

**OFFICIAL PROCEEDINGS OF THE MEETING  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ST. LOUIS, MINNESOTA,  
HELD ON JANUARY 24, 2023**

The Board of County Commissioners of the County of St. Louis, Minnesota, met this 24<sup>th</sup> day of January 2023, at 9:33 a.m., at the Canosia Towns Hall, Duluth, Minnesota, with the following members present: Commissioners Annie Harala, Ashley Grimm, Paul McDonald, Keith Musolf, Keith Nelson, Mike Jugovich and Chair Patrick Boyle - 7. Absent: None - 0.

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

Commissioner Musolf introduced Canosia Township Supervisors Kevin Comnick and Jeff Erickson. Supervisor Comnick commented that the last County Board meeting held in Canosia was in 2013 and the Board is meeting in the original town hall that was built in 1888. Supervisor Comnick said that St. Germain's Glass Company recently opened a new manufacturing facility and The Tongue and Groove Store just finished their expansion. In addition, the Pike Lake Golf and Beach Club just completed construction of their event center and golf simulator and will be starting construction of 74 townhomes around Pike Lake.

Chair Boyle opened the meeting to persons who wish to address the Board concerning issues not on the agenda. Melissa Bell, of Duluth, commented regarding the Conditional Use Permit (CUP) issued to 6464 Fredenberg Lake Road. Ms. Bell provided the Board a handout and commented that there is not a 60-day time limit to have the permit voided and the case was not heard in court because the judge dismissed the case. Ms. Bell said the CUP should be voided due to multiple issues including: the septic tank not being in compliance when the permit was granted, LTI Holdings were not the owners of the property when the permit was issued, the sketch site map omitted a residence, and the applicant owns another gravel pit with severe reclamation issues. Clayton Cich, of Fredenberg Township, commented that the county is violating civil rights by treating certain people under the same laws differently. Mr. Cich commented they have experienced difficulties when dealing with the county and that a complaint has been filed with the new County Sheriff. Mr. Cich said they may have to look to a federal magistrate to give the county some help from the outside. Bruce Anderson, of Duluth, commented that he does not think county operations are running smoothly on this issue and citizen concerns are not being met. Mr. Anderson said that County Commissioners are responsible for ensuring that citizen concerns are met. Leeana Process, of Duluth, said the gravel pit will have a significant impact on her life due to noise pollution, dust and high traffic. Ms. Process commented that many people cannot come forward due to scheduling or because they are broken hearted. Oly Olson, of Duluth, said they are trying to protect their way of life in their neighborhood. Mr. Olson said the name for the civil rights violation by the county is "disparaging treatment"; townships and neighborhoods are being treated differently and it needs to stop because it is illegal. Kevin Comnick, Chair of the Canosia Township Board, commented that he has worked with the County Board over the past seventeen years and they have always been easy to work with. The working relationship between the township and county is strong.

At 9:59 a.m., a public hearing was conducted, pursuant to Resolution No. 22-666, adopted December 13, 2022, to consider the amendment of the 2023 Fee Schedule for The Depot Theatre rental fees, merchandise, and property management services at the St. Louis County Heritage and Arts Center (The Depot). Brian Fritsinger, St. Louis County Deputy Administrator, gave the Board

an overview of proposed fees. Deputy Administrator Fritsinger commented that County Administration is requesting that three (3) additional fees (Brian Fritsinger handout) relating to the rental of the Theatre be included in the fee schedule. Commissioner Nelson commented that he did not believe that the merchandise fees belonged on the fee schedule because suppliers could change pricing. Chair Boyle asked St. Louis Assistant County Attorney Chris Pinkert if there was any legal requirement for the inclusion of merchandise fees in the fee schedule. Assistant County Attorney Pinkert commented that he was not aware of any requirement for the inclusion of merchandise fees on the fee schedule. Chair Boyle asked if there were any other governmental entities, supporters, or opponents who wished to speak regarding the proposed action; no one requested the opportunity to speak. Chair Boyle asked if there were any other comments from the public. Clayton Cich, of Fredenberg, commented that he was in the concession business for 12 years and recommended that the county use an outside vendor or the existing on-site vendor. At 10:09 a.m., Commissioner Nelson, supported by Commissioner Grimm, moved to close the public hearing. The motion passed; seven yeas, zero nays.

