

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
APRIL 28, 2020**

WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENES

The Washington County Board of Commissioners met in regular session remotely at 9:00 a.m.

Present: Commissioner Lisa Weik, District 5
 Commissioner Gary Kriesel, District 3
 Commissioner Fran Miron, District 1
 Commissioner Wayne Johnson, District 4
 Commissioner Stan Karwoski, District 2

Also Present: Kevin Corbid, County Administrator
 Susan Tice, County Attorney Civil Division Chief
 Stephanie Kammerud, Board Clerk

Board Chair Fran Miron announced that because of the COVID-19 Pandemic and Emergency Declaration issued by Minnesota Governor Walz and the Declaration of Emergency issued by the Washington County Board of Commissioners on March 17, 2020, the County Board will not be conducting this meeting at the regular location of the Washington County Government Center. Instead, County Board members will participate in this meeting by phone or other electronic means and the Board meeting will be conducted pursuant to and in compliance with Minnesota Statute 13D.021.

Members of the public can view/monitor this meeting electronically from a remote location via live web stream from the county's public website.

Noted for the record:

1. That either the Washington County Board Chair or the County's chief Administrator has determined that an in-person meeting of the County Board is neither practical nor prudent because of the existing Pandemic and Emergency.
2. All County Board members participating in this meeting, whatever their physical location, can hear one another and can hear all discussion and testimony.
3. All members of public present here today at the regular meeting location, if any, can hear all discussion and testimony and all votes of the members of the County Board.
4. At least one member of the County Board or the Chief Administrator of the County is physically present at the regular meeting location.
5. Each member of the County Board participating in this meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.
6. Proper notice of this meeting has occurred.
7. All votes will be conducted by roll call.

The Board recited the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC

Board Chair Miron asked for comments from the public; none were heard.

CONSENT CALENDAR

Commissioner Weik moved, seconded by Commissioner Karwoski, to adopt the Consent Calendar as follows:

- A. Approval of the March 24, 2020, and April 7, 2020, County Board meeting minutes.
- B. Approval of revisions to Finance Committee Policy No. 2105.
- C. Approval of **Resolution No. 2020-041** as follows:

2020 1st QUARTER DONATIONS, GIFTS, AND BEQUESTS

WHEREAS, Washington County gratefully accepts donations, gifts, and bequests from public and private sources to enhance the programs and services it provides; and

WHEREAS, any gift, donation, or bequest becomes the property of Washington County; and

WHEREAS, the Washington County Board is authorized to approve donations, gifts, and bequests on a quarterly basis.

NOW, THEREFORE BE IT RESOLVED, that the Washington County Board of Commissioners does hereby approve donations and gifts of \$3,295.05 for the first quarter of 2020.

- D. Approval to reappoint Michael Madigan, Woodbury, to a fifth term expiring April 30, 2023, and appoint Sharon Doucette, Cottage Grove, to a first term expiring April 30, 2023, as Managers on the South Washington Watershed District.
- E. Approval to reappoint Jill Lucas, Afton, to a fourth term expiring November 14, 2022, as a Manager on the Valley Branch Watershed District.
- F. Approval of South Washington Watershed District's 2020 Glacial Valley Park and Interpretive Area's Natural Resources Management Plan.

G. Approval of **Resolution No. 2020-042** as follows:

RESOLUTION TO APPROVE A LAND AND WATER LEGACY PROGRAM PURCHASE OF A CONSERVATION EASEMENT ON THE BERGGREN PROPERTY IN AFTON

WHEREAS, pursuant to Minnesota Statute Chapter 84C and Minnesota Statutes Sections 373.40 and 394.25, Washington County is authorized to acquire and improve land and interests in land for the purposes of preserving open space, including natural and scenic areas and agricultural land; and

WHEREAS, Minnesota Statutes Section 103A.201, which specifically promotes the protection of wetlands, and Minnesota Statutes Section 103A.202, which specifically declares that it is in the public interest to preserve the wetlands of this state to conserve surface waters, maintain and improve water quality, preserve wildlife habitat, reduce runoff, provide for floodwater retention, reduce stream sedimentation, contribute to improved subsurface moisture, and enhance the natural beauty of the landscape; and

