

**OFFICIAL PROCEEDINGS OF THE MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ST. LOUIS, MINNESOTA,
HELD ON SEPTEMBER 27, 2022**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 27th day of September 2022, at 9:31 a.m., at the Fine Lakes Town Hall, Wright, Minnesota, with the following members present: Commissioners Patrick Boyle, Ashley Grimm, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Paul McDonald -6. Absent: Commissioner Frank Jewell - 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.

Commissioner Jugovich welcomed the Board to Fine Lakes and thanked Eric Collman, of the Fine Lakes Town Board, and Linda Mason, Fine Lakes Town Clerk, for setting up the meeting.

Commissioner Jewell entered the meeting at 9:35 a.m.

Chair McDonald opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, said that the letter read at the last Board meeting by a Commissioner was slanderous. Ms. Bell stated that she is disappointed with the county's response regarding the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road and indicated an administration determination has been filed. Ms. Bell also asked when a formal investigation of the Planning Department would take place. Clayton Cich, of the Fredenberg Township Board, said he has documented incidences of bullying by Mr. Kaneski and the township is concerned that Lakehead Trucking is considering changing their CUP to recycling materials. Mr. Cich noted the township still has not received written copies of the gravel pit inspections.

At 9:41 a.m., a public hearing was conducted, pursuant to Resolution No. 22-499, adopted September 13, 2022, to solicit public input on the adoption of proposed Zoning Ordinance 62 amendments regarding Chronic Wasting Disease (CWD). Matt Johnson, St. Louis County Planning and Community Development Director, said the amendment would create a third agricultural category for cervid farms and the amendment will not allow new cervid farms in the third agricultural area. Brenda Hartkopf, of the Minnesota Elk Breeders Association, provided the Board with a handout and commented that the St. Louis County Chronic Wasting Disease (CWD) Planning Study Progress Report does not provide adequate information for the Board to make an informed decision. Ms. Hartkopf discussed deficiencies of the report, including the failure to address the significance of CWD being found in Itasca County, inability to establish if CWD exists in wild cervids in St. Louis County, and the report uses data from 2017 which is a mischaracterization of how many herds there are today. Chair McDonald asked if there were any governmental entities, supporters, or citizens who wished to speak regarding the proposed action; no one requested the opportunity to speak. At 9:57 a.m., Commissioner Nelson, supported by Commissioner Jewell, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Boyle, supported by Commissioner Nelson, moved that the St. Louis County Board of Commissioners adopts the amendments to Ordinance 62, Zoning Regulations; that the effective date for these actions will begin upon Board approval; and further, that Ordinance 66 (St. Louis County Cervid Farm Moratorium) is repealed. The motion passed; seven yeas, zero nays. Resolution No. 33-513.

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

Commissioner Nelson, supported by Commissioner Musolf, moved that the St. Louis County Board certifies the maximum property tax levy for 2023 in the amount of \$163,366,729.47. County Administrator Kevin Gray provided the Board an overview of the levy and said the maximum levy increase is 4.39%; new growth will help offset the impacts of the levy increase to citizens. The motion passed; seven yeas, zero nays. Resolution No. 22-514.

Commissioner McDonald, supported by Commissioner Nelson, moved 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 \$1,775,439.20 for the year 2023 to be levied only in such unorganized townships. The motion passed; seven yeas, zero nays. Resolution No. 22-515.

Commissioner Nelson, supported by Commissioner Jugovich, moved that the St. Louis County Board certifies the HRA maximum property tax levy for 2023 in the amount of \$230,288. County Administrator Kevin Gray noted that the 2023 proposed HRA tax levy is a 0% increase compared to the 2022 HRA tax levy. Commissioner Jewell commented on the importance of building starter homes in St. Louis County. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 22-516.

Commissioner Nelson, supported by Commissioner Jugovich, moved to consider a resolution for waiver of Ordinance No. 28, Section 11.02, to allow On-sale Intoxicating Liquor sales between the hours of 8:00 a.m. and 10:00 a.m., on Sunday, October 2, 2022; the item has not been to committee. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Jugovich, moved that the St. Louis County Board approves the waiver of St. Louis County Ordinance No. 28, Section 11.02(d), for all On-Sale Intoxicating Liquor establishments licensed by St. Louis County, which limits the sale of on-sale intoxicating liquor between the hours of 1:00 a.m. to 10:00 a.m. on Sunday. The waiver shall be effective only on Sunday, October 2, 2022, from 8:00 a.m. to 10:00 a.m. Commissioner Nelson said the county has received multiple requests from establishments to serve liquor as early as state law allows; County Ordinance No. 28 is more restrictive than state law. After further discussion, the motion passed; seven yeas, zero nays. Resolution No. 22-517.

