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

Chair McDonald commented that the Board proclaims the week of January 24-31, 2022, as Frontline Workers Appreciation Week in St. Louis County, Minnesota. The proclamation coincides with "Project Blue Light" organized by Arrowhead Regional Public Health and Tribal Health Departments and shows support for all frontline workers. Commissioner Boyle read the proclamation and noted that over the last two weeks 1% of the county has been infected by COVID-19. St. Louis County Public Health Director Amy Westbrook commented that Aubrie Hoover, Senior Public Health Educator & School Specialist, has played a critical role in supporting and educating schools throughout the pandemic. Last week, St. Louis County schools reported 851 new cases of COVID-19 infections.

City of Hermantown Mayor Wayne Boucher welcomed the Board to Hermantown and thanked the Board for their partnership on various city projects.

Chair McDonald opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Randy Poynter, of Canyon, discussed various issues regarding a neighbor who he claims has encroached on his property and asked for county assistance in resolving the issue.

Commissioner Boyle, supported by Commissioner Jewell, moved to approve the consent agenda. The motion passed; six yeas, zero nays, one absent (Jugovich).

Commissioner Nelson, supported by Commissioner Boyle, moved that the Board approves the disbursement of scholarship funds for the 2022-2023 school year as follows: Minnesota North College Mesabi Range Foundation: \$37,500; Minnesota North College Hibbing Foundation: \$37,500; Minnesota North College Vermilion Foundation: \$37,500; and Lake Superior College Foundation: \$37,500; and further, approves the renaming of the scholarship program as recommended by the special committee and the St. Louis County Board of Commissioners as the Tom Rukavina Mineral Royalties Scholarship. Commissioner Jewell requested that the question be divided; the disbursement of funds and renaming of the scholarship program were considered separately. County Attorney Kim Maki noted that in some situations a vote must be taken to divide the question; however, in this situation a vote is not required. After further Commissioner discussion, the motion to approve disbursement of the scholarship funds passed; six yeas, zero nays, one absent (Jugovich). Resolution No. 22-81.

Commissioner Nelson, supported by Commissioner Boyle moved to approve the renaming of the scholarship program as recommended by the special committee and the St. Louis County Board of Commissioners as the Tom Rukavina Mineral Royalties Scholarship. Commissioner Jewell

commented that he asked that the question be divided because he is concerned about the process that St. Louis County uses to name things. Commissioner Jewell noted that things are exclusively named after men and said that there should be a more formal process. After further discussion, the motion passed; five yeas, one nay (Jewell), one absent (Jugovich). Resolution No. 22-81.

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

Liquor Licensing Committee minutes submitted during CY 2022.—61640

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-27, Authorization to Apply and Accept Funding through the State of Minnesota Help America Vote Act (HAVA) Grant Program.—61641

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-33, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (French Township).—61642

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-34, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Culver Township).—61643

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-35, Establish Public Hearing to Consider Tax Abatement for the Cirrus Aircraft's proposed conversion and expansion at the Duluth International Airport.—61644

Applications for Permit Authorizing the Consumption and Display of Intoxicating Liquor (set-ups) approved during CY 2022.—61645

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-39, Committee Vacancy Appointment to the St. Louis County Planning Commission.—61646

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 22-40, Civil Service Rules 4.5A Amendment.—61647

Kevin Gray, County Administrator, submitting Board Letter No. 22-42, Establishing 2023 Minimum Compensation for Elected County Officials.—61648

Kevin Gray, County Administrator, and Ross Litman, Sheriff, submitting Board Letter No. 22-29, Memorandum of Understanding with the City of Duluth for the 2021 Justice Assistance Grant.—61649

Job Classifications and Allocations approved during CY 2022.—61650

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-30, Amend Zoning Ordinance No. 62, Zoning Map (Town of Breitung).—61651

Kevin Gray, County Administrator, Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-31, State Tax Forfeited Lease – East Range Water Intake Project.—61652

Kevin Gray, County Administrator, Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-32, Sale and Disposal of Abandoned Personal Property.—61653

Proclamation: Frontline Workers Appreciation Week – January 24-31, 2022.—61654

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 22-38, Approval of Funds for and Renaming of Mineral Royalties Scholarship.—61655

