BOARD AGENDA
JULY 15, 2014 – 9:00 A.M.

1.  9:00 Roll Call
   Pledge of Allegiance

2.  9:00 Comments from the Public
   Visitors may share their comments or concerns on any issue that is a responsibility or function of Washington County Government, whether or not the issue is listed on this agenda. Persons who wish to address the Board must fill out a comment card before the meeting begins and give it to the County Board secretary or the County Administrator. The County Board Chair will ask you to come to the podium, state your name and address, and present your comments. Your comments must be addressed exclusively to the Board Chair and the full Board of Commissioners. Comments addressed to individual Board members will not be allowed. You are encouraged to limit your presentation to no more than five minutes. The Board Chair reserves the right to limit an individual's presentation if it becomes redundant, repetitive, overly argumentative, or if it is not relevant to an issue that is part of Washington County's Responsibilities.

3.  9:10 Consent Calendar – Roll Call Vote

4.  9:10 Community Corrections – Tom Adkins, Director
   Resolution – Recognition of Probation and Parole Supervision Week

5.  9:15 Property Records and Taxpayer Services – Jennifer Wagenius, Director
   Appointment of Members to the 2014 County Canvass Board for the State Primary Election

6.  9:20 Public Works
   A. Resolution – Declare Intent to Reimburse Expenditures from the Proceeds of Tax Exempt Bonds to be Issued by the County in 2015 – Don Theisen, Director
   B. Contract with Hagen, Christensen and McIlwain Architects for Design and Construction of the Public Works North Shop Facility - Don Theisen, Director
   C. Cooperative Cost Share Agreements with City of Cottage Grove – County State Aid Highway 22 and Meadow Grass Avenue - Wayne Sandberg, County Engineer

7.  9:45 General Administration – Molly O'Rourke, County Administrator
   A. 2014 Annual Legislative Report – Keith Carlson, MICA Executive Director
   B. Performance Measurement and Indicators Annual Report and Update – Amanda Hollis, Senior Planner
   C. Comments on City of Mahtomedi’s Proposal to Establish Tax Increment Financing District No.7 – Kevin Corbid, Deputy County Administrator

8.  10:40 Commissioner Reports – Comments – Questions
   This period of time shall be used by the Commissioners to report to the full Board on committee activities, make comments on matters of interest and information, or raise questions to the staff. This action is not intended to result in substantive board action during this time. Any action necessary because of discussion will be scheduled for a future board meeting.

9.  Board Correspondence

10. 10:55 Adjourn

11. 11:00 to 11:20 Board Workshop with Public Works
   City Place Development Plan and Environmental Assessment Worksheet

12. 11:25 to 11:55 Board Workshop with Property Records and Taxpayer Services
   Review Impact of Updated Tax Court Procedures & Status of Tax Court Petitions
The following items are presented for Board approval/adoption:

<table>
<thead>
<tr>
<th>DEPARTMENT/AGENCY</th>
<th>ITEM</th>
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<tbody>
<tr>
<td>Property Records and</td>
<td>A. Approval of resolution setting a public auction of tax forfeited land on September 9, 2014, including approval of Tax Forfeited Land Auction List #2014-01, approval of the terms of sale and the classification and basic sale price of the parcels to be sold.</td>
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<tr>
<td>Taxpayer Services</td>
<td>B. Approval of resolution to approve the basic sale price of tax forfeited parcels and authorize the Department of Property Records and Taxpayer Services to offer these parcels for sale to adjacent landowners through private sales.</td>
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<tr>
<td>Public Works</td>
<td>C. Approval to enter into contract 9004 with Premier Test &amp; Balance LLC for building, heating, ventilation, and air conditioning (HVAC) systems testing and balancing services.</td>
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<td></td>
<td>D. Approval to ratify the contract changes with Hardrives, Inc. for the County Road 62/63 Lot Project: Change Orders 6 and 8-10, Work Orders 4, 6-9 and 12/13, and Supplemental Agreements 2 and 3.</td>
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<tr>
<td>Sheriff’s Office</td>
<td>E. Approval of amendment to the agreement between Washington County and Securus Technologies, Inc. for the inmate telephone system.</td>
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<td>F. Approval of resolution declaring Washington County in a State of Emergency for the flooding events beginning on June 11, 2014.</td>
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Consent Calendar items are generally defined as items of routine business, not requiring discussion, and approved in one vote. Commissioners may elect to pull a Consent Calendar item(s) for discussion and/or separate action.
<table>
<thead>
<tr>
<th>Date</th>
<th>Day</th>
<th>Event</th>
<th>Location</th>
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<tbody>
<tr>
<td>July 14, 2014</td>
<td>Monday</td>
<td>National Association of Counties Conference - New Orleans</td>
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<tr>
<td>July 15, 2014</td>
<td>Tuesday</td>
<td>3:30 PM Housing and Redevelopment Authority (HRA) Board -- HRA Offices, 7645 Currell Blvd., Woodbury</td>
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<tr>
<td>July 16, 2014</td>
<td>Wednesday</td>
<td>8:30 AM Counties Transit Improvement Board -- 90 W. Plato Blvd., St. Paul</td>
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<td>8:30 AM Workforce Investment Board -- Woodbury City Hall, 8301 Valley Creek Road, Woodbury</td>
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<td>12:30 PM Metro Transportation Advisory Board -- 390 Robert Street North, St. Paul</td>
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<tr>
<td>July 17, 2014</td>
<td>Thursday</td>
<td>12:00 PM Metropolitan Library Service Agency (MELSA) -- 100 Empire Drive, St. Paul</td>
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<td>6:00 PM Parks &amp; Open Space Commission -- Cottage Grove Service Center - 13000 Ravine Parkway South, Cottage Grove</td>
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<tr>
<td>July 18, 2014</td>
<td>Friday</td>
<td>Meeting dates, times and locations may change. Contact the Office of Administration or individual agencies for the most current information.</td>
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REMINDER: NO BOARD MEETING JULY 29 - 5TH TUESDAY
## Request for Board Action

### Commissioner’s Report

### BOARD MEETING DATE:
July 15, 2014

### AGENDA ITEM NUMBER:
3A

### Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
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<tbody>
<tr>
<td>Property Records &amp; Taxpayer Services</td>
<td>Steve Gransee</td>
<td>651-430-8272</td>
</tr>
</tbody>
</table>

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<tr>
<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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<tbody>
<tr>
<td>Steve Gransee</td>
<td>651-430-8272</td>
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### Agenda Item Details

#### BRIEF DESCRIPTION OF YOUR REQUEST:
Approval of resolution setting a public auction of tax forfeited land on September 9, 2014, including approval of Tax Forfeited Land Auction List #2014-01, approval of the terms of sale and the classification and basic sale price of the parcels to be sold.

#### AGENDA YOU ARE REQUESTING TIME ON:
Consent

#### ARE YOU SEEKING APPROVAL OF A CONTRACT?
No

#### IS THIS MANDATED?
Yes

#### EXPLANATION OF MANDATE:
Minnesota Statutes Chapter 282 requires the county to manage all tax forfeited land on behalf of the State of Minnesota.

#### BACKGROUND/JUSTIFICATION:
Minnesota Statutes 282.01 provides for the classification, appraisal, and sale of land becoming the property of the State of Minnesota for nonpayment of property taxes. The parcels on the Tax Forfeited Land Auction List #2014-01 forfeited to the State for nonpayment of property taxes. All parcels included in the list for public auction were released by the city in which they are located for public sale.

A market value for the parcels was acquired from the County Assessor. The department has made adjustments to the values to factor in special circumstances and to promote the sale through competitive bidding on the parcels.

The department reviewed the list of parcels and recommended minimum sale prices with the County Finance Committee on July 8, 2014.

Sale Item #2 is an unfinished Commercial Unit and Items #15 and 16 are houses. All other parcels are land only.

If approved by the Board, the county will hold a public auction on September 9, 2014 at 2 p.m. in Conference Room LL14 in the Washington County Government Center in Stillwater.

The department will publish a notice of sale for two consecutive weeks in our legal newspaper, with the last publication not less than 10 days before the sale by public auction. In addition, a notice of sale will be mailed to all owners of land adjoining each parcel to be sold. Sale information will also be available from our website and will be sent to those who have subscribed to receive notices of sales.

The Department recommends approval of the list of parcels to be sold at auction, the terms and conditions of the sale and the minimum sale price as identified on the list of parcels.

#### PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?
Yes

Finance Committee review and approval on July 8, 2014.
### Budget Information

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<tr>
<th>FUNDING:</th>
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### Approvals

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<thead>
<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
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<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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<td>RECOMMENDATIONS:</td>
<td>RECOMMENDATIONS:</td>
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<td>Approved</td>
<td>Approved</td>
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<td>COMMENTS:</td>
<td>COMMENTS:</td>
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</table>
RESOLUTION APPROVING THE PUBLIC SALE OF TAX FORFEITED LAND
TO BE SOLD AT PUBLIC AUCTION

WHEREAS, Minnesota Statute Chapter 282 gives the county board the authority to manage tax forfeited property that is located within Washington County, and

WHEREAS, each year property forfeits for the non-payment of property taxes and the Property Records and Taxpayer Services Department, on behalf of the county board, works with the local municipalities and others to develop a plan to move the property into public ownership if there is a public use or purpose for the property, or to sell the property and return it to the tax rolls, and

WHEREAS, the parcels listed on the Tax Forfeited Land Auction List #2014-01 have been identified to be offered for sale to the general public through a public auction, and the attached terms of sale have been developed, and

WHEREAS, the department will publish a notice once a week for two consecutive weeks of the public auction as required by law and will notify all adjoining owners of the lands to be auctioned.

THEREFORE, BE IT RESOLVED, that all parcels of tax-forfeited land listed on Tax Forfeited Land Auction List #2014-01 be classified as non-conservation land; that the basic sale price of each parcel appearing on the list filed with the County Property Records and Taxpayer Services Department be approved; and authorization for public sale be granted, pursuant to M.S. 282.01; that the sale be held at 2:00 p.m. Tuesday, September 9, 2014 in Conference Room LL14, Washington County Government Center, Stillwater Minnesota; and the sale be for not less than the basic sale price.

BE IT FURTHER RESOLVED, that the terms of sale be as set forth in the Terms for the Sale of Tax Forfeited Land document attached.

ATTEST:

COUNTY ADMINISTRATOR

BEARTH
KRIESEL
LEHRKE
MIRON
WEIK

COUNTY BOARD CHAIR

YES   NO
<table>
<thead>
<tr>
<th>Sale Item #</th>
<th>Property ID</th>
<th>Tax Description</th>
<th>Forfeit Date</th>
<th>Appraised Value</th>
<th>Special Assessments Cancelled at Forfeiture</th>
<th>New Special Assessments</th>
<th>Basic Sale Price</th>
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<td>1</td>
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<td>24,485.90</td>
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<td>37,000.00</td>
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<td></td>
<td>6TH ADD Lot 3 Block 7</td>
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<td>2</td>
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<td>PT SW1/4 OF NE1/4 BEING THE E 440FT BEG</td>
<td>7/21/2010</td>
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Washington County is not aware of any Radon testing conducted on this property.
## Washington County
### Tax Forfeited Land Auction List #2014-01

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<td>7/22/2013</td>
<td>8,000.00</td>
<td>145.49</td>
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<td>ST PAUL PARK EXCEPT THE SOUTH 30 FEET OF LOT 12</td>
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<td>WILDWOOD MANOR</td>
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<td>16</td>
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<td>CITY OF FOREST LAKE</td>
<td>WADE ESTATES</td>
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<td>Washington County is not aware of any Radon testing conducted on this property.</td>
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TERMS FOR THE SALE OF TAX FORFEITED LAND 
IN WASHINGTON COUNTY, MINNESOTA

BASIC SALE PRICE
All parcels are offered at public auction and sold to the highest bidder. The minimum bid acceptable is the basic sale price, which is equal to the appraised value plus any extra charges for special assessments levied after forfeiture as shown on the list of tax forfeited land.

There are three multiple parcel sale items. Items 5/6, 11 & 12 each have two parcels for sale together as one sale item.

EXTRA FEES AND COSTS: IN ADDITION TO THE BASIC SALE PRICE
The following extra fees will be collected when the basic sale price is paid in full:

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<thead>
<tr>
<th>Fee</th>
<th>Amount</th>
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<tbody>
<tr>
<td>State Surcharge</td>
<td>3% of the basic sale price</td>
</tr>
<tr>
<td>State Deed Fee</td>
<td>$25.00</td>
</tr>
<tr>
<td>State Deed Tax</td>
<td>0.0033 per $1000.00 or $1.65</td>
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<td>Conservation Fee</td>
<td>$5.00</td>
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<tr>
<td>Recording Fee</td>
<td>$46.00</td>
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</table>

PAYMENT TERMS: CASH
For purchases of $10,000 or less, payment in full is required at the time of purchase. For purchases of more than $10,000, 10% of the basic sale price is required at the time of purchase and the remaining balance is due within 15 business days. Cashier’s Checks, Money Orders, Certified Checks and Personal checks are all accepted. If you choose to use Certified Funds, the payee line must contain the names of both Washington County and the name of the bidder with “or” between the names. Driver’s License or other valid picture ID required.

CONDITIONS
Sales are subject to existing leases, to building restrictions appearing of record at the time of forfeiture and to easements obtained by any governmental subdivision or agency thereof for any public purpose. The appraised value does not represent a basis for future taxes. Contact the city where the land is located for details of building codes or zoning laws and information on any pending special assessments. ALL PROPERTY IS SOLD “AS IS” AND MAY NOT CONFORM TO LOCAL BUILDING AND ZONING ORDINANCES. THE COUNTY MAKES NO WARRANTY THAT THE LAND IS BUILDABLE. ALL SALES ARE FINAL, AND NO REFUNDS OR EXCHANGES ARE PERMITTED. Washington County is not responsible for location or determining property lines or boundaries.

TITLE
The purchaser will receive a Certificate of Sale at the time of purchase. The Commissioner of Revenue will issue a deed from the State of Minnesota after full payment is made. The law provides that this conveyance has the force and effect of a patent from the State. However, tax forfeiture creates a break in the chain of title, and services of an attorney may be necessary to make the title marketable.
SPECIAL ASSESSMENTS
If a parcel had Special Assessments Cancelled at Forfeiture, as indicated on the list, the proceeds of the sale less the administrative cost will be first applied toward the cancelled assessment. The municipality may reassess any remaining balance.

Any special assessments, which were levied after forfeiture and certified to the County Auditor-Treasurer, have been added to the appraised value and must be paid by the purchaser as part of the basic sale price. These are also shown on the list as New Special Assessments.

Improvements not yet assessed are the responsibility of the purchaser.

FORMER OWNERS
Former owners, or anyone who had repurchase interest at the time of tax forfeiture under M.S. 282.241, must pay the basic sale price or the total amount of delinquency which includes the sum of all taxes, special assessments, penalties, interest, and costs due at the time of forfeiture plus any special assessments for improvements certified as of the date of the sale, whichever is more, pursuant to Minnesota Statutes, Section 282.01 subd. 7.

PARCELS REMAINING UNSOLD
Any parcel not sold at a public sale may be purchased after the public sale by paying the basic sale price and the extra fees and costs. The basic sale price cannot be changed until the parcel is reappraised, republished, and again offered at a public sale.

Information about the sale of tax forfeited land in Washington County can be obtained from the Property Records and Taxpayer Services Department located at 14949 62nd Street North, P.O. Box 6, Stillwater, MN 55082. Telephone # 651-430-6175.

Sale information is also available from our website at www.co.washington.mn.us.
# Request for Board Action

## Commissioner's Report

### BOARD MEETING DATE:
July 15, 2014

### AGENDA ITEM NUMBER:
3B

### Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
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<tbody>
<tr>
<td>Property Records &amp; Taxpayer Services</td>
<td>Steve Gransee</td>
<td>651-430-8272</td>
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</table>

<table>
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<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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<tbody>
<tr>
<td>Steve Gransee</td>
<td>Steve Gransee</td>
<td>651-430-8272</td>
</tr>
</tbody>
</table>

### Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Adopt resolution to approve the basic sale price of tax forfeited parcels and authorize the Department of Property Records & Taxpayer Services to offer these parcels for sale to adjacent landowners through private sales.

**AGENDA YOU ARE REQUESTING TIME ON:** Consent

**ARE YOU SEEKING APPROVAL OF A CONTRACT?** No

**IS THIS MANDATED?** Yes

**EXPLANATION OF MANDATE:**
Minnesota Statutes Chapter 282 requires the county to manage all tax forfeited land on behalf of the State of Minnesota.

**BACKGROUND/JUSTIFICATION:**
The parcels on the attached listing titled Tax Forfeited Land Private Sale List #2014-01 forfeited to the State of Minnesota on various dates.

The department has reviewed these parcels with the municipalities in which the properties are located and determined that the parcels cannot be improved and the highest and best use of the land can be achieved by adding it to adjoining property.

M.S. 282.01 authorizes the County Auditor to sell parcels of tax forfeited land that cannot be improved and the best use can be achieved by selling the parcels to an adjacent owner at private sale to adjacent land owners only.

Thirty days before the sale, a written notice of the date, time, location, and conditions of the sealed bid auction will be mailed to all adjacent landowners. Parcels will be sold to the highest bid, but not for less than the basic sale price. The terms of the sale shall be for cash only; parcels left unsold will be available for sale, over the counter, to the adjacent landowners only.

The Department recommends approval of the resolution authorizing a private sale of tax forfeited properties to adjoining land owners through sealed bids. The sale is scheduled for September 5, 2014 at 2:00 PM.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?** Yes

Finance Committee review and approval on July 8, 2014.

### Budget Information

**FUNDING:**
NA

### Approvals

**COUNTY ATTORNEY:**
George Kuprian

**RECOMMENDATIONS:** Approved

**COUNTY ADMINISTRATOR:**
Molly O'Rourke

**RECOMMENDATIONS:** Approved
RESOLUTION APPROVING THE PRIVATE SALE OF TAX FORFEITED LAND TO ADJOINING LAND OWNERS THROUGH SEALED BID

WHEREAS, Minnesota Statute Chapter 282 gives the county board the authority to manage tax forfeited property that is located within Washington County and

WHEREAS, each year property forfeits for the non-payment of property taxes and the Property Records and Taxpayer Services Department, on behalf of the county board, works with the local municipalities and others to develop a plan to move the property into public ownership if there is a public use or purpose for the property, or to sell the property and return it to the tax rolls, and

WHEREAS, it has been determined the parcels identified on the Tax Forfeited Land Private Sale List #2014-01 cannot be improved and the best use can be achieved by selling the parcels to an adjacent owner, and

WHEREAS, a written notice of the date, time, and location of the private sale will be mailed to all adjacent owners at least 30 days before the date of the sale.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners directs the Department of Property Records & Taxpayer Services to sell the parcels identified on the Tax Forfeited Land Private Sale List #2014-01 as a private sale to adjoining land owners on September 5, 2014 at 2:00 PM for not less than the basic sale price.

ATTEST:

COUNTY ADMINISTRATOR

BEARTH
KRIESEL
LEHRKE
MIRON
WEIK

COUNTY BOARD CHAIR

YES  NO

ATTEST:
<table>
<thead>
<tr>
<th>Sale Item #</th>
<th>Property ID</th>
<th>Tax Description</th>
<th>Forfeit Date</th>
<th>Appraised Value</th>
<th>Special Assessments Cancelled at Forfeiture</th>
<th>New Special Assessments</th>
<th>Basic Sale Price</th>
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<tr>
<td>1</td>
<td>10.029.20.34.0005</td>
<td>PT S1/2-SW1/4 BEING N 144.6FT THEREOF LYING WLY OF R/W LN RR &amp; LYING N HUNTINGTON MEADOWS &amp; LYING E OF</td>
<td>7/22/2011</td>
<td>500.00</td>
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<tr>
<td>2</td>
<td>30.027.21.34.0004</td>
<td>SE1/4-SW1/4 N OF SLOUGH EXC N 7AC</td>
<td>5/11/1970</td>
<td>800.00</td>
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<tr>
<td>3</td>
<td>10.032.21.21.0035</td>
<td>KING’S FOREST HILLS Lot 20 Block 17</td>
<td>5/10/1982</td>
<td>300.00</td>
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<tr>
<td>4</td>
<td>17.032.21.11.0009</td>
<td>PT NE1/4-NE1/4 BEG AT INTERS OF N LN OF SD TRCT &amp; ELY LN OF ST HWY 61 THN SLY ALG SD HWY DIST OF 320FT TO POB OF TRCT</td>
<td>8/5/1991</td>
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### Washington County
### Tax Forfeited Land Private Sale List #2014-01

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<th>New Special Assessments</th>
<th>Basic Sale Price</th>
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</table>

**CITY OF FOREST LAKE**

| 5 | 04.032.21.21.0004 | Lot C FOREST LAKE NORTH                                                   | 7/22/2011    | 200.00          | None                                       | 200.00                   |                 |

**CITY OF FOREST LAKE NORTH**

| 6 | 03.032.21.33.0044 | Lot A FOREST LAKE HIGHLANDS                                               | 7/19/2006    | 5,000.00        | None                                       | 5,000.00                 |                 |

**CITY OF FOREST LAKE**

| 7 | 09.032.21.44.0008 | PT GOV LOT 1 COM AT SW COR OF SD GOV LOT 1 THN N 493FT THN E 281.6FT TO PT OF BEG OF PARCEL OF LAND TO BE DESC THN | 7/21/2010    | 300.00          | None                                       | 300.00                   |                 |

**CITY OF FOREST LAKE**

<p>| 8 | 10.032.21.14.0008 | PT GOV LOT 1 BEING NORTH 40 ACRES EXCEPT PART PLATTED AS CAMERON HIGHLANDS | 7/22/2011    | 500.00          | None                                       | 500.00                   |                 |</p>
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<td>7/22/2013</td>
<td>500.00</td>
<td>402.20</td>
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<tr>
<td>10</td>
<td>11.030.21.21.0004</td>
<td>PT OF NW1/4 BEING S 175FT OF N 355FT OF V 200FT OF E 1162FT SUBJ TO EASE</td>
<td>7/22/2013</td>
<td>6,000.00</td>
<td>None</td>
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<td>MOST WLY 33FT OF FOLL DESC PROP: PT NE1/ NW1/4 COM AT NE COR OF SD1/4 THN ON AZM FROM N OF 179°43’38” DIST OF 1322</td>
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<td>19.031.21.33.0002</td>
<td>Lot D</td>
<td>7/22/2011</td>
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<td>CITY OF HUGO</td>
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<td>15</td>
<td>14.028.20.21.0001</td>
<td>PART NE1/4-NW1/4 S14T28R20 BEING FORM RR R/W ADJ TO LOTS 4436-4439 LAKE ST CROIX BEACH SEC NO.5</td>
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<td>S1/2 LOT 4032 LAKE ST CROIX BEACH SEC NO.</td>
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<td>17</td>
<td>02.028.20.34.0029</td>
<td>THAT PT OUTLOT D BEING THAT PT LYING NLY OF S 215.24FT THEREOF JACKSON FARM</td>
<td>7/18/2007</td>
<td>700.00</td>
<td>None</td>
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<td>LAKELAND CITY</td>
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<td>7/19/2006</td>
<td>1,000.00</td>
<td>None</td>
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<td></td>
<td></td>
<td>SEC 2 THN N89DEG05’14”E BRG ASM ALG N LN</td>
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<td>CITY OF MAHTOMEDI</td>
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<td>Lot A WEDGEWOOD ADDITION</td>
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<td>12.031.20.43.0007</td>
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<td>7/22/2011</td>
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<td>1837.50</td>
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<td></td>
<td></td>
<td>BEG AT PT ON E LN OF LT 10 DIST 10 FT</td>
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<td>NLY OF SE CORN THN WLY TO SW CORN OF LT</td>
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<td>OF LT 10</td>
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<td>SIMMONS SUBDIVISION Lot 6 Block 1</td>
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<td>Special Assessments Cancelled at Forfeiture Inc in Basic Sale Price</td>
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<tr>
<td>25</td>
<td>30.028.21.41.0001</td>
<td>PT W 25ACRES OF NE1/4-SE1/4 EXC 100FT WIDE EASEMENT TO CO HWY IN BOOK 257 PAGE 371 EXCEPT THAT PT W 25 ACRES LYING</td>
<td>7/21/2010</td>
<td>15,000.00</td>
<td>35.45</td>
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<td>26</td>
<td>17.028.21.11.0194</td>
<td>PT NE1/4-NE1/4 COM AT NE COR SD NE1/4 T5S0DEG23'E ASM BRG ALG THE E LINE SD NE1/4 DIST 825 FT TO PT OF BEG OF TRACT HEREIN</td>
<td>8/7/2002</td>
<td>500.00</td>
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<td>CITY OF WOODBURY</td>
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Request for Board Action

Commissioner's Report

Board Meeting Date:
July 15, 2014

Agenda Item Number:
3C

Department Information

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Requestor:</th>
<th>Requestor Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>Rita Conlin</td>
<td>651-430-4354</td>
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<table>
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<th>Presenter(s):</th>
<th>Media Contact:</th>
<th>Media Contact Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Erik Jalowitz</td>
<td>651-430-6227</td>
</tr>
</tbody>
</table>

Agenda Item Details

Brief Description of Your Request:
Authorize entering into Contract 9004 with Premier Test & Balance LLC for building heating, ventilation, and air conditioning (HVAC) systems testing and balancing services through the signatures of the Board Chair and the County Administrator without further action of the County Board conditioned upon approval as to form by the Washington County Attorney’s office.

Agenda You Are Requesting Time On: Consent
Are You Seeking Approval of a Contract? Yes
Is This Mandated? No
Explanation of Mandate:

Background/Justification:
Washington County Building Services Division is responsible for the maintenance and optimum performance of HVAC systems at all county owned facilities. The test and balance services contract provides for the professional use of specialized and calibrated instruments to evaluate the performance of HVAC systems.

Quotes for these services were requested in June and resulted in Premier Testing & Balancing LLC providing the lowest cost quote.

HVAC testing and balancing services are budgeted in the Building Services Division Maintenance and Operations Fund 110. Cost for these services was approximately $70,000 in the last 12-months.

The Building Services Director recommends approval of Contract 9004 with Premier Test & Balance LLC.

Previous Action on Request / Other Parties Involved? No

Budget Information

<table>
<thead>
<tr>
<th>Funding:</th>
<th>Explanation of Funds:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>Facilities Rent</td>
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Financial Impact:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Budgeted</th>
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</thead>
<tbody>
<tr>
<td>2014</td>
<td>$32,000.00</td>
<td>Yes</td>
</tr>
<tr>
<td>2015</td>
<td>$38,000.00</td>
<td>Yes</td>
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Approvals

<table>
<thead>
<tr>
<th>County Attorney:</th>
<th>County Administrator:</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
</tr>
</tbody>
</table>

Recommendations: Approved

Comments: Approved
Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>Larry Phillips</td>
<td>651-430-4360</td>
</tr>
<tr>
<td>PRESENTER(S):</td>
<td>MEDIA CONTACT:</td>
<td>MEDIA CONTACT PHONE:</td>
</tr>
<tr>
<td></td>
<td>Cory Slagle</td>
<td>651-430-4337</td>
</tr>
</tbody>
</table>

Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST:
Ratify the following contract changes with Hardrives, Inc. for the County Road (CR) 62/63/Lot project:
- Change Orders (CO) 6 and 8-10 in the amount of $195,268.11
- Work Orders (WO) 4, 6-9, and 12-13 in the amount of $152,472.05
- Supplemental Agreements (SA) 2 and 3 in the amount of $388,270.48

AGENDA YOU ARE REQUESTING TIME ON: Consent
ARE YOU SEEKING APPROVAL OF A CONTRACT? Yes

IS THIS MANDATED? No

BACKGROUND/JUSTIFICATION:
This Capital Improvement Project includes new pavement, parking lot rehabilitation, storm water infrastructure, curb rehabilitation, utility improvements, sidewalks, and trails on County Road 62/63 and the Government Center parking lot. During project construction, additional items were added to the project including upgrades to the campus lighting systems and additional curb replacement.

SUMMARY OF THIS CONTRACT (#8176)

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original contract</td>
<td>$2,497,735.08</td>
</tr>
<tr>
<td>Contract changes previously approved by the Dept. Head in accordance with the contract policy</td>
<td>$174,251.05</td>
</tr>
<tr>
<td>Contract Changes for Campus Lighting</td>
<td>$296,540.00</td>
</tr>
<tr>
<td>Additional Contract Changes for Curb, Grading and Pavement</td>
<td>$439,470.64</td>
</tr>
<tr>
<td>Revised Contract Amount</td>
<td>$3,407,996.77</td>
</tr>
</tbody>
</table>

The County Engineer recommends approval of these contract changes.

PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Yes
12/14/10 - Board approved 2011-2015 Capital Improvement Plan that identifies this project.
5/28/13 - Board approved the construction contract with Hardrives, Inc.
7/9/13 - Board directs campus lighting to be included into project
7/8/14 - Board workshop to discuss contract changes.

Budget Information

<table>
<thead>
<tr>
<th>FUNDING:</th>
<th>EXPLANATION OF FUNDS:</th>
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</thead>
<tbody>
<tr>
<td>Other</td>
<td>2011 Bonds</td>
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FINANCIAL IMPACT:

<table>
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<tr>
<th>YEAR:</th>
<th>AMOUNT:</th>
<th>BUDGETED:</th>
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<tbody>
<tr>
<td>2014</td>
<td>$736,010.64</td>
<td>Yes</td>
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Approvals

<table>
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<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
</tr>
</tbody>
</table>

RECOMMENDATIONS: Approved
COMMENTS:          
RECOMMENDATIONS:   Approved
COMMENTS:          
Request for Board Action

Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff's Office</td>
<td>Jill Zenzola</td>
<td>651-430-7978</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>William Hutton</td>
<td>651-430-7601</td>
</tr>
</tbody>
</table>

Agenda Item Details

<table>
<thead>
<tr>
<th>BRIEF DESCRIPTION OF YOUR REQUEST:</th>
<th>ARE YOU SEEKING APPROVAL OF A CONTRACT?</th>
<th>EXPLANATION OF MANDATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Board approval of an amendment to the agreement between Washington County and Securus Technologies, Inc. for the inmate telephone system.</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AGENDA YOU ARE REQUESTING TIME ON:</th>
<th>IS THIS MANDATED?</th>
<th>EXPLANATION OF MANDATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consent</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BACKGROUND/JUSTIFICATION:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Washington County Sheriff's Office has a contract with Securus Technologies to provide inmate phone calling services and recording devices. This amendment will renew the current agreement for an additional 5 years ending October 31, 2019. Our agreement with Securus is a Sole Source Contract. Securus will also provide the Continuous Voice Verification (CVV) feature to the County under this amendment. CVV reviews inmate call recordings to verify the inmate voice is the owner of the correct Personal Identification Number (PIN). CVV provides security regarding inmate telephone PIN use by providing the ability to identify PIN stealing and sharing.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Contract approved by Board on November 2, 2010.</td>
</tr>
</tbody>
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Budget Information

<table>
<thead>
<tr>
<th>FUNDING:</th>
<th>EXPLANATION OF FUNDS:</th>
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<tbody>
<tr>
<td>Other</td>
<td>Fees for Services</td>
</tr>
<tr>
<td></td>
<td>2014 Anticipated Revenues - $106,000</td>
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<table>
<thead>
<tr>
<th>FINANCIAL IMPACT:</th>
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<tbody>
<tr>
<td>YEAR: 2014</td>
<td>AMOUNT: $106,000</td>
</tr>
<tr>
<td>BUDGETED:</td>
<td>Yes</td>
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Approvals

<table>
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<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
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<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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<table>
<thead>
<tr>
<th>RECOMMENDATIONS:</th>
<th>COMMENTS:</th>
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<tbody>
<tr>
<td>Approved</td>
<td>Approved</td>
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</tbody>
</table>
### Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff's Office</td>
<td>Jill Zenzola</td>
<td>651-430-7978</td>
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<th>PRESENTER(S):</th>
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<tbody>
<tr>
<td></td>
<td>William Hutton</td>
<td>651-430-7601</td>
</tr>
</tbody>
</table>

### Agenda Item Details

<table>
<thead>
<tr>
<th>BRIEF DESCRIPTION OF YOUR REQUEST:</th>
<th>Consent</th>
<th>ARE YOU SEEKING APPROVAL OF A CONTRACT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of resolution declaring a State of Emergency in Washington County for the flooding events beginning on June 11, 2014.</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IS THIS MANDATED?</th>
<th>EXPLANATION OF MANDATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**BACKGROUND/JUSTIFICATION:**
The Washington County Sheriff's Office Department of Emergency Management requests the Washington County Board of Commissioners to declare Washington County in a State of Emergency for the flooding events beginning on June 11, 2014.

