

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
WASHINGTON COUNTY, MINNESOTA  
DECEMBER 20, 2016**

**WASHINGTON COUNTY REGIONAL RAILROAD AUTHORITY CONVENES**

The Washington County Regional Railroad Authority (RRA) met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Kriesel, Weik, Miron, Karwoski, and Bigham. RRA Chair Bigham presided. Also present were Molly O'Rourke, County Administrator; George Kuprian, County Attorney Division Chief; Becky Sells, County Board Secretary; residents; media representatives; and county staff. Official Proceedings of the Regional Railroad Authority are available in the Office of Administration.

The Board recited the Pledge of Allegiance.

**WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENES**

The Washington County Board of Commissioners met in regular session at 9:22 a.m. in the Washington County Government Center, County Board Room. Present were Commissioners Bigham, Kriesel, Miron, Weik, and Karwoski. Board Chair Miron presided. Also present were Molly O'Rourke, County Administrator; George Kuprian, County Attorney Division Chief; Becky Sells, Board Secretary; county residents; media; outside agencies; and county staff.

**CONSENT CALENDAR**

Commissioner Kriesel moved, seconded by Commissioner Bigham, to adopt the following Consent Calendar.

1. Approval of December 6, 2016, County Board Meeting Minutes.
2. Approval to adopt revisions to Policy # 1015 Emergency Closing Due to Weather to include additional Minnesota Open Meeting Law Language; and Policy # 1903 to recognize its applicability to licenses which it currently omits mentioning in the body of the policy.
3. Approval of interim update to the 2016-2017 Community Corrections Comprehensive Plan.
4. Approval of amendment #1 to the purchase of service agreement with Tubman extending the terms and conditions for an additional year.
5. Approval of the 2017-2019 contracts with Opportunity Services, ESR, Inc. and Phoenix Alternatives to provide Day Training and Habilitation and related services for persons with disabilities.

6. Approval of the 2017-2019 contract with REM Minnesota Community Services to provide in home services for persons with intellectual and developmental disabilities.
7. Approval of the 2016-2018 Group Residential Housing (GRH) agreement for Hometown Senior Living, a customized living, formerly known as Assisted Living, setting that accepts GRH payment for room and board.
8. Approval of the 217-2019 contracts with Meridian Services, Inc. and Country Services, Inc. to provide case management for persons with developmental disabilities.
9. Approval of a tentative 2017-2018 collective bargaining agreement with the Supervisors bargaining unit represented by the Washington County Association of Supervisors.
10. Approval of tentative agreements for the reopener for the 2017 health insurance package with the Deputy Sheriff's unit Local #214, and the Deputy Sheriff Sergeants unit Local # 215, both represented by Law Enforcement Labor Services, Inc.
11. Approval to purchase continued licensing and software support of Oracle JD Edwards Enterprise One Software.
12. Approval to renew the library service contract between Stillwater Library and Washington County Library.
13. Approval to renew the library service contract between Bayport Library and Washington County Library.
14. Approval of a request from the City of Marine for \$6,000 from the Jordan bequest to be used for materials and services at the Marine Community Library.
15. Approval of Washington County Library schedule of closings for 2017.
16. Approval of a three year service contract with Alliance Courier for delivery service to all Washington County Library locations.
17. Approval of an agreement with the Minnesota Department of Health for the receipt of Maternal, Infant, Early Childhood Home Visiting grant funding to continue the Healthy Families America evidence based home visiting program.
18. Approval of **Resolution No. 2016-173** as follows:

RESOLUTION TO ESTABLISH A PUBLIC HEARING FOR  
JANUARY 24, 2017, AT 9:00 A.M. TO HEAR TESTIMONY ON  
IMPLEMENTING THE RAMSEY AND WASHINGTON JOINT  
WASTE DESIGNATION PLAN

Whereas, Ramsey and Washington Counties (the "Counties") have committed to continue to protect and ensure the public health, safety,