WHEREAS, Washington County has enacted the Acquisition of Development Rights Ordinance #175 to establish a program for the preservation of open space, parks and public water, commonly referred to as the Land and Water Legacy Program and has established the policies, rules and official controls governing such acquisitions; and

WHEREAS, Washington County issues general obligation bonds to provide long-term stable funding to acquire land and interests in land for conservation purposes pursuant to the passage of the November 2006 Ballot Question: Preservation of Water Quality, Woodlands and Other Natural Areas; and

WHEREAS, Washington County has determined that the subject property referred to as the Berggren Property and described later in this resolution, meets the requirements of the Land and Water Legacy Program and that the Washington County Board of Commissioners considers the proposed land to merit protection; and

WHEREAS, Washington County and the Minnesota Land Trust will serve as co-holders of this conservation easement over the property; and

WHEREAS, the natural features of this property will be stewarded according to a Management Plan approved by the County;

NOW, THEREFORE, BE IT RESOLVED, the Washington County Board approves a Land and Water Legacy Program contribution of \$85,000

toward the purchase of a conservation easement on the Berggren property as part of a financial partnership with the Minnesota Land Trust; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Washington County Board of Commissioners hereby authorizes its Chairperson and Administrator to execute on behalf of the County all documents necessary to a contribution toward the purchase of a conservation on the Berggren property.

H. Approval of a Land and Water Legacy Program conservation easement for the Tschida property in Hugo.

I. Approval of **Resolution No. 2020-043** as follows:

**RESOLUTION AMENDING THE BYLAWS OF THE
WASHINGTON COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT CITIZEN ADVISORY COMMITTEE**

WHEREAS, Washington County established a Community Development Block Grant (CDBG) Citizen Advisory Committee for the purpose of providing public input to and increasing the accountability of the CDBG and HOME Investment Partnerships Program (HOME) programs; and

WHEREAS, the CDBG Citizen Advisory Committee is governed by Bylaws created and adopted by the Washington County Board of Commissioners; and

WHEREAS, Washington County entered into an agreement with the Washington County Community Development Agency (CDA) to administer the CDBG and HOME programs on its behalf in October 2014; and

WHEREAS, it has been determined that the CDBG Citizen Advisory Committee Bylaws require changes to acknowledge and incorporate the Washington County CDA's administration of the CDBG and HOME programs and calling of the committee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washington County, that the Washington County Community Development Block Grant Citizen Advisory Committee Bylaws be amended in the form attached herein.

J. Approval of Contract No. 13403 to accept Emergency Services Program (ESP) funds in the amount of \$43,420 to support sheltering those experiencing homelessness during the COVID-19 peacetime emergency from the Minnesota Department of Human Services

for the period of April 1, 2020, through February 28, 2021, and authorize its execution pursuant to Minnesota Statutes 373.02.

- K. Approval to apply for Mental Health Crisis Response Services grant funds administered by the Minnesota Department of Human Services.
- L. Approval of **Resolution No. 2020-044** as follows:

**RESOLUTION TO AUTHORIZE SUBMISSION OF THE ANNUAL
FEDERAL TRANSIT ADMINISTRATION CERTIFICATIONS AND
ASSURANCES TO THE MINNESOTA DEPARTMENT OF
TRANSPORTATION**

WHEREAS, the Federal Transit Administration consolidates all current federal requirements into its annual Certifications and Assurances, a single document to which each recipient of federal funds is required to certify compliance; and

WHEREAS, Washington County Board of Commissioners authorized the submittal of a proposal to the State of Minnesota for funding available through the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant in 2019 to improve access to provide transportation services and public transportation alternatives for persons with disabilities, seniors, and others with special transportation needs; and

WHEREAS, the Washington County was awarded Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds which will be received and administered through calendar years 2020 and 2021; and

WHEREAS, the State of Minnesota requires the timely annual submission of the Federal Transit Administration Certifications and Assurances as a condition for receiving Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby authorizes the submission of the annual Federal Transit Administration Certifications and Assurances to the Minnesota Department of Transportation for each year throughout the Section 5310 grant period; and

BE IT FURTHER RESOLVED that the Washington Board of Commissioners delegates to the Director of the Washington County Community Services Department authority to execute on behalf of Washington County.