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

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-401, Removal of the St. Louis County Auditor from the Chain of Responsibility for Activities Related to the Ely and West Duluth Motor Vehicle Offices.—61798

Kevin Gray, County Administrator, submitting Board Letter No. 22-408, Certification of 2023 Maximum Property Tax Levy.—61799

Kevin Gray, County Administrator, and Jim Foldesi, Public Works Director/Highway Engineer, submitting Board Letter No. 22-406, Unorganized Township Road Levy – FY 2023.—61800

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director and HRA Executive Director, submitting Board Letter No. 22-407, HRA 2023 Proposed Levy.—61801

Kevin Gray, County Administrator, and Nancy Nilsen, County Auditor/Treasurer, submitting Board Letter No. 22-412, Waiver of Ordinance No. 28, Section 11.02 – for All On-Sale Intoxicating Liquor Licensees.—61802

St. Louis County On-line Software Subscriber Agreement between the Auditor’s Office and Kris Hanzlicek, Savion, LLC, Kansas City, MO.—22-387

St. Louis County On-line Software Subscriber Agreement between the Auditor’s Office and ProTitleUSA, Southampton, PA.—22-388

Fire Protection and First Responder Services Agreement between the County of St. Louis and Colvin Volunteer Fire Department, Inc., Makinen, MN, for services in Unorganized Townships 55-14 and 55-15 during the period January 1, 2023, through December 31, 2023.—22-389

Fire Protection and First Responder Services Agreement between the County of St. Louis and Lakeland Volunteer Fire Department, Inc., Gilbert, MN, for services in Unorganized Township 57-16 during the period January 1, 2023, through December 31, 2023.—22-390

Fire Protection and First Responder Services Agreement between the County of St. Louis and French Township, for services in Unorganized Township 59-21 during the period January 1, 2023, through December 31, 2023.—22-391

Upon motion by Commissioner Jugovich, supported by Commissioner Musolf, resolutions numbered 22-502 through 22-512, as submitted on the consent agenda, were unanimously adopted as follows:

BY COMMISSIONER JUGOVICH:

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of September 13, 2022, are hereby approved.

Adopted September 27, 2022. No. 22-502

WHEREAS, The St. Louis County Public Works Department is planning a culvert replacement project on County State Aid Highway (CSAH) 78 in Beatty Township and Owens Township (CP 0078-685127); and

WHEREAS, The improvement consists of grading, aggregate base, culvert replacement, and ditching in said roadway as determined necessary to provide for the safety and convenience of the traveling public; and

WHEREAS, In addition to the existing highway right-of-way, certain lands are required for said construction, together with temporary construction easements.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the acquisition of the necessary lands and temporary easements for CP 0078-685127 and to execute, on behalf of the County, any easement documents as may become necessary payable from Fund 200, Agency 203001.

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.

Adopted September 27, 2022. No. 22-503

WHEREAS, The Minnesota Department of Transportation (MnDOT), in cooperation with St. Louis County, is planning a project in 2023 to construct a roundabout at the intersection of US 2/MN Trunk Highway 194 and County State Aid Highway (CSAH) 46 (Saginaw Road) located in Solway Township; and

WHEREAS, The construction phasing will require US 2 traffic to be detoured onto CSAH 13 (Midway Road); and

WHEREAS, The Minnesota Department of Transportation will provide payment to St. Louis County for road life consumed and maintenance performed by St. Louis County through a detour agreement.

THEREFORE, BE IT RESOLVED, That St. Louis County enter into MnDOT Agreement No. 1051579 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use and maintenance of County State Aid Highway No. 13 as a detour route during the construction to be performed upon, along, and adjacent to Trunk Highway No. 2 from 0.1 mile west of County Road 874 to 0.12 mile south of the junction with Trunk Highway No. 194 and on Trunk Highway No. 194 from the junction with Trunk Highway No. 2 to 0.25 mile east of the junction with Trunk Highway No. 2 under State Project No. 6908-61 (T.H. 194=008).

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, That State funds will be receipted into Fund 200, Agency 205003, Object 583100, with the total estimated detour payment being \$6,367.60.