Commissioner Nelson, supported by Commissioner Harala, moved that the St. Louis County Board of Commissioners amends the 2023 Fee Schedule for fees associated with the St. Louis County Heritage and Arts Center with the addition of three (3) Theatre rentals fees (Brian Fritsinger handout) and striking merchandising fees for t-shirts, ceramic mugs, travel mugs, totes, and stickers. The motion passed; seven yeas, zero nays. Resolution No. 96.

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

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

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 23-39R, Purchase of High Resolution Aerial Photography – Pictometry.—61883

Kevin Gray, County Administrator, and Mary Tennis, Extension and Depot Director, submitting Board Letter No. 23-34, Advertisement to Fill Vacancies on Cooperative Extension Committee.—61884

Kevin Gray, County Administrator, and Matthew Johnson, Planning and Community Development Director, submitting Board Letter No. 23-42, Per Diem Rate Increase – Planning Commission and Board of Adjustment.—61885

Kevin Gray, County Administrator, and James Gottschald, Human Resources and Administration Director, submitting Board Letter No. 23-43, 2023 Pay Equity Report.—61886

Special sales of state tax-forfeited lands approved during CY 2023.—61887

Addendum to Purchase Agreement, Contract No. 17230A, between the St. Louis County Board of Commissioners and Life House, Inc., for Family Homeless Prevention and Assistance (FHPAP), adding notification language to the contract.—23-20

Addendum to Purchase Agreement, Contract No. 17224A, between the St. Louis County Board of Commissioners and Arrowhead Economic Opportunity Agency for Family Homeless Prevention and Assistance (FHPAP), adding notification language to the contract.—23-21

Contract for County State Aid Highway (CSAH) Project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, for Bituminous Pavement Reclamation, Bituminous Paving, Aggregate Surfacing and Base Stabilization on CSAH 4 (CP 0004-398241, SP 069-604-084, STBG 6923(034)).—23-22

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, Aggregate Base Stabilization, Plant Mixed Bituminous Surface, Aggregate Base Class 5 and Aggregate Surfacing Class 5 on CSAH 20; CSAH 97; CSAH 108; County Road (CR 636); CR 650; and Unorganized Township (UT) Road 9214 (CP 0020-398242, SAP 069-620-005 (Low); CP 0097-520503, SAP 069-697-009 (Tied); CP 0108-398249, SAP 069-708-006 (Tied); CP 0636-398251 (Tied); CP 0650-398496 (Tied); CP 9214-556207 (Tied)).—23-23

Contract for County State Aid Highway project between the County of St. Louis and KGM Contractors, Inc., Angora, MN, to Construct Bridge 69L07 (County Bridge 12) and Approaches over French River, Northwest of Duluth (CP 0038-368339 (Br 12); SAP 069-638-001).—23-24

State of Minnesota Department of Transportation (MnDOT) and City of Biwabik and St. Louis County Amendment No. 1, MnDOT Contract No. 1-409853A01, for landscaping and aesthetic feature construction on TH 135 from 760 feet west of 1<sup>st</sup> Avenue North to 730 feet west of CSAH 4 (SP 6912-80, TH 135=035, SAP 069-596-015, TA 6923(015)), increasing and capping the Transportation Alternatives Funding from \$269,606.11 to \$380,699.20.—23-25

Lease between the County of St. Louis (Lessor) and The Depot Foundation (Lessee) for space at the St. Louis County Heritage and Arts Center (The Depot) during the term January 1, 2023, through December 31, 2023.—23-26

Lease between the County of St. Louis (Lessor) and Lake Superior Railroad Museum and North Shore Scenic Railroad (Lessee) for space at the St. Louis County Heritage and Arts Center (The Depot) during the term January 1, 2023, through December 31, 2023.—23-27

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Legal Services during CY 2023.—23-28

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Purchasing Services during CY 2023.—23-29

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Information Technology (IT) Services during CY 2023.—23-30

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Accounting and Financial Analyst Services during CY 2023.—23-31

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Safety and Risk Management Services (consulting, testing and worker compensation claims administration) during CY 2023.—23-32