- M. Approval of an application for an On-Sale and Sunday Liquor License for Keystone Weddings and Events LLC, located in May Township.
- N. Approval of an application for a 1-4 day Temporary Liquor License from the VFW Post 323 for the Washington County Fair on July 29 through August 2, 2020.
- O. Approval of an application for a 1-4 day Temporary Liquor License from the Greater Stillwater Chamber of Commerce for an event to take place on August 8, 2020
- P. Approval of **Resolution No. 2020-045** as follows:

**RESOLUTION APPROVING AN APPLICATION
TO CONDUCT EXCLUDED BINGO FOR THE
AFTON BAYPORT LAKELAND LIONS CLUB**

WHEREAS, an application has been received from the Afton Bayport Lakeland Lions Club to conduct Excluded Bingo at the Washington County Fairgrounds located in Baytown Township, and

WHEREAS, M.S.349.165 requires the permit to be approved by the County Board of Commissioners by resolution and remitted to the Minnesota Gambling Control Board for their consideration.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners approves the Application to Conduct Excluded Bingo from the Afton Bayport Lakeland Lions Club at the Washington County Fairgrounds located in Baytown Township and for it to be remitted to the Minnesota Gambling Control Board for their consideration.

- Q. Approval of Grant Agreement No. 13388 with the Minnesota Pollution Control Agency in the amount of \$750,332.00 for the period of April 1, 2020, through June 30, 2021, and authorize its execution pursuant to Minnesota Statutes 373.02.
- R. Approval of License to Use Real Property Agreement No. 13366 with the University of Minnesota for a research project within the Lake Elmo Park Reserve.
- S. Approval of **Resolution No. 2020-046** as follows:

**RESOLUTION PROCLAIMING APRIL 24, 2020 AS ARBOR DAY
AND THE MONTH OF MAY 2020 ARBOR MONTH**

WHEREAS, Washington County stewards county land including parks, highways and facility grounds; and

WHEREAS, stewardship of land contributes to the County's goal of increased health, safety and quality of life of citizens today and tomorrow; and

WHEREAS, trees help purify our air and retain water, conserve soil, provide habitat for wildlife, provide shade, and enrich our lives in many more important ways; and

WHEREAS, Emerald Ash Borer is becoming more established in Minnesota, and will ultimately eliminate many green and white ash trees which are abundant in parks, boulevards, residential yards and natural areas; and

WHEREAS, reforestation efforts are critical to help replace the benefits that these trees provide; and

WHEREAS, Washington County encourages local communities and residents to take proactive steps to increase the diversity of native trees in these areas before canopies are lost.

NOW, THEREFORE, BE IT RESOLVED that Washington County recognizes the National Arbor Day Foundations efforts to plant trees for the future by promoting Arbor Day and Arbor Month.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners does hereby proclaim Friday, April 24, 2020 to be Arbor Day, and the month of May 2020 to be Arbor Month in Washington County.

BE IT FURTHER RESOLVED that the Washington County Board of Commissioners urge citizens to become more aware of the importance of trees to the well-being of our community, and to diversify their own boulevards and yards with native trees.

- T. Approval of Change Order No. 2, for Contract No. 12858, with Innovative Masonry Restoration in the amount of \$150,997.88.
- U. Approval of **Resolution No. 2020-047** as follows:

**RESOLUTION TO ACQUIRE RIGHT-OF-WAY FOR
COUNTY STATE AID HIGHWAY 15 AND TRUNK HIGHWAY 36
INTERCHANGE**

BE IT RESOLVED THAT Washington County proceed to improve the County State Aid Highway (CSAH) 15-Manning Avenue North and Trunk Highway 36 intersection by replacing the current intersection with an interchange in the location shown on the attached map. This portion of said

highway is located in the following sections: Section 36, Township 30 North, Range 21 West; Section 31, Township 30 North, Range 20 West; Section 6, Township 29 North, Range 20 West; Section 1, Township 29 North, Range 21 West; Washington County, Minnesota.

BE IT FURTHER RESOLVED, that the officers of said County, including the County Engineer, the County Administrator and the County Attorney, shall proceed and are hereby authorized to proceed to acquire, by negotiations and purchase and if necessary the exercise of eminent domain, right-of-way to establish said highway plus sight corners, permanent slope, drainage and utility easements, and temporary construction easements. Such officers are specifically authorized to take such action and execute any and all instruments and plats if any be necessary, to acquire said right-of-way and associated easements.