Adopted September 27, 2022. No. 22-504

WHEREAS, The Minnesota Department of Transportation (MnDOT) is planning a project in 2023 to replace a box culvert on MN Trunk Highway 23 located approximately 470 feet south of County State Aid Highway (CSAH) 3 (Becks Road) located in the City of Duluth; and

WHEREAS, The construction phasing will require MNTH 23 traffic to be detoured onto CSAH 3 (Becks Road); and

WHEREAS, The Minnesota Department of Transportation will provide payment to St. Louis County for road life consumed through a detour agreement; and

WHEREAS, The Minnesota Department of Transportation will perform necessary maintenance on CSAH 3 (Becks Road).

THEREFORE, BE IT RESOLVED, that St. Louis County enter into MnDOT Agreement No. 1051606 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highway No. 3 (Becks Road) as a detour route during the construction to be performed upon, along, and adjacent to Trunk Highway No. 23 from 633 feet south of County State Aid Highway No. 3 (Becks Road) to 268 feet south of County State Aid Highway No. 3 (Becks Road) under State Project No. 6910-102 (T.H. 23=185).

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, That State funds will be receipted into Fund 200, Agency 205003, Object 583100, with the total estimated detour payment being \$1,148.40.

Adopted September 27, 2022. No. 22-505

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 \$900,000 of ARPA funds to be used for youth recreation projects; and

WHEREAS, The Hartley Nature Center (Center) has identified a project as part of the Park that will provide increased programming and recreation opportunities for youth and adults impacted by the pandemic; and

WHEREAS, The Center has submitted documentation seeking funding assistance in the amount of \$75,000 from the County's ARPA funds to support a 5,200-square-foot addition to the original 7,500-square-foot building that adds two new classrooms, additional restrooms, and a public meeting room for organizational partners and the broader community; and

WHEREAS, The underlying property is owned by the City of Duluth; and

WHEREAS, The City has indicated that if the County were to authorize funding for Capital Improvements at this location and if after additional analysis it was determined the project should be managed by the City, the City would accept these funds on behalf of the Center.

THEREFORE, BE IT RESOLVED, That after an initial review of the Project Eligibility form, application and other submitted materials, the project proposed has been determined to be eligible as it is an enumerated use within a disproportionately impacted community by the pandemic.

RESOLVED FURTHER, That the St. Louis County Board approves the use of \$75,000 of American Rescue Plan Act (Revenue Loss) funding to assist with the construction of an expanded building at the Hartley Nature Center.

RESOLVED FURTHER, That the City of Duluth and/or Hartley Nature Center shall comply and submit all necessary information, documentation and reporting materials required by the County, State or US Treasury to ensure that the project meets any and all conditions as required under the American Rescue Plan Act.

RESOLVED FURTHER, That the St. Louis County Board authorizes the appropriate County officials to enter into and execute any funding agreement(s) and associated documents with the City of Duluth and/or Hartley Nature Center as necessary to administer the program and comply with the American Rescue Plan Act.

RESOLVED FURTHER, That the above project be payable from Fund 239, Agency 239801, American Rescue Plan Act or, if more appropriate, from Fund 178, Agency 178008.

Adopted September 27, 2022. No. 22-506

WHEREAS, The St. Louis County Auditor has an insignificant role in the operations of Deputy Registrar for the Ely and West Duluth Motor Vehicle Offices; and

WHEREAS, The County Auditor has the option of being appointed as Deputy Registrar or relinquishing the chain of responsibility to the Commissioner of Public Safety; and

WHEREAS, The appointment of the St. Louis County Auditor as Deputy Registrar for those offices exposes St. Louis County to risk for future action at those offices; and

WHEREAS, The State of Minnesota serves the regulatory capacity necessary to operate the Ely and West Duluth Motor Vehicle Offices.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves removal of the St. Louis County Auditor from the chain of responsibility for the Ely and West Duluth Motor Vehicle Offices, relinquishing it to the Commissioner of Public Safety.

RESOLVED FURTHER, That the St. Louis County Board directs the Clerk of the County Board to provide notice of the change to Driver and Vehicle Services (DVS).

