

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 26, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of September 2023, at 9:34 a.m., at the Alborn Town Hall, Alborn, Minnesota, with the following members present: Commissioners Annie Harala, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 7. Absent: None - 0.

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

Commissioner Jugovich introduced Alborn Township Supervisor Dale Larson. Mr. Larson welcomed the Board to Alborn Township and commented that the township has a good working relationship with the county.

St. Louis County Sheriff Gordon Ramsay presented Life Saver Awards to honor people involved in three separate incidents. The first incident occurred on January 15, 2022, at a cabin on Long Lake Road. Lakeland Fire Department Chief Mike Plesha, Lakeland Fire Department Assistant Chief Andrew Peyla, Lakeland Firefighters Danny Mackey and Gary Stanaway rescued a person who was sleeping on the top floor of a cabin that was on fire. Dave LaChapelle was honored for rescuing a kayaker who was afloat in Silver Lake without a lifejacket on June 27, 2022. Joe Froehlingsdorf was honored for performing CPR and saving his 1-week old daughter's life on September 2, 2022.

A point of personal privilege was taken at 9:51 a.m. At 9:55 a.m., the Board reconvened with all members present.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, provided the Board with a handout and said the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road should be null and void based on Minnesota Statute 15.992 and the County Zoning Ordinance. Ms. Bell stated that there has been deception, corruption, and cover-up regarding the issuance of the permit and asked that the county hold a workshop or meeting to discuss the CUP. Clayton Cich, of Fredenberg Township, commented that the county is not facing up to the fact that the gravel pit applications are being filled out incorrectly and issuing Conditional Use Permits in error for gravel pits will affect communities for approximately seventy years.

Commissioner Nelson, supported by Commissioner Jugovich, moved to approve the consent agenda. Chair Boyle noted that Administration removed Item #11, Approval of Registered Land Survey No. 155 was removed from the Board agenda. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Harala, moved that the St. Louis County Board certifies the maximum property tax levy for 2024 in the amount of \$168,153,374. St. Louis County Administrator Kevin Gray said the maximum levy is an increase of 2.93%; however, due to growth, the average county property tax paid on a \$150,000 property will decrease by approximately \$76 a year. The final 2024 county budget adoption will take place on December 19, 2023. Commissioner Nelson noted that when comparing the proposed county levy to other counties in Minnesota, St.

Louis County ranks in the bottom 2% of levy increases. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 23-497.

Commissioner Harala, supported by Commissioner McDonald, moved to consider a resolution to accept the 2023 Cross Boundary Fuels Mitigation Grant; the item had not been to committee. The motion passed; seven yeas, zero nays.

Commissioner McDonald, supported by Commissioner Harala, moved to That the St. Louis County Board authorizes the acceptance of the 2023 Cross Boundary Fuels Mitigation Grant funding in the amount of \$295,000, to be accounted for in Fund 100, Agency 132999, Grant 13210, Year 2023. The motion passed; seven yeas, zero nays. Resolution No. 23-498.

Administrator Gray provided the Board with a brief update on flooding that took place over the past weekend. Administrator Gray commented that the region received anywhere between 3 ½ and 7 ½ inches of rain and there were approximately 20 to 25 road incidents.

Upon motion by Commissioner Nelson, supported by Commissioner Jugovich, resolutions numbered 23-485 through 23-496, 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 September 12, 2023, are hereby approved.

Adopted September 26, 2023. No. 23-485

WHEREAS, The Prospector ATV Club has secured a Minnesota Department of Natural Resources grant in the amount of \$700,000 from the all-terrain vehicle account for the design, permitting, right-of-way acquisition and construction of the Bear Run Trail, Y Store to Pfeiffer Lake Trail, and Cloquet Line to Grassy Road Trail segments; and

WHEREAS, St. Louis County shall act as the fiscal agent and contract administrator for the State grant funds for the project; and

WHEREAS, The Prospector ATV Club, or its Consultant(s), shall perform the planning, design, environmental permitting, and right-of-way acquisition for the project; and

WHEREAS, Any project costs in excess of the State grant funds are the responsibility of Prospector ATV Club.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorize the appropriate county officials to enter into a grant agreement with the Minnesota Department of Natural Resources and any amendments, and a cooperative agreement with the Prospector ATV Club and any amendments, for the construction of the Bear Run Trail, Y Store to Pfeiffer Lake Trail, and Cloquet Line to Grassy Road Trail segments.

RESOLVED FURTHER, That this project is further identified as CP 0000-809882. Funds for this project will be receipted into Fund 220, Agency 220754, Object 530819.