<table>
<thead>
<tr>
<th>PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?</th>
<th>No</th>
</tr>
</thead>
</table>

### Budget Information

<table>
<thead>
<tr>
<th>FUNDING:</th>
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<tbody>
<tr>
<td>NA</td>
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### Approvals

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<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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<table>
<thead>
<tr>
<th>RECOMMENDATIONS:</th>
<th>COMMENTS:</th>
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<tbody>
<tr>
<td>Approved</td>
<td>Approved</td>
</tr>
</tbody>
</table>
Resolution Declaring a State of Emergency

WHEREAS, beginning on June 11, 2014, persistent and continuing high precipitation severe summer storms affecting cities and townships throughout Washington County have created the likely potential for a significant amount of public and private property damage; and

WHEREAS, the 2014 summer rains continue to threaten Washington County critical infrastructure and essential county and city services; and

WHEREAS, Washington County and affected local jurisdiction emergency operations plans are activated, and cities who may have declared local emergencies may request county, state, and federal assistance and resources; and

WHEREAS, the closure of secondary roads, sandbagging operations, and other emergency measures are sometimes necessary in response to flooding conditions; and

WHEREAS, the resources of local, county, and state governments must be fully utilized to ensure immediate response to protect the life, safety, and property of persons in affected areas, including all cities and townships in Washington County; and

WHEREAS, the necessary resources to respond to and recover from this disaster may exceed those resources available within the County, and additional resources may be needed from state and federal resources; and

WHEREAS, the Washington County Sheriff’s Office Department of Emergency Management requests the Washington County Board of Commissioners to declare Washington County in a STATE OF EMERGENCY for the flooding events beginning on June 11, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners declares Washington County in a STATE OF EMERGENCY for conditions resulting from the flooding events beginning on June 11, 2014.

ATTEST:

COUNTY ADMINISTRATOR
BEARTH
KRIESEL
LEHRKE
MIRON
WEIK
COUNTY BOARD CHAIR
**Department Information**

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Corrections</td>
<td>Tom Adkins</td>
<td>651-430-6902</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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</thead>
<tbody>
<tr>
<td>Tom Adkins</td>
<td>Tom Adkins</td>
<td>651-430-6902</td>
</tr>
</tbody>
</table>

**Agenda Item Details**

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Resolution to recognize Probation and Parole Supervision week.

**AGENDA YOU ARE REQUESTING TIME ON:**
Board

**TIME NEEDED:**
5 minutes

**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
No

**IS THIS MANDATED?**
No

**EXPLANATION OF MANDATE:**
The week of July 13 – 19, 2014, is national Probation and Parole Supervision Week. The American Probation and Parole Association designates this week each year to recognize the work of probation and parole officers around the country. The attached resolution recognizes the work of Washington County probation and parole officers, and all of Community Corrections staff. Their supervision of offenders leads to a safer community for the residents of Washington County and restores victims of crime.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?**

**Budget Information**

<table>
<thead>
<tr>
<th>FUNDING:</th>
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<tbody>
<tr>
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**Approvals**

<table>
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<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
</tr>
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<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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<table>
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<tr>
<th>RECOMMENDATIONS:</th>
<th>COMMENTS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Approved</td>
</tr>
</tbody>
</table>
Resolution proclaiming July 13 - 19, 2014 as Probation and Parole Supervision Week

WHEREAS, Washington County probation and parole officers are an essential part of the public safety system; and,

WHEREAS, Washington County probation and parole officers uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and,

WHEREAS, Washington County probation and parole officers are trained professionals who work in partnership with community agencies and groups; and,

WHEREAS, Washington County probation and parole officers intervene with offenders to change behavior; and,

WHEREAS, Washington County probation and parole officers provide services, support, and protection for victims of crime; and,

WHEREAS, Washington County probation and parole officers advocate for the community and restorative justice; and,

WHEREAS, all Community Corrections staff play a vital role in supporting the work of probation and parole officers; and,

WHEREAS, Washington County probation and parole officers provide cost-effective services to the citizens of Washington County.

NOW THEREFORE BE IT RESOLVED, the Washington County Board of Commissioners does hereby proclaim July 13 – 19, 2014, as Probation and Parole Supervision Week, and encourages all citizens to honor these probation and parole officers and to recognize their achievements.
Request for Board Action

Commissioner’s Report

Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Records &amp; Taxpayer Services</td>
<td>Jennifer Wagenius</td>
<td>651-430-6182</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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<tbody>
<tr>
<td>Jennifer Wagenius</td>
<td>Jennifer Wagenius</td>
<td>651-430-6182</td>
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Agenda Item Details

<table>
<thead>
<tr>
<th>BRIEF DESCRIPTION OF YOUR REQUEST:</th>
<th>AGENDA YOU ARE REQUESTING TIME ON:</th>
<th>ARE YOU SEEKING APPROVAL OF A CONTRACT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appointment of members to the 2014 county canvass board for the State Primary Election.</td>
<td>Board</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TIME NEEDED:</th>
<th>IS THIS MANDATED?</th>
<th>EXPLANATION OF MANDATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 minutes</td>
<td>Yes</td>
<td>M.S. 204C requires the appointment of members to and the creation of a county canvass board to certify election results.</td>
</tr>
</tbody>
</table>

BACKGROUND/JUSTIFICATION:

The county canvassing board must meet to canvass the State Primary Election results pursuant to M.S. 204C.32 on either the second or third day following the state primary. The membership of the county canvass board is established in M.S. 204C.31 as follows:

Membership. The county canvassing board shall consist of the county auditor, the court administrator of the district court, the mayor or chair of the town board of the county’s most populous municipality, and two members of the county board selected by the board from its members who are not candidates at the election. Any member of the canvassing board may appoint a designee to appear at the meeting of the board, except that no designee may be a candidate for public office. If one of these individuals fails to appear at the meeting of the canvassing board and in the absence of any selection by the county board from among its own members, the county auditor shall appoint an eligible voter of the county who is not a public official or a candidate for public office to fill the vacancy. Three members constitute a quorum.”

The Primary Election will occur on August 12, 2014 and the canvass board will meet to canvass those results on Friday, August 15, 2014. Two members of the county board, who are not candidates at the election, may be selected by the board to serve on the canvass board. The Commissioners eligible to serve on the primary canvass board are Commissioners Bearth, Kriesel, Lehrke, Miron, and Weik.

The canvass board meeting will be held at 10 a.m. in Room LL12 of the Washington County Government Center.

PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? No

Budget Information

<table>
<thead>
<tr>
<th>FUNDING:</th>
<th></th>
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</thead>
<tbody>
<tr>
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<tr>
<td>COUNTY ATTORNEY:</td>
<td>COUNTY ADMINISTRATOR:</td>
</tr>
<tr>
<td>-----------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
</tr>
<tr>
<td>RECOMMENDATIONS: Approved</td>
<td>RECOMMENDATIONS: Approved</td>
</tr>
<tr>
<td>COMMENTS:</td>
<td>COMMENTS:</td>
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### Department Information

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<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
</tr>
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<tbody>
<tr>
<td>Public Works</td>
<td>Rita Conlin</td>
<td>651-430-4354</td>
</tr>
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<thead>
<tr>
<th>PRESENTER(S):</th>
<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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</thead>
<tbody>
<tr>
<td>Don Theisen</td>
<td>Don Theisen</td>
<td>651-430-4304</td>
</tr>
</tbody>
</table>

### Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Adopt resolution declaring intent to reimburse expenditures from the proceeds of tax exempt bonds to be issued by the county in 2015.

**AGENDA YOU ARE REQUESTING TIME ON:**
Board

**TIME NEEDED:**
5

**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
No

**IS THIS MANDATED?** Yes

**EXPLANATION OF MANDATE:**
Internal Revenue Service Treas. Reg.§ 1.150-2

**BACKGROUND/JUSTIFICATION:**
The remodel, re-use, and expansion of the Public Works North Shop facility is funded by the proceeds of tax exempt bonds to be issued by the county in 2015. The estimated project cost from bonds is $17.5 million. Initial project expenses will be covered by temporary use of fund balance to be reimbursed by the bonds when sold.

In accordance with Internal Revenue Service Treas. Reg.§ 1.150-2 (the "Reimbursement Regulations"), the county must declare its intent to reimburse expenditures made for certain costs of the capital project from proceeds of the bonds.

Staff recommends adoption of the resolution.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?** No

### Budget Information

**FUNDING:**
NA

### Approvals

<table>
<thead>
<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
</tr>
</tbody>
</table>

**RECOMMENDATIONS:**
Approved  
Approved

**COMMENTS:**

DECLARING THE OFFICIAL INTENT OF WASHINGTON COUNTY TO
REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF TAX-
EXEMPT BONDS TO BE ISSUED BY THE COUNTY

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, Washington County, a county and political subdivision of the State of Minnesota (the “County”), expects to incur certain expenditures that may be financed temporarily from sources other than tax-exempt bonds and other obligations, and reimbursed from the proceeds of a tax-exempt bonds or other obligations;

WHEREAS, the County has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of tax-exempt bonds or other obligations in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHINGTON COUNTY, MINNESOTA AS FOLLOWS:

1. The County has duly adopted a Capital Improvement Plan (the “CIP Plan”) for the County in accordance with Minnesota Statutes, Section 373.40, as amended (the “Act”). The CIP Plan identifies various capital improvements projects (the “Project”), including, Public Works North Shop Improvements Project in the County that are proposed to be financed with the proceeds of general obligation indebtedness of the County issued under the provisions of the Act.

2. The County reasonably expects to reimburse, in a principal amount currently estimated not to exceed $17,500,000, the expenditures made for certain costs of the Project from the proceeds of general obligation bonds of the County to be issued in 2015. All reimbursed expenditures will be capital expenditures, costs of issuance of the tax-exempt bonds or other obligations, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of tax-exempt bonds or other obligations, except for the following expenditures: (a) costs of issuance of bonds or other obligations; (b) costs in an amount not in excess of $100,000 or 5 percent of the proceeds of an issue of bonds or other obligations; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.
4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the tax-exempt bonds or other obligations described in paragraph 2 are consistent with the County’s budgetary and financial circumstances. No sources other than proceeds of tax-exempt bonds or other obligations to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County’s budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

ATTEST:

COUNTY ADMINISTRATOR
BEARTH  KRIESEL  LEHRKE  MIRON  WEIK

COUNTY BOARD CHAIR

YES  NO
What we will cover today

• County Vision & Public Works Mission
• Defining Needs
• How We Plan
• Funding Sources
• Proposed Projects
  – Bonding Projects
  – Capital Construction Projects
    • Pavement Improvement Program (PIP)
• Bond Scenario Proposal
Washington County Vision
A great place to live, work and play...today and tomorrow.

Public Works Mission
To provide stewardship for the County’s public investment in parks, buildings, transportation, land survey, and land use planning.

- Stewardship
  - is an ethic
  - responsible planning
  - management of resources
  - build for today....plan for the future
How do we know what our needs are?

• Strategic Planning
• Community Engagement
  – Citizen Requests
• Performance Measurement
  – Pavement Condition Index (PCI)
    • Red, Yellow, Green zones
  – Customer Satisfaction
  – Energy Use
• Internal Coordination with Departments
• External Coordination with Cities & Townships
How do we plan for improvements?

• County Comprehensive Plan
  – Community Comp Plans
• County Capital Improvement Plan
• Park Master Plans
• Building Assessments and Capital Repair Fund
• Regional Planning
  – Thrive 2040
  – Transportation Policy Plan
Primary Funding Sources

Funding Source

- Intergovernmental: 60%
- Bonds: 27%
- General Revenues: 7%
- Undesignated/Other: 2%
- Capital Repair Fund: 4%

Source: Washington County Capital Improvement Plan 2014 - 2018
Role of Bonds in CIP

• Bond funds are a key component in County Capital Improvement Planning
  – Since 2008 – Bond funds average 25% of total funding for CIP
  – Planning for 2015 Bond sale began in 2010
    • Planning is ongoing; planning for multiple bond issues at same time
  – Predictability is important
    • Typical Project Development = 5-7 years
Role of Bonds in the CIP

• County Debt Policy
  – Can be used for Capital Improvements
  – Must be part of Capital Improvement Plan
  – Will benefit future citizens of the County
  – Financially necessary and expedient

• Fund balance can be used in advance of Bond Sale for project development
  – Historically done for facility projects
Credit Rating

Standard and Poor’s
  – AAA
  – Highest Rating attainable
Moody’s
  – Aaa
  – Highest Rating attainable

The county’s strong management and commitment to financial planning has historically been a particular strength when Standard & Poor’s Ratings Services and Moody’s Investors Services released the county’s bond ratings.
Summary

• Guided process of issuing debt
  – Maintain AAA Bond Rating
  – Less than 50 Counties in nation with AAA from multiple rating agencies

• Debt promotes infrastructure investment, with flattened property tax impact

• Debt allows capital items to be paid for by the residents that benefit from the asset (current and future Washington County residents)
Request for Board Action

Commissioner’s Report

Department Information

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<tr>
<th>ORIGINATING DEPARTMENT:</th>
<th>REQUESTOR:</th>
<th>REQUESTOR PHONE:</th>
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<tbody>
<tr>
<td>Public Works</td>
<td>Rita Conlin</td>
<td>651-430-4354</td>
</tr>
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<th>MEDIA CONTACT:</th>
<th>MEDIA CONTACT PHONE:</th>
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<tbody>
<tr>
<td>Don Theisen</td>
<td>Don Theisen</td>
<td>651-430-4304</td>
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Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Approve selection of Hagen, Christensen and McIlwain Architects to provide professional architectural services for the design and construction of the Public Works North Shop Facility, and authorize execution of a contract with Hagen, Christensen and McIlwain Architects through the signatures of the Board Chair and the County Administrator without further action of the County Board conditioned upon approval as to form by the Washington County Attorney’s office.

**AGENDA YOU ARE REQUESTING TIME ON:**

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<th>BOARD</th>
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<td>TIME NEEDED:</td>
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**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
Yes

**IS THIS MANDATED?**
No

**BACKGROUND/JUSTIFICATION:**
Washington County solicited proposals for professional architectural design services for the remodel, re-use, and expansion of the Public Works North Shop from four firms. Three proposals were returned and evaluated by a team using qualification based selection criteria:
- Project approach - 25 points
- Experience - 25 points
- Past Performance - 20 points
- Ability to Meet Schedule - 10 points
- Personnel Qualifications - 10 points
- Proposed Fee and Detailed Work Effort - 10 points

Typical facility design and construction fee is 7% of the estimated construction cost. With the current estimate this is approximately $1,000,0000. HCM proposed fee and reimbursables is $928,000. One firm proposed fee was $1,020,000 higher and the other was $845,000.

The evaluation team recommends the selection of Hagen, Christensen and McIlwain Architects (HCM) based on their project approach, qualifications/experience (including sub-contracting engineering firms), past performance, and their ability to meet the project schedule.

HCM delivered the professional expertise for the preliminary wastewater systems evaluation and action plan, schematic design, and final design report for the North Shop. Their knowledge of the North Shop, county processes, and key county staff provides efficiencies for delivering this project.

The work to be performed under the contract will roll-out in five phases: Schematic Design Review & Update, Design Development, Construction Documents, Construction Bidding / Project Permitting, and Construction Observation and Administration. Initially, work will be authorized through Design Development. Other phases will be authorized when appropriate.

The Public Works North Shop Facility Project is funded by the proceeds of tax exempt bonds to be issued by the county in 2015. Project expenses will be covered by temporary use of fund balance to be reimbursed by the bonds when sold.
The Public Works Director recommends approval of a contract with Hagen, Christensen, and McIlwain to perform architectural and design services for construction of the Public Works North Shop Facility.

PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? No

### Budget Information

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<th>FUNDING:</th>
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<td>Other</td>
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**FINANCIAL IMPACT:**

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<td>2015</td>
<td>$428,500.00</td>
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**EXPLANATION OF BUDGET CHANGES:**
Increase to budget for Public Works North Shop Facility Project expenses.

### Approvals

<table>
<thead>
<tr>
<th>COUNTY ATTORNEY:</th>
<th>RECOMMENDATIONS:</th>
<th>COMMENTS:</th>
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<tr>
<td>George Kuprian</td>
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<th>COUNTY ADMINISTRATOR:</th>
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<tbody>
<tr>
<td>Molly O'Rourke</td>
<td>Approved</td>
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</table>
Public Works North Shop
Architectural Services Contract
Project Objectives

• Maintain fiscal responsibility within long-range financial plan
• Efficient and effective delivery of customer service
• Meet space program for 2022 with a plan for the future
• Meet space guidelines and provide an environment that is safe, clean, and professional
• Seek out opportunities to share facility features/services with partners
• Meet Minnesota Sustainable Building Design Guidelines
Schematic Design April 2014
Project Phases

1. Needs Assessment / Space Program

2. Concept Design

3. Schematic Design

4. Detail Design Sept 2014

5. Construction Plans and Specifications Dec 2014

6. Bidding and Award Early 2015

7. Construction 2015 - 2016

Selection Process

• Qualifications-based RFP issued to 4 Twin Cities based firms
  – 3 replied
  – Reviewed by Public Works team
  – Fee proposals consistent with industry standards for design

• Hagen, Christenson, and McIlwain Architects (HCM) recommended
## Architect Fee by Phase

1. **Needs Assessment / Space Program**
2. **Concept Design**
3. **Schematic Design**
4. **Detail Design** | $199,000
5. **Construction Plans and Specifications** | $478,000
6. **Bidding and Award** | $14,000
7. **Construction** | $219,000
8. **Post Occupancy Warranty Work** | NA
Budget

• $17,500,000 identified in CIP
  – 2015 Bond Issue
  – Architectural Services funded by temporary use of fund balance until Bond sale
    • Similar approach used on past facility projects
Next Steps

• Issue RFP for Construction Management Services
• Review final design and local agreements on forcemain project
• Review Detail Design before construction documents authorized
**Request for Board Action**

**Commissioner's Report**

**BOARD MEETING DATE:**
July 15, 2014

**AGENDA ITEM NUMBER:**
6C

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**Department Information**

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<tr>
<td>Public Works</td>
<td>Larry Phillips</td>
<td>651-430-4360</td>
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<tr>
<td>Wayne Sandberg</td>
<td>Wayne Sandberg</td>
<td>651-430-4339</td>
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**Agenda Item Details**

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Approve the cooperative cost share agreements with the City of Cottage Grove for design and construction cost sharing for a wood pole traffic signal system and right turn lanes at the intersection of County State Aid Highway (CSAH) 22 (70th Street South) and Meadow Grass Avenue through the signatures of the Chair of the Washington County Board of Commissioners and the Washington County Administrator without further action of the County Board and approval as to form by the Washington County Attorney’s Office.

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<th>AGENDA YOU ARE REQUESTING TIME ON:</th>
<th>ARE YOU SEEKING APPROVAL OF A CONTRACT?</th>
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<td>Board</td>
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| IS THIS MANDATED? | |
|-------------------| No |

**BACKGROUND/JUSTIFICATION:**
This project consists of design and construction of a wood pole traffic signal system, accessible pedestrian ramps, and right turn lanes at the intersection of County State Aid Highway (CSAH) 22 (70th Street South) at its intersection with Meadow Grass Avenue in the City of Cottage Grove.

The City of Cottage Grove will lead the design and construction of the project. The cooperative cost share agreement has been approved by the City of Cottage Grove.

The county's share of project costs will be funded with State Aid.

The county engineer recommends approval of the cooperative cost share agreement.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?**
Yes
12/17/13 - Board adopted the 2014-2018 Capital Improvement Plan that identifies funding for prioritized intersection control projects.

---

**Budget Information**

**FUNDING:**
- Other
- State Aid

**EXPLANATION OF FUNDS:**
State Aid

**FINANCIAL IMPACT:**

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<th>YEAR:</th>
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<td>2014</td>
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**Approvals**

**COUNTY ATTORNEY:**
George Kuprian

**COUNTY ADMINISTRATOR:**
Molly O'Rourke

**RECOMMENDATIONS:**
Approved

**COMMENTS:**
Approved
## Department Information

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<th>ORIGINATING DEPARTMENT:</th>
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<tr>
<td>Administration</td>
<td>Pat Raddatz</td>
<td>651-430-6014</td>
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<tbody>
<tr>
<td>Keith Carlson, MICA Executive Director</td>
<td>Molly O'Rourke</td>
<td>651-430-6002</td>
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## Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
2014 Annual Report by the Minnesota Inter-County Association.

**AGENDA YOU ARE REQUESTING TIME ON:**
Board

**TIME NEEDED:**
30 Minutes

**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
No

**IS THIS MANDATED?**
No

**BACKGROUND/JUSTIFICATION:**
Washington County is a member of a twelve county association that works together to communicate with state legislators on issues that have an impact on county government. Keith Carlson, Executive Director of the Minnesota Inter-County Association (MICA), along with other MICA lobbyists, will provide a report on the outcomes of the 2014 Minnesota Legislative Session.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?**
No

## Budget Information

**FUNDING:**
NA

## Approvals

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<th>COUNTY ATTORNEY:</th>
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<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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**RECOMMENDATIONS:**
N/A

**COMMENTS:**
NA
The 2014 Legislative Session and Its Implications for Washington County
2014 Session Was Generally Good for Counties

• No cuts, no levy limits
• New AIS aid
• But lots of challenging new labor laws, and
• No major transportation funding package
State Is in Better Positioned to Weather Next Downturn

- Does not mean that aid cuts cannot occur in the future.
- In addition, dedicated funding of MNCARE will be a future challenge.
Streamlining of Human Service Programs Will Hopefully Bear Future Administrative Efficiencies.

• Future of MNSURE will affect that outcome as well.
  – Web site is to be common application point for all health care programs as well as MFIP
No Action on a Major Transportation Funding Bill

• But increases for
  – local bridge replacement and rehabilitation - $33 million, and
  – the Local Road Improvement Program - $54.35 million will provide additional funding for some transportation projects
  – However, there is required dedication to some specified projects
AIS Aid Provides New Financial Resources But Only for Dedicated Purpose.

• $62,811 for 2014
• Estimated $139,580 for 2015
• Significant flexibility in how money can be spent
New Labor Law Changes Will Present Challenges

• They include
  – bargaining unit changes,
  – expanded sick leave,
  – new discrimination and workplace accommodation rules
  – new contracting requirements, and
  – new rules for future joint powers entities.
Changes in Data Practices Did Not Go as Far as Feared.

• But concerns driving those proposed changes unlikely to go away
Legislature Did Leave An Unfinished Agenda

- Reform of the civil commitment of sex offenders
- Major transportation funding package,
- MNCARE funding, and
- Funding for ARMER/800MHz VOIP public safety radio system
Changes in Property Values Likely to Be a Significant Factor for Counties in 2015 and Beyond

• After 8 years of single-family residential values being a declining share of the total tax base that will likely reverse in 2015
  – That means instead of a “tailwind” of the relative share of the total tax burden shifting away from residential homesteads, there will be “headwind” of the relative share of the total tax burden shifting onto residential homesteads
  – Also will likely begin to adversely affect Washington County’s share of the CPA beginning in 2016.
Retirements and 2014 Election Will Change the Legislature and May Change the Next Administration

- Representative Michael Paymar, DFL – St. Paul.
- Representative Mike Benson, R – Rochester.
- Representative Andrea Kieffer, R – Woodbury.
- Representative Tom Huntley, DFL – Duluth.
- Representative John Benson, DFL – Minnetonka.
- Representative Kurt Zellers, R – Maple Grove. Zellers is a candidate for governor.
- Representative Ernie Leidiger, R – Mayer.
- Representative Mary Liz Holberg, R – Lakeville. Holberg is running for Dakota County Commissioner in District 6.
- Representative David FitzSimmons, R – Albertville.
- Representative Pam Myhra, R – Burnsville. Gubernatorial candidate Marty Seifert chose Myhra as his running mate for lieutenant governor.
- Representative Michael Beard, R – Shakopee. Beard is running for Scott County Commissioner in District 3.
- Representative Kathy Brynaert, DFL – Mankato.
- Representative Kelby Woodard, R – Belle Plaine.
- Representative Jim Abeler, R – Anoka. Abeler is a candidate for U.S. Senate.
May 29, 2014

Dear MICA Members and Other Interested Parties:

The following “2014 End of Session Report” is our annual overview of the legislative changes that affect counties. The “2014 End of Session Report” is not meant to be comprehensive but rather give a broad-brush view of the various policy areas of concern to counties. In some instances, more comprehensive summaries have been shared with your staffs. In other instances, we can readily provide or steer you or your staff to any more detailed summaries you may desire.

I hope you find MICA’s “2014 Legislative Session Report” useful. If you have any questions or need more details about a particular item, please do not hesitate to contact our office.

Sincerely,

Keith E. Carlson
Executive Director
Minnesota Inter-County Association
2014
END OF SESSION REPORT

Executive Director: Keith Carlson
Phone: 612-759-9442
keithc@mica.org

Transportation and Capital Investment Liaison: Steve Novak
Phone: 763-458-8232
stevengnovak@gmail.com

Health and Human Services Liaison: Nancy Silesky
Phone: 612-747-7242
nsilesky@chestnutcambonne.com

Public Safety and Risk Management Liaison: John Tuma
Phone: 612-991-1093
jtuma@charter.net
Representatives Announcing Retirement

Representative Michael Paymar, DFL – St. Paul.

Representative Mike Benson, R – Rochester.

Representative Andrea Kieffer, R – Woodbury.

Representative Tom Huntley, DFL – Duluth.

Representative John Benson, DFL – Minnetonka.

Representative Kurt Zellers, R – Maple Grove. Zellers is a candidate for governor.

Representative Ernie Leidiger, R – Mayer.

Representative Mary Liz Holberg, R – Lakeville. Holberg is running for Dakota County Commissioner in District 6.

Representative David FitzSimmons, R – Albertville.

Representative Pam Myhra, R – Burnsville. Gubernatorial candidate Marty Seifert chose Myhra as his running mate for lieutenant governor.

Representative Michael Beard, R – Shakopee. Beard is running for Scott County Commissioner in District 3.

Representative Kathy Brynaert, DFL – Mankato.

Representative Kelby Woodard, R – Belle Plaine.

Representative Jim Abeler, R – Anoka. Abeler is a candidate for U.S. Senate.
Two tax bills were passed this session, HF 1777(Ch. 150) and HF 3167 (Ch. 308). The former undid all the business-to-business sales tax increases enacted in 2013 as well as the new gift tax and updated the state’s income tax with the federal tax code. The later provided $103 million of tax relief and state aids.

**HF 1777(Ch. 150)**

**Business to Business Sales Taxes Repealed and Income Taxes Update with Federal Code**

HF 1777 provided $443 million in tax relief by repealing last year's business-to-business sales tax increases as well as conforming the state's income taxes to the federal tax code. None of the business-to-business tax repeals were retroactive, and $150 million was added to the state's budget reserve. The bill delayed the conversion of the capital equipment refund to an upfront exemption and expanded the reinstated central office/telecommunication exemption to now include wire, cable, fiber, poles, or conduit.

**Gift Tax Repealed and Estate Tax Reduced**

HF 1777 also repealed the gift tax enacted last year and increased the exemption for the estate tax from $1 million to ultimately $2 million for decedents dying in 2018 and thereafter

**Iron Range School Consolidation and Cooperatively Operated School Account created**

An Iron Range Consolidation and Cooperatively Operated School Account to be administered by the IRRRB is created for assisting school districts designated by at least seven of the nine board member with debt service on bonds authorized by referendum after December 7, 2009.

**County Taconite Production Tax Distribution Reduced**

The general county and the county road and bridge distribution from the taconite production tax are reduced $.05 per ton. HF 3167 limited the reduction to distributions in 2015 through 2023 to in part to fund the Iron Range Consolidation and Cooperatively Operated School Account

**Range Fiscal Disparities Changes**

If the revenues from other sources are insufficient to fund the obligations of the Iron Range Consolidation and Cooperatively Operated School Account, an amount not exceeding 25% of the areawide levy of all governmental units will be levied as part of the areawide property tax on commercial-industrial property. Any such levy will proportionately reduce the areawide levy of each governmental unit increasing the local portion of their levy and their local tax rate. The areawide tax rate stays unchanged.

**Temporary Program Aid Increases for Beltrami and Mahnomen Counties**

Mahnomen County’s program aid is increased $1.5 million for 2015 only. Beltrami County’s program aid in increased by $3 million annually from 2015 through 2024.
### TAXES AND PROPERTY TAX AID AND REFUNDS

#### 2013 Elimination of Conservation Easement Valuation Reduction Made Prospective

The 2013 tax bill provision that eliminated the valuation reduction for conservation easements was made applicable generally only to easements entered into on May 23, 2013 and after.

#### HF 3167 (Ch. 308)

Sales Tax Exemption Expanded and Clarified

Goods and services that continue to be subject to tax are limited to inputs for cafes, laundromats, solid waste hauling, solid waste recycling, landfills, golf courses, liquor stores, gas or electric utilities, marinas and campgrounds effective July 1, 2014. The exemption is expanded to joint powers entities and all special districts except the Met Council effective January 1, 2016. Expanded to Met Council effective January 1, 2017

#### County Aquatic Invasive Species Grants

New, county aquatic invasive species grants are funded at $4.5 million in 2014 and $10 million annually starting in 2015. The grants will be certified and paid by the Department of Revenue at the same times as provided for county program aid except the 2014 grants will be certified by July 1, 2014 and paid by July 20, 2014. The grants will be distributed via a formula - 50 percent based on each county's share of public accesses designated for watercraft launching and 50 percent based on each county's share of watercraft trailer parking spaces at those accesses. The county must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds and submit a copy of its guidelines to the Department of Natural Resources by December 31 of the year the payments are received. The county may appropriate the proceeds directly, or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county.

#### Supplemental County Program for Counties Receiving Reductions in 2014

The eleven counties that received a program aid reduction in 2014 (because of rising tax bases) will receive supplemental aid equal to aid reduction.

#### Homestead Agricultural Property Tax Relief

A refund of the lesser of the tax due on an agricultural homestead excluding that on the house, garage and one acre or $205 will be mailed by the Department of Revenue in 2014 to those owners without any property tax delinquencies. The maximum homestead agricultural credit is increased from $345 to $490 for homestead agricultural property in excess of $115,000 of value excluding the house, garage and one acre beginning in 2015.

#### One-time Homestead Credit Refund and Renters Credit Increase

The “homestead credit” property tax refund (for which taxpayers file with the Department of Revenue) for taxes payable in 2014 is increased 3% and the renters credit payable in 2014 is increased 6%

#### Preliminary Levy Certification Delayed

The preliminary “truth in taxation” levy certification deadline is extended from September 15 to September 30 for cities and counties

#### Market Value Exclusion for Spouses of Deceased Disabled Veterans Extended

The period of the carryover of the market value exclusion for the spouses of disabled veterans is increased from 5 to 8 years or such time as the spouse remarries.

#### Certain Tanks, Vessels and Other Containers Exempted from Property Tax

Certain large tanks, vessels and other containers used in the production of biofuels, wine, beer, distilled beverages, or dairy products are exempted from tax beginning in 2016. For those cities and towns that lose more than 5% of their tax base as a result of the exemption, a transition aid is provided for five years.

#### Photovoltaic Exemption Expanded to Solar Energy Generation Systems

The property tax exemption for photovoltaic devices is expanded to a “set of devices whose primary purpose is to produce electricity by means of any combination of collecting, transferring, or converting solar generated energy. If the primary purpose of the property upon which the system is located is for solar energy
production, it is classified as commercial-industrial property. If the property’s primary purpose is otherwise, i.e. a rooftop solar far on an apartment building, the classification is determined without regard to the system. An energy production tax of $1.20 per MWH is imposed on systems with a capacity in excess of one MW. The resulting revenue is distributed 80% to counties and 20% to the city or township.

**Study of Energy Producing Systems**

$150,000 is appropriated to finance a study and analysis of the property taxation of energy producing systems in Minnesota, including both traditional and renewable energy sources. The study must address the costs imposed on host communities by the various types of facilities, compared to the tax revenues received by the host communities. The study must also address the burden of taxation on Minnesota facilities compared to facilities in neighboring states. The report must specifically make recommendations on the taxation of solar energy producing systems. A report is due on February 1, 2015.