Adopted September 27, 2022. No. 22-507

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

WHEREAS, The applicants, Christopher John Boben and Debra Sue Boben of Duluth, MN, have applied to repurchase state tax-forfeited land legally described as:

CITY OF DULUTH

Lots 25, 26, 27, 28, 29 and 30, Block 18, GARY FIRST DIVISION

Parcel codes: 010-1800-04020, -04030, -04040, -04070; and

WHEREAS, The applicants were an owner of record at the time of forfeiture and spouse and are 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 Boben Enterprises, LLC and Christopher John Boben; and

WHEREAS, The applicants will either (a) pay in full all amounts due and owing under Minn. Stat. § 282.241; or (b) enter into a ten-year contract for deed, satisfying same, 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 Christopher John Boben and Debra Sue Boben of Duluth, MN, on file in County Board File No. 61662, to Boben Enterprises, LLC and Christopher John Boben, subject to payments including total taxes and assessments of \$16,154.78, deed fee of \$25, deed tax of \$53.31, recording fee of \$106, and unlawful detainer of \$360, for a total of \$16,699.09, to be deposited into Fund 240 (Tax-Forfeited Land Fund); plus a service fee of \$500, to be deposited into Fund 100 (General Fund).

Adopted September 27, 2022. No. 22-508

WHEREAS, The City of Aurora has requested to purchase the following described state tax-forfeited land for the price of \$500, plus fees:

Legal: LOT 13, BLOCK 2, ZUPONCIC ACRES 1ST ADD TO AURORA

Parcel Code: 100-0077-00360

LDKey: 122022; 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, This parcel of land has been classified as non-conservation land pursuant to Minn. Stat. § 282.01; and

WHEREAS, This parcel of land has 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 Aurora for the price of \$500 plus the following fees: 3% assurance fee of \$15, deed fee of \$25, deed tax of \$1.65, and recording fee of \$46, for a total of \$587.65 to be deposited into Fund 240 (Tax-Forfeited Land Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax-forfeited land described here if the City of Aurora does not purchase the land by March 26, 2023.

Adopted September 27, 2022. No. 22-509

WHEREAS, The Duluth Economic Development Authority has requested to purchase the following described state tax-forfeited land for the price of \$34,500, plus fees, for the purpose of economic development:

Legal: CITY OF DULUTH

LOTS 1 AND 2 and LOT 3 EX RY RT OF W, BLOCK 2, and LOTS 1 THRU 10, BLOCK 3, and LOTS 1 THRU 16, BLOCK 4, CLINTON PLACE ADDITION TO DULUTH

Parcel Codes: 010-0580-00170, 010-0580-00190, 010-0580-00340, 010-0580-00500

LDKeys: 100425, 100426, 100427, 100428; 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 Minn. 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, or 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 Duluth Economic Development Authority for the price of \$34,500 plus the following fees: 3% assurance fee of \$1,035, deed fee of \$25, deed tax of \$113.85, and recording fee of \$112, for a total of \$35,785.85, to be deposited into Fund 240 (Tax-Forfeited Land Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax-forfeited land described here if the Duluth Economic Development Authority does not purchase the land by March 26, 2023.

Adopted September 27, 2022. No. 22-510

WHEREAS, The Duluth Economic Development Authority has requested to purchase the following described state tax-forfeited land and improvements for the price of \$160,100, plus fees, for the purpose of economic development:

Legal: Lots 9 through 11, Block 4, WOODLAND PARK 2ND DIVISION

Parcel Code: 010-4670-00590

LDKey: 125419; and

WHEREAS, Minn. Stat. § 282.01, subd. 1a(b), allows for non-conservation tax-forfeited lands to be sold by the county board for 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, This parcel of land has been classified as non-conservation land pursuant to Minnesota Stat. § 282.01; and

WHEREAS, This parcel of land has not been withdrawn from sale pursuant to Minn. Stat. §§ 85.012, 92.461, 282.01, subd. 8, 282.018, or 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 Duluth Economic Development Authority for the price of \$160,100 plus the following fees: a 3% assurance fee of \$4,803, deed fee of \$25, deed tax of \$528.33, and recording fee of \$46, for a total of \$165,502.33, to be deposited into Fund 240 (Tax-Forfeited Land Fund).

RESOLVED FURTHER, That the St. Louis County Auditor may offer for sale at public auction the state tax-forfeited land described herein if the Duluth Economic Development Authority does not purchase the land by March 26, 2023.