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welfare and environment of each County's residents and businesses through sound management of solid and hazardous waste generated in each County; and

Whereas, it is the stated policy of the State of Minnesota, under the Waste Management Act, to manage solid waste in an environmentally sound manner; and

Whereas, Ramsey and Washington Counties have in place County Solid Waste Management Master Plans ("Master Plans") approved by the Commissioner of the Minnesota Pollution Control Agency; and

Whereas, the Master Plans clearly state the policy goal of maintaining and improving an integrated system of solid waste management that supports Minnesota's hierarchy of solid waste management, with an emphasis on waste reduction, reuse, recycling and composting before the remaining solid waste is managed through resource recovery; and

Whereas, the Master Plans also include policies that affirm the processing of waste, for the purpose of recovering energy and recyclables, and other beneficially usable materials, as the preferred method to manage solid waste that is not reduced, reused or recycled; and

Whereas, since 1982 Ramsey and Washington Counties have implemented a joint powers board for researching, developing, and implementing waste processing activities, that has been called the "Ramsey/Washington Waste-to-Energy Project Board" and later the "Ramsey/Washington County Resource Recovery Project Board" (the "Project Board"); and

Whereas, from 1987 to 2015 the Counties, through the various joint powers boards, contracted for waste processing services with a series of private owners and operators of a waste processing facility in Newport, MN, formerly called the Ramsey/Washington County Resource Recovery Facility ("Facility"); and

Whereas, the Counties have adopted an amended and restated the Joint Powers Agreement in September, 2015, and have renamed the joint powers board to be the "Ramsey/Washington Recycling & Energy Board" (R&E Board); and

Whereas, the Counties have strongly supported waste reduction, reuse, recycling and composting in the past, and will continue to do so in the future, with the aim of achieving a 75 percent recycling goal by 2030; and

Whereas, in 2012 the Counties determined that a merchant approach to waste processing was not possible in the East Metro area, and, pursuant to the Master Plans, the Counties, through the joint powers board, began to explore options to assure the continuation of waste processing, including consideration of public ownership; and

Whereas, during the period of 2013-2015 the Project Board extensively analyzed and evaluated waste generation and management data, various waste management and conversion technologies, financial information, policy options and information gathered through an extensive public information and comment program (the "Analysis and Evaluation"), and established a vision for future waste management in the East Metro area, which, for processing of waste, includes using the existing resource recovery facility in Newport as a foundation for future efforts to enable greater and improved recycling and recovery of resources from waste (the "Resource Recovery Vision"); and

Whereas, as a result of the Analysis and Evaluation, the R&E Board, recognizing the clear environmental, financial, and policy benefits to public ownership and operation, purchased the Facility and began public operation on January 1, 2016, and has renamed the Facility the Recycling & Energy Center; and

Whereas, Minn. Stat. §473.803 sets forth the requirements for metropolitan County Master Plans and includes specific elements for counties proposing designation to a resource recovery facility and Minn. Stats. §115A.80 - §115A.893 set forth the requirements for implementing waste designation in Minnesota including the initial step of submitting a designation plan; and

Whereas, in September, 2015 the Ramsey and Washington County Boards directed amendments to their respective Solid Waste Master Plans be prepared, and a designation plan be jointly developed; and

Whereas, a Joint Ramsey and Washington County Waste Designation Plan has been prepared to meet the requirements in state law related to implementing waste designation, was approved by the Ramsey and Washington County Boards, was submitted to the MPCA for approval, and was approved by the Commissioner of the MPCA on November 22, 2016; and

Whereas, Minnesota Statutes Section 115A.85, Subd. 2 require that the county hold a public hearing to take testimony on the designation.

Now, Therefore, Be It Resolved, the Washington County Board of Commissioners hereby sets a public hearing on implementing the Ramsey and Washington Counties Joint Waste Designation Plan for January 24, 2017, at 9:00 a.m., or as soon thereafter as possible, in the County Board Room, 5<sup>th</sup> Floor, Washington County Government Center, 14949 62<sup>nd</sup> Street N., Stillwater, MN.

