

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON FEBRUARY 8, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 8th day of February 2022, at 9:33 a.m., at the Duluth Government Services Center, Duluth, 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; followed by the pledge of allegiance.

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 9:36 a.m., a public hearing was conducted, pursuant to Resolution No. 22-68, adopted January 25, 2022, to consider the issuance of an Off-Sale Intoxicating Liquor License to Side Lake Store, LLC dba R & B Side Lake Store, French 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. Chair McDonald asked if there were any representatives from the establishment, governmental entities, supporters or opponents, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 9:39 a.m., Commissioner Jugovich, supported by Commissioner Jewell, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Jugovich, supported by Commissioner Nelson, moved that an Off-Sale Intoxicating Liquor License shall be issued to Side Lake Store, LLC dba R & B Side Lake Store, French Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500.00, 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 noted that the applicants contacted him this morning and were unable to attend the meeting because one applicant was sick, and the other applicant had to run the store. Commissioner Nelson said that the applicants were asked at the Liquor Licensing Committee meeting if they had read all liquor license requirements and will abide by them; they had answered yes. The motion passed; seven yeas, zero nays. Resolution No. 22-108.

At 9:41 a.m., a public hearing was conducted, pursuant to Resolution No. 22-69, adopted January 25, 2022, to consider the issuance of an Off-Sale Intoxicating Liquor License to Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver 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 Teri Olesiak, of Country Corner Bar, LLC, if she had read all liquor license requirements and if she will abide by them; the applicant 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 9:44 a.m., Commissioner Jugovich, supported by Commissioner Nelson, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Jugovich, supported by Commissioner Nelson, moved that an Off-Sale Intoxicating Liquor License shall be issued to Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver 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. The motion passed; seven yeas, zero nays. Resolution No. 22-109.

At 9:45 a.m., a public hearing was conducted pursuant to Resolution No. 22-70, adopted January 25, 2022, to solicit public input prior to considering a request for tax abatement financing to the City of Duluth for the Cirrus Aircraft conversion and expansion plan at the Duluth International Airport. St. Louis County Planning & Community Development Director Matt Johnson said that the tax abatement request is \$600,000 from St. Louis County, matched with \$600,000 from the City of Duluth for a total of \$1,200,000. Approximately \$25-\$30 million of capital investments will be required to increase the manufacturing and production capacity and will result in the creation of 80 jobs. City of Duluth Director of Economic Planning Chris Fleege said that Duluth Economic and Development Authority (DEDA) owns and is paying taxes on the Maintenance Repair and Overhaul (MRO) building, and Cirrus has the option of buying the building. Cirrus currently employs 1,206 people; the expansion will bring the total number of people employed by Cirrus to 1,286. Bill King, of Cirrus Aircraft, said that Cirrus intends to triple the size of its business within the next ten years. Chair McDonald asked if there were any opponents or citizens who wished to speak regarding the proposed action, and no one came forth. At 10:05 a.m., Commissioner Nelson, supported by Commissioner Musolf, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Jewell, supported by Commissioner Nelson, moved that the St. Louis County Board authorizes up to \$600,000 tax abatement financing to the City of Duluth, payable from Fund 100, Agency 178001, Object 500900, or its designated fund; and further, that the County tax abatement amount is contingent upon the approval of tax abatement assistance by the City of Duluth; that the St. Louis County Board waives applicable provisions of the Board's Tax Abatement Financing Policy to include the current limitation of annual TAF being in excess of \$300,000 per year, application fees and other provisions deemed necessary for this project to proceed; and further, that provided all required documentation is submitted by the City of Duluth, the appropriate county officials are authorized to execute a tax abatement agreement with the City of Duluth and execute any other related documents after review and approval by a representative of the County Attorney's Office. The motion passed; seven yeas, zero nays. Resolution No. 22-110.

Commissioner Boyle, supported by Commissioner Musolf, moved to approve the consent agenda. Item #4, Award of Bid to Mesabi Bituminous, Inc., Gilbert, MN, for a road construction project located on County State Aid Highway (CSAH) 141 and CSAH 145 in Eveleth (CP 0141-493350 Low; CP 0145-493352 Tied) was removed from the agenda and returned to County Administration. County Administrator Kevin Gray commented that the item needed additional review by Administration. The motion passed; seven yeas, zero nays.