Agreement between the County of St. Louis and the Arrowhead Regional Corrections Board (ARC) for Human Resources Services (personnel and training) during CY 2023.—23-33

State of Minnesota Grant Contract Agreement Amendment #1 between the Department of Iron Range Resources and Rehabilitation (IRRR) and St. Louis County Public Works, extending the expiration date of the grant to December 31, 2023.—23-34

Agreement between St. Louis County and Scotts Crane Lake Bar & Grill, Inc., dba Scotts Crane Lake Bar & Grill, Inc., Crane Lake Township, suspending their Combination On/Off-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on September 9, 2022.—23-35

Agreement between St. Louis County and Vermilion River Tavern, LLC dba Vermilion River Tavern, Portage Township, suspending their Combination On/Off-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on August 31, 2022.—23-36

Agreement between St. Louis County and Melrude Whistle Stop, LLC dba Melrude Whistle Stop, Ellsburg Township, suspending their Combination On/Off-Sale 3.2 Percent Malt Liquor License and Consumption & Display – Public Business License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on July 2, 2022.—23-37

Agreement between St. Louis County and Country Corner Bar, LLC dba Country Corner Bar, LLC, Culver Township, suspending their Combination On/Off-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on July 9, 2022.—23-38

Agreement between St. Louis County and Minno-ette, Inc., dba Minno-ette, Inc., Fredenberg Township, suspending their Off-Sale Intoxicating Liquor - Exclusive Liquor Store License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on July 9, 2022.—23-39

Agreement between St. Louis County and Van Gillen’s Dry Dock, Inc., dba Dry Dock Bar & Restaurant, Midway Township, suspending their Combination On/Off-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on July 9, 2022.—23-40

Agreement between St. Louis County and Shamrock Marina, LLC dba Shamrock Landing, Greenwood Township, suspending their Off-Sale 3.2 Percent Malt Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on August 1, 2022.—23-41

Agreement between St. Louis County and Handberg’s Marine, Inc., dba Handberg’s Marine, Inc., Crane Lake Township, suspending their Off-Sale 3.2 Percent Malt Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on September 10, 2022.—23-42

Agreement between St. Louis County and Wayside Bottle Shop, Inc., dba Wayside Bottle Shop, New Independence Township, suspending their Off-Sale Intoxicating Liquor - Exclusive Liquor Store License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on July 6, 2022.—23-43

Agreement between St. Louis County and Bil-Mar’s Supper Club, Inc., dba Bil-Mar’s Supper Club, Inc., Unorganized Township 55-21, suspending their Combination On/Off-Sale & Sunday On-Sale

Intoxicating Liquor License and assessing a civil penalty for an alleged Ordinance No. 28 violation, sale to minor, on September 10, 2022.—23-44

Agreement between St. Louis County and Vernon Skoglund dba Silver Fox Lodge, Gnesen Township, suspending their Combination On/Off-Sale 3.2 Percent Malt Liquor License and Consumption & Display – Public Business License and assessing a civil penalty for alleged Ordinance No. 28 violations, sale to minor, on July 30, 2022, and August 28, 2021.—23-45

Agreement between St. Louis County and Grand View Golf, LLC dba Grand View Golf Links, Midway Township, suspending their On-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for alleged Ordinance No. 28 violations, sale to minor, on July 6, 2022, and a prior date.—23-46

Agreement between St. Louis County and The Shack, Inc., dba The Shack, Unorganized Township 59-16, suspending their Combination On/Off-Sale & Sunday On-Sale Intoxicating Liquor License and assessing a civil penalty for alleged Ordinance No. 28 violations, sale to minor June 30, 2022, and a prior date.—23-47

Fire Protection Services Agreement between the County of St. Louis and Northland Volunteer Fire Department, Inc., Canyon, MN, to provide services in Unorganized Township 53-16 during the period January 1, 2023, through December 31, 2023.—23-48

Fire Protection Services Agreement between the County of St. Louis and Central Lakes Volunteer Fire Department, Inc., Eveleth, MN, to provide services in Unorganized Township 56-17 during the period January 1, 2023, through December 31, 2023.—23-49

St. Louis County On-Line Software Subscriber Agreement between the County of St. Louis, Auditor’s Office, and Lindsey Sorell, Houston, TX.—23-50

Upon motion by Commissioner McDonald, supported by Commissioner Harala, resolutions numbered 23-83 through 23-95, as submitted on the consent agenda, were unanimously adopted as follows:

**BY COMMISSIONER McDONALD:**

RESOLVED, That the official proceedings of the St. Louis County Board of Commissioners for the meeting of January 10, 2023, are hereby approved.