19. Approval for an agreement with Adam DeLaForest, independent contractors, to use County property to provide onsite County Employee Wellness activities.
20. Approval of **Resolution No. 2016-174** as follows:

RESOLUTION TO AUTHORIZE FINAL PAYMENT FOR THE  
COUNTY STATE AID HIGHWAY (CSAH) 17 AND LAKE ELMO  
CITY PHASE I PROJECT

WHEREAS, on June 23, 2015, the Washington County Board of Commissioners approved a bid award to North Pine Aggregate, Inc. to perform all the work in sanitary sewer, watermain, grading, aggregate base, bituminous paving, concrete curb and gutter, pedestrian ramps, storm sewer, infiltration basin grading, and signing and striping on CSAH 17 and Lake Elmo city streets; and,

WHEREAS, Minnesota Statutes 160.17 subd. 3 requires that final payment on any road construction or improvement contract for which sealed bids have been required may not be made until the county engineer has certified to the county board that all work has been performed according to the contract; and,

WHEREAS, North Pine Aggregate, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

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NOW, THEREFORE, BE IT RESOLVED, that North Pine Aggregate, Inc. be given final payment in the amount of \$50,324.65 as claimed by the final payment voucher which is attached hereto. This final payment results in total satisfaction for the contract work more fully described in the above recitals.

21. Approval of **Resolution No. 2016-175** as follows:

**RESOLUTION TO AUTHORIZE FINAL PAYMENT FOR THE  
2016 MISCELLANEOUS CONCRETE PROJECT**

WHEREAS, on April 26, 2016, the Washington County Board of Commissioners approved a bid award to G Urban Companies Inc. to perform all the work in the concrete pavement, pedestrian ramps, curb & gutter, medians, and truncated domes in various locations in Washington County; and,

WHEREAS, Minnesota Statutes 160.17 subd. 3 requires that final payment on any road construction or improvement contract for which sealed bids have been required may not be made until the county engineer has certified to the county board that all work has been performed according to the contract; and,

WHEREAS, G Urban Companies, Inc. has satisfactorily completed all work in accordance with the terms and conditions of the contract.

NOW, THEREFORE, BE IT RESOLVED, that G Urban Companies, Inc. be given final payment in the amount of \$11,843.36 as claimed by the final payment voucher which is attached hereto. This final payment results in total satisfaction for the contract work more fully described in the above recitals.

22. Approval of Amendment # 7 of the master system agreement between Washington County and Tiburon Inc.
23. Approval to trade outdated radio equipment with Sunny Communications for refurbished Motorola portable radios.

The motion was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Kriesel, Weik, Karwoski and Miron; Nays, none.

**SHERIFF'S OFFICE**

**Public Comments to Consider Options for Implementation of Body Worn Cameras**

Commander Andrew Ellickson, from the Washington County Sheriff's Office, provided information on the options for implementation of body worn cameras on licensed peace officers. The Washington County Board of Commissioners invited the community to comment on policies and procedures for the use of body worn cameras by Washington County Sheriff's Office licensed peace officers.

A working group from the Sheriff's Office has been studying the issue, reviewing camera options, policies, and state law. State law, enacted on August 1, 2016, addressed the retention of the video

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captured by the cameras, and whether that video is confidential. It also states that deputies are allowed to view the video prior to making a report.

The working group also researched the cameras themselves and the software that manages them. Visual Labs, Inc., was chosen as the vendor that will provide the software, which will be installed on Android cell phones, which will act as the cameras. In addition to using the devices as body worn cameras, they will also be used as cell phones, digital cameras and recorders, and locators, and text alerts. Video captured by the cameras will be stored on Microsoft's Government Cloud, which was approved by state agencies.