Legislative Services Agreement between the County of St. Louis and the Arrowhead Counties Association for the use of the services of the County Intergovernmental Relations Director to further its legislative activities at the Minnesota State Legislature during the 2022 Legislative Session.—22-64

Grant Contract Agreement Amendment No. 1, Grant Contract Agreement No. A-DECN-NGGIS-2019-NEECB2-3, 2019 DECN Next Generation Graphic Information System (NGGIS), for the return of funds.—22-65

Partner Agreement regarding FY 2019 National Sexual Assault Kit Initiative (SAKI) Grant, Award No. 2019-AK-BX-0003, between the City of Duluth, the Program for Aid to Victims of Sexual Assault, Inc. (PAVSA) and St. Louis County to furnish a half-time prosecutor during year three (10/01/2021 – 9/30/2022) of the grant period (10/01/2019 – 9/30/2022).—22-66

Amendment No. 2, Original Damion No. 2015-010019, Amendment No. 1 2020-014145, between the County of St. Louis and Kangas Excavating, Inc., Ely, MN, extending the terms of the original contract for the period January 1, 2022, through December 31, 2022, and adding language regarding performance, inspections of facility and proposed 10% fee increase.—22-67

Service Contract No. 5485A between the County of St. Louis and Quad Cities Recycling, Inc., Virginia, MN, to haul and unload Mixed Solid Waste from four (4) County Environmental Services Department Transfer Stations to the Regional Landfill in Virginia, MN, during the period January 1, 2022, to December 31, 2022, with a possible three (3) additional one-year terms.—22-68

Amendment No. 3, Original Damion No. 2020-014299, Amendment No. 1 2021-014569, Amendment No. 2 2021-014904, between the County of St. Louis and Carleton Companies, Inc., Virginia, MN, increasing the compensation for the processing one (1) ton of scrap metal by five percent (5%) from \$94.95/ton to \$99.70/ton to include capacitors, fluorescent bulbs and mercury switches in the list of compensable hazardous materials for the entire term of the Original Contract.—22-69

Amendment No. 2, Original Damion No. 2019-013054, Amendment No. 1 Damion No. 2021-014330, between the County of St. Louis and the Duluth Airport Authority, Duluth, MN, for the Small Community Air Service Development Grant Program to attract an air carrier for service between Duluth and Denver, CO, extending the contract two (2) additional years beginning January 1, 2022, to December 31, 2023.—22-70

Amendment No. 1, Original Damion No. 2019-013429, between the County of St. Louis and Bill L. Thompson Law Office, to provide parent representation for Children in Need of Protection (CHIPS), Termination of Parental Rights (TPR), transfer of legal and physical custody, permanent custody to the agency, temporary legal custody to the agency and Long Term Foster Care (LTFC) placement.—22-71

Amendment No. 1, Original Damion No. 2020-014144, between the County of St. Louis and Carleton Companies, Inc., Virginia, MN, for loading, hauling and unloading of demolition waste with their own equipment from various County demolition waste collection sites to the designated Minnesota Pollution Control Agency (MPCA) landfill, adjusting the costs for services using the Consumer Price Index (excluding fuel).—22-72

Amendment No. 1, Original Damion No. 2021-014339, between the County of St. Louis and Reliable Handyman Services, LLC, Ely, MN, for services to reduce fire risk in wildland-urban interface areas, extending the terms for a period effective January 1, 2022, through June 30, 2022.—22-73

Service Contract No. 5756A between the County of St. Louis and TNT Timber, Saginaw, MN, for services to reduce fire risk in wildland-urban interface areas through November 30, 2022.—22-74

Minnesota Department of Human Services County Grant Contract between their Housing and Support Services Division and St. Louis County for the term January 1, 2022, through December 31, 2023.—22-75

Service Contract between the County of St. Louis and Scalzo Architects, Duluth, MN, for St. Louis County 3rd Street Ramp Security Design Services.—22-76

Amendment to Service Contract, Original Damion No. 2021-014603, between the County of St. Louis and Architecture Advantage, Duluth, MN, for additional architecture services for the St. Louis County Union Depot Canopy project.—22-77