Commissioner Jugovich, supported by Commissioner Nelson, moved to approve the sale of state tax forfeited land to the Fond du Lac Band of Lake Superior Chippewa for the estimated market value of

\$109,100 plus the following fees: 3% assurance fee of \$3,273, deed fee of \$25, deed tax of \$360.03, and recording fee of \$46, for a total of \$112,804.03. The motion passed; seven yeas, zero nays. Resolution No. 22-111.

Commissioner Jewell, supported by Commissioner Boyle, moved to consider a resolution to request that the St. Louis County Board provide sponsorship of the Ashawa Trail Ski Club grooming equipment purchase; the item had not been to Committee of the Whole. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jugovich, 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 purchase of ski trail grooming equipment on behalf of the Ashawa Trail Ski 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 purchase of the ski trail grooming equipment; that St. Louis County and/or Ashawa Trail Ski 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. W., #214, Duluth, MN, 55802. This Resolution is contingent upon the Ashawa Trail Ski 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 grooming equipment 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. 22-112.

A point of personal privilege was taken at 10:20 a.m. At 10:25 a.m., the Board reconvened with all members present.

Commissioner Nelson, supported by Commissioner Jugovich, moved to reconsider Resolution No. 22-98, Distribution of American Rescue Plan Act (ARPA) Funds, St. Louis County, SISU Healthcare IT Solutions Contract for COVID-19 Response Efforts; the resolution was approved at the February 1, 2022 Board meeting. A roll call vote was taken and the motion to reconsider passed; four yeas, three nays (Jewell, Boyle, Grimm). Commissioner Nelson, supported by Commissioner Jugovich, moved to amend the resolution: funds for the first \$225,000 for this program will be payable from American Rescue Plan Act monies to be paid from 237-239050-629900 and the remaining, not to exceed \$225,000, from the Public Health Initiative fund balance account. Commissioner Grimm said that she did not believe Public Health Initiative funds should be used and commented on various programs that have been funded by using Initiative funds. Commissioner Jewell said that he did not support using taxpayer dollars to pay for something that the federal government funds could be used to fund. Commissioner Boyle commented that ARPA funds should be used for this purpose and commented on the impact of COVID-19. Chair McDonald commented that he felt the ARPA funds should be stretched out. Commissioner Nelson said that using Initiative funds will allow the county to be as flexible as possible with funds. A roll call vote was taken and the motion to amend the resolution passed; four yeas, three nays (Jewell, Boyle, Grimm).

Administrator Gray clarified that the debate was how the program would be funded, not the contract or services provided by SISU Healthcare. After further Commissioner discussion, a roll call vote was taken and the motion as amended passed; four yeas, three nays (Jewell, Boyle, Grimm). Resolution No. 22-113.

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

Special Sales of tax forfeited parcels approved during CY 2022.—61661

Applications for repurchase of state tax forfeited land approved during CY 2022.—61662

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 22-67, Aquatic Invasive Species Prevention Aid – 2022 Funding Recommendations.—61663

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-71, Request for Sponsorship of Ashawa Trail Ski Club Trail Grooming Equipment Purchase.—61664

Kevin Gray, County Administrator, Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-62, Public Sale of Shoreland Lease Lots.—61665

Kevin Gray, County Administrator, Julie Marinucci, Land and Minerals Director, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-61, Sale of Tax Forfeited Land to the Fond du Lac Band of Lake Superior Chippewa.—61666

State of Minnesota Department of Transportation (MnDOT) and St. Louis County Detour Agreement, MnDOT Contract No. 1049116, for use of County Road (CR) 889 (Solway Road) during construction on Trunk Highway (TH) 194 (State Project No. 6932-14, Trunk Highway No. 194=008, State Aid Project No. 069-613-044, Federal Project No. NHPP-HSIP-STPF 0053 (328)).—22-126