**Confession of Judgment Installment Contracts**

**Interest Rates Reduced**

The interest rate on 5 or 10 year installment payment plan entered into under a confession of judgment for delinquent property taxes on residential homestead property is lowered from a minimum of 10% to the greater of five percent or two percent above the prime rate charged by banks during the six-month period ending on September 30 of that year.

**Sliding Scale Electric Generation Exemption Limited**

The sliding scale exemption for electric energy generating property is limited for new applicants to only facilities being converted from coal to an alternate fuel and with a capacity of less than 75 MW. The Department of Revenue must develop an electronic means to notify interested parties of new applications for the sliding scale exclusion as well as the pollution control exemption.

**Technical Correction Made to Payments in Lieu of Tax (PILT) on Natural Resources Land**

Modifies the payment for wildlife management land to be the greater of $5.133 per acre or three-fourth of one percent of appraised value. This is the same payment alternative used for other types of natural resource lands such as acquired, transportation wetland, and LUP land. Provides for a one time additional payment by June 30, 2014 to counties that would have received more PILT payments on wildlife lands in 2013 with this retroactive change. Also provides a mechanism to allocate the extra $300,000 annually to pay ditch assessments on consolidated conservation (con-con) lands to counties based on each county’s share of total annual ditch assessments.

**Net Proceeds Tax Allocation Revised**

The city, school district and county 5%, 10% and 20% distributions from the net proceeds tax on non ferrous minerals, respectively, is revised if the mining and concentration, or different steps in either process, are carried on in more than one taxing district to 50% of the proceeds of the tax to the operation of mining or extraction, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of the respective operations performed in each taxing district.

**Federal Low Income Housing Credit Allocation Increased for Dakota County CDA**

In the first round for allocations for the federal low income housing tax credits, the Dakota CCDA would be eligible for up to three projects for either new or rehabilitated multifamily housing, that is not restricted to those over 55, and is located in a commuter area located close to certain high frequency use transit stations, lines, and park and ride lots like the Cedar Grove redevelopment.

**General TIF Changes**

The 5-year rule under which all TIF estimated revenues have to be committed to development or redevelopment activities is extended to eight years for redevelopment districts certified after April 20, 2009 and before June 30, 2012. Cities are allowed to elect to make the fiscal disparities contribution for economic development districts out of the city’s tax base rather than the TIF district’s increment.

**TIF Changes Affecting Projects in MICA Counties**

**Baxter.** Allows the city to add a parcel to an economic development TIF district that was created under the 2010 Jobs Bill authority. Increments from the district would be subject to the same rules that apply to Jobs Bill TIF
districts and the prior planned improvement rule would not apply to the parcel.

**Eagan; Cedar Grove TIF.** Allows the city to elect to compute increment for the Cedar Grove redevelopment TIF district using the current tax rate, not the original tax rate. Allows the city to extend the 5-year rule for the district to 13 years. (The 2010 Jobs Bill extended the basic 5-year rule to 10 years for this district.) Allows the city to extend the duration of the district by three years (to 2032).

**Savage.** Provides authority to the city of Savage to establish TIF districts in an area of the city containing a gravel mining site. Before using this authority, the city must find that 80 percent of the defined area has one or more of the following conditions (a parcel is treated as wholly meeting a requirement if 70 percent of its area meets the requirement, except a 30-percent test applies for the substandard building requirement):

- Peat or other geotechnical difficulties with the soil that “impair” the ability to develop the parcel
- Landfills, dumps, or similar conditions
- Quarries (e.g., gravel pits) or similar
- Floodway
- Substandard building(s), as defined under the TIF blight test under general law, on the parcel

**Special TIF rules that apply.** The following exceptions to general law TIF rules would apply to new districts created in the defined area. Any type of TIF district, except an economic development district or housing district, could be created in the area and qualify for these special rules.

- **A new type of TIF district – a soils deficiency district – with special qualifying rules would be allowed.** This authority roughly mirrors a similar type of district that existed under an old TIF law, which was repealed by the legislature in the 1990s. To qualify, 80 percent of the area would need to have soils or terrain difficulties with estimated correction costs (basically grading or filling) that exceed the fair market value of the property (but not counting the cost of roads and other public improvements that landowners could be specially assessed for). These soils deficiency districts would be allowed to collect 21 years of increments and would be limited to spending increments on land acquisition, soils correction, and the higher cost of public improvements that result from the soils conditions, and administrative expenses.

- **The five-year rule is extended to eight years.** Under general law, the five-year rule limits the period of time that in-district expenditures (under the percentage-pooling rules) may be spent.

- **The pooling percentage is increased from 20 percent to 40 percent.** However, to qualify for the higher percentage, the increment would need to be spent in the defined project area (i.e., the project area could not extend beyond these boundaries).

### Local Sales Taxes in MICA Counties

**Food and beverage tax (Duluth).** Allows the city to increase its food and beverage tax from the current rate of 1.75% percent to 2.25% with the additional revenue dedicated to fund up to $18 million of capital projects related to tourism and recreation in the portion of the city west of 34th Avenue West. The temporary increase ends when the additional revenue raised under this tax increase and the increased local lodging tax is sufficient to fund the allowed projects. Additionally the city is allowed to issue up to $18 million in general obligation bonds for these projects without a referendum or the bonds counting toward the city’s net debt limit.

**City of Duluth; tax on receipts by hotels and motels.** Allows the city to increase its lodging tax from the current rate of 1.0% percent to 1.5% with the additional revenue dedicated to the same purposes as the foods and beverage tax increase.

**Baxter.** Allows the city, with approval of the voters, to extend its local sales tax to fund up to an additional $40 million in sanitary sewer and storm sewer projects, transportation safety improvements, and improvements to the Brainerd Lakes Area Airport. Allows the city to issue up to $40 million of bonds for the new projects. $8 million of the bonding authority must be for the airport improvements. If approved the tax would expire at the earlier of (1) December 31, 2037, or (2) when revenues are sufficient to pay for the authorized projects plus associated bond costs.

**Brainerd.** Allows the city, with approval of the voters, to extend its local sales tax to fund up to an additional
TAXES AND PROPERTY TAX AIDS AND REFUNDS

$15 million for improvements in the joint waste treatment facility, other water infrastructure, and trail improvements. If approved the tax would expire at the earlier of (1) when an additional $15 million is raised, or (2) 18 years after the original termination date for the tax.

**Helena Township Subordinate Service District Removed**

The subordinate service district established for Silver Maple Bay Estates is removed in Helena Township located in Scott County.

**SF 2255 (Ch. 292)**

**Negotiable Certificates of Deposit**

Minnesota joint powers investment trusts may invest funds in negotiable certificates of deposit with a remaining maturity of three years or less, issued by a nationally or state-chartered bank, a federal or state savings and loan association, or a state-licensed branch of a foreign bank. For obligations with a maturity of one year or less, the debt obligations of the issuing institution or its parent are rated in the top short-term rating category by at least two nationally recognized ratings organizations and for obligations with a maturity in excess of one year, the senior debt obligations of the issuing institution or its parent are rated at least A or its equivalent by at least two nationally recognized ratings organizations. Investments in these instruments shall not be subject to the collateralization requirements of section 118A.03.

**HF 155 (Ch. 301)**

**Maximum Notary Fees Increased**

The maximum notary fees were raised from $1 to $5

**HF 2276 (Ch. 173)**

**Real Estate Recording Relating To Safe At Home Program Participants**

Establishes procedures for the recording and dissemination of real estate documents/property records for property of participants in the Safe at Home program for victims of domestic violence, sexual assault or stalking, who specifically request the county recorder to keep their identity and the location of their residence from being disclosed. Establishes procedures for the disclosure of such identity and location information for purposes of title examination and service of process as well as for administration of public assistance, other health, safety or welfare functions including 911 services or to aid in law enforcement investigations.

**What Didn’t Happen**

- No levy limits.
- No program aid cuts
- No exemption of dump trucks and snowplows from sales tax on motor vehicles
- No reform of the property tax system
- No changes in the metropolitan fiscal disparities program
2014 Legislative Session Report
Transportation and Capital Budget

No Major Transportation Bill; Generous Capital Budget for Transportation

Comprehensive transportation funding remained a complex political puzzle during the 2014 legislative session. The Move Minnesota comprehensive transportation finance bill which included a 5% gross receipts tax on fuel and ¼ cent increase in the sales tax in the metro area passed the House and Senate Transportation policy committees and then stalled in the House Tax Committee and Senate Finance Committee. In addition, this bill would have provided a dedication of 100% of the sales tax on leased motor vehicles. This would re-direct $32 million from the general fund to transportation with the total amount of funding shared between Greater Minnesota transit and Metro Counties for county highway purposes.

In the end, the legislature passed and the Governor signed into law two bills authored by Senator LeRoy Stumpf and Representative Alice Hausman: HF 2490 with $846 million in GO bonds and HF 1068 with $200 million in cash. Approximately $160 million was for transportation projects. In addition, the supplemental budget bill included about $43 million for transportation. The following is a review of the major components of the transportation finance, bonding, and policy bills.

Transportation Finance Bill HF 3172

Major components of the transportation finance bill include:

- $2 million for railroad grade crossing safety improvements along rail routes used for oil transport
- $6.5 million to greater MN transit
- $12.685 million to the ring counties in 2015 by removing the $9 million cap on their share of the leased motor vehicle sales tax distribution with a corresponding reduction to greater MN transit. (With the $6.5 million greater MN transit appropriation above and the forecast gain since May of 2013, greater MN transit will still be receiving $15.8 million more than was contained in the budget adopted by the 2013 Legislature.)
- $1 million to suburban transit providers
- $31.5 million is appropriated for the Corridors of Commerce

Bonding Bills HF 2490/HF 1068

$160 Million in Transportation Projects Were Approved

- Local Bridge Program – $33M with $11.75M for Franklin Ave. Bridge
- Local Road Improvement Program – $54.356M
- Virginia Highway 53 Utilities – $19.5M
TRANSPORTATION

- Metropolitan Area Transit Capital Program – $15M
- Minneapolis Nicollet Mall – $21.5M
- Range Regional Airport – $5M
- Port Development Assistance – $2M
- Local Road Wetland Replacement – $2M
- Greater Minnesota Transit – $1.5M
- International Falls Airline Terminal – $2.2M

Other Capital Improvement Projects in MICA Counties

Water Projects

- $2,400,000 to Blue Earth County to repair and renovate the Rapidan Dam
- $1,350,000 to Dakota County for construction of improvements for upgrading the spillway capacity of Lake Byllesby Dam
- $500,000 for a grant to Olmsted County for the removal of sedimentation in Lake Zumbro, including final engineering, dredging, and dredged soil disposal. This appropriation is not available until the commissioner of management and budget determines that at least an equal amount has been committed to the project from non-state sources
- $12,000,000 for the Minnesota Zoo
- $4,000,000 for Metropolitan Regional Parks and Trails Capital Improvements
- $2,381,500 is for the Cuyuna Lakes Trail segment from Deerwood to Crosby and the Sagamore Unit of the Cuyuna Country State Recreation Area, to connect to the Paul Bunyan Trail and into Lum Park and then to the airport;
- $2,000,000 for Inver Grove Heights - Heritage Village Park
- $1,600,000 for Washington County - Hastings Bridge Trail Connection
- $2,000,000 for West St. Paul - North Urban Regional Trail Bridge
- $2,300,000 for Duluth’s Wade Stadium
- $3,400,000 for Duluth’s Spirit Mountain Recreation Area
- $3,800,000 for the Giants Ridge Event Center
- $519,600 is to acquire land and develop the Gateway Trail from Pine Point Park in May Township into William O’Brien State Park;
- $476,300 is to acquire land and develop the Mill Towns Trail segment from Faribault to Dundas;
- $346,400 is for the Minnesota River Trail between Mankato and St. Peter, connections to the Sakatah Singing Hills State Trail and the Red Jacket Trail in Mankato
- $500,000 for a grant to the city of Sartell to acquire up to 68 acres of

Parks, Trails, and Other Recreational Facilities
land located along the Sauk River near the confluence of the Mississippi to serve as part of the Central Minnesota Regional Parks and Trails

- $150,000 for Oakdale – Mud Lake Trail and Boardwalk

Public Safety and Corrections

- $1,000,000 for Northeast Regional Corrections Center
- $1,460,000 for a grant to the city of Cottage Grove to pre-design and design a Health and Emergency Response Occupations (HERO) Center at 12600 Ravine Parkway in Cottage Grove.
- $700,000 for a grant to St. Louis County to pre-design, design, renovate, and repurpose existing space in a building owned by the county, located in the city of Virginia, to be used as an operations and storage facility for the St. Louis County Sheriff's Rescue Squad
- $5,381,000 for Shakopee Women’s Prison Perimeter Fence

Health and Human Services

- $6,000,000 of cash for grants under section 256E.37, to construct and rehabilitate early childhood learning and child protection facilities. $3,000,000 is dedicated to the YWCA in Hennepin County
- $3,000,000 for St. Louis County - Arrowhead Economic Opportunity Agency and Range Mental Health Office
- $250,000 of cash for the Hermantown; Regional Health and Wellness Center

Civic Centers, Auditoriums, and Theaters

- $14,500,000 for the Mankato Arena and Events Center Auditorium
- $35,000,000 for Rochester - Mayo Civic Center Complex
- $11,560,000 for St. Cloud - River's Edge Convention Center
- $6,950,000 of cash for Duluth - NorShor Theatre

Water and Sewer

- $3,000,000 for Lake Elmo Water Supply
- $1,168,000 for Rice Lake Township - Water Main Replacement
- $4,500,000 for the Big Lake Area Sanitary District to convey sewage to the Western Lake Superior Sanitary District connection in the city of Cloquet

Transportation Policy Bills

Responsible Contractor Requirement

The Governor signed into law a bill that establishes minimum criteria that a contractor must meet to be awarded larger construction contract by a public entity. Under the bill, a contractor that is awarded a public construction contract estimated to exceed $50,000 through a lowest responsible bidder or best value selection method must meet the definition of a “responsible contractor” under the new law (though if only one prime contractor responds to a solicitation document, a contracting authority may award a construction contract to the responding prime contractor even if the minimum criteria are not met). A subcontractor must meet the same criteria to be eligible to be awarded a subcontract on a
project regardless of the value of the subcontract.

Chapter 254 Work Zone Safety

A proposal to create stricter penalties for violations in road construction work zones was passed by the legislature this session. The proposal set a $300 fine amount for some traffic violations in work zones, allocating fine revenue to a new work zone safety account, set a default 45 m.p.h. speed limit in some highway work zones when workers are present, and adjusted the conditions when a workers-present-speed-limit in a work zone can be established without an engineering study. AMC staff, along with the MN County Engineers Association legislative committee, worked on compromise language for a portion of the proposal which helps more specifically define what a “work zone” is so county road authorities know when there is a requirement for posting, and also gives road authorities the ability to post a different speed limit than the default.

Biodiesel

“October” was deleted from 239.77 Subd. 2 (a), so that those who purchase a storage tank full of diesel fuel for use during the winter (such as many highway departments and many farmers) have the month of October to manage the depletion of their current fuel tank and can purchase fuel without the 5% biodiesel blend mandated during the summer months.

County Authority Over Town Bridges

HF 2214, Sections 8-9

Legislation was passed clarifying a county’s authority to perform load rating analysis, adjust load postings and close bridges that constitute a critical risk on town roads if a town fails to perform the required duties. The county may bill the town for all related expenses.

Other Policy Bills

- HF 3072: A bill for an act relating to transportation; modernizing provisions relating to traffic regulations; eliminating certain reporting requirements; distribution of motor vehicle sales tax revenues; eliminating antiquated, unnecessary, and obsolete provisions; making conforming changes; eliminating and extending sunsets;
- SF 2268 (Companion to HF 2751): A bill for an act relating to metropolitan transit; expanding scope of jurisdiction of Transportation Accessibility Advisory Committee;
- SF 2887: A bill for an act relating to transportation; motor vehicles; eliminating barriers to the purchase of electric and plug-in hybrid electric vehicles by state agencies; requiring a report;
- HF 2881 (Companion to SF 2570.) A bill for an act relating to transportation; railroads; amending regulation of motor carriers of railroad employees; imposing penalties;
- HF 3072: A bill for an act relating to transportation; railroads; amending regulation of motor carriers of railroad employees; imposing penalties;
- HF 3219 (Companion to SF 2855.) A bill for an act relating to transportation; requiring the Metropolitan Airports Commission to monitor noise to establish a baseline in a certain area.
Transportation Funding 2015 and Beyond

In 2013, counties gained valuable local funding options including an expanded Wheelage Tax and a ½ cent County Sales Tax for transportation purposes. Almost 50 counties have utilized one or both of these options. In 2014, additional transportation funding gains were accomplished with cash and bonding. Efforts to expand on these gains and achieve a balanced and comprehensive transportation funding plan in 2015 have already begun. The week after session ended Move Minnesota held its first strategy session for next year. The hope will be to coordinate the 2015 transportation funding effort with the growing bipartisan citizen coalition that now includes over 200 organizations around Minnesota with the Governor and Legislature.
2014 Legislative Session Report
Health and Human Services

2014 A Positive Year for Health and Human Services

The 2014 legislative session convened on February 25 and actually finished its work three days before the mandatory constitutional deadline of May 19. Because of the short session, very aggressive committee deadlines were established. Although deemed the “unsession,” wherein Governor Dayton suggested that the Legislature focus on streamlining government by removing redundant or excess rules to make government more efficient, more than 2,800 bills were introduced. Of the total, 168 chapters have been presented to the Governor for his signature. While he has signed the tax, bonding and budget bills that were passed on the last day of session, he has until May 30 to sign any remaining bills that passed on the final day.

2014 was the second year of the biennium; therefore, it was not technically a budget year. However, for the first time in many years, the February budget forecast reflected a projected surplus in excess of $1 billion. As a result, the Legislature was anxious to invest in some budget areas that have been cut for the last many years, the largest of which was health and human services.

HHS Finance Division (Supplemental Budget Bill); Chapter 312; Various Effective Dates

Governor Dayton signed the Supplemental Budget Bill into law on May 20, 2014. The bill provides for $283 million in new spending. The biggest expenditure is $103.9 million for health and human services funding - followed by $54 million for education and $35 million for public safety and the judiciary. Health and Human Services highlights of the proposal include:

General Assistance (GA), Minnesota Supplemental Assistance (MSA) and Group Residential Housing (GRH). This streamlining will align how assets, earned income disregards, reinstatement requirements and self-employment income are treated across the various programs.

Streamlining/Administrative Simplification (Article 28; Various Effective Dates)

$385,000 was appropriated for FY14-15 and $11.139 million for FY16-17. This item was a huge priority for counties. It provides for uniformity in eligibility requirements across income and support programs, including the Minnesota Family Investment Program (MFIP), the Diversionary Work Program (DWP),

Nonemergency Medical Transportation (NEMT) (Article 24, Sections 28-34 and 45; Effective August 1, 2014)

A NEMT Advisory Committee has been working for nearly three years in an effort to refine the NEMT system. Specifically, it was directed by the Legislature to come up with a single administrative system. The system has been inefficient for a number of years with the state managing the rides for people needing assistance (Special Transportation Services (STS)) and the counties managing the rides for those with lesser needs but who require Access Transportation Services (ATS).
Senate HHS Chair Kathy Sheran (DFL: Mankato) and Representative Kim Norton (DFL: Rochester) both served on the committee. MICA has been actively represented by Dan Papin of Washington County and Janet Goligowski of Stearns County. Counties were further represented by officials from both Hennepin and Hubbard Counties. It has been a very contentious process, but agreement has been reached as follows:

- There is a two-year delay for implementation of a single administrative structure to allow time for the State to design a web-based system. DHS is directed to complete the task by July 1, 2016.
- Until then, it is status quo:
  - The State will continue to do Level of Need assessments and manage the assisted rides.
  - Counties will continue to manage the unassisted rides.
- Counties have flexibility to manage our own systems; under the agreement, counties will NOT be prohibited from contracting with a coordinator.
- Four county representatives will sit on the Advisory Committee, which will continue to meet on a quarterly basis. Two of the appointments will be made by MICA, and two will be made by AMC.

Although the policy language was implemented, because 2014 was not a budget year, we were unable to get the Legislature to appropriate necessary funding for the program. It is our understanding that DHS will include the Advisory Committee’s funding recommendations in its 2015 budget recommendations. Those costs include:

- No-load mileage has been an issue in Greater Minnesota. The Committee addressed this by recommending that the current rate be doubled to account for the time that a client is not in the vehicle. Drivers would receive up to 80% of the IRS standard mileage rate for client transport.
- The committee also recommended increased mileage reimbursement for volunteers (self; family member; neighbor). Drivers would receive up to 80% of the standard mileage rate for volunteer transport.
- The transportation providers’ 4.5% rate reduction would be reversed.

In going through the process, the Advisory Committee recommended seven modes of transportation – as opposed to the current STS and ATS. The new modes of transportation, which may NOT be implemented without a new rate structure, are:

County-managed modes:

- (1) client reimbursement, which includes client mileage reimbursement provided to clients who have their own transportation or family who provides transportation to the client;
- (2) volunteer transport, which includes transportation by volunteers using their own vehicle;
- (3) unassisted transport, which includes transportation provided to a client by a taxicab or public transit. If a taxicab or publicly operated transit system is not available, the client can receive transportation from another nonemergency medical transportation provider;
- (4) assisted transport, which includes transport provided to clients who require assistance by a nonemergency medical transportation provider; NOTE: This mode is currently being done by both the counties, who provide some “door-to-door” service, and the transportation providers who also provide “door-through-door” service.
The Advisory Committee still needs to refine the language for Mode 4. The intent is that wherever the client is currently getting his or her service will remain his or her service relative to this mode. Also, as noted above, implementation of the modes is delayed; we are status quo until the new rate structure is in place.

State-managed modes:

- (5) lift-equipped/ramp transport, which includes transport provided to a client who is dependent on a device and requires a nonemergency medical transportation provider with a vehicle containing a lift or ramp;
- (6) protected transport, which includes transport to a client who has received a prescreening that has deemed other forms of transportation inappropriate and who requires a provider certified as a protected transport provider; and
- (7) stretcher transport, which includes transport for a client in a prone or supine position and requires a nonemergency medical transportation provider with a vehicle that can transport a client in a prone or supine position

A proposal by CVT would have allowed it to bill counties for the non-Federal MA share related to Targeted Case Management (TCM) for services provided to county residents through DHS. We were concerned with the precedent of giving a nonprofit organization authority to provide services and later bill counties without a contractual relationship with the county. Counties worked with DHS and the advocates and were able to put together language agreeable to everyone.

The language essentially states that if CVT is unable to secure a contract with a lead county in its service area, then DHS may negotiate a contract with the nonprofit center for provision of mental health targeted case management services. The language further states that the nonprofit still has the responsibility of gaining the concurrence of the county of financial responsibility prior to providing mental health targeted case management services.

**Cost of Living Increase Related to Home and Community Based Services (HCBS) (Article 27, Section 75; Effective July 1, 2014)**

In 2013, the Legislature passed a 5 percent COLA increase for nursing homes. The individuals who serve the elderly and disabled in their homes through HCBS waivers received only a 1 percent increase. As a result, the “Five Percent Coalition” was formed to encourage the 2014 Legislature to provide a similar increase for HCBS workers. A majority of members in both the House and Senate on both sides of the aisle made it a priority for 2014. This was the largest HHS expenditure at a cost of $80.3 million for FY14-15 and $192.7 million for FY16-17. Under the measure, 80% of the increase must go to workers’ wages.

**Other Major Provisions of the HHS Finance Section**

- Salary supplement for employees of State Operated Services and Minnesota Security Hospital: $10 million was appropriated for FY14-15 and $20 million for FY16-17.
• Salary supplement for MSOP: $1 million was appropriated for FY14-15.
• MSOP Court Ordered Expert Review: $3 million was appropriated for FY14-15.
• $75,000 for DHS to develop a plan to include detoxification services as a covered Medical Assistance (MA) benefit.
• Repeal of a 10% FFS hospital rate reduction at a cost of $7.2 million for FY14-15 and $2.4 million for FY16-17.
• Mental Health Issues:
  • Mental Health Crisis Intervention Services: $312,000 for FY14-15; $620,000 for FY16-17.
  • Civil Commitment Act Training: Funding of $35,000 will be provided for the development of a training program for health care providers on Minnesota’s Civil Commitment Act, which is a process by which a court can order into treatment someone suffering a mental illness and who fits certain other criteria.
  • Andrew Residence Rate Adjustment: $681,000 for FY14-15 and $1.412 million for FY16-17 for residential mental health care.
• Modification of MFIP Educational Requirements by allowing for 12 weeks of job search instead of 6 weeks. $691,000 for FY14-15; $4.758 for FY16-17.
• Northstar Care for Children: The program is for children in foster care through the permanent placement process. Some of the changes to the program include background study requirements and eligibility for children’s relatives seeking guardianship assistance.
• Legislative Health Care Workforce Commission: The commission will consist of five legislators from the Senate and five from the House, who will study the health care workforce in Minnesota. The commission will report to the Legislature by the end of the year with recommendations related to addressing shortages in the workforce.

For additional information, see below Public Health section.

Omnibus Health and Human Service Bills Policy Bill; Chapter 291; Various Effective Dates

The most contentious issue in the bill related to the regulation of e-cigarettes. For a complete update, see below in the Public Health section.

Other Items of Interest in HHS Policy Bill

• For reports that were not accepted for assessment or investigation, counties are required to maintain sufficient information to identify repeat reports alleging child maltreatment of the same child for 365 days.
• Changed the timeline for mental health screening for children in need of out-of-home treatment. The current 15-day timeline would be reduced to ten days for children who are enrolled in a PMAP health plan; maintains the current 15 days for children who are not in managed care.
• MFIP Recertification:
  o Requires counties to end benefits when a participant fails to submit the recertification form and verifications and complete the interview process before the end of the certification period. Allows benefits to be reinstated back to the date of closing when the recertification process is completed during the first month after benefits ended if the
participant submits the recertification form by the last day of the recertification period.

- Requires Social Security numbers.
- Allows recertification interviews to be conducted by phone, Internet telepresence, or face-to-face in the county office or in another location mutually agreed upon. Removes language limiting phone interviews to employed participants.
- Allows counties to accept a signed personal statement from an applicant in lieu of documentation verifying ineligibility if the county determines that an applicant is ineligible due to exceeding MFIP income and asset limits.

- Establishment of a Health Care Homes Advisory Committee.
- Designates a statewide procurement and competitive bidding process in 2015 for contracts effective 2016 for managed care under the Basic Health Plan/MinnesotaCare. Includes an emphasis on consultation with counties and attention to special needs and concerns of the diverse populations to be served.

For additional information, see below Public Health section.

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In an effort to make state government more efficient, Governor Dayton asked the Legislature to eliminate unnecessary, outdated and duplicative laws and regulations. Of his 1,007 proposals, 925 of them have become law. Some examples of measures that will streamline government include:

- Elimination of the “Ridiculous.” Some laws were created as long as 100 years ago and now defy common sense:
  - Since 1937, it was illegal in Minnesota to drive a car in neutral.
  - It was a misdemeanor to carry fruit in an illegal-sized container.
  - Some state laws regulated the size and color of bug deflectors.
- Simplifying Minnesota’s convoluted tax statutes by making them easier to understand.
- Reducing paperwork for small businesses.
- Building better state websites.
- Better customer service at the various state agencies.
- State agencies are directed to use clear and simple language whenever possible. The Governor called upon his executive branch to strive for “language commonly understood by the public.”
What Did NOT Happen

**Immunity from Liability:** Under a bill proposed by MICA, counties would have been held harmless from claims related to the failure of HCBS providers to meet licensing standards or to comply with the requirements of a coordinated service and support plan unless the county had actual knowledge and failed to report that knowledge to DHS.

Both SF2115, authored by Senator Greg Clausen (DFL: Apple Valley), and HF2618, authored by Representative Susan Allen (DFL: Minneapolis), were introduced on March 3. Due to opposition from plaintiff lawyers, as well as committee deadlines that allowed for only three weeks of hearing time, the bill did not move this year. Kelly Harder and Stephanie Radtke of Dakota County did meet with Senator Clausen and the opponents of the legislation in an effort to find common ground. Further discussions will continue.

**Random Drug Testing:** Representative Rena Moran (DFL: St. Paul) and Senator Jeff Hayden (DFL: Minneapolis) were the authors of HF1987/SF1738. The bill would have reversed a 2012 mandate that required counties to drug test individuals who have had a drug felony conviction within the last 10 years by making it permissive for counties to do so at their discretion. When counties testified on the proposed legislation, they pointed out that this represents yet another unfunded mandate and stressed the importance of having flexibility in the use of county resources. They also noted that the Legislature failed to provide resources or help to those who did test positive.

Although originally included in the House Omnibus HHS Policy bill, the measure was removed by Representative Moran due to the perception that the Legislature would be seen as “soft” on drug abusers.

**Minnesota Sex Offender Program (MSOP):** Early in the year, a federal judge made it clear that he wanted lawmakers to address problems with the state’s sex offender program. Over the past 20 years, MSOP has allowed only one provisional discharge from the 700 plus individuals who are civilly-committed sex offenders. Given that this is an election year, lawmakers did not deal with the issue, which opens the door for court intervention.

For additional information, see above Public Safety and Corrections section.
Although there were a number of bills introduced that would have affected the web site, in the end there was no change to the 2013 law that created the exchange.

**Enrollment Tops 220,000:** The most recent enrollment figures reflect that 223,189 Minnesotans have enrolled in comprehensive, affordable health insurance coverage through MNsure:

- 50,733 Minnesotans in a Qualified Health Plan *
- 46,417 in MinnesotaCare
- 126,039 in Medical Assistance

*MNsure’s preliminary 2015 budget to the State Legislature anticipated enrolling 50,518 people in a Qualified Health Plan by December 31, 2014, so that target has now been met.

The 2014 open enrollment period has closed; open enrollment for 2015 begins on November 15. However, consumers are able to change enrollment to another Qualified Health Plan, inside or outside of MNsure, if they have a life event that qualifies them for a special enrollment period. These life events include:

- Adoption, foster care or birth of a child
- Marriage
- Gain of citizenship, national or lawfully present status
- Loss of health insurance coverage (when you are no longer eligible for other health insurance, including as a result of leaving a job, loss of Medical Assistance or MinnesotaCare, or loss of coverage under a spouse’s plan)
- Newly eligible or ineligible for tax credits or having a change in eligibility for cost-sharing reductions for individuals already enrolled on MNsure
- Permanent address change that provides new Qualified Health Plan choices
- Enrolled member of a federally recognized tribe

In addition, recipients of Medical Assistance or MinnesotaCare, or participants in the Small Business Health Options Program (SHOP) can apply for insurance coverage at any time.

The MNsure Board of Directors approved a 3.5% premium withhold on qualified health plans for the 2015 coverage year – increasing it from the current 1.5% withhold. Pursuant to state law, the Board is allowed to approve a portion of premiums for qualified health plans sold through MNsure, which is used to fund the operations of the organization. The 3.5% withhold is reflected in MNsure’s 2015 preliminary budget, which is currently balanced and does not require additional state funding.

The Board recently appointed Scott Leitz as CEO and re-elected Brian Beutner as Chair and Peter Benner as Vice-Chair. Messrs. Beutner and Benner have served in these positions since May 17, 2013.

**2013-14 Outreach and Enrollment Grants Experience:**

- 3.9 million contacts made through outreach and education
- 32,000 people assisted with enrollment
- In October through December, navigators successfully enrolled more than 10,000 consumers, which represents 20% of all enrollees
2014-15 Grants: The Board approved a timeline for $4 million in new grants to be used from October 1, 2014, through June 30, 2015:

- May 5: RFP was issued
- June 2: Proposals due
- September 2: Grant awards will be announced publicly

Summary

In conclusion, the 2014 Legislature addressed a number of county priorities in a positive fashion. With both the Governor and all 134 members of the House of Representatives on the November ballot, the campaign season is now officially in full swing. The General Election is Tuesday, November 4. The 2015 legislative session will commence at noon on Tuesday, January 6, 2015.
2014 Legislative Session Report
Public Health

2014 A Positive Year in Public Health

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Governor Dayton signed the Supplemental Budget Bill into law on May 20, 2014. The bill provides for $283 million in new spending. The biggest expenditure is $103.9 million for health and human services funding - followed by $54 million for education and $35 million for public safety and the judiciary. Public Health highlights of the proposal include:

Safe Routes to School (Article 9, Section 6, Subd. 2(e); Effective May 21, 2014

The Legislature appropriated $250,000 for FY14-15 and $500,000 for FY16-17 for non-infrastructure grants to local jurisdictions. In addition, in the Capital Budget Cash bill (Chapter 295; effective July 1, 2014), the Legislature appropriated $1 million for infrastructure grants to increase safety and convenience for children to walk or bike to school.