Service Contract between the County of St. Louis and Scalzo Architects, Duluth, MN, to prepare design and construction documents for the renovation of existing office space on the Michigan Street level of the St. Louis County Heritage and Arts Center (Depot).—22-78

Service Contract No. 5756B between the County of St. Louis and Reliable Handyman Services, LLC, Ely, MN, to reduce fire risks in wildland-urban interface areas.—22-79

Agreement for Purchasing Services between St. Louis and Lake Counties Regional Railroad Authority and County of St. Louis effective through December 31, 2022.—22-80

Amendment #1 to Cooperative Maintenance Agreement, Original Damion No. 2015-009492, between the County of St. Louis and the Town of White, exchanging General Surface Maintenance and Winter Maintenance for 4 miles of blacktop on CSAH 138 (Giants Ridge Road) within Town boundaries, for the transfer of ownership of the Salt/Sand Dome located at 4545 Highway 100, Aurora, MN. The County is allowed continued use of the Salt/Sand Dome until at least December 31, 2023.—22-81

Fire Protection Services Agreement – CY 2022 between the County of St. Louis and Central Lakes Volunteer Fire Department, Inc., to provide services in Unorganized Township 56-17.—22-82

Contract for County-State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for Culvert Replacement, Aggregate Base Class 5, Plant Mixed Bituminous Patches, Grading and Aggregate Base on CSAHs 22, 115 & 912 (CP 0022-565325 Low Prime; CP 0115-604839; CP 0912-539747; SAP 069-622-024).—22-83

Lease Agreement between the County of St. Louis (Lessor) and the North Shore Scenic Railroad (Lessee) for floor space at the St. Louis County Heritage & Arts Center (the Depot) during the period January 1, 2022, through December 31, 2022.—22-84

Grant Agreement No. 5768 between the County of St. Louis and Ash River Sanitary District, Orr, MN, for the FY20/21 Minnesota Clean Water Fund grant match to develop the Ash River Community Sanitary Sewer Project.—22-85

Amendment No. 3, Original Damion No. 2019-013433, Amendment No. 1 2020-013885, Amendment No. 2 2021-014476 between the County of St. Louis and Matthew Miller, Attorney at Law, Cloquet, MN, to provide parent representation for Children in Need of Protection (CHIPS), Termination of Parental Rights (TPR), transfer of legal and physical custody, permanent custody to the agency, temporary legal custody to the agency and Long Term Foster Care (LTFC) placement.—22-86

Agreement between the County of St. Louis and Minnesota Department of Iron Range Resources and Rehabilitation for the CSAH 138 (Giants Ridge Road) Pedestrian Crossing Improvement Plan (SAP 069-738-009, CP 0138-367846).—22-87

Professional Services Agreement between the County of St. Louis and Kevin J. McConnell, Duluth, MN, to develop electronic processes, give input, review process, reconcile project issues and perform administrative duties and act as a senior consultant to the Maintenance staff on future project development and planning, including high level review of Maintenance Projects as directed by the Deputy Public Works Director.—22-88

Agreement between the County of St. Louis and the Township of Morse for the Crack Seal – 2022 project on various paved roads (CP 0000-447572).—22-89

Agreement for Purchase Services between the County of St. Louis and the St. Louis and Lake Counties Regional Railroad Authority on a case-by-case basis.—22-90

Amendment No. 2, Original Damion No. 2021-014676, Amendment No. 1 2021-014785, between the County of St. Louis and Cope & Peterson, Ltd. Virginia, MN, to provide parent representation for Children in Need of Protection (CHIPS), Termination of Parental Rights (TPR), transfer of legal and physical custody, permanent custody to the agency, temporary legal custody to the agency and Long Term Foster Care (LTFC) placement.—22-91

Service Contract No. 5731-1 between the County of St. Louis and TKDA, Duluth, MN, for Phase II Design/Construction Services for three (3) new campuses located in Culver Township, Kugler Township and near the Whiteface Reservoir and six (6) alternate sand/sand/brine domes and cost storage buildings at the Buyck, Cotton, Floodwood, Hibbing, Jean Duluth and Meadowlands Garages, during the period January 1, 2022, through December 31, 2023.—22-92