The proposed Sheriff's Office policy has been reviewed by the County Attorney's Office, and calls for all video to be retained for 180 days, which is double the amount that is required by state law. The policy will require activation for: all enforcement and investigative contacts; field interviews; traffic stops; self-initiated activity; and any other contact that becomes adversarial.

The policy also states that video should remain on continuously until the situation no longer fits the criteria for activation, and that no Sheriff's Office member without authorization can access or release recordings. It also calls for an inventory and audit of the video.

The Board Chair asked for comments from the public. Paul Ryberg from Lake Elmo spoke in support of the body worn cameras, and thanked the Sheriff's Office for its service.

## **COMMUNITY DEVELOPMENT AGENCY**

### **Update on Economic Development**

Chris Eng, Economic Development Director of the Community Development Agency (CDA), provided an update on the CDA's economic development initiatives and accomplishments. The CDA, which was formed after special legislation allowed the county's Housing and Redevelopment Authority to take on economic development tasks, has been working to promote Washington County to potential employers, developers, and builders and businesses.

Part of the work done by the CDA has involved data mining, or assembling data to understand the needs of the county, and how to develop economic development policy and programming. Work has also been done to introduce Washington County to metro area realtors, brokers, site selectors, developers, builders and businesses. Other efforts have been to develop a "business brand," build community partnerships, and provide technical assistance. CDA staff have attended 24 city or township meetings to inform community partners about new business development opportunities and commercial property availability.

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The county has seen continued labor force growth since 2010, in a variety of industries and occupations, all of which could be attractive to industries that would locate in the county. At the same time, the county is home to 17,847 self-employed businesses, with 86 percent of the county's businesses having 20 or fewer employees, all of which present business opportunities.

The CDA staff reported on a number of promotional activities in which they have taken part, including business expos and conferences, and media opportunities. The CDA has also been working to promote opportunities in the county, including prime land ready for development, and employers who are seeking to hire new employees. Plans for the future include working with the county's Workforce Development Board, local chambers of commerce, and cities and townships to promote business opportunities in the county.

## **LIBRARY**

### **Update on Marine on St. Croix Community Library**

Mary Burke of the Marine Library Association provided an update on the Marine on St. Croix Community Library. The Marine Library will be celebrating its fifth anniversary next month, and is staffed solely by volunteers. The library provides one or two adult programs each month, most notably a series of documentary films, author talks, and a poetry crawl, and programming for children, which will be expanded with the MacPhail Center for the Music programs next year.

The library recently launched a newsletter, with 700 recipients, to expand its communications efforts. It has also created a fundraising committee to allow it to expand its programs, and a future strategy committee to explore the library's next five years.

The library is open 20 hours each week, with volunteers staffing the library in three-hour shifts. It has issued 806 library cards, has had 4,500 checkouts during the past year, and 8,000 patron visits.

The Marine Library's five-year celebration will be on January 20, 2017.

### **Acceptance of Donation from the Washington County Bar Association**

Commissioner Karwoski moved to adopt **Resolution No. 2016-176** as follows:

#### Washington County Library – Acceptance of Donations

Whereas, Chapter 13, Laws of Minnesota 2005, gives the Washington County Board of Commissioners the authority to direct, operate and manage the Washington County Library System;

Therefore, be it Resolved that, the donations of \$2,075 from the Washington County Bar Association on September 18, 2016 is hereby

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accepted by the Washington County Board of Commissioners for the Washington County Library, and

Be it further Resolved, that these funds shall be deposited into the Law Library Fund, Business Unit 117200 to be spent on the purchase of library materials and on library services and programs.

Commissioner Bigham seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

### **Acceptance of Donation from the Washington County Bar Association**

Commissioner Karwoski moved to adopt **Resolution No. 2016-177** as follows:

#### Washington County Library – Acceptance of Donations

Whereas, Chapter 13, Laws of Minnesota 2005, gives the Washington County Board of Commissioners the authority to direct, operate and manage the Washington County Library System;

Therefore, be it Resolved that, the donations of \$1,000 from Delores Sundbye on November 18, 2016 is hereby accepted by the Washington County Board of Commissioners for the Washington County Library, and

Be it further Resolved, that these funds shall be deposited into the Library Fund, Business Unit 230002 to be spent on the purchase of library materials and on library services and programs.