State of Minnesota Department of Transportation and St. Louis County Cooperative Construction Agreement, MnDOT Contract No. 1048418, for the construction project adjacent to TH 169 (State Project No. 6935-93, TH No. 169=035, SP 069-070-046, CP 0137-395072, Federal Project No. HSIP 6922(076)).—22-127

State of Minnesota Department of Transportation and St. Louis County Cooperative Construction Agreement, MnDOT Contract No. 1048342 for the construction project on TH 33 (State Project No. 6911-40, TH No. 33=14, SP 069-070-056, Federal Project No. HSIP 6922(805), CP 0007-369674).—22-128

Lease Agreement between the County of St. Louis and the Duluth Art Institute, Duluth, MN, for approximately 3,043 square feet of floor space at the St. Louis County Heritage & Arts Center (the Depot) for the term January 1, 2022, through December 31, 2023.—22-129

Agreement regarding FY2021 Justice Assistance Grant between St. Louis County Sheriff's Office and the City of Duluth.—22-130

Rainy River – Headwaters/Vermilion River Watershed Planning for One Watershed One Plan Memorandum of Agreement.—22-131

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis and Tara Kutner, Fort Worth, TX.—22-132

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis and RJB Enterprises, LLC, Silver Bay, MN.—22-133

Fire Protection Services Agreement – CY 2022 between the County of St. Louis and Central Lakes Volunteer Fire Department, Inc., Eveleth, MN, for services in Unorganized Township 56-17 during the period January 1, 2022, to December 31, 2022.—22-134

St. Louis County On-line Software Subscriber Agreement between the County of St. Louis and the City of Virginia, MN.—22-135

Cooperative Agreement between the County of St. Louis and Lake County for the 2022 Chip Seal Project (CP 0000-554769).—22-136

State of Minnesota Grant Contract between the State of Minnesota, Commissioner of Natural Resources, and the St. Louis County Sheriff's Office, in the total amount of \$41,296 for the Snowmobile Safety Enforcement Safety Grant, effective July 1, 2021, through June 30, 2023.—22-137

Contract for County State Aid Highway (CSAH) Project between the County of St. Louis and Hawkinson Construction Co., Inc., Grand Rapids, MN, for Full Depth Reclamation, Aggregate Base Stabilization, Plant Mixed Bituminous Surface, Aggregate Base, Aggregate Surfacing, Culvert Replacement, Milling and Bituminous Pavement Reclamation on CSAH 27, CSAH 76, CR 444, Hibbing Landfill Road, and CSAH 5 (CP 0027-367933, SAP 069-627-009 Low; CP 0076-624189, SAP 069-676-002 Tied; CP 0444-367940 Tied; CP 0000-568310 Tied; CP 0005-650551, SAP 069-605-055 Tied).—22-138

Contract for County State Aid Highway Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for Mill Bituminous Surface, Bituminous Pavement Reclamation, Base Stabilization, Aggregate Base Class 5, Plant Mix Bituminous, and Aggregate Surfacing on CSAH 25 (CP 0025-367941; SP 069-625-016; FLAP 6922[053]).—22-139

Upon motion by Commissioner Boyle, supported by Commissioner Musolf, resolutions numbered 22-99 through 22-107, 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 February 1, 2022, are hereby approved.

Adopted February 8, 2022. No. 22-99

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; and

WHEREAS, Public Health and Human Services (PHHS) recently applied to the UCare Foundation for \$100,000 for the 2022 – 2023 grant cycle; and

WHEREAS, PHHS was awarded \$75,000 for the 2022 – 2023 grant cycle.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Public Health and Human Services Department to apply and accept grant funds from the UCare Foundation in the amount of \$75,000 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 and execute an agreement with Range Transitional Housing to disburse the funds according to established criteria.

BUDGET REFERENCE: 230-232001-629900-23281-99999999-2022

230-232001-545164-23281-99999999-2022

Adopted February 8, 2022. No. 22-100

WHEREAS, The Public Works Department's 2022 equipment budget includes nine (9) dump bodies with hydraulic systems for trucks purchased separately; and

WHEREAS, Towmaster, Inc., of Litchfield, MN, responded with the State of Minnesota contract price for nine (9) dump bodies with hydraulic systems for \$239,139.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase order for the installation of nine (9) dump bodies with hydraulic systems from Towmaster, Inc., of Litchfield, MN, for \$239,139 payable from Fund 407, Agency 407001, Object 666300.