Agreement for Services between the County of St. Louis and Short Elliott Hendrickson, Inc., Virginia, MN, for Administrative Support Services for the Northeastern Regional ATV Joint Powers Board.—22-93

Agreement for Services between the County of St. Louis and Twin Ports Testing II, Inc., Superior, WI, for Engineering Services for geotechnical investigations at Culver, Kugler, and Whiteface Proposed Facilities during the period January 1, 2022, to December 31, 2023.—22-94

Service Contract No. 5661D between the County of St. Louis and Friends Garbage Service, LLC, International Falls, MN, to haul mixed solid waste from its canister site(s) and transport the waste to designated transfer stations or the landfill or disposal during the period October 1, 2021, through December 31, 2022, with two (2) additional one-year renewals upon satisfactory performance.—22-95

Cooperative Agreement between the County of St. Louis and the City of Duluth for the Chip Seal – 2022 project (CP 0000-554769).—22-96

Upon motion by Commissioner Boyle, supported by Commissioner Jewell, resolutions numbered 22-58 through 22-80, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER BOYLE:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 11, 2022, are hereby approved.

Adopted January 25, 2022. No. 22-58

WHEREAS, The UCare Foundation has made available grant funds to counties and Tribes to implement a plan related to behavioral health and well-being; and

WHEREAS, The St. Louis County Continuum of Care Leadership Team has reviewed this opportunity and it 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 St. Louis County Board authorizes the Public Health and Human Services Department to apply for grant funds up to \$100,000 for *Housing Fund for Individuals Experiencing or at Risk of Experiencing Homelessness* for the 2022-2023 grant cycle, with St. Louis County serving as the fiscal agent for the grant.

Adopted January 25, 2022. No. 22-59

WHEREAS, The Minnesota Department of Transportation (MnDOT), in cooperation with St. Louis County, submitted a joint funding application to the Highway Safety Improvement Program to construct a roundabout at the intersection of Trunk Highway (TH) 37 and County State Aid Highway (CSAH) 7; and

WHEREAS, MnDOT and St. Louis County were awarded Federal funding through the Highway Safety Improvement Program and have developed a project to construct a single-lane roundabout at the intersection of TH 37 and CSAH 7 in 2022, (SP 069-070-045, CP 0007-395054); and

WHEREAS, MnDOT will lead this project which includes public outreach, environmental documentation, design, right-of-way acquisition and construction administration/engineering; and

WHEREAS, MnDOT and St. Louis County will each share in the cost of this project through a cooperative construction agreement.

THEREFORE, BE IT RESOLVED, That St. Louis County enter into MnDOT Agreement No. 1048419 with the State of Minnesota, Department of Transportation, for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the grading, bituminous and concrete surfacing, roundabout, lighting, and ADA improvement construction and other associated construction to be performed upon, along, and adjacent to TH 37 from 978 feet west of CSAH 7 to 776 feet east of CSAH 7 and on CSAH 7 from 510 feet south of TH 37 to 306 feet north of TH 37 within the corporate limits of the City of Keenan under SP 6947-55 (TH 37=216).

RESOLVED FURTHER, That the County Board Chair, Public Works Director and the Assistant County Attorney are authorized to execute the Agreement and any amendments to the Agreement.

RESOLVED FURTHER, St. Louis County's share of the project cost shall be payable from Fund 220, Agency 220684, Object 532304.

Adopted January 25, 2022. No. 22-60

WHEREAS, The St. Louis County Public Works Department has decommissioned A10902, a 2010 John Deere 770G Motor Grader, as part of an upgrade, and this unit is no longer needed by the County; and

WHEREAS, The City of Tower has made inquiry as to the availability of A10902 to be purchased by its Public Works Department; and

WHEREAS, The Public Works Department negotiated a price of \$60,000.00 with the City of Tower, and they have approved the purchase.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Public Works Department to transfer ownership of A10902, a 2010 John Deere 770G Motor Grader, to the City of Tower at a total cost of \$60,000.00 where the proceeds will be receipted into Fund 407, Agency 407001, Object 590650, with additional revenue budgeted for expense in Fund 407, Agency 407001, Object 666300.