- V. Approval of Contract No. 13380 with WSB & Associates Inc. in the amount of \$231,250 for construction surveying and staking services.
- W. Approval of Contract No. 13376 in the amount of \$642,562.93 with Dresel Contracting Inc. for the County State Aid Highway (CSAH) 15 (Manning Avenue) reconstruction and culvert replacement project (RB-2204).
- X. Approval of Contract No. 13384 with SRF Consulting Group Inc. in the amount of \$320,260 for preliminary design services of CSAH 15 south segment.
- Y. Approval of the Toward Zero Deaths Grant Addendum to Contract No. 12952, and the DWI Officer Grant Addendum to Contract No. 12842, from the Minnesota Department of Public Safety, Office of Traffic Safety.
- Z. Approval of the National Incident-Based Reporting System (NIBRS) Joint Powers Agreement No. 13390 between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension (BCA), and the Washington County Sheriff's Office.
- AA. Approval of **Resolution No. 2020-048** as follows:

**RESOLUTION RECOGNIZING CORRECTIONAL OFFICERS WEEK,
NATIONAL LAW ENFORCEMENT WEEK AND
LAW ENFORCEMENT MEMORIAL DAY
IN WASHINGTON COUNTY**

WHEREAS, the officers of America have worked devotedly and selflessly on behalf of the people of this Nation, regardless of the peril or hazard to themselves; and

WHEREAS, these officers have safeguarded the lives and property of their fellow Americans; and

WHEREAS, by the enforcement of our laws, these same officers have given our country internal freedom from fear of the violence and civil disorder that is presently affecting other nations; and

WHEREAS, these men and women, by their patriotic service and their dedicated efforts, have earned the gratitude of the citizens of Washington County.

NOW, THEREFORE BE IT RESOLVED that the Washington County Board of Commissioners hereby proclaim the week of May 3, 2020 – May 9, 2020 as Correctional Officers Week, May 10, 2020 – May 16, 2020 as National Law Enforcement Week, and May 15, 2020 as Law Enforcement Memorial Day. Washington County extends its appreciation and thanks to the dedicated law enforcement community for the vital contribution they make to the public safety and well-being of our citizens.

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

WASHINGTON COUNTY COMMUNITY DEVELOPMENT AGENCY

Resolution – Approval of the 2020-2024 Consolidated Plan and the 2020 Annual Action Plan for Submission to the U.S. Department of Housing and Urban Development

Commissioner Kriesel moved to adopt **Resolution No. 2020-049** as follows:

RESOLUTION APPROVING WASHINGTON COUNTY'S 2020-2024 CONSOLIDATED PLAN AND THE 2020 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAMS AND AUTHORIZING SUBMISSION OF SUCH GRANT REQUEST TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, Washington County is an Entitlement Community for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program; and

WHEREAS, Washington County is entitled to HOME Investment Partnerships Program (HOME) funding through its participation in the Dakota County HOME Consortium with the cities of Coon Rapids and Woodbury and the counties of Anoka, Dakota and suburban Ramsey; and

WHEREAS, each Entitlement Community is required to adopt a Consolidated Plan that establishes priorities for the use of CDBG and HOME funds; and

WHEREAS, the proposed projects in the 2020 Annual Action Plan are eligible projects and are priorities identified in the Consolidated Plan; and

WHEREAS, the application process for CDBG and HOME funds requires the submission of an Annual Action Plan to the U.S. Department of Housing and Urban Development; and

WHEREAS, the Consolidated Plan and Annual Action Plan require a thirty day public notice and public hearing before approval; and

WHEREAS, the required public comment period for the Plans was held from March 13, 2020, to April 21, 2020; and

WHEREAS, a public hearing was held on April 21, 2020 at 3:00 p.m. at the Washington County Community Development Agency, 7645 Currell Boulevard, Woodbury, Minnesota; and

WHEREAS, the Dakota County HOME Consortium will hold a public hearing on April 21, 2020 at 9:00 a.m. at the Dakota County Administration Center, 1590 West Highway 55, Hastings, Minnesota; and

