

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON MARCH 26, 2024**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 26th day of March 2024, at 10:00 a.m., at the Buhl Kinney Senior Center, Buhl, Minnesota, with the following members present: Commissioners Annie Harala, Patrick Boyle, Ashley Grimm, Paul McDonald, Keith Musolf, Mike Jugovich and Chair Keith Nelson - 7. Absent: None - 0.

Chair Nelson asked for a moment of silence to honor those men and women who serve and protect this great nation and for those individuals adversely affected by conflict or violence both here and abroad; followed by the pledge of allegiance.

Commissioner Jugovich introduced City of Buhl Administrator Tony Jeffries. Administrator Jeffries commented that the City of Buhl is experiencing a renaissance and is expanding and growing and thanked the Board for helping to fund a youth center.

As part of Chair Nelson's initiative to recognize citizens throughout St. Louis County, County Attorney Kim Maki posthumously recognized Pat Molick of Britt. Attorney Maki commented that Mr. Molick connected people around Lake Leander and even though he didn't formally serve, he was a public servant. Mr. Molick's wife (Linda) and sister (Mary) accepted the award.

The Board recognized the Cherry Boys High School basketball team for winning the Class A state championship. Members of the team and Head Coach Jordan Christianson were present.

At 10:25 a.m., the Board took a short break. At 10:33 a.m., the Board reconvened with all members present.

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

Commissioner Harala, supported by Commissioner Boyle, moved to consider a resolution to establish a public hearing to consider an Off-Sale Intoxicating Liquor License application from DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Musolf, supported by Commissioner Harala, moved that the St. Louis County Board establish a public hearing on Tuesday, April 9, 2024, at 10:10 a.m. at the Duluth Courthouse, County Board Room, 100 N. 5th Avenue West, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township. Resolution No. 24-170.

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

Rolf Weberg, PhD, Natural Resources Research Institute, University of Minnesota Duluth, presentation regarding The Energy Transition and the Opportunities for Integrated Industrial Decarbonization (presented to the Committee of the Whole on March 12, 2024).—62146

Julie Marinucci, Land & Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-114, Land Donation from Northern Waters Land Trust.—62147

St. Louis County Canvassing Board minutes dated March 8, 2024, for the Canvass of the March 5, 2024 Presidential Nomination Primary Results.—62148

Nancy Nilsen, County Auditor/Treasurer, submitting Request for Board Action No. 24-118, Establish Public Hearing to Consider Off-Sale Intoxicating Liquor License (Gnesen Township).—62149

Upon motion by Commissioner Harala, supported by Commissioner Grimm, resolutions numbered 24-156 through 24-169, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER HARALA:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of March 12, 2024, are hereby approved.

Adopted March 26, 2024. No. 24-156

WHEREAS, The Minnesota Housing Finance Agency (MHFA) awards grant funds to counties to fund services for the homeless and those at risk of homelessness; and

WHEREAS, St. Louis County has applied for and received funding from the MHFA Family Homeless Prevention and Assistance Program (FHPAP) consistently since the 1995-1997 biennium to fund services for the homeless and those at risk of homelessness; and

WHEREAS, MHFA recently announced another request for proposals with the availability of up to \$27.5M in FHPAP funding to provide supportive services and direct financial assistance to help households who are homeless or at imminent risk of homelessness to retain their housing or obtain housing; and

WHEREAS, The St. Louis County Public Health and Human Services Department is requesting to apply for up to \$500,000 in funding that will address known gaps with current sub-grantees (direct assistance, supportive services/staffing and coordinated entry support) as well as additional administrative funding to identify, measure and address racial disparities.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to apply for up to \$500,000 in MHFA FHPAP grant funding.