Adopted January 25, 2022. No. 22-61

WHEREAS, The Public Works Department is leading a project in 2022 to resurface County State Aid Highway (CSAH) 9 (Woodland Avenue) beginning at West Arrowhead Road and ending at CSAH 37 (Snively Road); and

WHEREAS, This project includes the replacement of two (2) existing traffic signal systems and a lighting system on CSAH 9 (Woodland Avenue) at the intersections of West Arrowhead Road and CSAH 37 (Snively Road); and

WHEREAS, The Public Works Department must pre-order the traffic signal systems structural steel, the lighting system light poles, and certain electronic components which include fully furnished traffic signal system controller cabinets, video detectors and emergency vehicle preemption systems.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of traffic signal systems and lighting system components to replace the existing traffic signal systems and lighting system on CSAH 9 (Woodland Avenue) at the intersections of West Arrowhead Road and CSAH 37 (Snively Road), (SP 069-609-047, CP 0009-382898) with funds payable from Fund 220, Agency 220590, Object 651600.

Adopted January 25, 2022. No. 22-62

WHEREAS, The St. Louis County Public Works Department plans to reconstruct a short segment of County State Aid Highway (CSAH) 6 (Maple Grove Road) and to replace the existing bridge (County Bridge 128, State Bridge 7788) over the White Pine River in Solway Township (CP 0006-397798, SAP 069-606-028); and

WHEREAS, These improvements consist of replacing the existing bridge with a new bridge at the same location and reconstructing the roadway as determined necessary to provide for the safety and convenience of the public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for this 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-payable from Fund 200, Agency 203001.

Adopted January 25, 2022. No. 22-63

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied project:

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); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on January 6, 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	\$3,039,405.00

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 0004-367845, SAP 069-604-081 (Low)

Fund 220, Agency 220685, Object 652700 – State Aid Regular Funds - \$188,694.87

Fund 204, Agency 204217, Object 652806 - Transportation Sales Tax Funds - \$500,000.00

CP 0138-367846, SAP 069-738-009 (Tied)

Fund 220, Agency 220613, Object 652700 – State Aid Regular, Local Road Improvement Program and Minnesota Department of Iron Range Resources and Rehabilitation Funds - \$1,720,637.99

With additional revenue budgeted for expense:

Minnesota Department of Iron Range Resources and Rehabilitation, Fund 220, Agency 220613, Object 532304 - \$8,328.10

CP 0396-367855 (Tied)

Fund 204, Agency 204218, Object 652806 - Transportation Sales Tax Funds - \$370,414.62

CP 0715-636792 (Tied)

Fund 200, Agency 203642, Object 652800 – Local Levy Construction Funds - \$21,059.07

CP 0000-640544 (Tied)

Fund 220, Agency 220687, Object 652700 – Town of White Funds - \$238,598.45

With additional revenue budgeted for expense:

Town of White, Fund 220, Agency 220687, Object 551520 \$238,598.45

Adopted January 25, 2022. No. 22-64

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for the following tied project:

CP 0078-398490 (Low); CP 0082-398248 (Tied); CP 0478-367955 (Tied); CP 0997-597362 (Tied); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation & Public Works Complex, Duluth, MN, on January 6, 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 55703	\$1,976,851.00

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 0078-398490 (Low)

Fund 204, Agency 204219, Object 652806 – Transportation Sales Tax Funds - \$307,223.83

CP 0082-398248 (Tied)

Fund 204, Agency 204220, Object 652806 – Transportation Sales Tax Funds - \$1,007,371.62

CP 0478-367955 (Tied)

Fund 204, Agency 204221, Object 652806 – Transportation Sales Tax Funds - \$613,143.65

CP 0997-597362 (Tied)

Fund 200, Agency 203643, Object 652800 – St. Louis County Local Levy Construction Funds - \$49,111.90

Adopted January 25, 2022. No. 22-65

WHEREAS, The Minnesota Office of the Secretary of State is accepting grant applications to assist counties with implementing security improvements for elections systems; and

WHEREAS, Grant funding is distributed to counties at a \$20,000 flat-rate per county plus \$.29 per Voting Age Population as captured by the 2020 U.S. Census; and

WEREAS, Based on the formula, St. Louis County is eligible for HAVA grant funding in the amount of \$66,515.24; and

WHEREAS, The St. Louis County Auditor has identified election equipment replacement needs in St. Louis County and the grant funding would be used to upgrade election equipment as needed.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the application and acceptance of Help America Vote Act (HAVA) Grant funding in the amount of up to \$66,515.24 to be accounted for in Fund 100, Agency 127999, Grant 12701, Year 2022.