School Lunch Program (Article 19, Sections 1-3; Effective July 1, 2014

The state lunch reimbursement rate was increased for reduced-price school lunches, covering the entire cost for eligible students. Approximately 61,500 low-income children and teens will be impacted by this change. The cost to the state is an additional $3.5 million in fiscal year 2015, with the cost slightly ramping up over ensuing years.

Other Highlights Relating to Public Health

- **Safe Harbor** for Sexually Abused Youth: $1.5 million for FY14-15; $3 million for FY16-17.
- **Homeless Youth Act**: $1 million for FY14-15; $2 million for FY16-17.
• **Healthy Homes**: MDH will award grants to help ensure healthy housing that is free of chemical or other elements that could endanger health. $300,000 for FY14-15; $600,000 for FY16-17.

• **Health Care Grants for Uninsured Children under 275% FPG**: $1.7 million for FY14-15; $2 million for FY16-17.

• **Health Equity initiative** that includes work on health issues and health disparities related to gender, race and age; $252,000 for FY14-15.

• Senior nutrition; $250,000 one-time money.

For additional information, see above Human Services section.

### Omnibus Health and Human Service Policy Bill; Chapter 291; Various Effective Dates

The most contentious issue in the bill related to the regulation of e-cigarettes. Both the Senate and House banned the sale and possession of the product to youth under age 18 and required the product to be sold behind the counter with other tobacco products. Going into the conference committee, the Senate also wanted to see the product banned under the Clean Indoor Air Act, whereas the House position merely prevented their use in public buildings. While several of the House conferees indicated they supported a widespread ban, they indicated that the votes for the measure would not be there when the bill reached the House floor. The conference committee compromised by banning the product in the following settings:

• any building owned or operated by the state, home rule charter or statutory city, county, township, school district, or other political subdivision;

• any facility owned by Minnesota State Colleges and Universities and the University of Minnesota;

• any facility licensed by the Commissioner of Human Services;

• any facility licensed by the Commissioner of Health, but only if the facility is also subject to federal licensing requirements; and

• daycare premises, health care facilities and clinics.

In addition, while the language allows political subdivisions or businesses to adopt more stringent prohibitions on the use of electronic cigarettes or electronic delivery devices, the new law by itself does not ban their use in bars and restaurants.

It is anticipated that the Legislature will pursue a more aggressive ban in 2015.

### Other Items of Public Health Interest in HHS Policy Bill

• **Streamlining of the Local Public Health Statute**: This provision updates and streamlines the local public health statute to reflect current practice and deletes obsolete language.

• Preventing **exposure to second-hand smoke in foster care homes**. The language, worked out by counties, provides counties with the necessary flexibility regarding placements:

  o Nothing shall delay the placement of a child with a relative … unless the relative is unable to provide for the immediate health needs of the individual child.

  o If a child's best interests would most effectively be served by placement in a home which will not meet the [non-smoking] requirements, the failure to meet the requirements shall not be a cause to deny placement in that home.

• **Tanning bed use is banned for youth** under age 18.
- Requiring mammogram result notices to include a statement relative to “dense breast tissue.”

- MDH is directed to develop recommendations on ways to minimize Triclosan health risks. See also Triclosan Ban in Some Retail Products (Chapter 277) below.

For additional information, see above Human Services section.

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<th>Miscellaneous Bills Enacted in 2014</th>
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<td>Newborn Screening (Chapter 203; Effective August 1, 2014)</td>
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The Minnesota Department of Health has regained authority to retain blood samples from newborn babies indefinitely for public health and research purposes unless a parent refuses permission. This comes as a result of a legal battle that has pitted the medical and public-health communities against medical privacy activists.

State health officials and many physicians say the tiny blood spots, typically drawn about 24 hours after a baby is born, allow early detection of dozens of hereditary illnesses and then quick treatment. Once stored by MDH, the large collection of blood samples helps scientists study pediatric diseases. The department was sued by a group of parents concerned about privacy of their children’s medical data and challenged by the Citizens’ Council for Health Freedom, which said the newborn screening system gave the state unsettling power to store and use babies’ genetic information.

The new law effectively reverses a 2011 Minnesota Supreme Court order, which had required MDH to destroy millions of blood samples that tested negative for disease after 71 days and samples that tested positive after two years, unless parents “opt in” and give written consent that it can keep them. The state can now retain the samples unless parents opt out.

Safe and Supportive Schools Act (Anti-Bullying) (Chapter 160; Various Effective Dates)

The Legislature passed an anti-bullying measure that had been stalled in the Senate since the end of the 2013 session. The legislation requires school districts to either adopt an anti-bullying policy or accept one from the state Department of Education.

The bill defines bullying, including cyber-bullying, and would specifically prohibit it on the basis of sexual orientation, race or religion, among other characteristics. It would apply to actions on school premises, at school functions, on school transportation or by use of school technology.

Key provisions:

- bullying prevention programs will be provided at each school district or charter school to all students from kindergarten through grade 12;

- procedures will be established locally for reporting and documenting alleged acts of bullying, reprisal or retaliation;

- requires notification to law enforcement personnel if an investigation by school district or charter school personnel results in a reasonable suspicion that a crime has occurred;

- development of strategies to protect a victim of bullying, reprisal or retaliation;

- directive to the education commissioner to develop a state model policy, and require a district or school that does not adopt a local policy to implement the state policy;

- establishes a school climate center at the Education Department to help schools implement the act; and

- in accordance with federal and state law, requires notification to the parent or legal guardian of a student allegedly bullied and the parent or legal guardian of a student allegedly bullying when
school personnel receive a report of prohibited conduct, throughout and upon completion of the investigation, and upon determining the course of any disciplinary action.

Medical Marijuana (Chapter 311; Effective May 30, 2014)

After months of acrimony, the Legislature came to an agreement on what was the most controversial legislation in 2014. Under the compromise, approximately 5,000 patients will have access to the medication by July 1, 2015.

During the entire debate, Governor Dayton made it clear that he would not sign off on legislation without the support of law enforcement. Although not officially in support of the final compromise, law enforcement, as well as the Minnesota Medical Association, did take a position of “neutrality.” The legislation makes Minnesota the 22nd state to grant some legal level of access to the drug for medicinal purposes, but will also be the most restrictive marijuana law in the country.

For additional information, see above Public Safety and Corrections section.

Synthetic Drugs (Chapter 285; Various Effective Dates)

The Legislature passed a measure that contained the recommendations of the bipartisan House Select Committee on Controlled Substances and Synthetic Drugs. The new law focuses on stopping the retail sale of synthetic drugs and educating the public regarding the dangers of the product.

Made in labs, synthetic cannabinoids are up to 100 percent more powerful than typical marijuana. According to the Select Committee’s report, “it is a plant material sprayed with extremely potent psychotropic drugs containing ever-changing chemical strains. These products are most often sold in head shops, smoke shops or over the Internet. They are often labeled as incense and marked ‘Not for Human Consumption’ in a weak attempt to skirt federal law. They have a hallucinogenic effect similar to PCP (angel dust).”

Under the new law, the Board of Pharmacy is permitted to issue cease and desist orders to businesses selling synthetic drugs that contain a banned substance. The Board can now use expedited rulemaking authority to ban newly identified substances used to make synthetic drugs and have that decision later ratified by the Legislature. However, that authority is set to expire on August 1, 2014. The bill would make the Board’s action final, but permit the Legislature to overturn a decision.

Sellers of synthetic drugs offering the drug under the false pretense that the substance is legal would be ordered by a court to pay restitution for the costs and expenses resulting from the sale. This could include emergency response and potential long-term care costs for the victim. Other provisions include providing $163,000 in fiscal year 2014 from the General Fund to have DHS work to increase public awareness about the dangers of synthetic drugs and expanding the statutory definition of drug to include “any compound, substance, or derivative which is not approved for human consumption by the United States Food and Drug Administration or specifically permitted by Minnesota law.”

Minnesota is First State to Prohibit Triclosan in Most Retail Products (Chapter 277; Various Effective Dates)

The Legislature passed a bill prohibiting the retail sale of some consumer cleaning products containing Triclosan. Under the new law, individual products already approved by the FDA for consumer use would be exempted. The provisions go into effect on January 1, 2017. The measure was part of a larger environmental bill regulating mercury and lead.

Triclosan, an antibacterial chemical found in liquid hand soaps, toothpaste and other products, is an endocrine-disrupting compound thought to contribute to antibiotic resistance, according to
the state Pollution Control Agency. The state Department of Health has said washing with antibacterial soap provides no additional germ-killing benefit compared with plain soap and water. There are environmental concerns as well. A University of Minnesota study in January 2013 found Triclosan present in increasing amounts in several Minnesota lakes, which can lead to the production of dioxins. Some companies have announced they are eliminating Triclosan from their products. The U.S. Food and Drug Administration announced in December it was requiring producers to demonstrate the safety and effectiveness of antibacterial soaps.

### No New Lead Wheel Weights

The new law also contains a provision essentially banning the sale and distribution of lead wheel weights starting January 1, 2016. Wheel weights are used to balance wheels on cars, trucks and airplanes so that they ride properly. However, lead wheel weights often fall off and spread lead contamination along highways. Supporters say alternatives to lead, namely steel, are easily available and already widely used. Most of the major auto manufacturers already have moved to steel wheel weights. The law mostly applies to vehicle repair shops. While it will be illegal to sell or install new lead wheel weights, drivers will be allowed to continue using lead weights already on their vehicles. The law also bans any mercury in wheel weights. Minnesota becomes the seventh state to ban lead wheel weights, joining California, Illinois, Maine, New York, Vermont and Washington. The bill also requires that old lead wheel weights be recycled properly.

### Mercury Thermostats

The bill also sets up a disposal program for old mercury thermostats, making the disposal of old mercury products the responsibility of manufacturers. The provision toughens Minnesota laws that already restricted thermostats and switches with mercury. Minnesota moved years ago to restrict new mercury thermostats but has not had a good system of recovering old ones as they are replaced. The new law states that manufacturers of thermostats containing mercury, or thermostats replacing those that contain mercury, are responsible for the costs of collecting and managing the thermostats to ensure they do not become part of the solid waste stream. The bill also eliminates exemptions to an existing law that allowed mercury thermometers for some industrial uses.

Mercury is a strong neurotoxin that, when it builds up in animals or people, can cause severe neurological and developmental problems. Minnesota has been moving for two decades to remove mercury from consumer and industrial products, even dental fillings, in addition to reducing industrial air emissions that contain mercury, such as coal-burning power plants. Dozens of Minnesota lakes and rivers have warnings for people to limit the size and number of fish they eat because of mercury contamination.
What Did NOT Happen

Home Visiting Pilot for High Risk Families: Although the Senate recommendations included $400,000 for the pilot, it was not included in the Supplemental Budget Conference Committee report.

Toxic Free Kids: Although Governor Dayton asked the Legislature to enact the 2014 Toxic Free Kids Act, which was sponsored by Representative Ryan Winkler (DFL: Golden Valley) and Senator Chris Eaton (DFL: Brooklyn Center), the measure came up short. Although once contained in the House recommendations of the Supplemental Budget bill, heavy lobbying by the business community resulted in the measure being dropped by the Conference Committee.

The measure would have required manufacturers and distributors to disclose whether certain products (toys, school supplies and personal care products) contained any of nine different substances deemed harmful to children by the Department of Health. This issue will undoubtedly be back.

Genetically Modified Organisms (GMOs): A bill requiring the labeling of genetically-modified foods received only an informational hearing this year. Author Representative Karen Clark (DFL: Minneapolis) described the measure as “a bill about the basic right of consumers to know what’s in their food.” However, opponents said that mandatory labeling would be expensive and confusing, and is not necessary. The stakes are especially high for large foodmakers and distributors such as Minnesota’s own Cargill, Hormel, General Mills and Land O’ Lakes. They argue that allowing states to pass separate laws would create a patchwork of confusing rules and would put Minnesota at a competitive disadvantage with neighboring states.

At issue are GMOs that are produced by manipulating genes in the lab to create new varieties of plants, animals and organisms with desired characteristics, such as corn that will kill rootworm pests. The bill would have required the words “Produced with Genetic Engineering” to be placed on all packages of food with GMO ingredients that are offered for retail sale in Minnesota. This would have applied to bread, cereal and most processed foods, since about 90 percent of the corn and soybeans grown in Minnesota and nationally come from genetically engineered seeds.

Supporters of the measure include food co-ops and natural food stores, some restaurants, the Minnesota Farmers Union and consumer groups such as “Right to Know Minnesota.” Opposed are many of the larger food producers and processing companies represented by the Minnesota Agri-Growth Council, the Minnesota Chamber of Commerce and the Minnesota Grocers Association.

The question of GMO labeling has arisen in several states recently and seems to be emerging nationally. Connecticut and Maine passed GMO labeling legislation in 2013, but the requirements do not become effective until neighboring states have also passed similar laws. Vermont recently passed a GMO labeling bill, and another 30 states are considering new laws or ballot initiatives that would require labeling. In Congress, however, the food industry is pushing a House bill that would head off efforts to enact mandatory labeling of genetically-modified ingredients by proposing new voluntary labels nationwide — an attempted end run around the state-by-state laws.
In conclusion, the 2014 Legislature addressed a number of county priorities in a positive fashion. With both the Governor and all 134 members of the House of Representatives on the November ballot, the campaign season is now officially in full swing. The General Election is Tuesday, November 4. The 2015 legislative session will commence at noon on Tuesday, January 6, 2015.
2014 Legislative Session Report
Public Safety & Correction

2014 Active Agenda and Missed Opportunities

The 2014 legislature had an active agenda in the public safety and corrections area with many bills being processed, but most of them were insignificant in the whole scope of state policy. As the legislature was busy processing these smaller bills, they missed opportunities to improve on important programs to counties such as single funding formula for county probation work, the sex offender civil commitment process and traffic violation diversion programs. Of the small things they were able to get done, they did pass on some minor unfunded mandates, but counties were able to mitigate most of their impact prior to passage. There were also a few criminal penalty increases, which will have some minor cost impact on county budgets in the future, but with crime rates declining significantly these changes will have little discernible effect on county budgets in the near-term.

State Aid to County Corrections Single Funding Formula

This was the biggest missed opportunity by the legislature. For several decades now the supervision of offenders through probation has been a joint equal partnership between the state and counties through three different delivery systems. Unfortunately, over the past decade, the state’s financial commitment to this partnership has waned with county property taxpayers picking up an ever-increasing portion of the tab. For example, Minnesota law states that counties under the County Probation Officers (CPO) system should receive a 50% cost reimbursement from the state. Presently the state’s share is a record low 30%. Counties under the Community Corrections Act (CCA) have also seen their portion of total costs skyrocket. Over the last 12 years state funding for state trial courts had a 116.6% increase, state prisons had a 56.4% increase and public defenders had a 45.1% increase. Unfortunately, funding for county corrections went up only 5% for that same 12-year period.

One of the major reasons for this disproportionate decline in the state's commitment to community corrections is a poorly designed state funding mechanism. Simply put, the present system for requesting and distributing funds for community supervision is broken. The method for distribution of state resources is not transparent or based on need. Counties recognize that community-based corrections are cost-effective, but to preserve this cost-effective model changes need to be made. That's why AMC, MACCAC and MICA teamed up to propose a new and improved transparent formula. This formula would require the legislative fiscal note process to recognize additional funding to counties when new crimes are created that would result in additional supervision costs. The state currently recognizes those costs to its portion of the system, but has ignored those costs to counties, thereby shifting greater responsibility to the property taxpayers.

This last session Rep. Sheldon Johnson (DFL-St. Paul) and Sen. Lyle Koenen (DFL-Clara City) introduced a single funding formula that recognizes long-standing cost drivers in the probation system to equitably distribute resources statewide. The bill was given a hearing in the House Public Safety Finance and Policy Committee where counties demonstrated strong unity and support for the proposal. Unfortunately, the Department of Corrections
(DOC) opposed the initiative and muddied the waters by claiming a single funding formula would make it difficult for them to manage their probation employees.

The DOC did a similar disservice to counties a few years back on the Short Term Offender (STO) program when they mandated a shift of costs to our property taxpayers for the housing state prisoners. It took counties a couple of years to get state legislators to understand how the STO program negatively impacted our local property taxpayers and our jail programs. We were in a similar position right before we were able to repeal the Short Term Offender program, and county policymakers need to redouble their efforts in making their points to the legislators about why the DOC self-interest in managing its budget is destroying an effective county-state partnership. Legislators also need to understand that in the long run, the self-serving position of the DOC will end up costing the state far more money when counties are no longer able to manage as many offenders locally. The time is now to fix this broken formula.

Minnesota Sex Offender Civil Commitment

The second major missed opportunity for the 2014 session was in the area of reforming the treatment and release procedures for the Minnesota Sex Offender Program (MSOP). In 2012 the United States Federal Court ordered the combination of 65 separate lawsuits from patients in MSOP as a class action against the State of Minnesota and its program under Minn. Stat. §253B. The case is known as KARSIENS v. JESSON. All the patients within the program are now part of the class and being represented by competent counsel through the Federal Bar Association’s Pro Se Project. Of the 20 states that have similar sex offender treatment programs, Minnesota has released the fewest patients into supervised conditional release programs outside of their secured detention facilities at Moose Lake and St. Peter. Adding to the problem has been the dismal news coming out of the St. Peter facility in their management of both the traditional committed population and the sexually dangerous.

For the second year in a row the legislature was unable to act on the recommendations of the Department of Human Services (DHS) Task Force on the MSOP programs. Some of the recommendations would have reduced cost shifts on property taxpayers by increasing placement of patients less costly programs then Moose Lake in St. Peter. Despite some initial hearings, the legislature was paralyzed to act in fear of consequences in the next election cycle. In response, the court has ordered an extensive review of all the patients within the facility and has left open the possibility that the court may order conditional release into less restrictive placements.

The DHS had indicated that our existing per diem for the counties will not be affected by the lawsuit, but after the court order they sought an additional appropriation from the legislature to pay for the court-ordered assessments. The legislature honored that request by appropriating an additional $3 million for FY14-15. Based on the court's order to examine all patients, do not expect a final resolution to this problem anytime in the near future; it will likely be back as an issue in the next legislative session. The major concern for counties is that the absence of action could have a significant impact on our county share for the placement of these mentally ill individuals in MSOP as the full costs of the federal court intervention plays itself out over the next few years.

County Operated Traffic Diversion Programs

The next major missed opportunity for the legislature was addressing county operated traffic ticket diversion programs following a recent lawsuit out of Wabasha County. In that district court action, the court ruled that Wabasha County did not have specific legislative authority to operate a traffic diversion program. The Wabasha County Attorney chose not to appeal that case and the Sheriff's
Association sought a legislative fix. Due to somewhat convoluted local politics, the Tea Party in Wabasha County opposed allowing citizens who received a traffic ticket to pay less money if the local prosecutor would agree to dismiss their ticket upon completion of a county operated traffic safety class. Therefore, the particular district court case is specific only to Wabasha County where the sheriff actually referred people receiving the tickets at directly to the class, collected the diversion fee for use within their department, and also ran the traffic class. It's unclear whether this lawsuit affects those counties where the prosecutor correctly refers individual to a class that is operated by a third party and the fee covers only the third-party cost of the class.

Unfortunately, despite strong support from prosecutors, law enforcement and local units of government, the legislature was not able to pass a comprehensive fix clarifying that local units of government have the authority to run traffic ticket diversion programs. It makes no logical sense that prosecutors are allowed to divert individuals from drug cases or other more serious crimes, yet have no authority to divert a petty offense from a traffic ticket. Therefore, if you move into doing traffic ticket diversion programs, you need to work closely with the local city prosecutors and your county attorney to ensure that it is appropriately administered and not run afoul like the Wabasha case.

Jail Bed Funding

Probably the most significant positive development out of the 2014 legislative session was an appropriation of $11 million to the DOC to rent jail bed space from county jails to meet an unanticipated spike in the state prison population. If it wasn't for hard-fought success in repealing the misguided Short Term Offender program several years ago, the legislature and the DOC would have likely just shifted this cost on to county property taxpayers by forcing us to open our beds up to their prisoners. Therefore, it is a major victory now that the legislature and the DOC finally recognize that they should appropriate state resources to pay for county jail beds when they need them for their prisoners.

Railroad and Pipeline Safety Training

Another significant funding development was the creation of a special revenue account to pay for first responder training to prepare for a potential hazardous material catastrophe related to railroads or pipelines. In response to recent disasters in North Dakota and Ontario, the Minnesota Legislature realized that the recent increase in hazardous material traffic across railroads and pipelines in Minnesota requires better training of firefighters, law enforcement, and other first responders. Just short of $4 million will be collected in this fiscal year from railroad and pipeline companies and will be appropriated to the Department of Public Safety for the purpose of organizing railroad and pipeline safety training along the corridors that have hazardous material transported through their jurisdictions.

ARMER

The legislature also released just $11.9 million from the special revenue account under ARMER funded by the 911 fee on phone bills for next generation 911 appropriations. This was an anticipated release of ARMER revenues to take the next steps in PSAP development. This probably should have been done last year and is considered essentially a technical correction to ensure the funds can continue to move forward in the development of the next-generation 911 services. County PSAPs should already have this as part of their existing plans. The legislature failed to address some of the concerns of counties that are required to upgrade consoles and relay station hardware earlier than anticipated due to a pending software upgrade that will likely occur in 2015 or early 2016. The Statewide Radio Board will be reviewing that software upgrade this year to determine if the timing of the upgrade is occurring in a fashion
that meets cost and planning concerns of local partners.

**Community Corrections for Non-Contiguous Counties**

The legislature did provide counties with minor unfunded mandate relief. Counties are now allowed to enter into joint power agreements to operate under the Community Corrections Act even though they may not share contiguous boundaries. Back when the Act was passed in the 1970s, this seemed like a reasonable limitation, but with the substantial increases in abilities for communications and share services by taking advantage of 21st century technology, this limitation makes less sense today. There are no counties considering such a joint power arrangement at this stage, but it provides greater options moving forward for county commissioners considering joining the Community Corrections Act.

**Juvenile Stays of Adjudication**

For a number of years, prosecutors, defense attorneys, probation officers, law enforcement, treatment providers, community activists and judges have been calling on the legislature to provide a longer period of stay of adjudication for juveniles. MICA has been a part of this call for reform for several years now. The legislature was finally able to make progress by doubling the length of stays of adjudication for juveniles from 90 days to 180 days. Lengthening stays of adjudication will enhance public safety by increasing the amount of supervision under community-based education and treatment. For those offenders amenable to treatment, this provides an option for judges, prosecutors and local corrections practitioners to lengthen the period juvenile offenders can be assessed and receive treatment before getting tagged with the stigma of being a convicted offender.

**Forfeiture**

Minnesota has had a long-standing law that allows property used in a criminal enterprise to be forfeited to and sold by the prosecuting authority with the proceeds going to enforcement activities. Unfortunately, there were high-profile cases a few years ago where this local authority was abusing this law. As result over the last few legislative sessions there have been reforms to the forfeiture law. This year was no different with the legislature now requiring a criminal conviction in the underlying case before property involved in a criminal enterprise can be forfeited and sold. In addition to a conviction, the legislature will allow forfeiture in cases where there has been an admission of guilt with the stayed sentence or referral for diversion in controlled substance crimes. Also, there can be forfeiture if there was an informant plea bargain. Further, because a conviction would be required for judicial forfeiture, the hearing on the forfeiture is delayed until after conviction, but it must be held as soon as possible and, in any event, no later than 90 days after the conviction or the proceeding ordering the diversion or accepting the informant plea-bargain.

**Medical Marijuana**

Even though it eventually passed as a public health issue to be regulated by the Department of Health, the issue of medical marijuana was actually the marquis public safety issue in the 2014 legislative session. Despite very passionate emotional pleas from families with children with severe debilitating seizures and other conditions they believe are helped by the use of marijuana, the governor made it very clear early on in session that he would not sign any bill legalizing marijuana unless it had signoff from law enforcement.

With a flurry of activity towards the end of session, the legislature finally did pass legislation allowing a very narrow use of the refined oil from marijuana for medical purposes. This is accomplished by creating a patient registry at the Department of Health for the
therapeutic use of medical cannabis that is estimated to serve about 500 patients. The new law also creates a task force to conduct an impact assessment on medical cannabis therapeutic research and provides for certain criminal and civil protections for parties involved in the registry program.

The new law limits the conditions eligible for treatment to:

- Cancer associated with severe or chronic pain, nausea or severe vomiting, or severe wasting
- Glaucoma
- HIV/AIDS
- Tourette’s syndrome
- ALS (Lou Gehrig’s disease)
- Seizure-inducing epilepsy
- Severe and persistent muscle spasms brought on by Multiple Sclerosis
- Crohn’s disease
- Terminal illness with a life expectancy of less than a year or that causes severe pain, nausea, severe vomiting or wasting

The legislature specifically did not cover chronic pain sufferers and Post-Traumatic Stress Disorder. However, under the legislation, the health commissioner has the authority to add additional medical conditions to the eligibility list in the future.

To obtain the drug, patients will need to be certified as eligible by a doctor, physician assistant or advanced practice nurse. Patients would be enrolled in a patient registry supervised by the state Department of Health and pay a $200 annual fee to help cover program costs, or $50 for those on Social Security disability or enrolled in Medical Assistance or MinnesotaCare. Patients will get the drug in liquid, pill or by vaporized delivery method. Smoking of leaf marijuana is not permitted. Participants found guilty of transferring medical marijuana to anyone who is not a registered patient could be fined up to $3,000.

The Department of Health will oversee manufacture of the drug at two sites and set up a distribution center in each of the state’s eight congressional districts. Private contractors will bid for the manufacture and distribution. Health care providers are required to provide ongoing reports to the state on the patient’s health status and condition for what is technically being called “observational research”.

**Driver License Data Breaches**

Following some high profile lawsuits with million-dollar payouts for violations of driver’s license data, the legislature responded by passing additional requirements around the maintenance and storage of nonpublic data that has a significant impact on counties. The bill requires local units of government to establish policies for dealing with inappropriate access to nonpublic data and a broad disclosure to the subjects of the nonpublic data when that data is inappropriately accessed. For more detail on this legislation, see the section covering Human Resources & General Governance in this report.

**Kingfish and Stingray**

The DPS and Hennepin County own cell phone tracking devices marketed under the name Kingfish and Stingray that caught the attention of the press prior to the 2014 session. These devices mimic cell phone towers and allow law enforcement to gather location information on all cellular devices within its range of coverage. They have been extremely helpful devices in search and rescue if they are aware of a cell phone in operation and possession of the person in distress. Both the DPS and Hennepin County have loaned out these devices to other jurisdictions for use. It was a concern to privacy advocates that there was no clear protocol for use. It was a concern to privacy advocates that there was no clear protocol for use. It was a concern to privacy advocates that there was no clear protocol for use.

The legislature responded by passing a law requiring a new “tracking warrant” to be
obtained by the court to use this device to attain only data as it relates to a specific number if the devices are used in a criminal investigation. These warrants operate very similar to a court order for a wiretap. Law enforcement can also use the devices without a tracking warrant if the owner of the phone consents or there is “an emergency situation that involves the risk of death or serious physical harm to a person who possesses an electronic communications device.”

### Forensic Lab Certification

In response to problems with the St. Paul Police Crime Laboratory a couple years ago, the legislature has adopted requirements that all forensic laboratories operated by public entities must be accredited and the accreditation information provided to the DPS. It gave the St. Paul Police Crime Laboratory a grace period of three years to obtain accreditation. While a crime lab’s lack of accreditation does not prohibit the introduction of evidence from that lab in a criminal trial, that lack of accreditation can be introduced as a fact to consider when weighing the evidence during a court proceeding.

### Heroin Overdoses

In an attempt to curtail the number of deaths from heroin overdoses, the legislature adopted a provision dubbed “Steve’s Law”. It provides a limited immunity from prosecution to individuals who contact authorities to report an overdose along with similar immunity to the individual experiencing overdose. The law also authorizes first responders such as police officers to administer drugs that counteract opiate overdoses.

### Expungement

In an attempt to improve outcomes for convicted criminals who have completed all the terms of their sentence, the legislature passed a comprehensive reform to the state’s expungement laws. For juveniles, it expanded the court’s authority to suppress a juvenile conviction from disclosure through expungement. Now the court, in addition to expunging the adjudication of delinquency, can also seal all records relating to the arrest and delinquency proceedings. The law also expanded the scope of statutory expungement and creates a path for expungement without necessarily needing to petition for a judicial order. In cases where an offender has successfully completed a diversion program, the burden now shifts to the agency holding the record to show that it is in the public interest to not allow the record to be sealed through expungement. The law has attempted to maintain limited access to expunged records for purposes of background checks on employees in criminal justice agencies and educational institutions. Prosecutors can still access expunged records for limited purposes in criminal matters, but there are challenging requirements as to how to deal with these records in future prosecutions due to the fact that the new prosecution will be a new public record.

### Synthetic Drugs

In probably one of the bolder moves by the legislature in the public safety area, they passed a law substantially expanding the authority of the State Pharmacy Board to quickly identify synthetic drugs that should be subject to prosecution. In the past the board's authority to declare a synthetic compound as an illegal drug was only granted on a temporary basis and required the legislature to endorse the board’s declaration by specific act. If the legislature did not act, the board’s determination was overturned. Now the board's authority is permanent, and if the legislature disagrees with a synthetic drug designation by the board, they will now have to repeal the designation by passing a law. The law also requires mandatory restitution for those convicted of selling synthetic drugs in violation of the state statute.
New Mandate for Women in Custody

After a woman is sentenced or is unable to meet bail, there are several new mandates that are required of the jail holding a woman in custody. This new law will require county jails to do the following for women incarcerated following conviction; and incarcerated before conviction beyond the period specified for the woman’s initial appearance before the court in Rules of Criminal Procedure:

- test for pregnancy
- test for sexually transmitted diseases, if the incarcerated woman is pregnant
- provide appropriate educational materials and resources related to pregnancy, childbirth, breastfeeding, and parenting, if pregnant or has recently given birth
- have access to doula services, if the incarcerated woman is pregnant or has recently given birth, and these services are provided without charge or the incarcerated woman pays for the services
- have access to a mental health assessment and, if necessary, treatment if the incarcerated woman is pregnant or has recently given birth
- have access to evidence-based mental health treatment including psychotropic medication, if the incarcerated woman is pregnant or has recently given birth and determined to be suffering from a mental illness
- have access to evidence-based therapeutic care for postpartum depression, if the incarcerated woman is pregnant or has recently given birth and determined to be suffering from postpartum depression
- advise orally or in writing of applicable laws and policies governing the incarcerated woman, if pregnant.

Part-Time Peace Officers

There was a special licensure for peace officers hired for limited duties who were formerly known as “part-time officers”. Typically they were only hired to fill in during peak demand times for a department. The legislature repealed this separate special licensing process. It does not mean your sheriff departments can’t hire law enforcement officers on a part-time basis, but in the future they will have to obtain the same licensure as all other peace officers. Those peace officers presently holding a position under the part-time licensure law may stay on with their present department under this limited license, but would have to obtain a full license if they were to transfer to another department and be considered a peace officer.

Domestic Abuse

The legislature passed several different bills dealing with domestic abuse touching on the area of public safety. The most significant was a bipartisan gun control effort prohibiting persons subject to a restraining order in a domestic violence situation from possessing firearms. It also provided that a person convicted of domestic violence offenses had to surrender their firearms. Another bill increased the 24-hour time limit to 72 hours for warrantless arrests in misdemeanor and gross misdemeanor domestic abuse offenses and provided clarification on arrests relating to violations of restraining orders. Another bill required the DOC to provide domestic crime victims with the offender’s zip code upon release from custody.