Adopted September 27, 2022. No. 22-511

RESOLVED, That the appraisal reports for the sale of timber to be offered at PUBLIC ORAL TIMBER AUCTION, Tracts 1 through 25 (totaling \$369,431.21), as submitted by the Land Commissioner, on file in the office of the County Auditor, identified as County Board File No. 61625, are approved and the County Auditor is authorized to carry out the recommendations as listed in said appraisal reports.

Adopted September 27, 2022. No. 22-512

BY COMMISSIONER BOYLE:

WHEREAS, On September 28, 2021, the St. Louis County Board adopted Ordinance 66, which placed a one-year moratorium on the creation or expansion of any new or existing captive cervid farms in St. Louis County to prevent the spread of Chronic Wasting Disease (CWD); and

WHEREAS, On April 14, 2022, a study on Chronic Wasting Disease was presented to the Planning Commission at a public meeting; and

WHEREAS, On June 9, 2022, the Planning Commission initiated a public review and comment period; and

WHEREAS, On July 14, 2022, the Planning Commission, after soliciting comments for 30 days, held a public hearing regarding the proposed Zoning Ordinance 62 amendments; and

WHEREAS, The Planning Commission voted to recommend that the St. Louis County Board of Commissioners adopt the proposed Zoning Ordinance 62 amendments.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners adopts the amendments to Ordinance 62, Zoning Regulations contained in County Board File No. 61793.

RESOLVED FURTHER, That the effective date for these actions will begin upon Board approval, and that Ordinance 66 (St. Louis County Cervid Farm Moratorium) is repealed.

Unanimously adopted September 27, 2022. No. 22-513

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, 2022.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the maximum property tax levy for 2023 in the amount of \$163,366,729.47.

Unanimously adopted September 27, 2022. No. 22-514

BY COMMISSIONER McDONALD:

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 \$1,775,439.20 for the year 2023 to be levied only in such unorganized townships.

Unanimously adopted September 27, 2022. No. 22-515

BY COMMISSIONER NELSON:

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, 2022.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board certifies the HRA maximum property tax levy for 2023 in the amount of \$230,288.

Unanimously adopted September 27, 2022. No. 22-516

BY COMMISSIONER NELSON:

WHEREAS, St. Louis County Ordinance No. 28 (Liquor Ordinance), Section 11.02(d), prohibits on-sale intoxicating liquor sales between the hours of 1:00 a.m. and 10 a.m. on Sundays, which is more restrictive than Minn. Stat. § 340A.504, Subd. 3(a), which permits on-sale intoxicating liquor sales in restaurants starting at 8:00 a.m. on Sundays; and

WHEREAS, Multiple St. Louis County licensed liquor establishments and restaurants have requested a waiver to sell intoxicating liquor starting from 8:00 a.m. to 10:00 a.m. on October 2, 2022, for the Minnesota Vikings vs New Orleans Saints football game in London, England; and

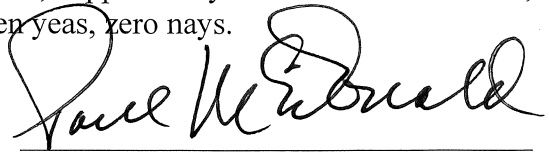
WHEREAS, Ordinance No. 28, Section 14, states “Upon application, the St. Louis County Board of Commissioners may consider waiving compliance with any requirement of this Ordinance that is more restrictive than Minnesota law, provided that the applicant shows that the noncompliance will be temporary, that there is a plan for future compliance, and that enforcement of the particular restriction would result in undue hardship.”

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the waiver of St. Louis County Ordinance No.28, Section 11.02(d), for all On-Sale Intoxicating Liquor establishments licensed by St. Louis County, which limits the sale of on-sale intoxicating liquor between the hours of 1:00 a.m. to 10:00 a.m. on Sunday.

RESOLVED FURTHER, That the waiver shall be effective only on Sunday, October 2, 2022, from 8:00 a.m. to 10:00 a.m.

Unanimously adopted September 27, 2022. No. 22-517

At 10:38 a.m., September 27, 2022, Commissioner Jewell, supported by Commissioner Musolf, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

A handwritten signature in black ink, appearing to read "Paul McDonald", written over a horizontal line.

Paul McDonald, Chair of the Board
of County Commissioners

Attest:

A handwritten signature in black ink, appearing to read "Nancy Nilsen", written over a horizontal line.

Nancy Nilsen, County Auditor
and Ex-Officio Clerk of the Board
of County Commissioners

(Seal of the County Auditor)