WHEREAS, no additional public input has come from the public hearing or public comment period; and

WHEREAS, receipt of the CDBG funds will require execution of a grant agreement between Washington County and HUD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washington County, that the Washington County 2020-2024 Consolidated Plan and the 2020 Annual Action Plan for the CDBG and HOME programs is approved for submission to HUD; and

BE IT FURTHER RESOLVED that the Washington County Board Chair or his designee is authorized to execute and submit the Application for Assistance and Certifications; and

BE IT FURTHER RESOLVED that the Board Chair or his designee is authorized to execute the Fiscal Year 2020 CDBG Agreement with HUD for the acceptance of the CDBG funds upon final receipt of the documents and the Fiscal Year 2020 HOME Agreement with Dakota County Community Development Agency for the acceptance of the HOME funds upon final receipt of the documents.

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

Resolution – Approval of the 2021 and 2022 Qualified Allocation Plan for the Housing Tax Credit Program

Commissioner Karwoski moved to adopt **Resolution No. 2020-050** as follows:

RESOLUTION APPROVING THE 2021 and 2022 QUALIFIED ALLOCATION PLAN FOR THE HOUSING TAX CREDIT PROGRAM

WHEREAS, Congress has permanently extended the Housing Tax Credit Program by enactment of the Revenue Reconciliation Act of 1993; and

WHEREAS, Treasury Regulations (the “Regulations”) require allocators of housing tax credits, including the Washington County Community Development Agency (the “Agency”) which allocates such credits on behalf of Washington County (the “County”), to provide procedures to allocate low income housing tax credits and monitor compliance of projects to which it has allocated low income housing tax credits pursuant to Section 42 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the Agency has determined it is necessary and appropriate to modify the Agency's previously adopted Housing Tax Credit Qualified Allocation Plan (the “Plan”); and

WHEREAS, the Agency has adopted the Plan, as amended, in substantially the form attached hereto, following a public hearing regarding the revision of the Plan for which not less than 14 days notice was published in a newspaper of general circulation in the County; and

WHEREAS, the Regulations require the Plan to be approved by the elected body of the allocating agency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Washington County, that the 2021 and 2022 Housing Tax Credit Qualified Allocation Plan previously adopted by the Agency and attached hereto, is hereby adopted and approved.

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

PUBLIC WORKS

Letter of Support to Metropolitan Council

Commissioner Karwoski moved to approve providing a letter of support to the Metropolitan Council related to Joint Development of the County Western Service Center (WSC) as part of the METRO Gold Line project. Commissioner Weik seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

Approve Contract and Cooperative Agreements for the County Road (CR) 75 and Grey Cloud Trail Pavement Preservation Project

Commissioner Johnson moved to approve Contract No. 13382 in the amount of \$1,242,632.31 with Valley Paving Inc. for the CR 75 and Grey Cloud Trail Pavement Preservation project. Commissioner Miron seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

Commissioner Johnson moved to approve Cooperative Agreement No. 13305 for construction costs between the City of St. Paul Park and Washington County for the period from signature through project completion, for the CR 75 and Grey Cloud Trail Pavement Preservation project. Commissioner Weik seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

Commissioner Johnson moved to approve Cooperative Agreement No. 13306 for construction costs between Grey Cloud Island Township and Washington County for the period from signature through project completion, for the CR 75 and Grey Cloud Trail Pavement Preservation project. Commissioner Karwoski seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

GENERAL ADMINISTRATION

COVID-19 Update

County Administrator Kevin Corbid presented several requests for County Board action.

Consideration of a Resolution Recognizing the Financial Impact of the COVID-19 Pandemic and Updating Tax Abatement Policy #4001

Mr. Corbid presented a resolution for the County Board to consider allowing certain property owners additional time to pay their first half property tax, and along with that a recommended change to County Policy #4001 related to abatements. This item has been discussed by the County Board a number of times in workshop settings. The resolution as prepared would allow for a 60-day extension of the deadline to pay first half property taxes for the following properties that are not escrowed: Commercial/industrial properties with a total 2020 tax of \$50,000 or less; residential properties; and, agricultural/rural vacant land properties. The residential properties would include

both non-homesteaded and homesteaded properties. This does not include anyone with a lending company, bank or mortgage company that collects via escrow payments from property owners; those payments would be expected to be paid by the May 15, 2020, deadline. The significant change in Policy #4001 would be a new definition of hardship that would allow the Finance Committee, when it reviews requests for abatement of the penalty or interest from late payments of property tax payments, to consider financial hardship as one of the potential reasons to grant such a waiver. Prior to this change, financial hardship was explicitly excluded as a reason for the Finance Committee to grant a waiver.