Adopted February 8, 2022. No. 22-101

WHEREAS, The Public Works Department has begun to strategically incorporate aggregate base stabilizer into the base under bituminous roads in the Capital Improvement Program (CIP); and

WHEREAS, Base One material is an essential component to complete the projects in the Public Works Department CIP; and

WHEREAS, The Public Works Department has negotiated a cost for the material needed to stabilize approximately 62 miles of roadway for the 2022 CIP with Team Lab Chemical Corporation of Detroit Lakes, MN (21,175 gallons for \$441,075.25) including delivery.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the purchase of Base One material for the 2022 CIP from Team Lab Chemical Corporation of Detroit Lakes, MN, for \$441,075.25 payable from Fund 200, Agency 203001, Object 652805.

Adopted February 8, 2022. No. 22-102

RESOLVED, That the St. Louis County Board approves the applications for cancellation of forfeiture, identified in County Board File No. 61638.

Adopted February 8, 2022. No. 22-103

WHEREAS, The City of Rice has requested to purchase the following described state tax forfeited land for the price of \$200, plus fees:

Legal: W 1/2 of NE 1/4 EXCEPT E 1/2 AND EXCEPT that part platted as LONELY PINE ESTATES AND EXCEPT that part platted as LONELY PINE ESTATES 2ND ADDITION,

Section 1, Township 51 North, Range 14 West

Parcel Code: 520-0010-00020

LDKey: 130135

AND

Legal: Outlot A, LONELY PINE ESTATES 2ND ADDITION

Parcel Code: 520-0183-00100

LDKey: 130134; and

WHEREAS, Minn. Stat. § 282.01, Subd. 1a.(b), allows for non-conservation tax forfeited lands to be sold by the county board, for their market value as determined by the county board, to an organized or incorporated governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property; and

WHEREAS, These parcels of land have been classified as non-conservation land pursuant to Minnesota Stat. § 282.01; and

WHEREAS, These parcels of land have not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land, as described, to the City of Rice Lake for the price of \$200 plus the following fees: 3% assurance fee of \$6, deed fee of \$25, deed tax of \$1.65, and recording fee of \$46, for a total of \$278.65 to be deposited into Fund 240 (Forfeited Tax Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at private adjoining owner sale the state tax forfeited land described here if the City of Rice Lake does not purchase the land by August 8, 2022.

Adopted February 8, 2022. No. 22-104

WHEREAS, Minnesota Session Laws 2012, Chapter 236, Section 28, as amended by Minnesota Session Laws 2016, Chapter 154, Sections 9-11, and further amended by Minnesota Session Laws 2019, 1st Special Session, Chapter 4, Section 7, authorizes St. Louis County to sell state tax forfeited shoreland lots currently under lease; and

WHEREAS, If the leaseholder chooses not to purchase the lot or continue leasing, the county may offer the lands for sale at public auction under the provisions of Minn. Stat. § 282.01, Subd. 7; and

WHEREAS, The parcels described in County Board File No. 61665 have not been purchased by the former leaseholder.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to offer the parcels described in County Board File No. 61665 at public auction in accordance with the provisions of Minnesota Session Laws 2012, Chapter 236, Section 28, as amended, and current lease policy. Net proceeds from the auction are to be deposited into Fund 500, Agency 500001 (Environmental Trust Fund).