Other Criminal Law Changes

Even though the legislature did not have any major criminal penalty increases or new crimes, there were still a few adjustments in criminal sentencing and penalties worth noting.
> **Prosecutor or Judge Murder or Assault.** The legislature passed a bill enhancing penalties for murdering or assaulting of a prosecutor or judge similar to the enhancements for doing the same to a peace officer. The penalties for causing the death of or assaulting a prosecutor or a judge only apply if they are engaged in the performance of their official duties.

> **Felony Fraud against Peace Officers.** The legislature amended MS609.7475, subdivision 3, regarding penalties for Fraudulent or Otherwise Improper Financing Statements. Under current law it is a gross misdemeanor to file or promote the filing of a record with the intent to harass or defraud another person. The penalty is enhanced to a five-year felony if the person commits the offense with the intent to:

- influence a juror;
- retaliate against a judicial officer, prosecutor, defense attorney, or officer of the court, because of that person’s performance in a judicial proceeding;
- retaliate against a sheriff or deputy sheriff because of that person’s performance of official duties; and
- retaliate against a county recorder because of that person’s performance of official duties.

The bill also specifically adds police officers, chiefs of police, and employees of the Department of Corrections or a local correctional agency to the list of victims that would enhance the penalty to a felony.

> **Safe at Home and Real Property Records.** The Secretary of State operates a program intending to limit the ability to obtain location information of victims of crime. The new law requires counties maintaining property records to limit access to information that would help locate individuals. These do create a new series of mandates, but the bill was worked out in conjunction with county staff entrusted with maintaining these records.

> **Simultaneous Mental Illness Examinations.** In response to a recent court case limiting the use of traditionally ordered mental competency exams, the legislature has allowed criminal courts to use court-ordered mental illness exams simultaneously for both civil commitment and competency to stand trial purposes. This should save counties money because they are required to pay for these exams.

> **5th Degree Criminal Sexual Conduct.** The law expands the felony for repeat conduct to a seven-year statutory sentence if the repeat act occurs within a seven-year period. It does not allow juvenile adjudications to be used as a prior offense and allows a court to stay the sentencing for a 5th degree criminal sexual conduct up to 6 years compared to the previous amount of 2 years. This will allow for greater supervision of entry-level sexual predators.

> **Crime of Violence.** The legislature added three existing crimes and removed three other crimes from the list of a “crime of violence”. This list enhances penalties and comes into play with domestic abuse and gun possession. The three crimes added were felony assault in the 5th degree, felony domestic assault, and felony assault by strangulation. The three crimes removed were car theft, looting, and third-degree burglary.

> **Ignition Interlock.** The legislature expanded the use of the ignition interlock provisions of the state statute to include persons whose license had been revoked for manslaughter criminal vehicular homicide conviction and criminal vehicular operation in which alcohol was involved resulting in some degree of bodily harm but not death.

> **Hit and Run.** The legislature dealt with what is dubbed the Amy Senser Defense due to her highly publicized hit-and-run accident. This law makes it clear that it is no longer a defense to claim that the driver did not know what they struck while operating a vehicle and creates an affirmative obligation on the part of a driver to stop to inquire what they struck with their vehicle.
**Things That Did Not Happen . . .**

In addition to major missed opportunities of the single funding formula for corrections, MSOP lawsuit and traffic diversion programs noted above, there were a few other things the legislature did not get around to in the public safety area.

**ARMER Software Upgrade Costs.** The legislature did not address the looming capital cost for certain jurisdictions for 911 emergency communications consoles and relay stations that need to be upgraded as a result of a software update coming in 2016. There is still an opportunity for the Statewide Radio Board to address some of these issues in the near future or for the legislature to do so in 2015.

**Automated License Plate Readers.** The legislature seriously considered restricting the use and storage of data collected by automatic plate readers, but despite the bill making it all the way to conference committee, it failed to receive action before the legislature adjourned.

**Booking Photos.** The legislature considered a bill to regulate the disclosure and publication of booking photos from law enforcement agencies and establishing standards for republication of that data. This was an attempt to get at nefarious Internet businesses that republished the photos of booked individuals and remove them for a fee. The bill did not make it out of committee in the Senate.
2014 Legislative Session Report

Human Resources & General Governance

PERA Contribution Increase Delayed; Numerous Labor Law Changes Enacted

Human Resource Changes

**HF 1951 (Ch. 296) – Omnibus Pensions Bill**

**PERA Changes**

The ¼% PERA General Plan employee and employer contribution increases are delayed from July 1, 2014 until January 2015. The Phased Retirement Plan (PRO), whereby employers can allow PERA employees age 62 and older to work in a half-time or less position and draw their pension without reduction, is extended five years to June 30, 2019. The eligibility test for the General Plan is changed from wage or salary of $425 per month to $5,100 annually except for seasonal and temporary employees working less than six months. (Serial employment in multiple seasonal or temporary positions during the year will not suffice to avoid eligibility.) Employers are supposed to make the determination of eligibility at the time of first employment. If an employee initially determined not to be eligible breaches the $5,100 threshold, he or she becomes permanently eligible for PERA at that time.

**HF 2536 (Ch. 239) – Women’s Economic Security Act**

The state’s unpaid parenting leave law (for employers of 50 or more which is generally superseded by the Federal Medical Leave Act, FMLA) is increased from 6 to 12 weeks and now applies to a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions in addition to care for and infant or recently adopted child. Leave may be taken up to 12 months after birth or adoption of a child. The length of the leave is now coordinated or offset by paid disability, sick, vacation leave or FMLA leave.

The use of sick leave is expanded to cover the care of a mother-in-law, father-in-law, or grandchild; and for “safety leave” for domestic abuse, sexual assault, or stalking for the purpose of providing assistance to relatives (for which sick leave can be used) or receiving assistance relating to those events. Sick leave for care of designated relatives or for providing or receiving assistance for domestic abuse, sexual assault, or stalking can be limited to 160 hours annually.

Reasonable accommodations must be provided for health conditions related to pregnancy or childbirth if the employee requests accommodation with the advice of her licensed health care provider or certified doula, unless the accommodation would impose an undue hardship on the operation of the employer’s business. Specifies that a pregnant employee is not required to obtain the advice of her health care provider or doula, and that an employer cannot claim undue hardship for the following accommodations: more frequent restroom, food, and water breaks; seating; and limits on lifting over 20 pounds. A reasonable accommodation includes temporary transfer to a less strenuous or hazardous position.

Discrimination based on “familial status” of parenting a child under the age of 18 or being pregnant is forbidden (and legal action can be brought) under Minnesota Human Rights Act.

An employer must make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion from coworkers and the public that includes access to an electrical outlet, where the employee can express her milk.

An employer shall not: (1) require nondisclosure by an employee of his or her wages as a condition of employment; (2) require an employee to sign a waiver that denies an employee the right to disclose the employee's wages; or (3) take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages.
HUMAN RESOURCES AND GENERAL GOVERNANCE

which have been disclosed voluntarily.

HF 2313 (Ch. 219)
Definition of Confidential Employees Changed

HF 2313 changed the definition of “confidential employees” (human resources and certain other designated employees) who may not be represented by the same union as other employees of the local government. Confidential employees, who previously had been those with access to labor relations data, are now those “required to access and use” labor relations data.

HF 3014 (Ch. 211)
Public Employee Relations Board

HF 3014 created the Public Employee Relations Board to hear administrative appeals of unfair labor practices under the Public Employees Labor Relations Act. The law grants public employees the right to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

SF 2490 (Ch. 223)
Transitional Provisions for Employees Transferred to Joint Powers Entities

SF 2490 provides for the determination of bargaining units and exclusive representatives for employees of new joint powers entities and the continuation of collective bargaining agreements (CBA’s) for employees transferred from the parties to joint powers agreement to the new joint powers entity until such time as those CBA’s expire or a new CBA is negotiated. The new law does not apply to service delivery authorities, which have their own law governing the transition of bargaining units and exclusive representatives.

HF 2091 (Ch. 166)
Minimum Wage Increase

The new law provides as follows:

- $9.50 minimum wage for enterprises with gross revenues over $500,000 in 2016. $8.00 in August 2014, $8.50 in August 2015.
- $7.75 minimum wage for enterprises under $500,000 in gross revenues in 2016. $6.50 in August 2014, $7.25 in August 2015.
- The minimum wage rate phasing up to $7.75 would also apply for large enterprises in the following circumstances: 90-day training wage for 18 and 19 year olds, all 16 and 17 year olds
- $7.75 minimum wage for employees with a J1 visa working under contract to a lodging establishment or resort. $7.25 in August 2014, $7.50 in August 2015.
- Beginning in 2018, all minimum wages would increase each year on January 1st by inflation measured by the implicit price deflator capped at 2.5%.
- The indexed increase could be suspended for one year by the Commissioner of Department of Labor and Industry if leading economic indicators indicate the possibility of a substantial downturn in the economy. The suspension could only be implemented after a public hearing and public comment period. In better economic times, the suspended inflationary increase or a lesser amount could be added.

HF 2658 (Ch. 182)
Worker Comp Advisory Council Recommendations

Specifies that for the purposes of workers’ compensation reinsurance association losses and retention limits, one or more compensable mental impairment claims arising out of a single event or occurrence such as workplace shooting, constitutes a single loss occurrence.

HF 2322 (Ch. 233)
Jury Trials for Discrimination Claims under Human Rights Act

Permits jury trials for discrimination claims under the Human Rights Act.

SF 2245 (Ch. 179)
Public Lifeguard Qualifications Established

Provides that if a political subdivision provides for lifeguards at a public swimming beach, each lifeguard must be certified in first aid and adult, child, and infant cardiopulmonary resuscitation, have American Red Cross lifeguard certification or the equivalent, and be responsible for the supervision and safety of persons at the public swimming beach while on duty.
HF 183 was passed without the Senate amendment allowing individuals to request the name of employees accessing their private data. The bill imposes essentially the same duties on local government as now exist for state government when a breach of private data occurs. Those duties include written notice to the victims and a subsequent report following final disposition of any disciplinary action including exhaustion of all rights of appeal under any applicable collective bargaining agreement. The report must include:

(1) a description of the type of data that were accessed or acquired;
(2) the number of individuals whose data was improperly accessed or acquired;
(3) the name of each employee determined to be responsible for the unauthorized access or acquisition, unless the employee was performing duties under the Safe at Home Act; and
(4) the final disposition of any disciplinary action taken against each employee.

The knowing unauthorized acquisition of not public data is made a misdemeanor as well as just cause for suspension from employment.

The responsible authority must establish procedures for ensuring that data that are not public are only accessible to persons whose work assignment reasonably requires access to the data, and is only being accessed by those persons for purposes described in the procedure; and develop a policy incorporating these procedures, which may include a model policy governing access to the data if sharing of the data with other government entities is authorized by law.

The bill undoes the TimberJay decision that said the absence of a contract clause making a government contractor subject to the data practices law on services provided under that contract voided the contractor’s obligations under the law. Health plan companies, managed care organizations, county-based purchasing plans, third-party administrators, providers, or other vendors, or their parent or subsidiary are exempted from contractors’ obligations under the data practices law on contracts for health-care-related services with government entities until June 30, 2015. This issue will be the subject of report prepared by the commissioner of human services due December 21, 2014. Procedures for access and audit of bulk drivers and vehicle license data by authorized private entities are provided for.

HF 2405 makes checking account numbers “security information” that is private or non-public by statute.

Allows the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public.

A Legislative Commission on Data Practices is created. The law provides for eight members with equal representation from each house and each party. The commission sunsets on June 30, 2017.

Provides for the online voter registration and absentee ballot application via a secure web site maintained by the Secretary of State. An individual seeking to register electronically must provide an e-mail address and either the applicant's verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number.

Allows local governments to use electronic rosters to administer elections and sets minimum technology standards electronic rosters must have. The bill also requires an evaluation of electronic rosters used during the 2014 General Election.
**Human Resources and General Governance**

<table>
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<tr>
<th>SF 2782 (Ch. 265)</th>
<th>Local Official Contribution Limits &amp; Web Posting</th>
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<td>If a local government, other than a city or town of less than 400 population, maintains a Web site, it must post all campaign reports filed with it for a period of 4 years. It must provide a link to those reports to the Campaign Finance and Public Disclosure Board. Contribution limits are increased from $300 to $600 in an election year and from $100 to $250 in a nonelection year except that for local officials with districts of over 100,000 population the election year limits are increased from $500 to $1,000. The new law is effective immediately.</td>
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<tr>
<th>SF 2390 (Ch. 264)</th>
<th>Metro Soil and Water Conservation Districts Supervisors Elected by District</th>
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<td></td>
<td>Requires Soil and Water Conservation District supervisors to be elected by district in the seven county metropolitan area. A number of other technical corrections/changes are made in election law including providing for security auditing of the statewide voter registration system.</td>
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<tr>
<th>SF 1732 (Ch. 176)</th>
<th>Help America Vote Act Grants Extended</th>
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<tbody>
<tr>
<td></td>
<td>The period to receive and spend Help America Vote Act grants are extended two years until June 15, 2016 and June 30, 2016, respectively.</td>
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</table>
$4 million of Additional SCORE Funding, Natural Resource Projects Funded

HF3172 (Ch. 312) – Supplemental Budget Bill

SCORE

The definition of “total solid waste generation” is expanded to include source-separated compostables and commercial waste. The recycling goals for metropolitan counties is increased from 50 to 75 percent by 2030. $4 million additional is appropriated for SCORE for allocation via the existing formula. $3 million of that is permanent. Of any additional SCORE funds disbursed to metropolitan counties, at least 50 percent must be spent on composting including the provision of receptacles for residential composting and the remainder on activities that help the county achieve its recycling goal other than processing mixed municipal solid waste generated in the county at a resource recovery facility.

Parks and Trails

$200,000 is appropriated on a one-time basis to the Greater Minnesota Regional Parks and Trail Commission. $330,000 is appropriated for the Mesabi Trail in the corridor from Giants Ridge to Tower. $450,000 is appropriated for metropolitan area regional parks and trails maintenance and operations.

Commercial Breeders to Be Licensed

Commercial breeders of dogs and cats who have ten or more adult intact animals and whose animals produce more than five total litters of puppies or kittens per year must be licensed by the Board of Animal Health beginning July 1, 2015.

$20 Million for Broadband Access

$20 million is appropriated for the Border to Border Broadband Fund. The fund will be used to provide grants to promote the expansion of access to broadband service in unserved or underserved areas of the state.

SF 663 (Ch. 225)

Commercial Facility Recycling in Metro Area

Commercial facilities in the seven-county metropolitan area contracting for collection of four or more cubic yards of solid waste collection weekly must institute collection for recycling of at least three recyclable materials by January 1, 2016.

HF 1926 (Ch. 256)

Legacy Projects Funded

Projects funded include:

- $4,250,000 for the Vermillion River Wildlife Management Area addition in Dakota County.
- $1,190,000 in the second year for agreements to restore and enhance wildlife habitat on public lands in Anoka, Benton, Isanti, Morrison, Sherburne, and Stearns Counties as follows: $155,000 is to Anoka Conservation District; $79,000 is to Isanti County Parks Department; $901,000 is to Great River Greening;
and $55,000 is to Stearns County Soil and Water Conservation District

- $2,800,000 for a contract with the Fond du Lac Band of Lake Superior Chippewa to acquire lands in fee in the St. Louis River watershed to be managed for fish and wildlife purposes.

- $3,150,000 in the second year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Sharp-Tailed Grouse Society to acquire and enhance lands in Aitkin, Carlton, Kanabec, Pine, and St. Louis Counties for wildlife management area purposes

- $2,130,000 agreements with the Leech Lake Area Watershed Foundation and Minnesota Land Trust to acquire land in fee and permanent conservation easements to sustain healthy fish habitat on lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties as follows: $1,150,300 to Leech Lake Area Watershed Foundation; and $979,700 to Minnesota Land Trust

- $1,190,000 for a contract with Dakota County to acquire permanent conservation easements and land in fee and to restore and enhance habitats in rivers and lake watersheds in Dakota County

- $2,650,000 for agreements to acquire land in fee and permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers as follows: $600,000 to Minnesota Valley National Wildlife Refuge Trust, Inc.; $160,000 to Friends of the Mississippi River; $400,000 to Great River Greening; $590,000 to Minnesota Land Trust and $900,000 to the Trust for Public Land

- $2,290,000 to restore habitat in the lower St. Louis River estuary

- $1,410,000 for an agreement with the Lake Superior Steelhead Association to enhance trout habitat in the Knife River watershed.

- $430,000 for an agreement with Washington County to restore and enhance habitat on public lands in Washington County.

### HF 1874 (Ch. 226)

**Environmental and Natural Resources Trust Fund**

- $1,500,000 is appropriated to the Metropolitan Council for grants for the acquisition of lands within the approved park unit boundaries of the metropolitan regional park system.

- $1,000,000 is appropriated for the St. Louis and Lake Counties Regional Rail Authority for the right-of-way acquisition, design, land construction of segments of the Mesabi Trail totaling approximately 11 miles east of Soudan towards Ely.

- $1,250,000 is appropriated to Washington County to purchase 15 acres, encompassing 3,500 feet of St. Croix shoreland paralleling Brown’s Creek State Trail in the city of Stillwater

### SF 2076 (Ch. 166)

**Drainage Work Group Recommendations**

Modifies criteria that must be considered before a drainage project is approved. The major change is to clarify alternative water management measures to consider including water conservation and allocation, flow and flooding reduction, drainage system capacity enhancement, erosion and sedimentation reduction, and water quality protection and improvement. Directs drainage authorities to investigate external sources of funding for alternative water management measures when planning a drainage project or repair.
Environment, Energy and Other Commerce

<table>
<thead>
<tr>
<th>HF 2834 (Ch. 234)</th>
<th>Energy</th>
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<tbody>
<tr>
<td>Allows the generating capacity of several solar electric generating projects to be aggregated and considered as a single development for the purpose of determining whether the system is subject to the Public Utility Commission’s (PUC) siting authority jurisdiction, which is confined to projects with a capacity of 50 megawatts or more. Provides that an (aggregated) large solar energy generating project is subject to the expedited siting process of the PUC that generally avoids the need to complete an EIS.</td>
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<tr>
<th>SF 2336 (Ch. 240)</th>
<th>Liquor Regulation</th>
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<tr>
<td>Allows a city or county to license microdistilleries to provide limited free samples and to sell cocktails. Brewer taprooms may conduct Sunday on-sales.</td>
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</tr>
</tbody>
</table>
2014 Legislative Session Report
Risk Management

2014 Nothing To Risky

The 2014 legislature did not make any significant changes in the area of risk management. There were some significant changes in employment law and data practices that would be beneficial to risk managers to review. These provisions are covered in the Human Resources and General Governance section. Here are some additional changes worth noting.

**Work Comp PTSD Fix**

Toward the end of the 2013 Legislative Session, local units of government were caught off guard by a last-minute flurry of activity to modify the workers’ compensation statutes to include expanding the coverage of post-traumatic stress disorder (PTSD) as a possible work-related injury for the first time in Minnesota. One of those last-minute changes resulted in an unintended consequence that unduly increased costs for local units of government in situations where there are multiple PTSD injuries arising out of a single incident. The way the law was drafted it would make it potentially harder in these multiple injury instances to qualify for catastrophic insurance coverage known under the workers’ compensation law as re-insurance. After strong urging from counties and cities, the 2014 legislature addressed this mistake by clarifying that work-related PTSD injuries would each be treated as a separate single incident for the purpose of re-insurance.

One positive result from the negative changes made in 2013 is the improved relationship between local units of government on issues arising out of Workers’ Compensation Advisory Council (WCAC). There has been a commitment from the several organizations representing local units of government and their self-insurance pools to cooperate in the future on joint monitoring of the WCAC to avoid a similar surprise happening in the future.

**Heart Defibrillators Registration**

The Omnibus Health and Human Services Policy Bill added a provision that requires all Automatic External Defibrillators (AED) displayed for use by the public to be registered with an approved AED Registry. These approved registries are designed to ensure that AEDs intended for public use are under a maintenance agreement. The law specifically lists the following as approved registries: “the Minnesota AED Registry, the National AED Registry, iRescU, or a manufacturer-specific program”. This is important in that several counties do maintain publicly accessible AEDs in their buildings.

The law also creates an expectation for local units of government to inspect AEDs in their community. The law notes that AEDs “may be inspected during regular business hours by a public safety agency with jurisdiction over the location of the AED”. The law identifies Public Safety Agencies to include Sheriff Departments among other entities. The law further states “an
authorized agent of a public safety agency with jurisdiction over the location of the AED may direct the owner of a public access AED to comply with this section. The authorized agent of the public safety agency may direct the owner of the AED to remove the AED from its public access location and to remove or cover any public signs relating to that AED if it is determined that the AED is not ready for immediate use.”

There could be some liability risks created by this additional authority even though it states it “may” be exercised. The law does state “this section does not create any civil liability on the part of an AED owner or preclude civil liability under other law.” Therefore, a question does arise, however, if an empowered public safety agency agent is aware of a malfunctioning AED or one that is not registered does this create a liability to the government entity that is not an owner of the AED if it was later found to have failed its operations.

**Responsible Contractor**

The legislature established minimum criteria for construction contractors working with public entities on projects in excess of $50,000. This new law requires contractors to certify to the public entity several different things regarding workers’ compensation and employment law. To read the details regarding this new law, go to the Transportation section of this report.

**E-Cigarettes**

The legislature adopted a comprehensive regulatory structure for electronic cigarettes. These devices allow for the vaporization of compounds for the purpose of inhaling and exhaling. The law includes a complete ban on using the devices in public buildings and it preserves local units of government power to pass more restrictive regulations on their use. For more details on the law, go to the Public Health section of this report.

**Heroine Antidote**

The 2014 legislature adopted a provision that allows first responders, including sheriff’s deputies, to possess and administer an “opiate antagonist”. There is immunity provided in the law for those who distribute these "opiate antagonist" to individuals who are not licensed to administer the drug, but it does not provide any specific immunity to the inappropriate administration of the drug by law enforcement.

**Lifeguard Training**

If your county operates a park with a public swimming beach, the 2014 Legislature has placed minimum training standards for all lifeguards on duty. The new law states: “If a political subdivision provides for lifeguards to be present at a public swimming beach, each lifeguard must be certified in first aid and adult, child, and infant cardiopulmonary resuscitation, have American Red Cross lifeguard certification or the equivalent, and be responsible for the supervision and safety of persons at the public swimming beach while on duty.”
Request for Board Action

Commissioner's Report

BOARD MEETING DATE: July 15, 2014
AGENDA ITEM NUMBER: 7B

Department Information

<table>
<thead>
<tr>
<th>ORIGINATING DEPARTMENT: Administration</th>
<th>REQUESTOR: Amanda Hollis</th>
<th>REQUESTOR PHONE: 651-430-6021</th>
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</thead>
<tbody>
<tr>
<td>PRESENTER(S): Amanda Hollis, Kathleen Johnson, Robin Howard</td>
<td>MEDIA CONTACT: Amanda Hollis</td>
<td>MEDIA CONTACT PHONE: 651-430-6021</td>
</tr>
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Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Review performance measurement and indicators annual report and provide an update on countywide performance measurement and improvement efforts.

**AGENDA YOU ARE REQUESTING TIME ON:**
Board

**TIME NEEDED:**
20

**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
No

**IS THIS MANDATED?**
No

**BACKGROUND/JUSTIFICATION:**
Since the mid-1990's, Washington County has continued to track, report, and monitor performance measures to support decision-making and to drive continued improvement in its core functions and the services it provides. Staff will present the Washington County 2013 Annual Performance Measures and Indicators Report and provide an update on countywide performance measurement and improvement efforts.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?**
No

Budget Information

**FUNDING:**
NA

Approvals

<table>
<thead>
<tr>
<th>COUNTY ATTORNEY: George Kuprian</th>
<th>COUNTY ADMINISTRATOR: Molly O'Rourke</th>
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<tbody>
<tr>
<td>RECOMMENDATIONS: N/A</td>
<td>RECOMMENDATIONS: NA</td>
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<tr>
<td>COMMENTS:</td>
<td>COMMENTS:</td>
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Performance Measurement and Improvement Team (PerMIT)

- Nancy Brase  Administration
- Rita Conlin  Public Works
- Alex Eichman  Public Health and Environment
- Tommi Godwin  Public Health and Environment
- Sue Harris  County Attorney
- Amanda Hollis  Administration
- Robin Howard  Human Resources
- Kathleen Johnson  Information Technology
- Joe Manion  Library
- Jody Moran  Property Records and Taxpayer Services
- Dan Pepper  Community Corrections
- Perry Preuss  Information Technology
- Sarah Tripple  Community Services
- John Warneke  Sheriff
- Dave Wilwert  Accounting and Finance
Overview

• Past and present performance measurement and improvement efforts
• Overview of this year’s report
• Performance measurement and improvement plans in the next year
Past Efforts

• Performance Measurement and Improvement Team (PerMIT)
• National Center for Civic Innovation (NCCI) Trailblazers Grant
• Residential surveys and other customer satisfaction surveys
• Performance Measurement and Improvement Team (PerMIT) training
Present Efforts

• County training
• County surveys
  – Customer satisfaction
  – 2013 Residential Survey
• Progress Meetings
• Lean and Kaizen Events
Overview of the 2013 Performance Measures and Indicators Report

• Vision, mission, values, and goals
• Each chapter focuses on a county goal
• Indicator versus a measure
• Examples from the report
  – Managing Computer Infrastructure – Information Technology
  – Injury Rate Per 100 Employees (Worker’s Compensation Claims) – Human Resources
County Goal 1

1. To promote the health, safety, and quality of life of citizens
   - Low Birth Weight
   - Immunization Rates
   - WIC Breastfeeding Rates
   - Absence of Child Maltreatment
   - Part I and Part II Crimes
   - Recidivism Rates
   - Vehicle Crash Rate
   - Ratings for Quality of Life
   - Median Household Income
   - Park Visits
   - Food Support and Unemployment Rate
   - Housing Value, Affordability, and Foreclosure
   - Home Mortgage Foreclosures
   - Household Hazardous Waste
<table>
<thead>
<tr>
<th>2</th>
<th>To provide accessible, high-quality services in a timely and respectful manner</th>
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<tbody>
<tr>
<td></td>
<td>Employee Courtesy, Knowledge, Responsiveness</td>
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<td>Park and Staff Visitor Satisfaction</td>
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<td></td>
<td>Volunteer Hours</td>
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<td>Library Visits</td>
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<td>Veterans Service Office Outreach Services</td>
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<td>Work Crew Hours, Hourly Wages per Client</td>
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<td>Cases Cleared by Investigations</td>
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<td>Criminal Charging Turnaround Time</td>
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County Goal 3

<table>
<thead>
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<td>Early Literacy</td>
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<td>Pavement Condition Rating</td>
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<td>Bridge Sufficiency Rating</td>
<td>16</td>
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<td>Narcotics Cases and Arrests</td>
<td>16</td>
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<tr>
<td>Permit to Carry and Purchase Applications Processed</td>
<td>17</td>
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<td>Supportive Apartment Programs</td>
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<td>Outstanding Debt per Capita, Debt Service Levy per Capita</td>
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<table>
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<th>To maintain public trust through responsible use of public resources, accountability, and openness of government</th>
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<td>Operating Costs per Capita ...............................................................................................................</td>
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<td>Human Services Costs per Capita .....................................................................................................</td>
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<td>Library Value .................................................................................................................................</td>
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<td>Workers Compensation Claims .........................................................................................................</td>
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Indicator versus Measure

• Examples of Indicators
  – Median household income
  – Median sale price of residential property

• Examples of measures
  – Pavement Condition Rating
  – Park and Staff Visitor Satisfaction
  – Offender Recidivism Rates
Managing Computer Infrastructure

### Desktop and Laptops within County Standard

<table>
<thead>
<tr>
<th>Year</th>
<th>Desktop PCs</th>
<th>Laptop</th>
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<tbody>
<tr>
<td>2007</td>
<td>86%</td>
<td>94%</td>
</tr>
<tr>
<td>2008</td>
<td>92%</td>
<td>97%</td>
</tr>
<tr>
<td>2009</td>
<td>97%</td>
<td>98%</td>
</tr>
<tr>
<td>2010</td>
<td>99%</td>
<td>99%</td>
</tr>
<tr>
<td>2011</td>
<td>99%</td>
<td>99%</td>
</tr>
<tr>
<td>2012</td>
<td>99%</td>
<td>99%</td>
</tr>
<tr>
<td>2013</td>
<td>100%</td>
<td>100%</td>
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</table>

*Source: Washington County Information Technology*
Worker’s Compensation Claims

Injury Rate Per 100 Employees

<table>
<thead>
<tr>
<th>Injuries per 100 employees</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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<tbody>
<tr>
<td>Carver</td>
<td>2.72</td>
<td>3.82</td>
<td>2.74</td>
<td>2.01</td>
<td>3.32</td>
<td>2.35</td>
<td>2.19</td>
</tr>
<tr>
<td>Dakota</td>
<td>2.03</td>
<td>1.15</td>
<td>2.28</td>
<td>1.43</td>
<td>1.05</td>
<td>1.66</td>
<td>2.65</td>
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<tr>
<td>Hennepin</td>
<td>2.50</td>
<td>2.80</td>
<td>2.07</td>
<td>2.17</td>
<td>2.45</td>
<td>2.08</td>
<td>2.32</td>
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<tr>
<td>Olmsted</td>
<td>4.08</td>
<td>1.26</td>
<td>3.22</td>
<td>3.55</td>
<td>3.24</td>
<td>3.62</td>
<td>3.34</td>
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<td>Ramsey</td>
<td>3.37</td>
<td>5.71</td>
<td>4.45</td>
<td>3.77</td>
<td>3.61</td>
<td>3.73</td>
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<tr>
<td>Washington</td>
<td>3.34</td>
<td>2.50</td>
<td>2.40</td>
<td>2.01</td>
<td>2.26</td>
<td>2.55</td>
<td>3.41</td>
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Source: Metropolitan Counties Occupational Health and Safety Logs
Bridge Sufficiency Ratings

Source: Washington County Public Works
Storytime and Children’s Program Attendance

Library Storytime and Children’s Program Attendance

<table>
<thead>
<tr>
<th>Year</th>
<th>Storytime</th>
<th>Other Children’s Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>10,853</td>
<td>5,197</td>
</tr>
<tr>
<td>2008</td>
<td>15,595</td>
<td>8,625</td>
</tr>
<tr>
<td>2009</td>
<td>14,647</td>
<td>9,302</td>
</tr>
<tr>
<td>2010</td>
<td>15,020</td>
<td>10,677</td>
</tr>
<tr>
<td>2011</td>
<td>14,292</td>
<td>9,564</td>
</tr>
<tr>
<td>2012</td>
<td>16,458</td>
<td>8,081</td>
</tr>
<tr>
<td>2013</td>
<td>18,818</td>
<td>10,094</td>
</tr>
</tbody>
</table>

Source: Washington County Library Activity Reports, 2007-2013
Recidivism Rates

Percentage of Adult Felony Offenders not Convicted of a New Felony Offense within Three Years of Probation Discharge

<table>
<thead>
<tr>
<th>Year</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>82%</td>
<td>79%</td>
<td>83%</td>
<td>84%</td>
<td>86%</td>
</tr>
</tbody>
</table>

Source: Washington County Community Corrections
What’s Next for Performance Measurement and Improvement?

• Focus on continuous quality improvement and updating measures
• Periodic updates to the Board about performance measurement
• Participate in Minnesota’s Standard Measures Program
• Continue to update and improve the performance measurement and indicator report
Questions or Comments?

The report can be found online:
http://www.co.washington.mn.us/performancemeasures
2013 Performance Measures & Indicators Report

A great place to live, work and play...today and tomorrow.
VISION
A great place to live, work, and play... today and tomorrow.

MISSION
Providing quality services through responsible leadership, innovation and the cooperation of dedicated people.

COUNTY GOALS

• To promote the health, safety, and quality of life of citizens
• To provide accessible, high-quality services in a timely and respectful manner
• To address today’s needs while proactively planning for the future
• To maintain public trust through responsible use of public resources, accountability, and openness of government

VALUES

• Ethical: to ensure public trust through, fairness, consistency and transparency.
• Stewardship: to demonstrate tangible, cost-effective results and protect public resources.
• Quality: to ensure that services delivered to the public are up to the organization’s highest standards.
• Responsive: to deliver services that are accessible, timely, respectful and efficient.
• Respectful: to believe in and support the dignity and value of all members of this community.
• Leadership: to actively advocate for and guide the County toward a higher quality of life.
This Fifteenth Annual Performance Report reflects Washington County’s continued commitment to high-quality service that meets the needs and exceeds the expectations of people who live, work, and recreate in Washington County. Since the mid-1990s, Washington County departments have tracked, reported, and monitored performance measures to support decision-making, and to drive continued improvement in its core functions and the services it provides.