Commissioner Kriesel expressed concern for small businesses and would like to see the commercial/industrial amount of property taxes owed raised from \$50,000 to \$100,000.

Commissioner Miron said in order to amend the policy, a motion was needed to approve the resolution first, then amend.

Commissioner Weik moved, seconded by Commissioner Johnson, to allow certain property owners additional time to pay the first half 2020 property tax without penalty due to the COVID-19 pandemic emergency declaration and an update to Policy #4001 to allow abatement due to financial hardship directly related to a state, federal, or local emergency declaration.

Commissioner Kriesel moved to amend the resolution for commercial/industrial with a total 2020 tax of up to \$100,000. Commissioner Miron seconded the motion to amend. The amendment was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

The motion previously moved by Commissioners Weik/Johnson to adopt final **Resolution No. 2020-051** is as follows:

**RESOLUTION RECOGNIZING THE FINANCIAL IMPACT OF
THE COVID-19 PANDEMIC AND UPDATING TAX ABATEMENT
POLICY #4001**

WHEREAS, the Washington County Board of Commissioners declared a Local State of Emergency effective March 17, 2020, due to the ongoing and expected response to and recovery from the COVID-19 Pandemic; and,

WHEREAS, the impacts and effects of the COVID-19 pandemic are continuing to be realized and understood; and

WHEREAS, the President of the United States has declared a National Emergency and the Governor of the State of Minnesota has declared a Peacetime State of Emergency; and,

WHEREAS, the preventative measures taken at all levels of government necessary to reduce the toll on human life have also created financial

difficulties for many businesses and families; and

WHEREAS, the federal government and the State of Minnesota have attempted to respond to the financial needs of individuals and businesses with a multitude of financial support and stimulus programs; and,

WHEREAS, the County Board encourages all businesses and residents to utilize those resources; and,

WHEREAS, the County Board recognizes the importance of businesses, including a large number of small businesses within the county, in providing the economic health and vitality of Washington County; and

WHEREAS, the County Board continues to support the business community through the efforts of our Community Development Agency, by providing a robust transportation system, by providing county services that make the county a desirable place for both residents and businesses to locate, and by doing its part to ensure a competitive property tax burden for businesses and other property owners; and

WHEREAS, counties are responsible for the collection and distribution of property taxes levied by all local governments; and,

WHEREAS, counties and local governments support essential services including those critical to COVID-19 response efforts; and,

WHEREAS, property taxes are the fundamental revenue sources for local government to ensure sustainability of essential services and statutory mandates; and,

WHEREAS, counties have the authority to abate or delay penalties and interest on late property tax payments under MS 279.01 and MS 375.192; and,

WHEREAS, county policy abatement policy #4001 was established to ensure all taxpayers are treated fairly and equitably and have equal access and consideration under the authority granted by state statute; and,

WHEREAS, county policy abatement policy #4001 defines hardship as an event or circumstances outside of the control of the taxpayer that does not include financial hardship.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners recognizes the financial impact of COVID-19 on our residents and business and hereby amends policy #4001 to allow the

County Board to consider an abatement due to financial hardship directly related to a state, federal or local emergency declaration, and;

BE IT FURTHER RESOLVED, that due to financial hardships experienced as a result of the COVID-19 pandemic, non-escrow properties classified as:

- Commercial/Industrial with a total 2020 tax of \$100,000 or less
- Residential, or
- Agricultural/Rural vacant land,

will be allowed to pay current property taxes due on May 15th, 2020 by or before July 15th, 2020, without the imposition of penalty, and;

BE IT FURTHER RESOLVED, that all property owners who escrow their property taxes through a lending company, bank, or other third party are expected to pay on time and are not eligible for a waiver of penalty if taxes due on May 15th, 2020, are not paid on time, and;

BE IT FURTHER RESOLVED, that all property owners who are able to pay their May 15th, 2020 property taxes by the due date are asked to do so in order to support the critical county, school and city response to the COVID-19 pandemic.