Adopted January 25, 2022. No. 22-66

RESOLVED, That the St. Louis County Board approves the applications for abatement, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 61635.

Adopted January 25, 2022. No. 22-67

RESOLVED, That the St. Louis County Board establishes a public hearing at 9:35 a.m., on February 8, 2022, in the Government Services Center, 320 West 2nd Street, Duluth, MN, for the purpose of considering the issuance of an Off-Sale Intoxicating Liquor License to Side Lake Store, LLC dba R&B Side Lake Store, French Township.

Adopted January 25, 2022. No. 22-68

RESOLVED, That the St. Louis County Board establishes a public hearing at 9:40 a.m., on February 8, 2022, in the Government Services Center, 320 West 2nd Street, Duluth, MN, for the purpose of considering the issuance of an Off-Sale Intoxicating Liquor License to Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver Township.

Adopted January 25, 2022. No. 22-69

WHEREAS, Minn. Stat. § 469.1812 through § 469.1815, Abatement Authority, require that a public hearing be conducted prior to approving a tax abatement; and

WHEREAS, Minn. Stat. § 116J.993 through § 116J.995, Business Subsidy Law, requires that a public hearing be conducted prior to granting any business subsidy in an amount greater than \$150,000 in value; and

WHEREAS, The City of Duluth, Minnesota, has requested St. Louis County to consider up to \$600,000 in tax abatement to assist the City of Duluth – Cirrus Aircraft’s plan to convert and expand the existing Maintenance, Repair and Overhaul (MRO) facility at the Duluth International Airport as its corporate headquarters, operations, and production facility; and

WHEREAS, The specific parcels to be included in the tax abatement request are as follows:

- A. 010-2747-00050
- B. 010-2747-00080
- C. 010-2747-00020
- D. 010-2747-00030

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes a public hearing on Tuesday, February 8, 2022, at 9:45 a.m., at the St. Louis County Government Services Center, 320 W. 2nd Street, Duluth, MN, to consider the request for tax abatement financing regarding the City of Duluth – Cirrus Aircraft’s plan to convert and expand the existing MRO at the Duluth International Airport as its corporate headquarters, operations, and production facility.

Adopted January 25, 2022. No. 22-70

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:

Ely Golf Club Corporation dba Ely Golf Club, Morse Township, change of board members, renewal;

Ely Nordic Ski Club dba Hidden Vally Chalet, Morse Township, renewal.

Adopted January 25, 2022. No. 22-71

WHEREAS, The St. Louis County Board appoints citizens to serve on the Planning Commission; and

WHEREAS, The Planning Commission currently has a vacancy to fill the remainder of the term previously held by David Anderson that will expire on December 31, 2024; and

WHEREAS, There are four (4) applications for filling the vacancy on the St. Louis County Planning Commission.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby appoints James (Pat) McKenzie to its Planning Commission for the remainder of a term ending December 31, 2024.

Adopted January 25, 2022. No. 22-72

WHEREAS, 2022 pay plans implemented as a result of 2020-2022 collective bargaining necessitated an update to the county’s Civil Service Rules to ensure that employees continue to

receive a commensurate level of wage increase associated with appointment to a job class in a higher pay grade as they did prior to implementation of the 2022 pay plans; and

WHEREAS, The proposed amendments to the Civil Service Rules were approved by the St. Louis County Civil Service Commission following a public hearing on January 10, 2022.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the amended St. Louis County Civil Service Rules contained in Board File No. 61647.