As departments continuously improve their efforts to measure performance and verify outcomes, this Annual Performance Report likewise continues to undergo that same scrutiny and revision. This Annual Performance Report, which reflects county performance and improvement in 2013:

- contains information that is geared to the interest and needs of policymakers and the people who live, work, and recreate in Washington County,
- includes a sample of other measures also tracked at the county,
- highlights the county’s mission, vision, values, and goals, and
- provides a demographic snapshot of the county.

This annual performance reporting process continues to move toward an indicator type report. This report uses both community indicators, which provide measures of how the community is faring, as well as outcomes of performance measurements of county departments. The county will continue to focus on indicators and performance measures that help effectively manage operations and make sound business decisions using the best available information.

Progress Meetings, scheduled with each department and county administrator once a year, are an example of continuously improving and advancing use of information and analysis in the organization. The purpose of the meetings is to facilitate an ongoing overview of departments’ performance and encourage dialogue about performance results between the Office of Administration and the county’s departments.

County departments also continue to identify processes or systems that need to be or can be made more efficient. Quality improvement and process improvement tools such as Lean and Kaizen continue to be used within the organization and more employees are being trained in the use of these tools.

Washington County voluntarily participates in Minnesota’s annual State Standard Measures Program, created by the Council on Local Results and Innovation and overseen by the Minnesota Office of the State Auditor. 2014 will be the fourth year that the county has participated in this program.

As Washington County’s multi-departmental Performance Measurement and Improvement Team (PerMIT) continues to further institutionalize the use of performance measurement throughout the organization, we remain committed to providing quality services.

Molly O’Rourke  Kevin Corbid  Amanda Hollis
County Administrator  Deputy Administrator  Senior Planner
Acknowledgements

This report was made possible through the contributions, commitment, and efforts of the following people:

• Members of the county’s Performance Measurement and Improvement Team (PerMIT):

  Nancy Brase  Administration
  Rita Conlin   Public Works
  Alex Eichman  Public Health and Environment
  Tommi Godwin  Public Health and Environment
  Robin Howard   Human Resources
  Sue Harris    County Attorney
  Amanda Hollis  Administration
  Kathleen Johnson  Information Technology
  Joe Manion  Library
  Jody Moran  Property Records and Taxpayer Services
  Dan Pepper  Community Corrections
  Perry Preuss  Information Technology
  Sarah Tripple  Community Services
  John Warneke  Sheriff’s Office
  Dave Wilwert  Accounting and Finance

• Department management teams and staff who assisted PerMIT members in preparing individual department measures

• Office of Administration staff who contributed their time and talent

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  Telephone: 651-430-6021
  www.co.washington.mn.us/performance_measures
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- Washington County Measures
- Demographics At-A-Glance
Low Birth Weight

Low Birth Weight (LBW) rates provide an indication of public health concerns. LBW singleton babies describes the birth of one baby, not multiples, who are born weighing less than 2,500 grams or 5.5 pounds. LBW is the ultimate indicator of newborn health.

LBW occurs due to prematurity or because of slow fetal growth. Some of the risk factors that contribute to LBW include young age of the mother, poor nutrition, drug addiction or alcohol use, tobacco use, and low socio-economic status.

Prematurity and LBW can impact brain development in children, which can lead to cerebral palsy and developmental delays. In addition, these children may develop long-term health problems, such as hearing and vision problems, high blood pressure, and breathing disorders. National research estimates that the medical care costs of a preterm or LBW birth baby through age 5 is approximately $31,000 per child.

The rate of LBW in Washington County is lower than the state rate and significantly lower than the national rate. The most current data (2011) show a decrease to 2.9 percent LBW births in Washington County, compared to 4.7 percent across Minnesota and 8.1 percent nationally. In 2011, there were 2,818 single births in Washington County, of which 176 were LBW.

LBW rates in Washington County are consistently below state and national rates, due in part to ongoing prevention efforts through the county’s Family Home Visiting program. Public health nurses work to identify at-risk pregnant women through a standardized assessment process. The at-risk women are then offered voluntary, intensive home visiting services to help reduce risk factors that may affect the health of the mother and the baby.

Immunization Rates

The increase in life expectancy during
the 20th century is largely due to improvements in child survival; this increase is associated with reductions in infectious disease mortality, due largely to immunizations. Vaccines are among the most cost-effective clinical preventive services; childhood immunization programs provide a very high return on investment.

Washington County continues to monitor the vaccine coverage rates in the county. Twenty doses of vaccines are recommended for children 24-35 months old. Vaccine coverage rates for this age group have been consistently lower for the county than the state average since 2009. It is unclear what accounts for these lower rates. It may be an issue with access to adequate services, an increase in conscientious objectors to vaccines, or a combination of these and other factors.

Washington County staff will be conducting a study over the next several months to assess these factors and explore the impact they are having on vaccine coverage rates in the county. Results of this study will be used by the county to develop recommendations for changes in county immunization clinic functions and practice.

The chart includes children born who were 24-35 months old on January 1 of each year. A nationwide Hib (Haemophilus Influenzae type B) vaccine shortage from December 2007 to September 2009 affected Hib rates in 2010, 2011, and 2012. The national target is to achieve and maintain effective vaccination coverage levels for universally recommended vaccines among 90 percent of young children.

**WIC Breastfeeding Rates**

The emphasis of Washington County’s Women, Infants and Children (WIC) program is helping families eat well and stay healthy. Breastfeeding promotion and support is central to WIC’s work to improve maternal and infant health. Nutrition counselors provide education through nutrition assessments and one-on-one counseling about food, nutrition, and breastfeeding to pregnant women, infants and children up to age 5. Participants must meet income requirements to qualify for the program.

Breastfeeding from birth protects infant health. Increasing the number of mothers who start breastfeeding their babies at birth and continue for six months are national goals included in the 10-year U.S. Health and Human Services report called “Healthy People.” Achieving these goals will reduce health care costs and save money for families, employers, and society.

The county’s WIC program aims to be a quality leader in Minnesota by achieving Healthy People goals on time. As of 2013, the breastfeeding initiation rate in Washington County was 82.5 percent, surpassing the Healthy People 2020 (HP2020) goal of 82 percent. The six-month breastfeeding duration rate is estimated to be 40 percent in 2013. Improving breastfeeding duration is a prime focus of the program, in an effort to move closer to the HP2020 goal of 61 percent.

**Absence of Child Maltreatment**

Washington County has the responsibility and authority to assure that children alleged to be abused or neglected are protected from harm or danger, and that children in need of protection receive the appropriate services. Protecting the safety of minor children is a major responsibility and is taken very seriously.

The absence of repeat maltreatment is considered a key indicator of a successful children’s services program. The State of Minnesota Department of Human Services (DHS) measures the absence of repeat maltreatment with the percentage of children who did not have a subsequent substantiated allegation within 12 months. Washington County has historically set the benchmark for this at 90 percent or higher.

The U.S. Department of Health and Human Services measures the absence of repeat maltreatment with the percentage
of children who did not have another substantiated or indicated report within a six-month period. The national standard is to have the rate of absence of repeat maltreatment above 94.6 percent.

The data for 2013 indicates that the county’s outcomes for both measures are above the standards. The absence of repeat maltreatment at six months is at 97.7 percent, which is 3.1 percent above the national average. The 12-month measure is at 96.5 percent, 6.5 percent above the county’s goal of 90 percent. Both of these measures improved significantly from 2012.

**Part I and Part II Crimes**

Crimes committed by offenders are identified as either Part I or Part II crimes.

Part I crimes are Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Larceny-Theft (shoplifting, pick pockets), Motor Vehicle Theft, and Arson.

Part II crimes are all other offenses except for driving offenses. They are Other Assaults, Forgery and Counterfeiting, Fraud, Embezzlement, Stolen Property (buying, receiving, possessing), Vandalism, Weapons (carrying, possessing), Prostitution, Sex Offenses, Drug Abuse Violations, Gambling, Offenses against the Family and Children, Driving under the Influence, Liquor Laws, Drunkenness, Disorderly Conduct, Vagrancy and all...
other offenses (any offense that doesn’t fit in any other category).

The Sheriff’s Office monitors and tracks the number of Part I and Part II crimes committed in Washington County. In 2013, Part I crimes decreased by 5 percent and Part II crimes decreased by 14 percent, after they remained steady in 2012. There is a variety of factors for the decrease, and include cooperation between law enforcement agencies, increased law enforcement presence, citizen watch groups and involvement, crime prevention measures, youth intervention programming, legislative law changes such as placing medicines behind pharmacy counters that can be used for illegal purposes, and the improvement in the economy.

**Recidivism Rates**

Washington County probation officers work with offenders to reduce the risk that offenders will commit new crimes. Measuring recidivism (conviction of a new criminal offense) helps the county gauge how successful it is in meeting its public safety goal. The county utilizes only felony-level probationers and convictions for recidivism rates to align with the measurement methodology used by all Minnesota probation agencies.

The county tracks offenders (adult and juvenile) supervised on probation for a felony-level offense for three years from their discharge date. Offenders not convicted of another felony level offense within that three-year time frame make up the reported recidivism measure. The recidivism measure for 2013 involves probation sentenced offenders discharged in 2009.

There were 64 juvenile offenders discharged from felony-level probation in 2009. Of those, 84 percent were not convicted of a new felony offense within three years. (Juvenile recidivism rates only pertain to criminal convictions supervised in Washington County.)

The 2013 recidivism measure is 5 percent below the county’s 89 percent target, and is a 4 percent decrease from the 2012 rate of 88 percent. While the percentage rate has gone down in the last three years, the actual number of juveniles committing a new felony offense within three years of discharge has remained constant. Over the last three years, the number of juveniles committing a new felony offense has been between nine and 10. The recidivism measure percentage decrease stems from the smaller number of felony offenders under supervision. The number of juveniles discharged from probation with a felony offense has decreased from 106 to 64 during the last three years.

There were 384 adult felony level offenders discharged from Washington County probation supervision in 2009. Of those discharged, 86 percent were not convicted of a new felony offense within three years. It was the first time since 2003 that the county met or exceeded its 85 percent target rate. Washington County’s recidivism rate in 2013 was identical to the seven-county metropolitan area rate, and it was 1 percentage point lower than the statewide rate of 87 percent.
Vehicle Crash Rate

A critical component of the county’s mission to promote the health, safety, and quality of life of citizens is to maximize the safe and effective operation of the county’s highways. Motor vehicle accidents and fatalities are tracked statewide according to a number of criteria, including seatbelt usage, type of vehicle, road conditions, time of day, and chemical impairment of the driver or passengers. Many of these factors are outside the direct influence of the county. However, the crash rate is still an important measure to monitor regarding the safety of the county’s transportation system. The crash rate provides an overall context and is used as a comparison to assess the safety record of a more specific location when considering potential roadway improvements.

Crashes are reported to the Minnesota Department of Public Safety by various law enforcement agencies and by individual residents. For 2012, the number of motor vehicle crashes reported for roadways operated and maintained by Washington County was 657, which was an increase from the 2011 count of 545 crashes. Based on an estimate for the number of miles driven on county-operated highways in 2012, these 657 crashes would equate to a crash rate of 1.49 crashes per million vehicle miles driven, while statewide the average crash rate for county highways was 1.42. This calculated crash rate for Washington County highways was an increase from the previous year’s rate of 1.24. This increase runs counter to numerous years of decreasing crash rates, and, although a single-year increase does not qualify as a trend, it will be closely monitored by the county.

When a fatal crash occurs on the county’s highway system, county staff promptly reviews the nature of the crash and develops any necessary safety recommendations to reduce the chances of similar crashes occurring in the future. The county’s goal is that this effort leads to improved outcomes for the safety of the roads. The challenge for Washington County will be to continue to reduce its crash rate towards zero, especially with regard to fatal and serious injury crashes. Throughout 2012, two fatal crashes occurred on roadways maintained and operated by Washington County. Within the last 10 years, the annual number of such crashes has ranged from zero to 10. Although not yet official at the time of printing, preliminary data suggests that two fatal crashes occurred on Washington County-operated highways in 2013.

Ratings for Quality of Life

Ninety-five percent of respondents in a county-wide survey conducted in early 2013 rated the quality of life in Washington County as excellent or good. The survey was done by National Research Center (NRC). Because NRC works with counties and cities from all over the country, it is able to compare
responses collected in Washington County with responses collected nationally. When compared with those counties, the Washington County residents’ response regarding overall quality of life was much higher than the average ratings collected by NRC from cities and counties around the country.

County residents cited location as one of the aspects they liked best about living in Washington County, along with its open space and rural feel. Those participating in the survey also evaluated a number of characteristics of the community, and the highest rated were recreational opportunities and the overall feeling of safety in Washington County, along with an appreciation of individual neighborhoods.

**Median Household Income**

Median household income is one of several indicators that show how the community is faring. Washington County’s median household income in 2012 was $80,246, which was an increase from 2011. This means that half the households in Washington County earned less than that amount per year, and half earned more. This increase was especially heartening as it brought the number closer to pre-recession levels, which was $81,273 in 2007. The county’s median-level income decreased from previous years during the three years following the Great Recession. Compared to other counties in the Minnesota metropolitan area, in 2012, Washington County had the third highest median-household income, behind Scott and Carver counties.

Because this is a lagging indicator, meaning that this follows a particular trend, 2009 was the first year that reflected the economic downturn, with a drop in median-household income for six of the seven counties in the seven-county metropolitan area. It also illustrates the speed of the economic recovery for Washington County.

**Park Visits**

A measure commonly used to determine the quality of life in a community is the use of parks, trails, and open spaces. The use of Washington County’s park resources can be measured by tracking the total number of park visits per year. This measure provides some insight into how accessible the park system is in a given year, and how well the park system meets the outdoor recreational needs of the public. The public’s use of Washington County parks has steadily increased over recent years, and this trend is expected to continue.

One of the ways Washington County Parks plans to meet the needs of the public and promote health, safety, and quality of life is the planned expansion of the regional trail system. In 2013, Washington County completed a Master Plan for the Hardwood Creek Regional Trail. These efforts include planning trail connections to neighboring counties, including Chisago, Anoka, and Ramsey.
Food Support and Unemployment Rate

The unemployment rate in Washington County as of December 2013 was 4.6 percent, and for the fourth year in a row, continued to decline and remained below the national average of 6.5 percent. Losing one's job can quickly impact a family's ability to meet basic needs, leading the family to turn to the county for help in meeting those needs.

Washington County administers a variety of cash and non-cash economic assistance programs aimed at providing a safety net to residents in need. Food support, also known as Supplemental Assistance Nutritional Program (SNAP), is one such non-cash assistance program. SNAP is meant to supplement a household's food budget and help the family meet food and nutrition needs. Individuals are eligible for SNAP by meeting federally-established income guidelines. The average monthly SNAP benefit for Washington County residents is $113.

Even though the unemployment rate in the county continued to decline in 2013, the number of people turning to the county for assistance with food support continued to increase. Historically, increases in SNAP participation continue through and following a recession; and, as previously laid-off individuals find employment, they may earn less than they did pre-recession and still qualify for SNAP benefits.

Housing Value, Affordability, and Foreclosures

Measures such as median home sale prices (the point at which half are above and half are below) and the number of
non-foreclosure sales are indicators of the health of the housing market in a county and region. Washington County experienced positive gains in both areas in 2013.

The Minneapolis Area Association of Realtors calculated an increase of 14.2 percent in the median-sale price of homes sold by a licensed Realtor from 2012 to 2013 in the 13-county Metropolitan Statistical Area (MSA). In 2013, Washington County followed a trend similar to the MSA’s, showing a slightly lower increase in the median sale price of 10 percent. The median value increases can be attributed to a combination of several factors – an increase in consumer confidence, historically low inventories of homes for sale, and a lessening negative affect on the market from lender-mediated sale properties.

The Minneapolis Area Association of Realtors (MAAR) also reported that a number of leading market indicators showed positive signs in Washington County when comparing market activity in 2012 with activity in 2013. The price paid per square foot increased; the days a home was on the market dropped 28 percent, from 118 days in 2012 to 85 days in 2013; and the number of closed sales increased. According to data compiled by the Washington County Assessor’s Office, the number of non-foreclosure sales (arm’s length transactions) in 2013 increased by more than 50 percent when compared to the market activity during 2012.

**Sheriff Certificates of Home Mortgage Foreclosure**

After spiking in 2010, Sheriff’s Certificates of Sale have continued to decline during the past three years. In 2013, 589 Sheriff’s Certificates of Sale were recorded, marking the third consecutive year of decline, down 47 percent from 2010. Washington County’s foreclosure decline is higher than the Twin Cities metropolitan area overall decline of 37 percent, and Greater...
Minnesota’s decline of 30 percent in the same time period.

Foreclosed properties are a threat to neighborhood stability and community prosperity. A municipality with a significant number of foreclosures may see an increase in abandoned properties. Abandonments can lead to higher crime rates and indirectly require more revenue to be allocated to police, fire protection, social services, demolition, inspection, legal action, and overall management of the foreclosure process. A high volume of foreclosures can also drive down the neighborhood property values. Vacant and boarded up homes can also affect businesses in the surrounding neighborhood. Areas of obvious economic blight are unattractive to shoppers, and are uninviting to prospective new businesses and future economic growth.

The county has been mapping foreclosure sales during the past 10 years. Historical maps for 2003-2007 and 2005-2009 are available in a combined map, which can be found on the Washington County website by searching “Parcel Reports” or at www.co.washington.mn.us/foreclosures.

The foreclosure crisis may finally be in the past, and the community can return to more normal foreclosure levels. Historically, about 100 Sheriff’s Certificates of Sale a year occur during a typical healthy market.

### Household Hazardous Waste

Household hazardous waste (HHW) is generated from most residences, and includes common materials such as aerosols, cleaners, automotive products, electronics, paints, and solvents. When HHW is improperly disposed, including thrown in the trash or poured down the drain, it can contaminate soil and water supply and pose a threat to health and the environment.

The Washington County Environmental Center (WCEC) in Woodbury addresses this concern by providing residents with a safe way to dispose of HHW. In addition, collection events are also held around the county to provide service for those residents who do not live close to the WCEC. The WCEC also features a large Free Product Room where usable products, such as paints and automotive products, are available free to residents. Recyclables, including paper, cardboard, plastic bags, holiday lights, and plastic campaign and yard signs, as well as household sharps, are also collected. Participation in the HHW program decreased by less than 1 percent (122 fewer visits) between 2012 and 2013. The amount of HHW collected decreased by 8 percent between 2012 and 2013. Finally, electronics collected decreased by less than 1 percent in 2013 as compared to 2012.

Reduced HHW collected may be due to HHW disposal shipments deferred to 2014 due to weather. The number of electronic items collected has largely remained stable; however, the overall weight of electronics may have decreased because newer products are increasingly lighter in weight.
Employee Courtesy, Knowledge, Responsiveness

Washington County is a service organization, with the mission of “providing quality services through responsible leadership, innovation and the cooperation of dedicated people.” Residents were asked in the county’s 2013 Residential Survey if they had visited, telephoned, or emailed any Washington County government office within the previous 12 months. In 2013, just more than half of the respondents said that they had contact with the county. The average ratings for courtesy and knowledge were 75 on a 100-point scale, followed by responsiveness with an average rating of 74, and an overall impression of 73, which all registered above “good” on the 100-point scale.

In addition, the average ratings for employee courtesy, knowledge, responsiveness, and the overall impression of the interaction were above or much above the survey’s benchmark nationwide data group of local governments.

Park and Staff Visitor Satisfaction

Each year, the county conducts surveys of park users to help determine if programs and services are meeting public expectations and needs. In 2013, 118 park users completed a Park Visitor Survey, which asked visitors to provide feedback on the quality of programs and services.

The survey responses show that visitor satisfaction, as it relates to individual

![Resident Perceptions of County Employees](chart)

**Note:** Average rating (0 = poor, 100 = excellent)

**Source:** 2006, 2008, 2013 Washington County Residential Survey

![2013 Park Visitor Satisfaction](chart)

**Source:** 2013 Park Visitor Survey
experiences at specific parks, is overwhelmingly positive. More than 95 percent of all respondents indicated they were either very satisfied or satisfied with their experience in the park they visited that day. High satisfaction correlates to a visitor’s perception of good value. Because parks, trails, and open spaces are often indicators of a high quality of life in a community, high user satisfaction within the park units suggest visitors consider Washington County Parks to be an important aspect of government services. Additionally in 2013, survey respondents indicated satisfaction (excellent, good, fair) with park staff in 97 percent of the surveys completed. This positive rating is similar to that reported in the 2010-2012 surveys.

**Volunteer Hours**

Washington County uses volunteers in many capacities. One example is in the Sheriff’s Office, which continues to use volunteers to meet the demands for service from the residents of Washington County.

The Sheriff’s Office volunteers are an asset to the Sheriff’s Office in many activities, including crime scene security, search and rescue, county park patrol, vacation checks, death notification, and water and snowmobile patrol. Volunteer groups include Reserve Deputies, Chaplain Corps, Explorers, Mounted Patrol, and Water Recovery.

The number of hours the volunteers put in each year is directly related to the needs of the Sheriff’s Office and the residents of Washington County. The number of hours has decreased over the last couple of years due to fewer volunteer members and the absence of a major incident in the county, such as a tornado or flood.

Using volunteers allows Sheriff’s Office deputies to remain accessible and responsive to residents while also reducing the operating costs of the Sheriff’s Office.

**Library Visits**

Because it provides free access to materials and resources, the public library plays an important role in giving everyone a chance to participate and succeed in a democratic society. Libraries are where residents learn about things that are new to them. Their collections broaden perspectives, change the way people see the world, and, at the most basic level, provide residents with free and open access to knowledge, information, and recreation.

In a May 2013 survey of Washington County residents, 94 percent of respondents age 18 and older rated county libraries excellent or good. The library was ranked among 26 benchmark counties nationwide and rated “much above”
average. In an environment in which many institutions are plagued with a lack of public confidence, libraries stand out as trusted and valued.

Residents made 979,090 library branch visits in 2013. The county restored 54.5 hours per week at six regional branches, from the previous year. Branches were open seven days and 289 hours per week. In 2014, 36 additional open hours per week were restored to branches. Branches in Cottage Grove, Woodbury, and Forest Lake are now open Sundays, 1 p.m. to 5 p.m., year round offering seven-day access to library resources and professional assistance to meet information needs.

In 2013, visitors to the Washington County Library (excluding Associate Libraries in Stillwater and Bayport and the Law Library):

- borrowed 2.2 million items;
- asked 75,920 reference questions;
- logged on to library computers 121,261 times (83,668 hours);
- attended 1,401 programs (33,206 participants); and
- attended 2,613 community meetings (22,898 participants).

County libraries had four in-person visits per capita in 2013. In-person visits peaked at more than 1 million in 2009 when nine libraries were open 349 hours per week. Historically, library use increases during periods of economic downturns and decreases during periods of economic recovery. In 2012, branches were closed Sundays and Mondays, reducing in-person access. On the other hand, digital downloads – including books, audiobooks, magazines, and information – using library digital applications increased 54 percent, from 85,776 in 2012 to 132,286 in 2013. As in-person visits decrease, the library's digital resources continue to grow as mobile computing becomes more popular and the library adds digital content.

**Veterans Service Office Outreach Services**

The Veterans Services Office (VSO) assists military veterans and their families or survivors with navigating both federal and state veterans’ systems.

The high ongoing demand on the VSO both in Washington County and throughout the state and nation is due to several factors: the continued deployment of troops in support of the conflicts in Iraq and Afghanistan, the retirement of “baby boomers” from past conflicts, and tough economic conditions. The needs of these veterans are being met through the benefit programs provided by the federal and state veterans’ departments. Veterans’ healthcare, service connected compensation, and burial benefits continue to be the most sought-after benefits from veterans.

Veterans living in Washington County have received benefits of increasing value for many years. The chart shows the number of veterans receiving medical benefits in Washington County and the average amount of benefits per veteran per year. As the number of veterans seeking medical benefits from the Minnesota Department of Veterans Affairs increases, the amount of medical benefit per veteran has stabilized and slightly decreased over the last few years.

### Work Crew Hours, Hourly Wages per Client

State law mandates that Washington County provide Day Training & Habilitation (DT&H) to adults with Developmental Disabilities (DD). DT&H are licensed support services to provide assistance in developing and maintaining life skills; participation in community life; and engagement in proactive and satisfying activities of one's choosing. It often involves assistance and training to engage in meaningful employment in a center or at a community business, which three out of the four DT&H providers in Washington County provide.

Approximately 450 persons currently receive DT&H in a population of more than 1,200 residents who receive DD
services. The county contracts with all four vendors who operate programs within its borders, East Suburban Resources, Opportunity Services, Midwest Special Services, and Phoenix Alternatives.

Enclaves or work crews give clients an opportunity to gain knowledge and experience in working in the community. A total of 193 clients (43 percent) out of all DT&H clients participate in the enclave programs from all three vendors. The average hours worked per client are 327 a year and the average wage per client is $3.27 an hour. The chart indicates vendor-specific averages.

### Cases Cleared by Investigations

Crime statistics are tracked in a number of ways. For instance, “cases” are individual incidents; “arrests” show how many subjects are involved. One case could involve multiple arrests. “Cases assigned” are the cases that are assigned to a division within the Sheriff’s Office.

The Investigation Division strives to clear or solve all crimes committed and assigned to the division. In reality, its goal is about 80 percent cleared. Investigators continue to work on older cases, and when new information becomes available, they reopen the older cases and try to solve them. In 2013, they continued to work cases from 2012. After clearing a number of older cases, the percentage cleared went from 70 percent at the end of 2012 to 80 percent cleared by the end of 2013.

According to the Twin Cities Compass website, crime rates have decreased gradually since 2000 in the seven-county metropolitan area. Washington County follows that trend.

### Criminal Charging Turnaround Time

Turnaround time for criminal charging is an important measure for prosecutors, since the decision to initiate a criminal prosecution impacts public safety, and the lives of victims, witnesses, and suspects. According to the National Prosecutors’ Standards set by the National District Attorney’s Association, prosecutors should, at the earliest practical time, decide whether criminal charges should be pursued.

This measure determines how long it takes a prosecutor’s office to make a decision of whether a criminal complaint should be filed once it receives a criminal investigation from a law enforcement agency. There are three types of decisions that can be made: to decline prosecuting a case; to defer the decision to allow for further investigation; and to determine...
what charges should be filed. This entire process involves reviewing the evidence provided by the law enforcement agency. Such evidence can include police reports, interviews of witness and victims, statements of any suspects, photographs, and test results, as well as a variety of other physical evidence, if available. The Washington County Attorney’s Office policy for filing charges is to charge cases based on the highest charge the state can reasonably expect to prove at trial. A charge should be filed when credible admissible evidence creates a reasonable probability of proving a criminal complaint beyond a reasonable doubt at trial.

The current county policy requires that a charging decision be made within two weeks of receiving a case for a defendant who is not in custody. If a case involves a victim who is endangered, a decision to charge, decline, or defer should be made immediately. All domestic abuse, child abuse, elder abuse, sexual assault, and homicide cases are priority cases and a decision is to be made as quickly as possible, but no later than 14 days after receiving the case. This policy went into effect in 2011 and is reflected in the statistics which show that the average turnaround time on criminal charging decisions was nine days. Prior to 2011, the policy required the decision to be made in 30 days on all cases in which the defendant is not in custody. Priority was given to cases involving crimes against persons versus property crimes. In 2013, the criminal division experienced its third straight year of exceeding the goal of 14 days to make a charging decision and the
**Early Literacy**

Children get ready to read years before they start school. According to the 1991 Carnegie Foundation report, “Ready to Learn: A Mandate for the Nation,” children who are read to three times a week or more do much better in later development. Children who have mastered basic reading skills by the end of second grade are more successful in school, have greater employment options, greater income potential, an enhanced quality of life, and are better informed citizens.

Children develop language skills by interacting with others and their physical surroundings. The library’s goal is to model five simple practices parents and caregivers can do with their child to help them get ready to read. The practices are talking, singing, reading, writing, and playing together. If the primary adults in a child’s life can learn more about the importance of early literacy and how to nurture pre-reading skills at home, the effect of library efforts can be multiplied many times.

Washington County Library uses a Storytime model to teach early literacy skills. In 2013, 18,818 children from birth to 6 years old and parents attended Baby, Preschool, and Family Storytimes, 14 percent more than in 2012. There were 25 additional Storytime sessions than the previous year. Average attendance at each of 664 Storytime sessions was 28, an 8 percent increase over 2012. Storytime popularity, as measured by the number of attendees, has grown by 47 percent since 2006.

More than 10,000 people attended other children's programs, including book clubs, author visits, arts and cultural heritage programs, and summer reading events. The library partnered with the Science Museum of Minnesota and installed a Smart Play Spot at the R.H. Stafford Branch in September 2013. The interactive experience, based on a Washington County Parks theme, is popular for preschoolers. The Smart Play spot engages children and adults in all of the early literacy skills.

**Pavement Condition Rating**

Maintaining pavement in a good condition is important from the standpoint of both user satisfaction (no one likes to drive on a rough road) and long-term performance (properly maintained roads last longer).

Washington County monitors the condition of every segment of the county highway system. A rating was developed for each segment based on the surface quality of the pavement. This rating is referred to as the Pavement Condition Index (PCI) and uses a scale of 0 – 100.

Data is collected for the pavement rating by both the Minnesota Department of Transportation and by the county. Analyzing the data provided by these sources allows the county to take a comprehensive look at the system, identify roadway segments in need of maintenance/repair, and determine the best strategies to maintain and improve the condition of the roadways.

The county’s goal is to maintain the overall system at a PCI of 72 or greater, with a minimum PCI of 40. Using these goals will ensure that, overall, the county roads are in a good condition and there are no roads that are in a very poor condition.

In 2013, the overall system had a PCI of 74, which exceeded the average PCI goal of 72. Approximately 18.5 centerline miles of roadway had a PCI of 40 or below. This was about 6.8 percent of the roadway system.
Tracking the PCI and identifying roads that fall below the minimum threshold are used to determine the effectiveness of the pavement preservation program and the adequacy of funding resources.

**Average Pavement Condition Index (PCI)**

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<th>Year</th>
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<td>2012</td>
<td>73</td>
</tr>
<tr>
<td>2013</td>
<td>73</td>
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</tbody>
</table>

Source: Washington County Public Works and Minnesota Department of Transportation

**2014 Bridge Ratings**

Bridges are considered structurally deficient if significant load-carrying elements are found to be in poor condition due to deterioration or the adequacy of the waterway opening provided by the bridge is determined to be extremely insufficient to the point of causing intolerable traffic interruptions.

The fact that a bridge is classified under the definition as “structurally deficient” does not imply that it is unsafe. A structurally-deficient bridge, when left open to traffic, typically requires significant maintenance and repair to remain in service and eventual rehabilitation or replacement to address deficiencies. To remain in service, structurally-deficient bridges are often posted with weight limits to restrict the gross weight of vehicles using the bridges to less than the maximum weight typically allowed by statute.

Analyzing bridge data allows the county to take a comprehensive look at the system and identify bridges that are in need of maintenance/repair or replacement. The replacement of a bridge usually takes several years to plan. There are 35 bridges on the county system, although 22 are culverts (with a minimum 10-foot span) and three are railroad bridges that pass over county roadways. Overall, the bridges under county jurisdiction are in good condition and there are no structurally-deficient bridges on the system. Valley Creek State Aid Highway 21, which was the only structurally-deficient bridge in the system, was replaced in 2013.

**Narcotics Cases and Arrests**

The Narcotics Unit is a multi-agency law enforcement unit working narcotics cases in the county. In addition to the Sheriff’s Office, it includes officers from Forest Lake, Cottage Grove, and Woodbury police departments.

Narcotics cases are tracked by the number of cases and arrests. Cases are individual incidents; arrests show how many subjects are involved. One case can involve multiple arrests.
As the drug of choice changes, so does the unit’s focus on a specific drug. In 2013, the drugs that were seen the most included high-grade marijuana, methamphetamine, cocaine, heroin, and illegal use of prescription drugs.

The Narcotics Unit reviews information to determine trends in drug trafficking and uses that information to strategize or plan future narcotics arrests. If investigators see an increase in drug traffic in a certain city or area of the county, they will then concentrate on that area.