Adopted February 8, 2022. No. 22-105

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, Roberta Kathleen Young (fka Hanson) of Cook, MN, has applied to repurchase state tax forfeited land legally described as:

TOWN OF FIELD

NE1/4 of NW1/4 *Subject to Highway Easement*

Section 10, Township 62 North, Range 19 West

Parcel code: 350-0010-01520; and

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

WHEREAS, Minn. Stat. § 282.302, Subd. 1, provides that the deed must be issued to the record owner of the property at the time of the expiration of the redemption period established under § 281.23, which were Roberta K. Hanson, Sharon A. Hill and Thomas J. McArthur, Jr.; and

WHEREAS, Minn. Stat. § 282.302, Subd. 2, provides that the deed must name the record owner's estate as grantee if a record owner is deceased, and Sharon A. Hill is deceased; and

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

WHEREAS, The applicant shall either pay in full or enter into a ten-year contract for deed to repurchase the 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 Roberta Kathleen Young (fka Hanson) of Cook, MN, on file in County Board File No. 61662, to Roberta K. Hanson, Estate of Sharon A. Hill and Thomas J. McArthur, Jr., subject to payments including total taxes and assessments of \$20,386.71, deed fee of \$25, deed tax of \$67.28, and recording fee of \$46, for a total of \$20,524.99 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 February 8, 2022. No. 22-106

WHEREAS, In 2014 the Minnesota Legislative Session established the Aquatic Invasive Species Prevention Aid Program, Minnesota Session Law Ch. 308; and

WHEREAS, In 2015 Resolution No. 15-284, the St. Louis County Board approved the Aquatic Invasive Species Prevention Plan and authorized the Planning and Community Development Director to solicit proposals for the use of the Aquatic Invasive Species Prevention Aid; and

WHEREAS, Planning and Community Development staff conducted a technical review of the applications; and

WHEREAS, Based on the technical review and other considerations, County staff formulated funding recommendations.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the 2022 Aquatic Invasive Species Prevention Aid as listed in County Board File No. 61663.

RESOLVED FURTHER, That the appropriate County officials are authorized to execute contracts negotiated by the Planning and Community Development Director and a representative of the County Attorney in order to implement the aid program, payable from Fund 100, Agency 109999, Grant 10910, Year 2022.

Adopted February 8, 2022. No. 22-107

BY COMMISSIONER JUGOVICH:

WHEREAS, Side Lake Store, LLC dba R&B Side Lake Store, French 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 February 8, 2022, at 9:35 a.m., in the Duluth Government Services Center, Duluth, Minnesota, for the purpose of considering the granting of the Off-Sale Intoxicating Liquor License; and

WHEREAS, With regard to the application for said license, Side Lake Store, LLC 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 Side Lake Store, LLC dba R&B Side Lake Store, French Township, located in Area 3, and in accordance with the St. Louis County Fee Schedule the annual fee is \$500.00.

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 February 8, 2022. No. 22-108

BY COMMISSIONER JUGOVICH:

WHEREAS, Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver 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 February 8, 2022, at 9:40 a.m., in the Duluth Government Services Center, 320 West 2nd Street, Duluth, 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, Country Corner Bar, LLC 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 Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver 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 February 8, 2022. No. 22-109

BY COMMISSIONER JEWEL:

WHEREAS, Minn. Stat. § 469.1812 through § 469.1815, Abatement Authority, requires 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 the

existing Maintenance, Repair and Overhaul (MRO) building at the Duluth International Airport to expand its corporate headquarters, operations, and production facility at the Duluth International Airport; 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; and

WHEREAS, The St. Louis County Board held 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, Minnesota, to solicit public input prior to considering the proposed tax abatement request; and

WHEREAS, The St. Louis County Board determines that the public benefits gained by the creation of new full-time jobs, new potential spin-off development and support services, development of unused or underutilized real property, and other benefits exceeds the costs of the tax abatement.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes up to \$600,000 tax abatement financing to the City of Duluth, payable from Fund 100, Agency 178001, Object 500900, or its designated fund.

RESOLVED FURTHER, That the County tax abatement amount is contingent upon the approval of tax abatement assistance by the City of Duluth.

RESOLVED FURTHER, That the St. Louis County Board waives applicable provisions of the Board's Tax Abatement Financing Policy to include the current limitation of annual TAF being in excess of \$300,000 per year, application fees and other provisions deemed necessary for this project to proceed.

RESOLVED FURTHER, That provided all required documentation is submitted by the City of Duluth, the appropriate county officials are authorized to execute a tax abatement agreement with the City of Duluth and execute any other related documents after review and approval by a representative of the County Attorney's Office.