Adopted January 25, 2022. No. 22-73

WHEREAS, The St. Louis County Board has the authority to set compensation for elected county officials including County Attorney, County Auditor, and the County Sheriff; and

WHEREAS, According to state statutes, at the January meeting prior to the first date on which applicants may file for the office of County Attorney, County Auditor, and County Sheriff, the Board shall set, by resolution, the minimum salary to be paid to the County Attorney, County Auditor, and County Sheriff, for the term next following; and

WHEREAS, The 2023 starting level compensation for these positions recognizes the salary schedule found in the St. Louis County Management Compensation Pay Plan AE for elected department heads, effective December 18, 2021.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the minimum 2023 salary compensation levels for elected officials to the positions County Attorney at \$136,448; County Auditor at \$112,216; and County Sheriff at \$123,802 as identified in the St. Louis County Management Compensation Pay Plan AE for elected department heads, effective December 18, 2021, a copy of which is on file in County Board File No. 61648.

RESOLVED FURTHER, That the elected officials' qualifications, experience, and performance may require that the actual starting salary be placed appropriately along the Management Compensation Pay Plan AE schedule.

Adopted January 25, 2022. No. 22-74

WHEREAS, The Federal government, through the Bureau of Justice Assistance, has made available \$37,127 in funding from the Justice Assistance Grant for approved prevention and controlling of crime; and

WHEREAS, The St. Louis County Sheriff's Office will appropriate \$5,000 to the First Witness Child Advocacy Center, \$5,000 to South St. Louis County DWI Court, and in addition, the Duluth Police Department will be spending the remaining \$27,127 to support efforts in the areas of transparency, community policing, education and community outreach; and

WHEREAS, The Bureau of Justice Assistance requires a Memorandum of Understanding between St. Louis County and the City of Duluth for the acceptance of the Justice Assistance Grant.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Memorandum of Understanding with the City of Duluth and the acceptance of the 2021 Justice Assistance Grant.

Adopted January 25, 2022. No. 22-75

WHEREAS, Since 2019, the County Board has annually approved funding from the Environmental Trust Fund for a partial FTE Deputy Sheriff (\$35,000) assigned to investigate and address compliance issues related to the environment and health, safety and general welfare of the citizens throughout the county; and

WHEREAS, This Deputy works under the direction of the Environmental Services Director from April 15th through October 15th to investigate, identify, and coordinate efforts to resolve compliance issues related to county ordinances addressing solid waste, land use, and onsite wastewater programs spanning several county departments; and

WHEREAS, To date, there have been 199 cases reported to Environmental Services and many additional cases developed by the Deputy while investigating existing compliance issues; and

WHEREAS, Given the increasing caseload, the Sheriff's Office and Environmental Services have identified a need for this position to be a twelve-month, permanent assignment to address the growing issues that include blight, improper refuse storage and disposal, illegal dumping on public lands, and to assess abandoned or unregistered vehicles.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the hiring of a 1.0 FTE Deputy Sheriff position assigned to address planning, zoning, environmental and public health compliance under the direction of the Environmental Services Director.

RESOLVED FURTHER, That the St. Louis County Board authorizes the transfer of fund balance from the Environmental Trust Fund, Fund 500, Object 311025, to Fund 100, Agency 129017, Object 610000 Salaries, to cover the cost of the additional 1.0 FTE Deputy Sheriff in lieu of the previous years' \$35,000 transfer.

RESOLVED FURTHER, That the St. Louis County Board authorizes the position to be eliminated if the funding source is terminated.

Adopted January 25, 2022. No. 22-76

WHEREAS, The Town of Breitung initiated a zoning map amendment to rezone the SW ¼ of SE ¼, Section 33, Township 62 North, Range 15 West, Town of Breitung; and

WHEREAS, The St. Louis County Planning Commission, on December 9, 2021, held a public hearing to consider amending the zoning map; and

WHEREAS, Following the public hearing, the Planning Commission recommended approval of the proposed amendment.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends Ordinance 62 to rezone the SW ¼ of SE ¼, Section 33, Township 62 North, Range 15 West, Town of Breitung, from RES-11 to MU-4.

RESOLVED FURTHER, This zoning change will be effective immediately upon County Board approval.