Adopted March 26, 2024. No. 24-157

WHEREAS, In 2023 St. Louis County entered into a “Good Neighbor Agreement” with the United States Forest Service (USFS) (FS Agreement No. 23-GN-11090900-038) to remonument the Public Land Survey System (PLSS) in the north half of Township 58 North, Range 13 West; and

WHEREAS, To complete the project, the Public Works Department, in tandem with the Purchasing division, prepared a solicitation for surveying services for the recovery, restoration and perpetuation of corners of the Public Land Survey System (PLSS) in the north half of Township 58 North, Range 13 West; and

WHEREAS, Proposals were requested and let on February 23, 2024, and the County received four (4) proposals; and

WHEREAS, Northern Lights Surveying Services was determined to have the necessary training, experience, and knowledge to successfully complete the contract.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County officials to enter into an agreement, and approve any amendments authorized by

the County Attorney, with Northern Lights Surveying Services to provide surveying services for the recovery, restoration, and perpetuation of corners of the Public Land Survey System.

RESOLVED FURTHER, That the total cost of these surveying services will be \$194,210.00 and will be funded in accordance with the “Good Neighbor Agreement” (FS Agreement No. 23-GN-11090900-038), payable from Fund 220, Agency 220753, Object 626600.

Adopted March 26, 2024. No. 24-158

WHEREAS, The St. Louis County Public Works Department is planning a reclaim & overlay and a Minnesota Department of Natural Resources (DNR) water access improvement project on County Road 655 (South White Iron Road) in Morse Township, further identified as CP 0655-556175; and

WHEREAS, These improvements consist of reclaiming the existing roadway, grading, aggregate base, curb, gutter, bituminous surfacing, 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 authorizes the Public Works Director, or his designee, to proceed with the acquisition of the necessary lands and temporary easements for this project and to execute, on behalf of the county, any easement documents as may become necessary.

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

Adopted March 26, 2024. No. 24-159

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0000-677357, SP 069-070-071, HSIP 6924(182); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 29, 2024, and the low responsible bid was determined.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Fahrner Asphalt Sealers, LLC	2800 Mecca Dr Plover, WI 54467	\$467,768.43

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 0000-677357, SP 069-070-071, HSIP 6924(182)

Fund 220, Agency 220773, Object 652700 – State Aid and Federal Funds

Adopted March 26, 2024. No. 24-160

WHEREAS, Bids have been received electronically by the St. Louis County Public Works Department for CP 0025-555607, SAP 069-625-023 (Br 679); and

WHEREAS, Bids were opened in the Richard H. Hansen Transportation and Public Works Complex, Duluth, MN, on February 29, 2024, and the low responsible bid was determined.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the award on the above project to the low bidder:

<u>LOW BIDDER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
Northland Constructors of Duluth, a Division of Mathy Construction Company	4843 Rice Lake Road Duluth, MN 55803	\$1,423,140.00

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 0025-555607, SAP 069-625-023 (Br 679)

Fund 204, Agency 204197, Object 652806 – Transportation Sales Tax Funds

Adopted March 26, 2024. No. 24-161

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board has allocated up to \$1,000,000 of ARPA funds to be used for youth recreation/park projects; and

WHEREAS, Pike Township has identified a project to improve its recreation facilities; and

WHEREAS, The Township has submitted documentation seeking funding assistance in the amount of \$10,000 from the County's American Rescue Plan Act Revenue Loss funds to support its project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$10,000 of American Rescue Plan Act Revenue Loss funding for the Pike Township Recreation Equipment Upgrade Project.

RESOLVED FURTHER, That Pike Township shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the Township for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.

Adopted March 26, 2024. No. 24-162

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the

United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board's adopted ARPA framework included \$50,000 for the Hull Rust Mine View project and the relocation of the "The Hill of Three Waters" mural; and

WHEREAS, The City of Hibbing has identified a project to relocate and construct a new mine view site in the City of Hibbing adjacent to the Hull Rust Mine; and

WHEREAS, The City of Hibbing has submitted documentation seeking funding assistance in the amount of \$50,000 from the County's American Rescue Plan Act Revenue Loss funds to support its project.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$50,000 of American Rescue Plan Act Revenue Loss funding for the Hibbing Mine View Relocation Project.

RESOLVED FURTHER, That the City of Hibbing shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the City for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.

Adopted March 26, 2024. No. 24-163

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 application for an intoxicating liquor license is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 62124.

RESOLVED FURTHER, That said license is approved contingent upon license holder paying real estate or personal property taxes when due.