Adopted September 26, 2023. No. 23-486

WHEREAS, The St. Louis County Public Works Department is responsible for the removal of snow and ice from county roads, as well as some township roads and city streets based on interagency agreements; and

WHEREAS, The 2023-2024 budget includes funding for sodium chloride (road salt – regular

and treated) and alternative chemical deicers; and

WHEREAS, The State of Minnesota completed procurement processes and contract negotiations on behalf of the County for the 2023-2024 winter road treatment season, resulting in an agreement with Cargill, Incorporated – North Olmstead, Ohio (Minnesota State Contract 230566) to furnish and deliver road salt to fourteen (14) county locations; and

WHEREAS, The Public Works Department has identified their intent to partner with Envirotech Services, Inc. of Denver, CO (Contract 202458) and K-Tech Specialty Coatings, Inc. of Ashley, IN (Contract 202459) to complete purchases on an as-needed basis for alternative chemical deicers, in accordance with State of Minnesota Contract Release D-156(5).

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of up to 16,980 tons of untreated road salt and 1,248 tons of treated road salt from Cargill, Inc. of North Olmstead, OH, with use of State of Minnesota State Contract 230566 at a maximum delivered cost not to exceed \$1,403,223.24 payable from Fund 200, Agency 207023, Object 651700.

RESOLVED FURTHER, That the St. Louis County Board authorizes the purchase of alternative deicers during the 2023-2024 winter treatment season, with use of State of Minnesota Contract Release D-156(5) from Envirotech Services, Inc. of Denver, CO (Contract 202458) and K-Tech Specialty Coatings, Inc. of Ashley, IN (Contract 202459) for a total cost not to exceed \$250,000.00 payable from Fund 200, Agency 207001, Object 651700.

Adopted September 26, 2023. No. 23-487

RESOLVED, That the St. Louis County Board authorizes a grant application to the Depot Foundation for \$741,094.

Adopted September 26, 2023. No. 23-488

RESOLVED, That the St. Louis County Board will convene a public hearing on Tuesday, November 28, 2023, at 9:35 a.m., at the City of Leonidas, Eveleth, MN, to consider adoption of the fee schedule for various county services for the year 2024.

Adopted September 26, 2023. No. 23-489

WHEREAS, Minn. Stat. § 275.065 requires that counties establish a public meeting date for the purpose of receiving comments from the public on the proposed property tax levy and operating budget for the year 2024 prior to adopting a final levy and budget.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board establishes public meetings to gather comment on the proposed property tax levy and operating budget for year 2024 on Monday, November 20, 2023, at 7:00 p.m., in the St. Louis County Courthouse, Virginia, MN, and Monday, November 27, 2023, at 7:00 p.m., in the St. Louis County Courthouse, Duluth, MN.

Adopted September 26, 2023. No. 23-490

WHEREAS, The St. Louis County Information Technology (IT) Department has identified a strategic need to invest in Virtual Desktop Infrastructure to enhance performance, streamline application delivery, expand the deployment of citizen and employee kiosks, and create more flexible mechanisms for providing in-person trainings; and

WHEREAS, Over the past six months the IT Department, in coordination with county departments, has piloted the deployment of Virtual Desktop Infrastructure to improve the performance of ESRI GIS mapping software applications including ArcMap and ArcPro, provide St. Louis County resources to agency partners, as well as various citizen- and employee-facing kiosk infrastructure with positive results; and

WHEREAS, The IT Department would like to expand the usage of the Virtual Desktop Infrastructure as part of a strategic plan to increase performance and productivity, improve security,

and enable additional flexibility and mobility; and

WHEREAS, The total cost to further expand the Virtual Desktop Infrastructure is \$201,739.59 which includes three years of support.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology (IT) Department to utilize Omnia Partners Cooperative Agreement #23-6692-03 to purchase Virtual Desktop Infrastructure from Insight Public Sector, Inc., for a total of \$201,739.59 payable from Fund 100, Agency 117001, Object 634800, with funds transferred from the Information Technology assigned fund balance, Fund 100, Object 311139.

Adopted September 26, 2023. No. 23-491

WHEREAS, Minnesota Laws 1995, Chapter 47, authorizes St. Louis County to pool unorganized town road levies pursuant to Minn. Stat. §163.06.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board, acting on behalf of unorganized townships for the purpose of road and bridge maintenance and construction, adopts and certifies a maximum levy of \$1,827,459.57 for the year 2024 to be levied only in such unorganized townships.