Unanimously adopted February 8, 2022. No. 22-110

BY COMMISSIONER JUGOVICH:

WHEREAS, The Fond du Lac Band of Lake Superior Chippewa has requested to purchase state tax forfeited land located within the Fond du Lac Reservation described in County Board File No. 61666; and

WHEREAS, The 1985 legislature passed into law Chapter 138, Section 5, which gave the Fond du Lac Band of Lake Superior Chippewa the first opportunity to purchase tax forfeited land to be sold within the Reservation boundary; and

WHEREAS, These parcels of land have been classified as non-conservation land as provided for in Minn. Stat. Chapter 282.01; and

WHEREAS, These parcels of land have not been withdrawn from sale pursuant to Minn. Stat. § 85.012, 92.461, 282.01, Subd. 8; and 282.018, and other statutes that require the withholding of state tax forfeited lands from sale; and

WHEREAS, The Commissioner of Natural Resources has approved the sale of these parcels as required by Minn. Stat. Chapter 282;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the sale of state tax forfeited land described in County Board File No. 61666 to the Fond du Lac Band of Lake Superior Chippewa for the estimated market value of \$109,100 plus the following fees: 3% assurance fee of \$3,273, deed fee of \$25, deed tax of \$360.03, and recording fee of \$46, for a total of

\$112,804.03, to be deposited into Fund 240 (forfeited tax fund).

Unanimously adopted February 8, 2022. No. 22-111

BY COMMISSIONER NELSON:

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 Ashawa Trail Ski 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 serve as the local government sponsor for the purchase of ski trail grooming equipment, 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 purchase of ski trail grooming equipment on behalf of the Ashawa Trail Ski 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 purchase of the ski trail grooming equipment.

RESOLVED FURTHER, That St. Louis County and/or Ashawa Trail Ski 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. 5th Ave. W., #214, Duluth, MN, 55802.

RESOLVED FURTHER, That this Resolution is contingent upon the Ashawa Trail Ski 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 grooming equipment 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 February 8, 2022. No. 22-112

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County has been awarded \$54,000,000 in American Rescue Plan Act (ARPA) funds for COVID response, recovery, revenue replacement and infrastructure expenses for the period beginning March 3, 2021, through December 31, 2024; and

WHEREAS, Throughout the pandemic, a critical role of PHHS has been COVID-19 response efforts, coordinate with regional facilities, evaluate and assess facilities for risk, provide

training for the prevention and control of COVID-19, and provide direct clinical services to St. Louis County residents; and

WHEREAS, The County Board approved a framework for St. Louis County's ARPA Funds including up to \$5,000,000 for the Public Health COVID response requirements, including these ongoing nurse services, in October of 2021 (Resolution No. 21-582); and

WHEREAS, Public Health COVID response activities are clearly eligible expenses in the U.S. Treasury guidance; and

WHEREAS, SISU Healthcare IT Solutions has registered nurse positions and has been a partner in COVID-19 response efforts since August 2020.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes PHHS to contract with SISU Healthcare IT Solutions for the time period of February 1, 2022, through December 31, 2022, to support the increased capacity of skilled registered nurses to assist PHHS with the COVID-19 response efforts, to coordinate with regional facilities, evaluate and assess facilities for risk, provide training for the prevention and control of COVID-19, and provide direct clinical services to St. Louis County residents.

RESOLVED FURTHER, That funds for the first \$225,000 for this program will be payable from American Rescue Plan Act monies to be paid from 237-239050-629900 and the remaining, not to exceed \$225,000 from the Public Health Initiative fund balance account.

Yeas – Commissioners Musolf, Nelson, Jugovich and Chair McDonald – 4

Nays – Commissioners Jewell, Boyle and Grimm – 3

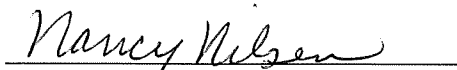
Adopted February 8, 2022. No. 22-113

At 10:47 a.m., February 8, 2022, Commissioner Nelson, 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)