Adopted January 25, 2022. No. 22-77

WHEREAS, Laws of Minnesota 2021, First Special Session, Chapter 6, Article 2, Section 124, authorizes St. Louis County to lease property legally described below to the City of Aurora and the Town of White for a water intake plant under Laws of Minnesota 2018, Chapter 214, Article 1, Section 22, Subdivision 6. The lease must be in a form approved by the attorney general and for a term of 40 years:

PART OF GOVERNMENT LOT 5 EXCEPT THE LAKE PORTION OF
EMBARRASS MINE

TOWNSHIP 58 NORTH, RANGE 15 WEST, SECTION 5; and

WHEREAS, A consortium including the City of Aurora and the Town of White have requested to lease approximately four (4) acres of state tax forfeited land near Lake Mine (Embarrass Pit) in White Township for a water intake structure; and

WHEREAS, The St. Louis County Land and Minerals Department has reviewed the request and recommends entering into a forty-year lease agreement with the City of Aurora, the Town of White, and/or a Joint Powers Water Board subject to the terms and conditions set forth in a lease agreement, including an annual land use fee of \$200.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to enter into a lease agreement with the City of Aurora, the Town of White, and/or a Joint Powers Water Board subject to terms and conditions set forth in a lease agreement, including an annual

land use fee of \$200 and an administration fee of \$100 to be deposited into Fund 240 (Forfeited Tax Fund).

Adopted January 25, 2022. No. 22-78

WHEREAS, The St. Louis County Land and Minerals Department requests authorization to sell or dispose of abandoned personal property on state tax forfeited parcels described in County Board File No. 61653; 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 abandoned personal property on tax forfeited land after making reasonable efforts to provide at least 28 days' notice to the former owner, taxpayer, and any current occupants.

THEREFORE, BE IT RESOLVED, That the St. Louis County Auditor is authorized to sell or dispose of abandoned personal property remaining on the state tax forfeited properties described in County Board File No. 61653 after making reasonable effort to provide at least 28 days' notice to the former owner, taxpayer, and any current occupants.

Adopted January 25, 2022. No. 22-79

RESOLVED, That the appraisal report for sale of timber, numbered C19220026 as submitted by the Land Commissioner, on file in the Office of the County Auditor, identified as County Board File No. 61625, is approved and the County Auditor is authorized to carry out the recommendation as listed in said appraisal report.

Adopted January 25, 2022. No. 22-80

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County receives iron ore royalties from tax forfeited minerals; and

WHEREAS, Minn. Stat. § 298.2215 allows a county to establish a scholarship program for local high school graduates; and

WHEREAS, The late former St. Louis County Commissioner and State Representative Tom Rukavina was instrumental in the creation and passage of Minn. Stat. § 298.2215; and

WHEREAS, The St. Louis County Board previously adopted Resolution No. 21-673 (item 67), budgeting \$150,000 to be directed towards the 2022-2023 scholarship program.

THEREFORE, BE IT RESOLVED, That the County Board approves the disbursement of scholarship funds for the 2022-2023 school year as follows:

- Minnesota North College Mesabi Range Foundation: \$37,500
- Minnesota North College Hibbing Foundation: \$37,500
- Minnesota North College Vermilion Foundation: \$37,500
- Lake Superior College Foundation: \$37,500

RESOLVED FURTHER, That the County Board approves the renaming of the scholarship program, as recommended by the special committee and the St. Louis County Board of Commissioners, to the Tom Rukavina Mineral Royalties Scholarship.

Division of the question:

Funding of the Mineral Royalties Scholarship Fund:

Yeas – Commissioners Jewell, Boyle, Grimm, Musolf, Nelson and Chair McDonald – 6

Nays – None

Absent – Commissioner Jugovich – 1

Renaming of the Scholarship Program:

Yeas – Commissioners Boyle, Grimm, Musolf, Nelson and Chair McDonald – 5

Nays – Commissioner Jewell – 1
Absent – Commissioner Jugovich – 1
Adopted January 25, 2022. No. 22-81

At 10:20 a.m., January 25, 2022, Commissioner Boyle, supported by Commissioner Grimm, moved to adjourn the meeting. The motion passed; six yeas, zero nays, one absent (Jugovich).



Paul McDonald, Chair of the Board
of County Commissioners

Attest:



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

(Seal of the County Auditor)