RESOLVED FURTHER, That if the named license holder sells their 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 the license fee to the license holder.

RESOLVED FURTHER, That said license shall be effective through June 30, 2024:

DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township, On-Sale & Sunday On-Sale Intoxicating Liquor License, transfer.

Adopted March 26, 2024. No. 24-164

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 application for permit authorizing the consumption and display of intoxicating liquor is hereby approved, on file in the office of the County Auditor, identified as County Board File No. 62085:

Hugo's, Inc. dba Hugo's, Ault Township, renewal.

Adopted March 25, 2024. No. 24-165

RESOLVED, That the recommendations of the Finance Committee for payment of claims and bills against the County of St. Louis, on file in the office of the County Auditor, identified as

County Board File No. 62106, are hereby approved and the County Auditor shall issue checks in the following amounts:

	February 2024	
100	General Fund	\$9,098,113.43
149	Personal Service Fund	2,421.48
155	Depot	57,641.43
160	MN Trail Assistance	14,562.94
167	Attorney's Forfeitures	2,600.00
169	Attorney Trust Accounts-VW	1,855.66
178	Economic Development – Tax Forfeit	433,698.50
179	Enhanced 9-1-1	16,185.00
180	Law Library	2,544.95
183	City/County Communications	439.55
184	Extension Service	64,236.53
190	Sheriff Explorers	150.00
191	Recorders Deposit Account	1,448.00
192	Permit to Carry	6,436.91
200	Public Works	3,563,652.73
204	Local Option Transit Sales Tax	185,628.23
220	State/Federal Road Aid	254,367.30
230	Public Health & Human Services	9,977,095.96
238	HHS Conference	27,265.00
239	Pandemic Response Fund	2,248,673.79
240	Forfeited Tax	495,716.14
250	St. Louis County HRA	16,250.00
260	CDBG Grant	224,571.94
270	Home Grant	129,281.10
280	Federal Septic Loan – EPA Fund	2,001.12
281	SLC Septic Loans	1,656.74
289	On-Site Wastewater	74,813.12
290	Forest Resources	6,879.01
298	Opioid Remediation	98,744.02
400	County Facilities	123,950.23
402	Depreciation Reserve Fund	10,045.58
403	Emergency Repairs	43,220.95
405	Public Works Building Construction	1,237,506.96
407	Public Works – Equipment	187,101.59
450	2021A – Capital Improvement	68,312.14
600	Environmental Services	1,128,032.36
715	County Garage	198,529.19
720	Property Casualty Liability	20,677.98
730	Workers Compensation	457,720.62
740	Medical Dental Insurance	4,516,575.63
770	Retired Employees Health Insurance	459.50
		<u>\$35,001,063.31</u>

Adopted March 26, 2024. No. 24-166

WHEREAS, The Sheriff's Office has worked with the Purchasing and Information Technology Divisions to create a single source contract with Tyler Technologies, Inc. (Tyler), based

out of Troy, Michigan; and

WHEREAS, Tyler will provide a cloud-based Structures Query Language (SQL) single platform for the Sheriff's Office public safety software, including the Computer-Aided Dispatch (CAD), Records Management System (RMS), Mobile, and Jail Management Systems (JMS) (including, Northeast Regional Corrections Center (NERCC)); and

WHEREAS, Tyler will work in conjunction with leadership to coordinate and assist with implementing this public safety software; and

WHEREAS, Tyler offers comprehensive support and maintenance services, ensuring the stability and functionality of the Sheriff's Office software environment and the software provided by Tyler offers numerous enhancements that will empower the Sheriff's Office officers, dispatchers, records administrators, and potentially expand our services to include social workers; and

WHEREAS, Obtaining Tyler will ensure a unified public safety software to better communicate and data sharing with external partnering agencies, while enhancing interoperability and collaboration and fostering stronger relationships with critical stakeholders.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Tyler Technologies, Inc., based out of Troy, Michigan, in the amount of \$1,017,925, including \$353,517 in annual recurring fees.