Commissioner Weik seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

### **Recognizing Washington County Library for 50 Years of Service to our Community**

Commissioner Bigham moved to adopt **Resolution No. 2016-178** as follows:

#### Resolution Recognizing Washington County Library for 50 Years of Service to our Community

WHEREAS, the Washington County Board of Commissioners established the Washington County Library, and a Library Board, with the newly-appointed board meeting for the first time Dec. 20, 1966; and

WHEREAS, Washington County Library has been a community hallmark throughout its history; and

WHEREAS, Washington County Library generously serves all individuals; and

WHEREAS, Washington County Library has adapted to serve the changing face of Washington County throughout those 50 years; and

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WHEREAS, the Washington County Board is grateful for the contributions Washington County Library and staff members have made to Washington County; and

WHEREAS, the Washington County Board wishes to congratulate Washington County Library and staff members on celebrating their 50<sup>th</sup> anniversary;

NOW THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby congratulates Washington County Library on the occasion of its 50<sup>th</sup> anniversary and on behalf of all residents expresses sincere appreciation for its achievements and contributions to Washington County.

Commissioner Karwoski seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

**GENERAL ADMINISTRATION**

**Salaries for the County Attorney and his Assistants for 2017**

Commissioner Kriesel moved to adopt **Resolution No. 2016-179** as follows:

2017 SALARY FOR THE COUNTY ATTORNEY

WHEREAS, Minnesota Statute §388.18 requires the County Board of Commissioners to set by resolution the salary of the County Attorney.

NOW, THEREFORE, BE IT RESOLVED that the 2017 salary for the Washington County Attorney shall be as follows, effective January 1, 2017:

Attorney \$159,609

BE IT FURTHER RESOLVED, that the 2017 salaries for the First Assistant Attorney and Executive Assistant shall be as follows, effective January 1, 2017:

First Assistant Attorney \$143,648

Executive Assistant \$61,529

Commissioner Weik seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

**Salaries for the County Sheriff and Chief Deputy for 2017**

Commissioner Kriesel moved to adopt **Resolution No. 2016-180** as follows:

2017 SALARY FOR THE COUNTY SHERIFF

WHEREAS, Minnesota Statute §387.20 requires the County Board of Commissioners to set by resolution the salary of the County Sheriff.

NOW, THEREFORE, BE IT RESOLVED that the 2017 salary for the Washington County Sheriff shall be as follows, effective January 1, 2017:

Sheriff                      \$159,609

BE IT FURTHER RESOLVED, that the 2017 salary for the Chief Deputy shall be as follows, effective January 1, 2017:

Chief Deputy              \$143,648

Commissioner Bigham seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

#### **Salary for the County Administrator for 2017**

Commissioner Kriesel moved to adopt **Resolution No. 2016-181** as follows:

#### 2017 SALARY FOR THE COUNTY ADMINISTRATOR

WHEREAS, Minnesota Statute §375A.06, Subdivision 1 authorizes the County Board of Commissioners to appoint and employ an Administrator upon such terms and conditions as it deems advisable and directs the County Board to set the Administrator's salary.

NOW, THEREFORE, BE IT RESOLVED that the 2017 salary for Molly F. O'Rourke, the Washington County Administrator, shall be as follows, effective January 1, 2017.

Administrator              \$167,978

BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby grants the County Administrator an additional 40 hours of paid time off (PTO) during the term of this agreement.