Adopted January 24, 2023. No. 23-83

WHEREAS, Public Works found it necessary to expand brine storage capacity and blending capabilities at the Ely campus; and

WHEREAS, The existing Construction Manager at Risk (CMAR) contract with McGough Construction Incorporated of Duluth, MN, includes the construction of brine buildings at the Culver, Kugler and Whiteface campuses; and

WHEREAS, The proposed Ely brine build is a duplicate of the previously designed brine buildings in Culver, Kugler and Whiteface; and

WHEREAS, The engineering was already completed and replicating the building in Ely was pragmatic; and

WHEREAS, McGough is able expand the materials order and provide the additional labor necessary; and

WHEREAS, An amendment to the existing CMAR contract with McGough for the proposed Ely brine building is advantageous for timing, scope of work, contract administration and cost effectiveness; and

WHEREAS, The building permits, negotiated fee for overhead and profit, project contingency, bond and insurance costs shall not exceed \$23,610,123.68.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an amendment to the professional services contract with McGough Construction of Duluth, MN, and approves any amendments authorized by the County Attorney, for the CMAR services, with a guaranteed maximum price (GMP) for the Public Works County Wide Improvements construction project in an amount not to exceed \$23,610,123.68 payable from Fund 450, Agencies 450002 (Culver), 450003 (Kugler) and 450004 (Whiteface), Object 660266 with costs split between these three agencies.

RESOLVED FURTHER, That the additional cost of \$180,000 to construct a brine building in Ely shall be payable from Fund 405, Agency 405182, Object 660266 and shall not utilize bond funds.

Adopted January 24, 2023. No. 23-84

RESOLVED, That the St. Louis County Board approves the applications for abatement, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 61875.

Adopted January 24, 2023. No. 23-85

WHEREAS, St. Louis County makes extensive use of aerial photography for business operations using Geographical Information Systems (GIS); and

WHEREAS, St. Louis County is in need of an updated high resolution aerial photography product to assist with business operations; and

WHEREAS, St. Louis County departments have budgeted aerial imagery acquisition in respective 2023, 2024, and 2025 budgets.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes a contract with Pictometry International Corporation, Rochester, NY, for 2023 oblique and orthogonal aerial photography and related technologies in an amount not to exceed \$540,000.

RESOLVED FURTHER, That funds be payable from Fund 100, Agency 109003, Object 629900, with funds transferred from each of the following departments: Sheriff/911 Communications; Public Works; Land and Minerals; Public Records and Property Valuation; and Planning and Community Development.

Adopted January 24, 2023. No. 23-86

WHEREAS, St. Louis County receives iron ore royalties from tax forfeited minerals; and  
WHEREAS, Minn. Stat. § 298.2215 allows a county to establish a scholarship program for local high school graduates.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board directs County Administration to fund the 2023-2024 scholarship program through the use of mineral royalties in the amount of \$150,000.

RESOLVED FURTHER, That the Board approves the disbursement of scholarship funds for the 2023-2024 school year as follows:

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

- Lake Superior College Foundation: \$37,500

RESOLVED FURTHER, That the Board approves the annual allocation of remaining mineral royalties funds, which have not been previously committed, for growing a fund for a future corpus.

Adopted January 24, 2023. No. 23-87

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 Duluth Housing & Redevelopment Authority (HRA) has been actively working to develop the Skyridge Flats senior project as the fifth phase of the HOPE VI plan being developed on the Harbor Highlands site in Duluth; and

WHEREAS, The COVID-19 pandemic and its lingering effects has put additional stresses on a variety of housing units including those units dedicated for seniors; and

WHEREAS, The HRA has submitted documentation seeking funding assistance from the County's ARPA funds to develop a 70-unit senior housing project; and

WHEREAS, The HRA has further submitted documentation seeking funding assistance from the City of Duluth for a similar level of funding to support this project.