### Permit to Carry and Purchase Applications Processed

Permit to carry a handgun applications are processed by the Sheriff’s Office for anyone who lives in Washington County. The county also can issue a permit to carry a handgun to people who live outside the State of Minnesota.

Permits to purchase a handgun are processed by the Sheriff’s Office for any resident who is not covered by a city law enforcement agency, such as the police departments in Forest Lake, Stillwater, or Woodbury.

The Sheriff’s Office continues to experience large numbers in permit to carry applications. In 2013, the Sheriff’s Office saw an all-time high in applications. This trend is being reported in all counties in the metropolitan area. A variety of factors could be causing the increase, including personal safety, school and workplace shootings, and the possibility of national and state gun law reform making it more difficult to purchase and carry a firearm.

The Sheriff’s Office has also seen an increase from out-of-state permit to carry applications, specifically from Wisconsin. Wisconsin residents may have a permit to carry a firearm in their state, but if they want a permit to carry in Minnesota, they may go to any county in Minnesota to apply for a permit to carry. Washington County shares a border with Wisconsin and also has a lower application fee than most Minnesota counties, which increases the number of out-of-state applications.

### Supportive Apartment Programs

In 2009, the Minnesota Department of Human Services (DHS) issued a moratorium on corporate foster care sites. Corporate foster care is a home setting in the community that is designed for persons who are unable to live independently due to physical, emotional, developmental, or mental health impairments. Clients receive individualized services based on their level of need, such as meals, support, supervision, and some assistance with personal care and living skills, as needed. Due to the moratorium, DHS encouraged counties to create alternatives to this model that are less restrictive and allow for an individual’s maximum independence. Washington County began developing supportive apartment programs in the...
community in 2009. These programs allow for clients to live in their own apartment with service providers going into their home to provide services. Some services are case management, home-delivered meals, homemaker, independent living skills, personal emergency response system, skilled nurse visit, transportation, and 24-hour emergency assistance.

The county had one supportive apartment program in 2009 and 2010, grew to two programs in 2011, and then added three more providers in 2012. In 2013, the county had six supportive apartment programs throughout the county, using four different providers. The addition of three new programs accounted for the 250 percent increase in client involvement in 2012.

This program has been successful in moving clients into more independent housing options. Since its inception, 65 clients have moved into the program with 48 percent (31 clients) coming out of corporate foster care. The remaining 35 clients (54 percent) were diverted from entering corporate foster care and instead were able to get their needs met in the community in a less restrictive setting.

At the end of 2013, 44 clients were in the supportive apartment programs. This is a success rate of 69.2 percent. Of the 21 that have left the program, almost 30 percent (six clients) have moved into their own apartment outside of these programs, 19 percent (four clients) have moved back into their family homes, and 19 percent (four clients) have re-entered corporate foster care.

Community Outreach

Several Washington County departments provide community outreach opportunities, including the Washington County Attorney's Office.

One of the ways the Attorney's Office plans for the future is training and teaching others. The goal of this outreach is to help residents, staff, and community partners stay informed and plan for the future, as well as educate and protect county departments from liability. Community partners, such as cities, the courts, and professional state organizations, also benefit from training in various aspects of the law that keep professionals educated in the latest laws, regulations, and trends.

In 2013, the Washington County Attorney’s Office provided 11 educational seminars to residents of the county on the topics of the veteran’s diversion program, senior safety tips, and preventing identity theft. Six trainings were conducted for county departments on a variety of topics, including legislative updates, safety when using Facebook, and civil commitments. There were 31 trainings conducted for the county’s community partners in law enforcement, as well as prosecutors, primarily in the area of prosecution and investigations, and presenting evidence. Eight presentations focused on schools. Two trainings were specifically for school administrators and school resource officers to assist them in addressing investigations in the school, cyberbullying, and sexting. Six other trainings were given directly to high school and college students on the topics of cyberbullying, prosecution, and the criminal justice system.

The Washington County Attorney’s Office increased trainings by six in 2013. Since 2011, when these free trainings were instituted on a broad and concerted basis, every year has seen an increase in the number of trainings provided, topics offered, and audiences reached. As laws change and trends related to crime change, the Attorney's Office continues to plan for the future by adding new outreach opportunities.

County Communication

The Washington County Board of Commissioners and county staff continue to seek the most effective ways to communicate with residents and to hear what residents have to say. Today’s technology allows much of that communication to take place electronically, through websites, email, streaming video, web streaming County Board meetings, and use of social media.

To take full advantage of those opportunities, the county strives to provide pertinent information on its website, as well as opportunities for people to sign up for email and text notifications.
(e.g., board agendas, information about the Board of Commissioners’ activities, bid postings, and property tax reminders).

The county launched a redesigned website in November 2012, one that makes it easier for readers to navigate and find information. About 100,000 visits are made to the county’s website each month. It has new features to streamline services to residents, and provides better opportunities for residents to interact with county officials and staff. It also has tools that allow staff to respond to residents’ requests and needs. Recently, the county added the capability of webstreaming live County Board meetings, and an archive of those meetings is available on the county website.

The county has also launched a number of social media sites, specific to county services, to provide timely information to residents, and an opportunity for residents to ask questions and respond to events in the county. The number of county sanctioned social media sites increased in 2013 from a few pilot sites to eight Facebook and several Twitter sites with regular content provided by county staff.

In addition, the County Board increased the number of editions of Staying In Touch, the county’s newsletter, from two to three each year. The newsletter is sent to more than 100,000 residences in the county.
Technical Hardware Infrastructure Status

The county strives to proactively manage its computing infrastructure and replace components as needed to ensure that a healthy, secure, stable, and reliable computing environment is maintained.

The county’s information technology hardware infrastructure consists of desktop personal computers (PC), monitors, laptop computers, routers, servers, Network Appliances and uninterruptible power supplies (UPS). Each component has a lifecycle recommended by industry standards.

The recommended lifecycles are based on the Total Cost of Ownership (TCO) of these devices, which takes into account the direct costs of purchasing the device and the indirect costs of supporting and operating it over time. Research indicates that for the average enterprise, indirect cost elements may contribute 50 percent or more of the overall TCO. Industry studies indicate that it may increase the TCO by 18 to 20 percent more per year to maintain these devices an extra year beyond their recommended lifecycle.

The county’s objective is to maintain a stable hardware infrastructure and to ensure that all hardware components remain in a healthy status to provide Washington County with an optimal balance of performance and cost effectiveness. The charts indicate the computing infrastructure is within industry standards for recommended lifecycles.

The county has now centralized purchasing and inventory control for monitors, desktop PCs, and laptop computers with the Department of Information Technology. This has streamlined the procurement, configuration, deployment, and lifecycle/recycle/disposal processes resulting in reduced costs and the elimination of redundant paperwork by multiple departments.

Managing Computer Infrastructure

According to industry technology experts, a critical requirement for success in managing PCs and laptop computers is to reduce the complexity of the computing environment. Minimizing the number of unique PC configurations has a direct effect on making PC lifecycle configuration management more efficient and less costly.

To improve the quality and cost-effectiveness of service, the county has established standardized hardware configurations for each purchasing year.
Each year, county IT staff review and revise the hardware standards for the county, weighing the technology currently available against the business needs of the county. Creating standards reduces the time associated with troubleshooting and resolving technological problems. This helps the county better manage today’s needs while also identifying future needs.

In 2013, 100 percent of all county PCs and laptop computers were in compliance with the standard established in the year they were purchased.

Outstanding Debt per Capita, Debt Service Levy per Capita

Washington County has chosen to impose upon itself a debt limit that is lower than the debt limit imposed by state law.

The county’s most recent bond issue in 2011 lead to an increase in the debt per capita for 2012. That was reduced by 2013, while the debt service levy per capita remains fairly stable. The bond issue funded a variety of major road projects to meet the transportation needs of county residents, as well as provided funding for a voter-approved Land and Water Legacy Program, which will preserve sensitive water and land resources throughout the county. The county’s long-term capital project planning allows capital borrowing for these projects, while providing property owners with stable levels of tax levies for debt service. The next planned bond issue is slated for 2015.
To maintain public trust through responsible use of public resources, accountability, and openness of government

### Awards and Audit Opinions for County Financial Reports

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Note: “Unqualified” means that the auditor has tested the information presented and has found full compliance with the prescribed standards. The auditor then can issue an opinion without noting any exceptions or qualifications.

**Source:** Washington County Accounting and Finance

### Financial Reporting – Comprehensive Annual Financial Report

Washington County participates in a variety of reporting programs to maintain the quality of its financial reporting practices and ensure openness and accountability. Independent audits assure the public that reports of county finances are accurate and fairly represent its financial activity.

One of the programs in which the county participates is the Government Finance Officers Association’s Certificate of Excellence in Financial Reporting Program. The report produced for this program must adhere to the highest standards in governmental financial reporting. In 2012, the county was awarded its 28th consecutive certificate, affirming that the county’s annual financial statements are accurate and fairly represent its financial activity. The auditor can then issue an opinion without noting any exceptions or qualifications. An “Unqualified” opinion means that the auditor has tested the information presented and has found full compliance with Generally Accepted Accounting Principles.

### Bond Ratings

The county’s participation in the financial markets takes the form of bond sales.

### Bond Issue Rating by Credit Rating Agency

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*Note: Bond issue insured resulting in upgrade to credit rating for bond sale.*

*Bonds issued by Washington County Housing and Redevelopment Authority with the county’s General Obligation

**Source:** Washington County Accounting and Finance
Each bond sale is subject to a rating that evaluates the county’s economic stability, management practices, and financial prospects by independent bond rating agencies.

Washington County holds the highest rating obtainable from both Standard & Poor’s Ratings Services and Moody’s Investors Service. The strong credit ratings are indicators of an adequate and diverse economic base, a strong tax base, solid financial management, and moderate debt levels with manageable future debt needs. The county has maintained its bond ratings through the rating agencies’ methodology changes in 2013. The county is confident that the county will be able to maintain its excellent bond ratings into the future.

Levy per Capita

The County Board begins each budget cycle by adopting principles to guide the process. The guiding principles include focusing on core county functions that improve outcomes and making strategic investments in the county’s human resources and technology. Placing qualified employees in all positions and providing them with training and up-to-date technological tools allows them to provide county services as efficiently as possible. As a result, the County Board has been able to maintain one of the lowest levies per capita of counties in Minnesota, and has avoided large fluctuations in the levy when large capital projects are necessary or increased service demands need to be met. In comparison to the other counties in the seven-county metropolitan area, Washington County has the third lowest levy per capita.

Operating Costs per Capita

Operating costs per capita have remained fairly stable over the last five years and remain near the lowest of any of the 87 Minnesota counties. These costs actually decreased during the Great Recession, while population and service demand continued to increase. The number

<table>
<thead>
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<th>Actual Operating Costs per Capita</th>
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</tr>
<tr>
<td>Cost per Capita</td>
</tr>
</tbody>
</table>

Note: Numbers rounded to nearest hundred.

* Population estimates from 2008-2009 and 2011-2012 are from the Metropolitan Council. 2010 population reflects the 2010 Census data. 2013 estimates were not available at the time of publication.

Source: Washington County Administration
increased slightly in 2013, but still remains low relative to other counties. Tracking this measure allows the county to gauge the success of the county’s efforts to improve efficiencies.

The residents of Washington County expect a high level of service and good value for their tax dollars. To meet those expectations, the county must continue to identify ways to streamline processes and make service delivery more efficient.

Many departments have used process and quality improvement techniques, such as Lean and Kaizen events, and have successfully eliminated tasks or work steps that were not adding value. The ability to successfully implement these process improvements is vital as the county population continues to grow and service demands increase in many areas.

**FTEs per 1,000 Population**

Washington County’s core function is service not producing materials. As a result, having a high quality workforce is critical. The county labor force was reduced slightly in 2009, and again in 2010. While the labor force decreased, the demand from residents requesting more services to help them weather the economic recession increased. Demands for social services, job search programs, and library services increased dramatically. Increased employee efficiency, through the implementation of appropriate technology and a focus on core and mandated functions, enabled the county to continue to provide quality services with a smaller workforce. The workforce increased in 2013, but has yet to regain the employee-to-resident ratio experienced before the Great Recession.

**Human Services Costs per Capita**

The county strives to provide quality services to residents in a cost-effective manner that demonstrates the responsible use of public resources. Many human services programs are complex and mired in state and federal mandates, making it difficult to keep administrative costs low.

The Minnesota Department of Human Services (DHS) tracks all costs associated with the provision of all human service programs for each county and releases an annual report outlining spending for economic support programs, health care programs, and social service programs. This allows the state, and the counties, to build the public trust through transparency in government.

The most recent DHS report is for calendar year 2012. Washington County’s Total Human Services Cost Per Capita was $1,039, the second lowest in the state. The Administrative Human Services Cost Per Capita for the county was $75, which continues to be the lowest in the state. While the Human Services Cost Per Capita went up 2.5 percent, the county administrative cost decreased by 3.8 percent from 2011. Both numbers are well below the state average of $2,065 and $162, respectively.

**Maintenance Costs per Mile**

Washington County strives to provide and maintain a safe, efficient, and cost-effective transportation system to meet the needs of the public in an environmentally responsible manner. To ensure accountability and the responsible use of public resources, a summary of road maintenance costs per mile is reported. This measurement monitors the average cost to maintain a mile of roadway in the county. These costs have remained essentially flat from 2009 to 2011, with a slight decrease in 2012.

Many factors affect the cost to maintain the investment made in the county highway system. These include:
- price of fuel – the county has improved the predictability of fuel prices by joining the statewide fuel consortium for 80 percent of its annual fuel purchases;
- increased efficiency in snow and ice
control – county snow and ice control technology continues to advance allowing operators to more effectively use time and materials to keep roads clear;
• staff costs – the county works to manage staff costs, by sharing resources, cross-training employees, and prioritizing work to maximize staff resources.

Using 2008 as a baseline, and comparing to inflation-adjusted costs, the county has continued to reduce road maintenance costs per mile over the last five years.

Building Energy Efficiency

A common way to assess the performance of a building’s energy consumption is identifying the energy use intensity. The Energy Use Intensity, or EUI, is a very useful indicator of long-term energy efficiency trends. ENERGY STAR™, a U.S. Environmental Protection Agency voluntary program that helps businesses and individuals save money and protect the climate through superior energy efficiency, has defined an EUI as “a unit of measurement that describes a building’s energy use.” EUI represents the energy consumed by a building relative to its size.

A building’s EUI is calculated by taking the total energy consumed in one year in thousand British thermal units (kBtu) and dividing it by the total square feet of the building. This provides a picture of long-term energy efficiency trends for each building as well as for the entire organization. The lower the energy use intensity number, the better the energy performance.
The cost of electricity, natural gas, and fuel oil has risen significantly in the last several years. Due to this financial volatility, benchmarking building energy performance by annual costs can be inaccurate. However, the efficiency of energy use (EUI) in a building can be benchmarked by establishing an annual energy use reference for comparing buildings of similar size, functional use, and operating schedules. This benchmark can also be used to track monthly savings generated by the application of energy conservation initiatives.

The Washington County Energy Plan has identified a goal of reducing energy consumption by 10 percent by 2017.

**Jail Bed Days Saved Through Sentence-to-Service Program**

The county’s Sentence-to-Service (STS) program exemplifies the county’s commitment to use resources responsibly. The program saves the county thousands of dollars each year in jail costs while affording offenders an opportunity to repair the harm to the community that resulted from their criminal behavior.

Through the STS program, offenders, under the supervision of trained county-employed crew leaders, perform work service in the community as an alternative to serving time in jail. The program completes projects for various government, public, or private non-profit agencies throughout the county. In 2013, offenders participating in STS worked 77,108 hours. Those hours worked resulted in a savings to the county of 9,639 jail bed days (one day of jail time served by one inmate at an estimated cost of $113 per day). Using the estimated daily jail cost noted above, the STS program saved the county $1,089,207 in jail costs in 2013. The number of jail days saved by STS in 2013 decreased from the number in 2012 in large part due to a smaller number of offenders referred to the program. The decrease in the number of offenders sentenced to the STS program coincides with the overall decrease in the number of arrests and convictions in Washington County over the last few years.
Library Value

The Washington County Library provides a variety of goods and services that save residents money. Library customers borrow and download books, magazines, movies, and music. They access computers, software, and wireless networks. Fans meet authors and families enjoy art, music, and drama. Customers learn computer and business skills, and receive help with homework and job searches from experts. They read in comfortable environments and study in quiet spaces. They join friends, colleagues, and neighbors to conduct business and discuss ideas in meeting rooms.

In 2013, Washington County Library customers received more than $61 million in services in return for $6 million in property taxes.

For every property tax dollar the county invested in the library, residents received more than $10 in services. On average, each household received $774 in services for its $75 investment. By borrowing or downloading three or four titles from the library each year, property owners save enough to pay the property tax levied to support library service.

The Washington County Library Value Spreadsheet calculates the value of library services based on average retail values. The spreadsheet values assume that residents would purchase or rent the same amount of services they actually used. Of course, customers would not necessarily purchase goods or services if they were not available at their public library. Because library services are shared, customers benefit regardless of whether the services are available elsewhere.

### Washington County 2013 Library Value Calculator

<table>
<thead>
<tr>
<th>Library Use</th>
<th>Library Services</th>
<th>Estimated Retail Value</th>
<th>Value to Customers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,783,744 Book</td>
<td></td>
<td>$23.50</td>
<td>$41,917,984</td>
</tr>
<tr>
<td>74,344 Paperback book</td>
<td></td>
<td>$7.00</td>
<td>$520,408</td>
</tr>
<tr>
<td>51,643 Magazine</td>
<td></td>
<td>$5.00</td>
<td>$258,215</td>
</tr>
<tr>
<td>284,883 DVD</td>
<td></td>
<td>$22.00</td>
<td>$6,267,426</td>
</tr>
<tr>
<td>121,478 Music CD</td>
<td></td>
<td>$16.00</td>
<td>$1,943,648</td>
</tr>
<tr>
<td>119,155 Audiobooks</td>
<td></td>
<td>$41.00</td>
<td>$4,885,355</td>
</tr>
<tr>
<td>130,454 eBook, eAudiobook, eMagazine</td>
<td></td>
<td>$15.00</td>
<td>$1,956,810</td>
</tr>
<tr>
<td>3,117 eNewspaper article</td>
<td></td>
<td>$1.00</td>
<td>$3,117</td>
</tr>
<tr>
<td>6,205 Kit</td>
<td></td>
<td>$75.00</td>
<td>$465,375</td>
</tr>
<tr>
<td>3,431 Online tutoring per hour</td>
<td></td>
<td>$35.00</td>
<td>$120,085</td>
</tr>
<tr>
<td>2,424 Online job coaching per hour</td>
<td></td>
<td>$35.00</td>
<td>$84,840</td>
</tr>
<tr>
<td>9,477 Interlibrary loan</td>
<td></td>
<td>$30.00</td>
<td>$284,310</td>
</tr>
</tbody>
</table>

**Washington County Library Only**

<table>
<thead>
<tr>
<th>Library Use</th>
<th>Library Services</th>
<th>Estimated Retail Value</th>
<th>Value to Customers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,613 Meeting Room</td>
<td></td>
<td>$50.00</td>
<td>$130,650</td>
</tr>
<tr>
<td>3,379 Program or class - adult</td>
<td></td>
<td>$10.00</td>
<td>$33,790</td>
</tr>
<tr>
<td>28,909 Program or class - child</td>
<td></td>
<td>$6.00</td>
<td>$173,454</td>
</tr>
<tr>
<td>83,668 Computer use per hour</td>
<td></td>
<td>$12.00</td>
<td>$1,004,016</td>
</tr>
<tr>
<td>75,920 Reference question</td>
<td></td>
<td>$15.00</td>
<td>$1,138,800</td>
</tr>
</tbody>
</table>

**Total Value** $61,188,283

*The Washington County Library Value Spreadsheet is adapted from the Library Use Value Calculator originally provided by the Massachusetts Library Association in 2004. 2011 estimated retail values are adapted from modifications made by the Maine State Library. Numbers are for Washington County Library and Associate Libraries unless otherwise noted.

Source: Washington County Library*
Worker’s Compensation Claims

Reducing the number and severity of work-related injuries and illnesses is one indicator of the effectiveness of loss control, case management, and return-to-work programs. In 2013, 31 percent of the injury claims for county employees resulted from slips and falls. Other common work-related injury claims were a result of being hit or struck by stationary or moving objects, and injuries sustained during defensive tactic training.

Missing work as a result of the injury and/or working with physical restrictions are two criteria utilized by the Occupational Safety and Health Administration to determine whether an injury should be counted in the Lost Workday rate per 100 employees. This calculation measures the severity of the county claims.

By comparing the county’s injury rates with other Minnesota counties, the county is able to benchmark how effective the loss control, case management, and return-to-work programs are in relationship to similar entities and operations. The county’s goal for 2015 is to reduce the total number of lost workday rate to 1.5 per 100 employees. Some of the initiatives to reduce injuries include continuing to partner with other metropolitan counties on a slip/trip/fall awareness campaign, increased hazard assessments, safety audits, and employee education, involvement, and awareness.

Lost Workday Cases

<table>
<thead>
<tr>
<th>Year</th>
<th>Carver</th>
<th>Dakota</th>
<th>Hennepin</th>
<th>Olmsted</th>
<th>Ramsey</th>
<th>Washington</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>0.91</td>
<td>1.23</td>
<td>1.40</td>
<td>0.33</td>
<td>1.85</td>
<td>1.57</td>
</tr>
<tr>
<td>2008</td>
<td>2.75</td>
<td>0.78</td>
<td>1.50</td>
<td>0.92</td>
<td>3.15</td>
<td>1.54</td>
</tr>
<tr>
<td>2009</td>
<td>1.37</td>
<td>0.56</td>
<td>1.41</td>
<td>1.25</td>
<td>2.49</td>
<td>1.39</td>
</tr>
<tr>
<td>2010</td>
<td>1.08</td>
<td>0.81</td>
<td>1.27</td>
<td>0.71</td>
<td>2.37</td>
<td>1.21</td>
</tr>
<tr>
<td>2011</td>
<td>2.95</td>
<td>0.85</td>
<td>1.57</td>
<td>0.93</td>
<td>2.11</td>
<td>1.23</td>
</tr>
<tr>
<td>2012</td>
<td>2.04</td>
<td>1.00</td>
<td>1.30</td>
<td>1.15</td>
<td>2.59</td>
<td>1.84</td>
</tr>
<tr>
<td>2013</td>
<td>2.01</td>
<td>1.39</td>
<td>1.37</td>
<td>1.11</td>
<td>N/A</td>
<td>1.80</td>
</tr>
</tbody>
</table>

Source: Metropolitan Counties Occupational Health and Safety Logs

Injury Rate Per 100 Employees

<table>
<thead>
<tr>
<th>Year</th>
<th>Carver</th>
<th>Dakota</th>
<th>Hennepin</th>
<th>Olmsted</th>
<th>Ramsey</th>
<th>Washington</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>2.72</td>
<td>2.03</td>
<td>2.50</td>
<td>4.08</td>
<td>3.37</td>
<td>3.34</td>
</tr>
<tr>
<td>2008</td>
<td>3.82</td>
<td>1.15</td>
<td>2.80</td>
<td>1.26</td>
<td>5.71</td>
<td>2.50</td>
</tr>
<tr>
<td>2009</td>
<td>2.74</td>
<td>2.28</td>
<td>2.07</td>
<td>3.22</td>
<td>4.45</td>
<td>2.40</td>
</tr>
<tr>
<td>2010</td>
<td>2.01</td>
<td>1.43</td>
<td>2.17</td>
<td>3.55</td>
<td>3.77</td>
<td>2.01</td>
</tr>
<tr>
<td>2011</td>
<td>3.32</td>
<td>1.05</td>
<td>2.45</td>
<td>3.24</td>
<td>3.61</td>
<td>2.26</td>
</tr>
<tr>
<td>2012</td>
<td>2.35</td>
<td>1.66</td>
<td>2.08</td>
<td>3.62</td>
<td>3.73</td>
<td>2.55</td>
</tr>
<tr>
<td>2013</td>
<td>2.19</td>
<td>2.65</td>
<td>2.32</td>
<td>3.34</td>
<td>N/A</td>
<td>3.41</td>
</tr>
</tbody>
</table>

Source: Metropolitan Counties Occupational Health and Safety Logs
To maintain its strong focus on continuous improvement and benchmarking, Washington County uses a variety of measures to manage throughout the organization. Examples of these measures are available in the county budget, this report, and by contacting county offices. The county tracks a number of items in addition to those included in the 2013 Annual Performance Report. A sample of these additional measures, organized by goal and department, is presented in the following pages.

By County Goals

To promote the health, safety, and quality of life of citizens

- Community service hours completed through the Sentence-to-Service program
- Percent of adult and juvenile closed cases with a restitution in which restitution was paid in full at the time of case closing
- Dislocated Worker Program outcomes (e.g., did they find work, get a degree, etc.)
- Number of child/adult abuse/neglect reports
- Timeliness to initial contact for child maltreatment reports
- Rate of initial entry and, if applicable, rate of re-entry into foster care
- Participation rate for Supplemental Nutritional Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF), Minnesota Family Investment Program (MFIP), and Diversionary Work Program (DWP) participation rates
- Use of digital resources such as e-books, downloadable audiobooks and information databases
- Number of hazardous waste generators licensed
- Parks usage
- Number of Sheriff’s certificates of foreclosure
- Percent of voter turnout during countywide elections
- Number of registered voters
- Number of cases assigned in the Sheriff’s Office
- Number and percentage of cases cleared in the Sheriff’s Office
- Percent of juvenile cases not prosecuted
- Number of felony complaints
- Number of gross misdemeanor complaints
- Number of misdemeanor cases
- Pertussis cases and rates
- Immunizations at regular, special, and flu clinics
- Household hazardous waste collected
- Direct nursing visits provided to jail inmates
- Local Technical Assistance Review (LTAR) overall preparedness score
- Ratings for Quality of Life

To provide accessible, high-quality services in a timely and respectful manner

- Turnaround time for juvenile charging
- Average number of offenders on a traditional caseload for adult division probation officers
- Percent of Information Technology Service Desk Issues within Service Level Agreement target times
- Percent and types of Information Technology Service Desk Issues
- Total Information Technology Service Desk issues entered per year
- Number of sessions and hours of use of public Internet workstations
- Number of telephone calls in Property Records and Taxpayer Services
- Number of counter interactions in Property Records and Taxpayer Services
- Land and parcel changes, maintenance, and costs

To address today’s needs while proactively planning for the future

- Annual turnover rate for Washington County employees
- Annual number of Washington County employee training hours
- Minnesota Family Investment Program (MFIP) and Diversionary Work Program (DWP) Three Year Self Support Index
- Hours of public Internet access on library PCs
- Number of absentee ballot applications processed and mailed out
- Number of website hits on Property Records and Taxpayer Website revenues
- Number of email subscription service requests completed
- Annual number of Sentence-to-Service hours worked
- Total dollars Sentence-to-Service jail days saved
- Number of items loaned by topic and format and by age, gender, and
residence of the customer at libraries
• Number of reference transactions by type, duration, and resources used at libraries
• Number of public uses of library conference and meeting rooms

To maintain resources, accountability, and openness of government
• Number of auditor’s findings on internal control and material weaknesses
• Annual average investment rates
• Cost and number of children in out-of-home placement
• Child support collections per dollar of program spending (cost effectiveness)
• Actual days to pay invoices in Accounting and Finance
• Return of collection revenues per dollar of cost
• Total cost of worker’s compensation claims
• Library space per capita
• Cost of library service per capita
• Total costs to maintain outlying government buildings
• Historic Courthouse grant, fundraiser, and donation revenues
• Number of civil process papers
• Number of foreclosures served
• Number of 911 calls and total calls to the Communications Center
• Number of volunteer hours for the Sheriff’s Office

By Department

Accounting and Finance
• Number of auditor’s findings on internal control and material weaknesses
• Annual average investment rates
• Actual days to pay invoices in Accounting and Finance
• Return of collection revenues per dollar of cost

Administration
• Number of email subscription service requests completed
• Number of visits to the home page on WashNet, the county intranet site
• Number of budget amendments processed through county electronic requests for board action (e-RBA) process
• Number of county board workshops focused on the county budget

Attorney’s Office
• Turnaround time for juvenile charging
• Percent of juvenile cases not prosecuted
• Number of felony complaints
• Number of gross misdemeanor complaints
• Number of misdemeanor cases

Community Corrections
• Average number of offenders on a traditional caseload for adult division probation officers
• Community service hours completed through the Sentence-to-Service program
• Percent of adult and juvenile closed cases with a restitution in which restitution was paid in full at the time of case closing
• Annual number of Sentence-to-Service hours worked
• Total dollars Sentence-to-Service jail days saved

Community Services
• Dislocated Worker Program outcomes (e.g., did they find work, get a degree, etc.)
• Number of child/adult abuse/neglect reports
• Timeliness to initial contact for child maltreatment reports
• Rate of initial entry and, if applicable, rate of re-entry into foster care
• Participation rate for Supplemental Nutritional Assistance Program (SNAP)
• Temporary Assistance for Needy Families (TANF), Minnesota Family Investment Program (MFIP), Diversionary Work Program (DWP) participation rates
• Minnesota Family Investment Program (MFIP) and Diversionary Work Program (DWP) Three Year Self Support Index
• Cost and number of children in out-of-home placement
• Child support collections per dollar of program spending (cost effectiveness)

Human Resources
• Total cost of worker’s compensation claims
• Annual turnover rate for Washington County employees
• Annual number of Washington County employee training hours

Information Technology
• Percent and Service Desk Issues within Service Level Agreement target times
• Percent of types of Service Desk Issues
• Total Service Desk issues entered per year

Library
• Number of items loaned by topic and format and by age, gender, and residence of customer
• Number of reference transactions by type, duration, and resources used
• Use of digital resources such as ebooks, downloadable audiobooks, and information databases
• Number of sessions and hours of use of public Internet workstations
• Number of public uses of library conference and meeting rooms
• Library space per capita
• Cost of library service per capita

Public Health and Environment
• Pertussis cases and rates
• Immunizations at regular, special, and flu clinics
• Household hazardous waste collected
• Direct nursing visits provided to jail inmates
• Local Technical Assistance Review (LTAR) overall preparedness score

Property Records and Taxpayer Services
• Number of telephone calls in Property Records and Taxpayer Services
• Number of counter interactions in Property Records and Taxpayer Services
• Compliance turnaround times for Property Records and Taxpayer Services
• Number of absentee ballot applications processed and mailed out
• Number of website hits on Property Records and Taxpayer Website
• Number of Sheriff's certificates of foreclosure
• Percent of voter turnout during countywide elections
• Number of registered voters

Public Works
• Parks usage
• Land and parcel changes, maintenance, and costs
• Total costs to maintain outlying government buildings
• Historic Courthouse grant, fundraiser and donation revenues

Sheriff’s Office
• Number of civil process papers
• Number of foreclosures served
• Number of 911 calls and total calls to the Communications Center
• Number of volunteer hours for the Sheriff’s Office
• Number of cases assigned in the Sheriff’s Office
• Number and percentage of cases cleared in the Sheriff’s Office
Washington County, Minnesota
2014 At-A-Glance

POPULATION
Washington County Population (2012) 243,313*
Median Age (both genders) 38.5 (2012) **
Population in Minnesota 5 of 87 counties *
Population age 18 and over 181,350 **
Population age 65 and over 28,580 **
Percent with Bachelor’s Degree or higher 42.3% **
Housing Units 94,203 **
Households 89,875 *
Average Household Size 2.69 **

Projected Growth 2010 to 2040
Number of New Residents Forecast 99,374 (+ 42%) ***
Number of New Households Forecast 47,161 (+ 54%) ***
Projected Population in 2040 337,510 ***
Projected Households in 2040 135,020 ***
Projected Employment in 2040 104,490 ***

Source: * Metropolitan Council Estimates as of April 1, 2012
** 2012 American Community Survey (margin of error not included)
*** Metropolitan Council Thrive MSP 2040

ECONOMIC
Median Household Income $80,246 *
Per Capita Personal Income (2012) $52,081 **
Percent of People Below the Poverty Level 5.5% *
Percent of Families Below the Poverty Level 3.8% *
Average Residential Value (Single Family Dwelling/Townhouse/Condo) $241,800 ***
Median Residential Taxable Market Value-pay 2014 $204,900 ****
New Houses (Single Family Dwelling/Townhouse/Condo) 678 ***

Mean Commute Time Travel for Work 25.8 minutes *

Source: * 2012 American Community Survey (margin of error not included)
** U.S. Bureau of Economic Analysis
*** Washington County’s 2013 Assessment Report
**** Washington County Property Records and Taxpayer Services

LABOR FORCE

Employment Statistics (a)
Annual Labor Force 134,931
Number of County Residents Employed 128,724
Unemployed 6,207
Unemployment Rate (MN 5.1%) 4.6%

2013 Top 10 Taxable Market Values (b)
Xcel Energy 418,725,700
Tamarack Village Shopping & Center 69,577,900
3M Company 53,880,900
Grand Reserve Apartments Corp. 45,237,100
Boutwells Landing LLC 44,032,800
Menard Inc. 42,201,300
Imation, Corp. 42,050,000
DBRA Red Woodbury LLC 40,764,900
TMF I Valley, LLC 32,955,500
Woodbury Village Shopping Center LP 32,886,400

Occupations (c)
Management, business, science, and arts 43.8%
Service 14.8%
Sales and office 25.9%
Natural resources, construction, and maintenance 5.9%
Production, transportation, and material moving 9.5%

Source: (a) Minnesota Department of Employment and Economic Development (2013 annual average not seasonally adjusted)
(b) Washington County Property Records and Taxpayer Services
(c) 2012 American Community Survey (margin of error not included)

HUMAN SERVICES

No Health Insurance Coverage * 6.3%
Rate of Homelessness per 10,000 residents (2006) 3.7% **
Minnesota Healthcare Programs (2012) $137.9 million ***
Cash & Food Support (2012) $20.7 million ***

Source: * 2012 American Community Survey (margin of error not included)
** Wilder Research, Minnesota Statewide Survey of People without Shelter (2006), and U.S. Census Bureau (2007)
*** Washington County Community Services
* Includes civilian non-institutionalized population

COUNTY BUDGET & PERCENTAGES

Total 2013 Budget * $173,184,500

Revenue Sources *
Net Levy including Regional Rail Authority 50%
Intergovernmental 25%
Fees, Licenses, and Fines 10%
Investment Income, Rents, Miscellaneous 6%
Other Taxes 5%
County Program Aid 4%

Expenditures *
Personnel Services 50%
Services and Charges 18%
Capital Outlay 11%
Client/Citizen Related Support 10%
Debt Service 7%
Materials and Supplies 4%

County Budget Comparison ** 2012 2013
Operating $139.8 million $142.8 million
Capital $21.0 million 18.3 million
Debt $12.5 million $12.1 million
Total $173.4 million $173.2 million

County General Obligation Bond Rating
Moody’s Aaa
Standard & Poor’s AAA

County Tax Rate (with Library) 2013 34.19% 2012 31.93% 2011 29.77% 2010 27.78%

Source: * Washington County Office of Administration
** Rounded to the nearest whole number
*** Rounded to the nearest tenth

Data in At-A-Glance reflects a one-time snapshot of the county. The data will continue to change between now and the next At-A-Glance. Please check with the sources for the most recent information.