Commissioner Bigham seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

#### **County Commissioners' Salaries, Expenses, and Benefits for 2017**

Commissioner Bigham moved to adopt **Resolution No. 2016-182** as follows:

#### RESOLUTION ESTABLISHING COUNTY COMMISSIONERS SALARIES AND EXPENSES FOR 2017

WHEREAS, Minnesota Statute 375.055, Subdivision 1, requires the County Board of Commissioners to set salaries, per diem payments, and

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expense reimbursement for its members prior to January 1 of the effective year.

NOW, THEREFORE, BE IT RESOLVED that the salary rate for Washington County Commissioners be \$52,713 a year effective January 1, 2017.

BE IT FURTHER RESOLVED, that the expense reimbursement for County Commissioners be for actual expenses plus mileage in accordance with County policy with no County per diem payments.

BE IT FURTHER RESOLVED, that each of the County Commissioners receive the same County paid medical insurance premium and flexible medical expense account as received by the elected department heads.

Commissioner Kriesel seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Bigham, Karwoski, Weik, Miron and Kriesel; Nays, none.

#### **Order to Set Public Hearing for January 24, 2017 – Lake Name Change**

Commissioner Miron moved to adopt an order to set a Public Hearing for Tuesday, January 24, 2017, to consider a petition for renaming of a lake in the City of Forest Lake to Sylvan Lake. Commissioner Weik seconded the motion and it was adopted unanimously.

#### **Reminder of Cancellation of December 27, 2016, County Board Meeting**

Molly O'Rourke, County Administrator, provided a reminder that the December 27, 2016, County Board Meeting has been cancelled.

#### **COMMISSIONER REPORTS - COMMENTS – QUESTIONS**

Commissioner Bigham reported that she is in the process of making her rounds to the cities of St. Paul Park, Newport and Cottage Grove in regards to the resolution to support the implementation plan for the Red Rock Corridor, and to present Commissioner Certificates to outgoing members of councils. She reported that a group through the Association of Minnesota Counties is looking to expand the Children of Incarcerated Parents program. She attended a Newport City Council meeting, in regards to an update on the odor mitigation study, conducted by the Recycling and Energy Board. She also met with the City of Newport in regards to the Tax Increment Financing (TIF) and development area around Red Rock Corridor.

Commissioner Kriesel reported that he attended a joint Historic Courthouse and Parks and Open Space Commission meeting. He attended a Wisconsin Trail Coalition meeting, in regards to trail improvements. He attended a Minnesota Inter-County Association meeting in regards to the proposed legislative agenda.

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Commissioner Weik reported that she attended several meetings in regards to the Counties Transit Improvement Board. She attended a Woodbury City Council meeting where there was a special resolution in recognition of retiring city council member, Paul Rebholz.

Commissioner Karwoski reported that he attended a holiday party at Waters senior living facility in Oakdale. He attended the swearing in ceremony of the new Mayor of Oakdale, Paul Reinke. He attended the Piccadilly Square Grand Opening in Mahtomedi. He attended the joint Historic Courthouse and Parks and Open Space Commission meeting. He attended a Newport Waste Recovery Tour.

Commissioner Miron reported that he attended the Recycling and Energy Board Executive Committee meeting in regards to budgets. He attended the Piccadilly Square Grand Opening in Mahtomedi. He attended a Minnesota-Inter County Association meeting.

#### **BOARD CORRESPONDENCE**

Board correspondence was received and placed on file.

#### **ADJOURNMENT**

There being no further business to come before the Board, Commissioner Kriesel moved to adjourn, seconded by Commissioner Bigham, and it was adopted unanimously. The Board meeting adjourned at 11:39 a.m.

#### **BOARD WORKSHOP – PUBLIC WORKS**

The Board met in workshop session to discuss Counties Transit Improvement Board Program of Projects. No business was transacted and the public was welcome to attend. Present for the workshop session were Commissioners Bigham, Weik, Miron, Kriesel, and Karwoski. Also present were Molly O'Rourke, county staff, and outside agencies.

Fran Miron, Board Chair  
County Board

Attest:

Molly F. O'Rourke  
County Administrator