THEREFORE, BE IT RESOLVED, That after the review of the Project Eligibility form, application and other submitted materials, the Skyridge Flats senior housing project proposed by the Duluth HRA is eligible under US Treasury Final Rule guidance.

RESOLVED FURTHER, That the St. Louis County Board approves the use of \$150,000 of American Rescue Act Plan funding to the Duluth HRA for the construction of 70-units of low-income senior housing units.

RESOLVED FURTHER, That all construction and renovations shall be in compliance with local zoning regulations and state building code.

RESOLVED FURTHER, That the Duluth HRA 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 or the County.

RESOLVED FURTHER, That the above project be payable from Fund 239, American Rescue Plan Act.

Adopted January 24, 2023. No. 23-88

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. 61856:

Ely Golf Club Corporation dba Ely Golf Club, Morse Township, renewal.

Adopted January 24, 2023. No. 23-89

WHEREAS, The St. Louis County Board appoints citizens to serve on the St. Louis County Cooperative Extension Committee; and

WHEREAS, There are three (3) vacancies to be filled through an advertised application process.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the County Auditor to advertise and accept applications to fill three (3) citizen member vacancies on the Cooperative Extension Committee for three-year terms.

Adopted January 24, 2023. No. 23-90

WHEREAS, The St. Louis County Board reviews and adjusts meeting per diem rates paid to St. Louis County Planning Commission and Board of Adjustment members; and

WHEREAS, The per diem rate was last adjusted from \$75 to \$100 for the Planning Commission and Board of Adjustment on February 1, 2022, via Board Resolution No. 22-96; and

WHEREAS, The Planning Commission and Board of Adjustment members have been experiencing longer meetings that require a vast amount of preparation; and

WHEREAS, The requested increase to the per diem rate is \$150 for each meeting attended.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes an increase to the per diem rate for the Planning Commission and Board of Adjustment members from \$100 to \$150 for each meeting attended and reimbursement for round-trip mileage at the applicable rate authorized by the County Board.

Adopted January 24, 2023. No. 23-91

WHEREAS, State Law requires all public jurisdictions to eliminate any gender-based wage inequities in compensation; and

WHEREAS, By continuing to review its pay equity, the County remains in compliance; and

WHEREAS, The 1984 Local Government Pay Equity Act mandated that each political subdivision establish a job evaluation system in order to determine the comparable work value of each job classification in its employment, and to establish and maintain equitable compensation relationships between female-dominated and male-dominated job classes; and

WHEREAS, The Act further mandated that each jurisdiction submit additional reports so that Minnesota Management & Budget can monitor on-going compliance with provisions of the Statute and St. Louis County was notified that it must submit its compliance report by January 31, 2023; and

WHEREAS, According to the current report, St. Louis County continues to maintain compliance with the Pay Equity Act.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the 2023 St. Louis County Pay Equity Implementation Report and authorizes the Board Chair to sign the report to be submitted to the State of Minnesota by the January 31, 2023 deadline.

Adopted January 24, 2023. No. 23-92

WHEREAS, The Allen R. and Elisabeth J. Cantrell Trust have requested a non-exclusive easement for right-of-way purposes across state tax-forfeited land to access private property; and

WHEREAS, There are no reasonable alternatives to obtain access to the property, and exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, subd. 4a, authorizes the St. Louis County Auditor to grant



easements across state tax-forfeited land for such purposes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive right-of-way easement to the Allen R. and Elisabeth J. Cantrell Trust across state tax-forfeited lands as described in County Board File No. 61882.

RESOLVED FURTHER, That the granting of this easement is conditioned upon payment of a \$500 land use fee, a \$200 land use fee, a \$200 administration fee, and a \$92 recording fee, for a sum total of \$492, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).