At-A-Glance is prepared by the Washington County Office of Administration.
### LAND USE

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Total Acres</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>52,877</td>
<td>19.5</td>
</tr>
<tr>
<td>Commercial</td>
<td>3,702</td>
<td>1.4</td>
</tr>
<tr>
<td>Industrial</td>
<td>4,597</td>
<td>1.7</td>
</tr>
<tr>
<td>Institutional; Park &amp; Recreational</td>
<td>30,071</td>
<td>11.1</td>
</tr>
<tr>
<td>Major Roadways</td>
<td>2,844</td>
<td>1.1</td>
</tr>
<tr>
<td>Agricultural and undeveloped</td>
<td>150,294</td>
<td>55.5</td>
</tr>
<tr>
<td>Mixed use and Airport</td>
<td>576</td>
<td>.2</td>
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<tr>
<td>Open Water Bodies</td>
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<td><strong>Total</strong></td>
<td><strong>270,756</strong></td>
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Source: Metropolitan Council Generalized Land Use Historical Data Set 2010

### GEOGRAPHY

- **Total Area**: 423.2 sq. miles
- **Land Area (Without Water)**: 391.7 sq. miles
- **Maximum county width**: 13.8 miles
- **Maximum county length**: 40.4 miles
- **County total area rank in Minnesota**: 83 of 87 counties

### LOCAL UNITS OF GOVERNMENTS & DISTRICTS

- **Number of Cities** (See map to right): 27 *
- **Number of Townships** (See map to right): 6

#### Watershed Districts

- Brown’s Creek: (651) 275-1136 x26
- Carmelian Marine: (651) 433-2150
- Comfort Lake – Forest Lake: (651) 209-9753
- Ramsey-Washington Metro: (651) 792-7950
- Rice Creek: (763) 398-3070
- South Washington: (651) 714-3729
- Valley Branch (Engineer): (952) 832-2622

#### Independent School Districts

- I.S.D. 200 (Hastings): (651) 480-7000
- I.S.D. 622 (North St. Paul): (651) 748-7411
- I.S.D. 624 (White Bear Lake): (651) 407-7500
- I.S.D. 831 (Forest Lake Area): (651) 982-8100
- I.S.D. 833 (South Washington County): (651) 458-6300
- I.S.D. 834 (Stillwater Area): (651) 351-8340
- I.S.D. 916 (Valley Crossing): (651) 415-5657
- I.S.D. 2144 (Chisago Lakes): (651) 213-2000
- I.S.D. 6067 (Crosswinds): (651) 379-2600

### Washington County Facilities

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<th>Types of Facilities</th>
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<tr>
<td>Government Center - Stillwater (County Seat)</td>
<td>(651) 430-6000</td>
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<tr>
<td>County Service Center - Cottage Grove</td>
<td>(651) 430-4075</td>
<td>1</td>
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<td>County Service Center - Forest Lake/Headwaters</td>
<td>(651) 275-7200</td>
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<td>County Service Center – Woodbury</td>
<td>(651) 275-8600</td>
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<td>County Branch Libraries</td>
<td>(651) 275-8500</td>
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<td>License Centers</td>
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<td>County Parks</td>
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<td>Historic Courthouse</td>
<td>(651) 275-7075</td>
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<td>Law Enforcement Center</td>
<td>(651) 439-9381</td>
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<td>Household Hazardous Waste</td>
<td>(651) 430-6655</td>
<td>1</td>
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<tr>
<td>Transportation Offices</td>
<td>(651) 430-4300</td>
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### Washington County Commissioners - 2014

- **District 1 – Fran Miron**
- **District 2 – Ted Beath**
- **District 3 – Gary Kriesel – Vice Chair**
- **District 4 – Autumn Lehrke – Chair**
- **District 5 – Lisa Weik**

County Board meetings: Tuesdays, 9 a.m. (no meetings on 5th Tuesdays)

Washington County Government Center
14949 62nd Street North
P.O. Box 6
Stillwater, Minnesota 55082-0006

Washington County general information telephone: (651) 430-6000
Washington County web site: http://www.co.washington.mn.us

2014 Legal newspaper: Lillie Suburban
.request_for_board_action

**Commissioner's Report**

**BOARD MEETING DATE:**
July 15, 2014

**AGENDA ITEM NUMBER:**
7C

### Department Information

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<th>REQUESTOR:</th>
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<tr>
<td>Administration</td>
<td>Kevin Corbid</td>
<td>651-430-6003</td>
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<td></td>
<td>Kevin Corbid</td>
<td>651-430-6003</td>
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### Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Approval of county comments on the City of Mahtomedi’s proposal to establish tax increment financing district #7 and direction to county staff to submit the comments to the city in a letter signed by the county administrator.

**AGENDA YOU ARE REQUESTING TIME ON:** Board

**TIME NEEDED:** 5

**ARE YOU SEEKING APPROVAL OF A CONTRACT?** No

**IS THIS MANDATED?** No

**EXPLANATION OF MANDATE:**

**BACKGROUND/JUSTIFICATION:**
The City of Mahtomedi will be holding a public hearing on July 15, 2014 to establish tax increment financing (TIF) district #7. The site of the proposed TIF district is the where the former Piccadilly Restaurant stood, on the corner of Mahtomedi Avenue and Stillwater Road. The Piccadilly Restaurant has been closed since 2005.

The proceeds from the proposed TIF district are proposed to facilitate construction of a 79-unit senior affordable housing development. The project is a partnership between the Washington County Housing and Redevelopment Authority (HRA) and Plymouth Housing Partners, LLC.

By law, the city must provide 30-days notice to the county and the county has the ability to provide comments to the city for the public record at the public hearing. County staff from the Property Records and Taxpayer Services Department, Public Works Department and Administration have reviewed the plan and a draft comment letter has been prepared for the board's consideration.

The Office of Administration recommends approval of the county comment letter for Mahtomedi TIF District #7.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?** No

### Budget Information

**FUNDING:**
NA

### Approvals

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<th>COUNTY ATTORNEY:</th>
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<td>George Kuprian</td>
<td>Molly O'Rourke</td>
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</table>
Mr. Scott Neilson  
City Administrator, City of Mahtomedi  
600 Stillwater Road  
Mahtomedi, MN 55115

Re: City of Mahtomedi Tax Increment District #7 proposal

Dear Mr. Neilson:

Thank you for the opportunity to provide comments concerning the establishment of the Piccadilly Square tax increment financing (TIF) district within the City of Mahtomedi. The proposed development includes a 79-unit senior housing development, with the majority of units proposed to provide affordable housing options.

Washington County recently adopted an economic development strategic plan. The plan identifies the county’s intent to support the economic development efforts of our cities and other partners that help sustain a premier quality of life for our residents, expands the county tax base, and that creates and sustains living wage jobs across all employment sectors.

The county board is aware of the need for more affordable senior housing within the county. As the baby boomer generation continues to age, more demand is being created for all levels of senior housing, including both market rate and affordable options. In 2013, the Washington County Housing and Redevelopment Authority (HRA) directed Maxfield Research to prepare a county wide housing market analysis of demand through 2030. That research showed a countywide demand for more than 5,300 senior housing units. This project certainly will address the need identified for senior housing identified in the report in the Mahtomedi region.

The county board appreciates the partnership that is proposed between the Washington County HRA, Plymouth Housing Partners, LLC and a private developer for the project. In addition, the project provides for the redevelopment of a key site within Mahtomedi that has been vacant since 2005. This project will likely help meet the county goals of sustaining a premier quality of life for our residents and may create additional opportunities for economic development and tax base growth within the city.

It is also important to note the Piccadilly Square project has been recommended for funding in the county’s 2014 CDBG and HOME Annual Action plan. The draft plan that was released for public comment includes more than $142,000 in funding from CDBG and more than $59,000 in HOME funds. The county has also been supportive of grant applications submitted for the HRA for this project.

Pursuant to Minnesota Statute 479.175, subdivision 2, and consistent with the county’s economic development strategic plan, Washington County submits the following comments:

1. The County Board supports the city, the HRA, and the private developer’s efforts to redevelop the Piccadilly site and add needed affordable housing options.
2. The TIF district proposal has been reviewed by our Taxation Division staff and no administrative issues were identified.

3. The TIF district proposal has been reviewed by our Public Works Department and they did not identify any concerns. The county and city have been working together on improvements to County State Aid Highway 12, and while the TIF district will not provide any additional funds for that work, it also does not hinder the city’s ability to fund its local share of the CSAH 12 project.

We appreciate the opportunity to provide comments on the proposed district. We request that these comments be incorporated into the record at the public hearing on July 15, 2014.

Sincerely,

Kevin Corbid
Deputy County Administrator

Cc: Washington County Board of Commissioners
Department Information

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<th>REQUESTOR:</th>
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<tr>
<td>Public Works</td>
<td>Larry Phillips</td>
<td>651-430-4360</td>
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<tr>
<td>Ann Pung-Terwedo</td>
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Agenda Item Details

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<td>Workshop on the City Place Developmen Plan and Environmental Assessment Worksheet.</td>
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<td>No</td>
<td>Washington County has received the City Place, Environmental Assessment Worksheet (EAW) for a Mixed Use Commercial/Office redevelopment of the old State Farm site in the City of Woodbury. An EAW provides information about a project that may have the potential for environmental effects and actions taken to mitigate those effects. For Washington County, the major issues are impacts to surface and groundwater, traffic, access and highway infrastructure. Since this a major development, it is important for the Board to understand the project and the impacts to Washington County. Washington County Departments of Public Health and Environment and Public Works have reviewed and prepared the attached draft comment letter on the mandatory EAW for the proposed City Place development. The redevelopment project, located southeast of Interstate 94 and Radio Drive, includes re-use of approximately 400,000 square feet of office use known as the State Farm building and an expansion of uses adding an additional 370,600 square feet (approximately) of retail, hotel, restaurant and office uses on the 96.26 acre campus. The workshop will provide an overview of this important redevelopment project and highlight the environmental impacts to the county.</td>
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Budget Information

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Approvals

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MEMORANDUM

Date: July 22, 2014

To: Sharon Douette
    Environmental Resource Coordinator

From: Ann Pung-Terwedo, Senior Planner, Washington County Public Works
      Stephanie Souter, Associate Planner, Washington County Public Health

Re: Washington County Comments on Environmental Assessment Worksheet (EAW) for the City Place Re-development Project

Thank you for the opportunity for Washington County to submit comments on the City of Woodbury’s Environmental Assessment Worksheet (EAW) for City Place in Section 4, City of Woodbury, dated June 16, 2104. The City Place Redevelopment Project, located southeast of Interstate 94 and Radio Drive, includes re-use of approximately 400,000 square feet of office use known as the State Farm building and campus. The Project includes an expansion of uses adding an additional 370,600 square feet (approximately) of retail, hotel, restaurant and office uses.

Washington County supports the City of Woodbury’s efforts to allow for an expansion of uses onsite including retail, hotel, restaurant and office facilities to support the redevelopment efforts that will retain the existing building, while modernizing the facility which has been vacant since 2006. The overall development plan is consistent with the City’s vision to redevelop this parcel for “Places to Work”; while bringing more diversity of services to the area.

Washington County also supports the City Place project which provides economic development efforts of our cities and other partners that help sustain a premier quality of life for our residents, expands the county tax base, and creates and sustains living wage jobs across all employment sectors. The recently adopted Washington County Economic Development Strategic Plan identifies the county’s intent to support such important projects.

The county has prepared the following comments in the context of the Washington County 2003-2013 Groundwater Plan, the Washington County Comprehensive Plan 2030 and the Public Works Department transportation responsibilities to ensure the health, safety and welfare of county residents, ensure environmental compliance, and minimize environmental impacts:
Washington County Comments on EAW for the City Place Re-development Project
Memo to Sharon Douette, Environmental Resource Coordinator

Department of Public Health and Environment:

Section 11 Water Resources

The county supports Woodbury’s recognition that water supply and usage is a regional issue, and encourage the city to continue working with partners to address this issue. We also support the city for considering initiatives to reduce water demand. We encourage the city to work with the developer to incorporate water conservation into the design of the project, to the maximum extent possible, including consideration for reuse of water, routing of stormwater for irrigation, and/or other water conservation measures.

Department of Public Works:

Section 8. Permits and approvals required

Any work in the county right-of-way as it relates to the development including grading for the installation of culverts, installation of water and sewer services, turn lane modifications, road improvements, Americans with Disability Act ramp improvements will require a right-of-way permit.

The county agrees that an access permit will be required for access to the site since this is a change and intensification of land uses on the site.

Section 9 Land Use

From a land use perspective, intensifying the uses at this site is appropriate to complement the existing office building use and the location of the site along the I-94 corridor. It is also located near other large, campus retail and commercial uses in this area of Woodbury, adjacent communities and the East Metro Area.

The development implements the land use goals of the Washington County Comprehensive Plan 2030, Land Use Goal to design the land use plan to support economic development by the following policies:

- **Locate commercial and industrial growth where urban services are available; continue to prohibit commercial and industrial land use in unsewered areas.**

- **Promote commercial and industrial development in planned clusters such as business parks and mixed-use developments.**

- **Support land use patterns that efficiently connect housing, jobs, transportation, transit, and retail and commercial centers.**
The development also implements the transportation goals of the Washington County Comprehensive Plan 2030, to develop and maintain a roadway system that accommodates the safe and efficient movement of people and goods. Strategies in the plan include the following:

- **Increased Jobs and Housing Concentrations:**

  Washington County Comments on EAW for the City Place Re-development Project
  Memo to Sharon Douette, Environmental Resource Coordinator

  o Transportation investments and land development along major transportation corridors will be coordinated to intensify job centers, increase transportation links between job centers and medium-to-high density residential developments, and improve the jobs/housing connections with policies that include:

  o Plan for, design, and construct roadways to accommodate existing and future traffic growth.

  o Use effective transportation planning to accommodate existing and planned land uses, while preserving natural, cultural, and historic resources.

  o Develop a collaborative process with local municipalities to identify fiscally responsible system improvements that are consistent with county priorities and meet the needs of municipalities.

  o Coordinate with other agencies to promote a well balanced transportation system.

  o Coordinate with communities and provide feedback on development and redevelopment proposals.

**Section 11 Water Resources**

Although the county has not reviewed a stormwater plan to date, the developer, city or watershed district must submit the drainage report and calculations for review of any downstream impacts to the county drainage system. Along with the drainage calculations, written conclusions that the volume and rate of stormwater run-off into any county right-of-way will not increase as part of the project.

**Section 16 Air**

As noted in Section 18, the Transportation Impact Study (TIS) recommends that signal timing be adjusted and monitored to mitigate potential traffic delays. We acknowledge that longer wait times can increase the amount of exhaust and impact air quality as a result of significant traffic delays from vehicles both entering the proposed project site from key intersections, and exiting the site to enter the adjacent roadway network.
Section 18 Transportation

There is agreement that the public intersections studied in the TIS which required analysis are:

- Radio Drive/Inwood Avenue and 3rd Street/I-94 Ramps
- Radio Drive and I-94 South Ramps/Woodbury Lakes Road
- Radio Drive and Hudson Road/State Farm Way

Washington County Comments on EAW for the City Place Re-development Project
Memo to Sharon Douette, Environmental Resource Coordinator

- Radio Drive and Tamarack Village/Hudson Road
- Commons Drive and Hudson Road
- Hudson Bay and Hudson Road
- Spring Hill Drive and Hudson Road

As documented in the TIS report, the county agrees with the following conclusions in regard to the proposed City Place Redevelopment with the introduction of new commercial, hotel, restaurant and office uses:

- The existing study roadways are “Under Capacity” in terms of the daily planning level traffic that each type of facility can accommodate. The study intersections are at Level of Service D or better, which is acceptable, but there are individual movements that have longer delays and congestion.

- The existing study intersections show unequal stacking on northbound Radio Drive and eastbound on the west leg of Hudson Road at Radio Drive. This situation is expected to be resolved with the completion of the Cabela’s public improvements currently under construction. The county is working with the city on adjustments to the signing, paving and striping.

- The proposed development is expected to add approximately 8,635 daily new trips to the roadway system in this area. During the peak p.m. and Saturday hours, the proposed development is expected to add approximately 786 trips and 549 trips to the area roadways, respectively.

- The expected traffic from the proposed development is anticipated to increase delay and congestion. The existing roadway network is not able to adequately accommodate the increase.

Based upon the analysis presented in the TIS analysis, the county agrees with the key findings to mitigate the impacts to the roadway system which include:

- Extending Radio Drive’s three southbound lanes to the north, so that they start immediately after the I-94 bridge, will increase the capacity of the I-94 South Ramps/Woodbury Lakes Road intersection. However, they should not be extended past the ramps.
Extending the westbound right-turn lane on the east leg of Hudson Road at Radio Drive will prevent right-turning motorists from getting caught in the through lane queues. This recommended mitigation was previously identified in the Cabela’s traffic impact study. These improvements are currently being implemented with adjustments to signage, paving surface and striping.

Extending the two-way section of Woodbury Lakes Road west to a proposed access into the site would allow motorists to easily travel between the proposed development and the Woodbury Lakes retail area, reducing turning traffic on Hudson Road. An initial review suggests that this concept is feasible and should be studied more thoroughly.

Washington County Comments on EAW for the City Place Re-development Project
Memo to Sharon Douette, Environmental Resource Coordinator

- Limiting the Commons Drive and Hudson Road intersection to 3/4-access, eliminating the side street left-turn and through movements. This recommended mitigation will improve traffic operations and safety. Motorists will be able to reroute to other access points or perform U-turns at adjacent intersections to complete their desired movements.

- Limiting the Hudson Bay and Hudson Road intersection to right in/right out only on Hudson Bay. This recommended mitigation will improve traffic operations and safety. Motorists will be able to reroute to other access points or perform U-turns at adjacent intersections to complete their desired movements.

- A roundabout or traffic signal at the Spring Hill Drive and Hudson Road intersection will improve traffic operations, particularly during non-peak times, and safety. Improving the pedestrian/bicycle routes at surrounding intersections for ADA compliance. In addition, the existing crossings of Radio Drive could be improved to be more pedestrian friendly.

- Revising the signal timing to reflect the new volumes and new traffic patterns will improve traffic operations. Industry guidelines suggest updating traffic signal timing as part of routine maintenance of the roadway network, generally every three to five years or when conditions change significantly. Traffic pattern changes and volume growth as a result of the proposed development will cause the traffic signal timing for the area to quickly become dated. A traffic signal timing study and updates to traffic signal timing should be completed in 2015, since the opening of Cabelas and again in 2020.

- The proposed development’s outbound access on State Farm Way should continue to provide three lanes: one left-turn lane, one left-turn/through lane, and one right-turn lane. This is considered part of the proposed development’s internal plan.

- With the mitigation suggested for this area, expected traffic from the proposed commercial development will be improved compared to operations without the improvements. However, delays will still increase from those experienced today and congestion in the study area is expected during the peak hours.
The county supports encouragement of pedestrian and bicycle facilities on and around the proposed development which could include pedestrian bridges, sidewalks, roadway shoulders, and/or bicycle racks or storage areas, among other options but these would not improve traffic operations during the peak periods.

There is agreement that separating pedestrian and vehicle traffic would improve the safety of walking and allow greater focus of the traffic signal timing on vehicles.

Based on future traffic forecasts, there should be consideration on the feasibility of adding a third south bound lane County State Aid Highway 13/Radio Drive/I-94 Bridge which would facilitate three southbound lanes south of the bridge and increase capacity of roadway. The current, substandard pedestrian trail on the bridge would need to be removed which would ultimately require the construction of a separated pedestrian bridge over I-94.

Washington County, as a part of the Gateway Corridor Commission, is preparing a Draft Environmental Statement (DEIS) for a proposed transitway through the I-94 “Gateway Corridor” from St Paul to the Lake Elmo / Woodbury area. One of the potential stops would be in the general vicinity of the project area near County Road 13 on either the north or south side of I-94. The ability of the transit alternative to mitigate any of the project impacts to adjacent roadways will be dependent on a number of factors that have yet to be determined including the distance of the project area from the station location chosen, the level of bicycle, pedestrian and feeder bus connections linking the station to the project area the presence of transit supportive uses within the project area.

If the comments in this letter are addressed in the EAW, the county does not feel the need for the preparation of an Environmental Impact Statement for the planned project; however, future studies, environmental documentation, and mitigation measures will need to be addressed as development occurs in the area.

If you have any questions or concerns about these comments, please contact Stephanie Souter at 651-430-6701, or stephanie.souter@co.washington.mn.us for Public Health and Environment. In regards to comments from Public Works, please contact Ann Pung-Terwedo at 651-430-4362, or ann.pung-terwedo@co.washington.mn.us

c: Washington County Board of Commissioners
   Molly O’Rourke, County Administrator
   Lowell Johnson, Director, Department of Public Health & Environment
   Don Theisen, Director, Department of Public Works
ENVIRONMENTAL ASSESSMENT WORKSHEET
City Place

Washington County has received the City Place, Environmental Assessment Worksheet (EAW) for a Mixed Use Commercial/Office redevelopment of the Old State Farm Site in the City of Woodbury. The EAW provides information about a project that may have the potential for environmental effects and actions taken to mitigate those effects.

The EAW document is available in the Washington County Office of Administration and Public Works.

**Project Description:** The City Place Redevelopment Project, located southeast of Interstate 94 and Radio Drive, includes re-use of approximately 400,000 square feet of office known as the State Farm building and campus. The Project includes an expansion of uses adding an additional 370,600 square feet (approximately) of retail, hotel, restaurant and office uses.

**RGU:** City of Woodbury

**Contact Person:** Sharon Doucette Environmental Resources Coordinator 8301 Valley Creek Rd Woodbury, MN 55125 Phone: 651-714-3538 email: sdoucette@ci.woodbury.mn.us

**Project Overview**

The City Place redevelopment Project, located southeast of Interstate 94 and Radio Drive, includes re-use of approximately 400,000 square feet of office known as the State Farm building and campus. The Project includes an expansion of uses adding an additional 370,600 square feet (approximately) of retail, hotel, restaurant and office uses.

The City Place project (“Project”) proposes re-use of the former State Farm building with an expansion of uses onsite including retail, hotel, restaurant and office facilities. The redevelopment effort will retain the existing building, while modernizing the facility and expanding uses on site, which has been vacant since 2006. The overall development plan is dominated by office spaces consistent with the City’s vision to redevelop this parcel for “Places to Work”; however, the redevelopment initiative will bring more diversity of services to the area. The development plan proposes to redesign the entire site, with the existing building remaining, to integrate open space areas, parking lots, and access driveways throughout the site while accommodating a diverse mix of users.

The proposed Project will re-use the former State Farm Insurance campus which has been vacant since 2006. The site includes nearly 400,000 square feet of existing office space that has been unused due to its large size and single user design. The
redevelopment effort will introduce new users to the area both through re-use of the existing facility and construction of additional office and commercial facilities. The Project will help reestablish this key corner within the community as a gateway site, supporting the goals of the City to develop the Interstate 94 corridor with uses that provide residents with Places to Work and Places to Shop.

**Project Magnitude:**

Total Project Acreage 96.26 Acres  
Linear project length N/A  
Number and type of residential units N/A  
Commercial building area (in square feet) 770,600 (400,000 SF Existing; 370,600 SF New)  
Industrial building area (in square feet) N/A  
Institutional building area (in square feet) N/A  
Other uses – specify (in square feet) N/A  
Structure height(s) Maximum building height shall not exceed 60 feet as permitted by Ordinance.
This map is the result of a compilation and reproduction of land records as they appear in various Washington County offices. This map should be used for reference purposes only. Washington County is not responsible for any inaccuracies.
### Department Information

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<tr>
<td>Property Records &amp; Taxpayer Services</td>
<td>Jennifer Wagenius</td>
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<tr>
<td>Bruce Munneke</td>
<td>Jennifer Wagenius</td>
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### Agenda Item Details

**BRIEF DESCRIPTION OF YOUR REQUEST:**
Review the impact of updated tax court procedures and the status of tax court petitions in Washington County.

**AGENDA YOU ARE REQUESTING TIME ON:**
Workshop

**TIME NEEDED:**
30

**ARE YOU SEEKING APPROVAL OF A CONTRACT?**
No

**IS THIS MANDATED?**
Yes

**EXPLANATION OF MANDATE:**
MN statute 271 provides for statewide jurisdiction of all questions of law and facts arising under the tax laws of the state by Tax Court. Tax Court procedures are identified in rules and statutes and place certain requirements on the county assessor. MN statute 278 requires the county attorney to prosecute tax court proceedings.

**BACKGROUND/JUSTIFICATION:**
There continues to be a backlog of tax petitions moving through the appeal process in Minnesota Tax Court, some dating back to assessment year 2008. Recent process and procedure changes made by the court intended to clear the backlog have an impact on county resources. Reducing the backlog of petitions will be helpful on a go forward basis however there may be a larger financial impact for the county and other taxing authorities in the upcoming years as outstanding multiple year petitions are closed.

Staff from the Property Records and Taxpayer Services Department will present information and discuss the impact on county operations and finances.

**PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?**
No

### Budget Information

**FUNDING:**
NA

### Approvals

<table>
<thead>
<tr>
<th>COUNTY ATTORNEY:</th>
<th>COUNTY ADMINISTRATOR:</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Kuprian</td>
<td>Molly O'Rourke</td>
</tr>
</tbody>
</table>

**RECOMMENDATIONS:**
N/A

**COMMENTS:**
NA
TAX PETITION WORKFLOW

Dates will reflect a petition filed for pay 2014.

**April 30, 2014** -
Filing deadline is on or before April 30 of the payable year.

**May 15, 2014** -
Petitioner must pay first half tax.

**August 1, 2014** -
Petitioner is required to share with the Assessor's Office income/expense information for all income producing property under petition.

**October 15, 2014** -
Petitioner must pay 80% of second half tax bill.

**July 2015 – October 2015** -
*Scheduling orders* come from the Tax Court. The Tax Court has indicated that the scheduling orders should start coming to the County’s 15 – 18 months after filing.

**September 2015 – December 2015** –
The petitioner has 60 days from the date that the scheduling order is distributed to provide the County with a written *position statement* on each issue raised in the petition (see New Scheduling Order 3-2014). Petitioner shall not file this correspondence with the court and the correspondence will not be admissible in this or any further proceeding unless petitioner designates its position as an offer. If the position statement is designated as an offer the period for acceptance is 105 days.

The Tax Court judges have indicated that they hope that the petitioner will provide the Assessor with a fact based statement of why they feel the 2013 (in this example) valuation is incorrect. The petitioners position statements have for the most part been an opinion based statement containing little (if any) substance. In discussing this with other County Assessors the lack of substance in the petitioner’s position statements is being overlooked by the County Attorneys.

**November 2015 – February 2016** –
The County’s written *position statement* is due within 60 days of receipt petitioner’s position or inspection of the property (whichever comes last). The County’s written position shall state its position on each issue addressed in petitioner’s correspondence. This
written position statement will not be admissible in this or any further proceeding unless the County’s writing clearly states that its writing is intended to constitute an offer to reduce the valuation of the property pursuant to Minn. Stat. 278.05 subd. 5 (2012), and then only as specified in section 278.05, subdivision 5.

Each party shall notify all other parties and the court in writing within 10 days of retention of an appraiser or other expert and shall disclose the identity of the appraiser/expert retained, the subject(s) on which the appraiser/expert will opine, and the date on which the expert was retained. Failure to comply with this requirement may result in exclusion of the appraisal or expert report and the appraiser’s or expert’s testimony.

June 2016 – September 2016 Trial ready date minus 4 months –

Joint statements are due to Tax Court four months prior to the trial ready date.

The Tax Court in their scheduling orders has described this step in the process as follows:

a. The issues to be resolved by the court at trial;
b. The identity of all experts retained;
c. The name, address, and telephone number of each lay or fact witness, separately identifying those the party expects to present and those it may call only if need arises;
d. The estimated duration of trial;
e. Any other information relevant to the scheduling of this matter.

Upon receipt of the joint statement, the tax court administrator will schedule the trial in this matter and will notify the parties of the trial date. The parties should expect that the case will be tried within 60 days of the trial ready date and should plan their availability and the availability of their experts and other witnesses accordingly.

August 2016 – November 2016 Trial ready date minus 2 months –

Discovery must be filed no later than trial ready date minus 2 months.

September 2016 – December 2016 Trial ready date minus 4 weeks –

If the two parties are still in disagreement the court sets an appraisal exchange date. The appraisal exchange is 4 weeks prior to the trial ready date. In addition to submitting a trial ready appraisal both parties will report to the court any experts that they have retained as expert witnesses – referred to as the expert report.

Trial ready date minus 2 weeks –

Any objection to the competency of an appraiser or expert or to the admissibility of any portion of an appraisal or expert report shall be made in writing, served upon the proponent of the appraisal or report, and filed with the court no later than two weeks prior to the trial ready date.
**Trial ready date minus 1 week** -
The proponent may file and serve a response no later than one week after the objection is filed with the court or week prior to the trial ready date.

**Trial ready date minus 2 to 1 week(s)** -
See “New Scheduling Order 3-2014” located in the Assessor Reference Manual for other requirements relating to motions, stipulations, pre-trial briefs, filing of documents and pre-trial conferences.

**October 2016 – January 2017 (Order Date plus 16 months)** -
If the case is not settled or dismissed it shall be *trial ready*.

*** The Tax Court has and may make further changes to the process outlined above based on their experiences.