Adopted September 26, 2023. No. 23-492

WHEREAS, The St. Louis County Housing and Redevelopment Authority (HRA) must establish a maximum proposed property tax levy and have this amount certified by the St. Louis County Board by September 30, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the St. Louis County HRA maximum property tax levy for 2024 in the amount of \$237,035.

Adopted September 26, 2023. No. 23-493

WHEREAS, The St. Louis County Board must approve the agreement form used by the St. Louis County Heritage and Arts Center for events where alcoholic beverages are sold.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the Depot Special Event Request Form to comply with City of Duluth Ordinance No. 8694, 5-7-1984, § 1.

RESOLVED FURTHER, That County staff is directed to work with the County Attorney to develop proposed amendments of Duluth Ordinance No. 8694 which are more consistent with the current management of the St. Louis County Heritage and Arts Center.

Adopted September 26, 2023. No. 23-494

WHEREAS, Minn. Stat. § 282.04, subd. 1(d), authorizes the county auditor, as directed by the county board, to lease state tax-forfeited land to individuals, corporations, or organized subdivisions of the state for temporary uses at such prices and under such terms as the county board may prescribe; and

WHEREAS, Minn. Stat. § 373.01, subd. 1(a)(4) authorizes the county to lease real or personal estate owned by the county as deemed conducive to the interests of the county's inhabitants; and

WHEREAS, The St. Louis County Land and Minerals Department has received a request for a lease across state tax-forfeited and county fee land legally described as:

Legal: UND 1/12 SE 1/4 OF NW 1/4, Section 4, Township 62N, Range 12W

Parcel ID No: 465-0010-00560 (tax-forfeited)

LDKey: 112212

AND

Legal: UND 1/32 SE 1/4 OF NW 1/4, Section 4, Township 62N, Range 12W

Parcel ID No: 465-0010-00561 (county fee)

LDKey: N/A

AND

Legal: UND 1/8 SE 1/4 OF NW 1/4, Section 4, Township 62N, Range 12W

Parcel ID No: 465-0010-00562 (tax-forfeited)

LDKey: 112213

AND

Legal: UND 73/96 SE 1/4 OF NW 1/4, Section 4, Township 62N, Range 12W

Parcel ID No: 465-0010-00565 (tax-forfeited)

LDKey: 112214; and

WHEREAS, The St. Louis County Land and Minerals Department has reviewed this request and recommends a lease fee of \$200 per year for five (5) years as per 2023 county board approved fee schedule.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes the County Auditor to lease approximately 10,000 sq. ft. of state tax-forfeited land and county fee owned land to the owners of 1795 E. Maple St., Ely, Minnesota, for an initial period of five (5) years for garage and driveway access.

RESOLVED FURTHER, That the granting of this lease is conditioned upon payment of a \$1,000 land use fee and a \$75 administrative fee for a sum total of \$1,075; \$31.25 to be deposited into Fund 100 (General Fund) and \$1,043.75 to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted September 26, 2023. No. 23-495

RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 35 (totaling \$766,169.57), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 61859, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted September 26, 2023. No. 23-496

BY COMMISSIONER NELSON:

WHEREAS, The St. Louis County Board must establish a maximum proposed property tax levy and have this amount certified to the County Auditor by the St. Louis County Board by September 30, 2023.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the maximum property tax levy for 2024 in the amount of \$168,153,374.

Unanimously adopted September 26, 2023. No. 23-497

BY COMMISSIONER McDONALD:

WHEREAS, That on April 4, 2023, the St. Louis County Board passed Resolution No. 23-212 allowing the St. Louis County Sheriff's Office to apply for the 2023 Cross Boundary Fuels Mitigation Grant; and

WHEREAS, This grant includes funding for a grant program to assist private landowners mitigate high risk areas identified in the St. Louis County Community Wildfire Protection Plan; and

WHEREAS, The grant is used to supervise, hire, administer and oversee contractors to implement fuels reduction projects on private land adjacent to federally owned land, specifically the Superior National Forest, primarily focused on the North arm of the Burntside Lake and on Fenske Ridge, off the Echo Trail.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acceptance of the 2023 Cross Boundary Fuels Mitigation Grant funding in the amount of \$295,000, to be accounted for in Fund 100, Agency 132999, Grant 13210, Year 2023.

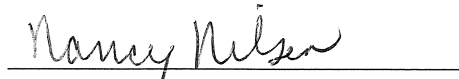
Unanimously adopted September 26, 2023. No. 23-498

At 10:34 a.m., September 26, 2023, Commissioner Harala, supported by Commissioner Musolf, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Patrick Boyle, 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)