Adopted January 24, 2023. No. 23-93

WHEREAS, Referred to as the Tree-for-Tree Replacement Program, Enbridge Energy, Limited Partnership (Enbridge) agreed to replace trees cut within workspaces for the Line 3 right-of-way clearing; and

WHEREAS, The County has the option to accept funds to be used to purchase tree seedlings for future planting at locations determined by the County; and

WHEREAS, The compensation rate is \$8 per tree cut within the workspaces; and

WHEREAS, Enbridge used Lidar imagery along with tree counters to get accurate tree number estimations before clearing and added 30% to account for potential mortality of the future planted seedlings; and

WHEREAS, Enbridge is estimating 13,446 trees were cut in workspaces located on state tax-forfeited and county-owned fee lands for a total compensation of \$107,567.20.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Land Commissioner to accept \$107,567.20 from Enbridge Energy, Limited Partnership as part of the Tree-for-Tree Replacement Program to be used to purchase tree seedlings for future planting at locations determined by the County.

RESOLVED FURTHER, That the funds will be deposited into Fund 290 and administered according to the requirements of the program.

Adopted January 24, 2023. No. 23-94

WHEREAS, Pursuant to 2019 Minnesota Session Laws, Chapter 4, Article 4, Section 18, St. Louis County may sell by private sale the following described state tax-forfeited land to remedy an encroachment for the price of \$15,900, plus fees:

Legal: TOWN OF MORSE

South 310 feet of North 625 feet of East 400 feet of SE1/4, Section 14, Township 63 North, Range 12 West

Parcel Code: 465-0020-01965

Acres: 2.8

LDKey: 123941; and

WHEREAS, Minn. Stat. § 282.01, subd. 3 (a), allows for non-conservation tax-forfeited lands to be sold for their appraised value as determined by the county board; and

WHEREAS, The Land and Minerals Department recommends that this parcel be reclassified as non-conservation after considering many factors including the present use of adjacent land, the accessibility of lands to established roads, schools, utilities and other public services, and its peculiar suitability or desirability for particular uses; and

WHEREAS, This parcel of land is located inside the boundaries of a municipality or town, and Minn. Stat. § 282.01 provides that classification or reclassification and sale of lands situated within a municipality or town must be approved by the governing body of the municipality or town; and

WHEREAS, The reclassification and sale of this parcel will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the

reclassification and sale of the parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town in which the parcel is located; 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 (a) reclassification to non-conservation and (b) sale of state tax-forfeited land, as described, to Thomas M. Conaway for the price of \$15,900 plus the following fees: survey cost of \$3,529, 3% assurance fee of \$477, deed fee of \$25, deed tax of \$52.47, and a recording fee of \$46, for a total of \$20,029.47 to be deposited into Fund 240 (Tax-Forfeited Land Fund).

RESOLVED FURTHER, That the request for approval of the reclassification shall be transmitted by the St. Louis County Land and Minerals Department to the clerk of the municipality or town in which the parcel is located.

RESOLVED FURTHER, That the reclassification of this parcel will be deemed approved if the county board does not receive notice of the municipality's or town's disapproval of the reclassification of any parcel within 60 days of the date on which this resolution is delivered to the clerk of the municipality or town.

Adopted January 24, 2023. No. 23-95

**BY COMMISSIONER NELSON:**

WHEREAS, The St. Louis County Board held a public hearing at 9:35 a.m. on Tuesday, January 24, 2023, at the Canosia Town Hall, Duluth, MN, to receive comment and consider the amendment of the Fee Schedule for various St. Louis County Heritage and Arts Center services for the year 2023; and

WHEREAS, The St. Louis County Board adopted the 2023 Fee Schedule via Resolution No. 22-596; and

WHEREAS, St. Louis County Heritage and Arts Center (The Depot) staff is proposing to amend the Fee Schedule to align with planned 2023 activities.

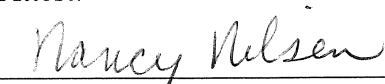
THEREFORE, BE IT RESOLVED, That the St. Louis County Board amends 2023 Fee Schedule for fees associated with the St. Louis County Heritage and Arts Center and on file in County Board File No. 61845.

Unanimously adopted January 24, 2023. No. 23-96

At 10:13 a.m., January 24, 2023, Commissioner Grimm, supported by Commissioner Jugovich, moved to adjourn the meeting. The motion passed; seven yeas, zero nays.

  
Patrick Boyle, Chair of the Board  
of County Commissioners

Attest:

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

(Seal of the County Auditor)