BUDGET REFERENCE:

Fund: 179, Agency: 179001, Objects: 634800, 634801, 634802, & 629900

Fund: 100, Agency: 129003, Objects: 634800, 634801, & 629900

Fund: 100, Agency: 137002, Objects: 634800, 634801, & 629900

Fund: 925, Agency: 926001, Object: 626900

Adopted March 26, 2024. No. 24-167

WHEREAS, The Nature Conservancy has offered to perform, through donation, forest regeneration and timber stand improvement work on lands managed by the Land and Minerals Department at an estimated monetary value of \$95,000; and

WHEREAS, The Ruffed Grouse Society has offered to provide tree seedlings for planting at an estimated monetary value of \$3,600; and

WHEREAS, No terms or requirements are placed on the lands managed or materials received through acceptance of donations other than placement of an informational sign naming the donating organization and funding source; and

WHEREAS, Minn. Stat § 465.03 authorizes the county to accept donation of personal property and maintain such property for the benefit of its citizens; and

WHEREAS, Donations of labor and/or materials by The Nature Conservancy and Ruffed Grouse Society for completion of forest regeneration and improvement work would be welcomed and deemed beneficial by the Land and Minerals Department.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts donations of labor and/or materials for the completion of forest regeneration and improvement work from The Nature Conservancy at an estimated monetary value of \$95,000.

RESOLVED FURTHER, That the St. Louis County Board accepts donation of tree seedlings from the Ruffed Grouse Society at an estimated monetary value of \$3,600.

RESOLVED FURTHER, That the Land Commissioner has the authority to enter into the appropriate agreement or issue the permit necessary to allow donated work from the above-named conservation groups, approved as to form and execution by the St. Louis County Attorney's Office.

RESOLVED FURTHER, That the Land Commissioner will provide an annual report to the county board, via board memo, summarizing the work donated in the preceding year, including an estimated dollar value equivalent, by conservation organization.

Adopted March 26, 2024. No. 24-168

WHEREAS, The Northern Waters Land Trust has proposed to donate approximately 1,000 acres of forest land to St. Louis County purchased with funds obtained through a proposal to the Lessard-Sams Outdoor Heritage Council (LSOHC) entitled *Minnesota Heritage Forest - Transition to Public Ownership Program*; and

WHEREAS, The lands received must be held in perpetuity for preserving water quality, wildlife habitat, supporting local timber/recreation-based economies through sustainable forestry practices, and securing public access; and

WHEREAS, No development of additional encumbrances such as roads/trails other than those necessary for forest/wildlife management activities is allowed without approval from the LSOHC; and

WHEREAS, Minn. Stat § 459.06 states any county, city, or town may, by resolution of its governing body, accept donations of land that the governing body deems to be better adapted for the production of timber and wood than for any other purpose for a forest, and may manage it on forestry principles; and

WHEREAS, The pool of lands considered was reviewed by the Land and Minerals Department and found highly desirable for forest consolidation, preserving water quality, wildlife habitat, and productive as working forestlands; and

WHEREAS, The lands would come to the county as county-fee owned with net revenues benefitting the county's general fund.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board supports the Lessard-Sams Outdoor Heritage Council proposal entitled *Minnesota Heritage Forest - Transition to Public Ownership Program* as a potential benefit to the county's forest land base conditioned upon final acceptance of the specific parcels in a future board action.

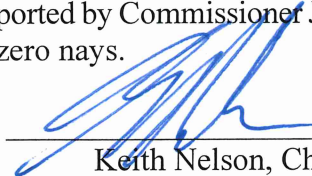
Adopted March 26, 2024. No. 24-169

BY COMMISSIONER MUSOLF:

RESOLVED, That the St. Louis County Board establishes a public hearing on Tuesday, April 9, 2024, at 10:10 a.m. at the Duluth Courthouse, County Board Room, 100 N. 5th Avenue West, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for DRRY Ventures, LLC dba Sportsmen's Inn, Gnesen Township.


Unanimously adopted March 26, 2024. No. 24-170

At 10:37 a.m., March 26, 2024, Commissioner Boyle, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.



Kerth Nelson, 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)