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

Continuation of Suspension of Public-facing Services

County Administrator Kevin Corbid reported on April 7, 2020, the County Board extended the suspension of public-facing services through April 28, 2020. Since that action, Governor Walz has extended his peacetime emergency declaration through May 13, 2020, and his Stay at Home MN Executive Order was extended until May 4, 2020. On March 24, 2020, the County Board also adopted the motion and granted authority to the County Administrator to resume public-facing services within certain county facilities if doing so follows the recommendations of the Centers for Disease Control, the Minnesota Department of Health, and the Washington County Department of Public Health and Environment, and is consistent with the executive orders of the Governor of the State of Minnesota related to the COVID-19 pandemic.

Mr. Corbid reported that Governor Walz granted some changes for businesses to open in Executive Order 20-40, and the county was anticipating being able to make some adjustments to its service delivery model in the first week of May. Mr. Corbid asked each department to prepare plans for reopening under Phase 1, a slow change in service delivery that meets the direction from the public health agencies. The following guidelines were given to departments including: limiting interpersonal contact through physical distancing and mitigation actions; continue work from home for those jobs and employees that are able to do so; limit close contact of not more than 10 minutes between employees and with customers; continue to provide physical barriers to slow the spreading of germs; utilize shift work, if necessary, to limit the number of workers in an office cubicle setting; ensure personal protective equipment (PPE) for those who require it. During Phase

1, the county would remain closed to general walk-in traffic. At most county facilities, there is potential to utilize services by appointment when no other method is available. The county will continue to provide electronic and remote delivery of services. Physical barriers would be established and telework would be continued. A summary of the Phase 1 plans were sent to the County Board.

Mr. Corbid pointed out a few department items from Phase 1 that would be most visible to the public. License centers, if allowed by the Minnesota Division of Vehicle Services, may potentially add services by appointment. There is potential for Community Corrections staff to have limited face-to-face supervision with offenders. There is potential in the libraries to offer computer access by appointment, and there is expectation to re-open the Environmental Center on May 5.

Commissioner Weik moved that the suspension of all public-facing services be continued through May 3, 2020, in response to COVID-19, which includes public-facing services at the county Government Center, the county's eight public libraries, the county service centers and license centers, all county park buildings, and the North Public Works building, and to authorize the delivery of services through alternative delivery methods as developed by Department Heads. Also, that the county administrator be delegated the authority to implement a phased reopening of county services in those areas where public-facing services can take place while following the guidance of the Centers for Disease Control (CDC), Minnesota Department of Health, the Washington County Department of Public Health and Environment, and that are consistent with the executive orders of the Governor of the State of Minnesota. Commissioner Kriesel seconded the motion and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

County Parks Operation Changes

Mr. Corbid reported that based on the recommendations of the Public Works Department, it is requested that the board consider taking the following actions today: delay the opening of the county swim beaches at Square Lake Park, Point Douglas Park, and Big Marine Park Reserve until June 15, 2020; Lake Elmo Regional Park Reserve Swim Pond be closed for the 2020 season; rentals for park pavilions, shelters, group campsites, and Historic Courthouse rentals, be cancelled through June 15, 2020; and county campgrounds at Lake Elmo Regional Park Reserve and St. Croix Bluffs Regional Park remain closed until May 21, 2020. In addition, Mr. Corbid is requesting the board to direct county staff to authorize refunds for all reservation fees for any cancellation resulting from the board's action to delay the opening of certain park activities.

Commissioner Kriesel asked about the difference between group campsites and individual campsites, and if this is a staffing issue. Public Works Director Don Theisen said currently both individual and group campsites are closed. Campgrounds need to be closed until June 15 because social distancing would be difficult, especially in the group campsites.

Commissioner Weik inquired on the number of seasonal employees. Mr. Theisen will report back on those figures. Mr. Theisen said in regards to staffing, hiring lifeguards for the parks is an issue, because people are not able to get lifeguard certifications due to pools being closed.

Commissioner Miron asked if today's actions would jeopardize any funding from Met Council for operations of the county's regional parks. Mr. Theisen said these actions will not jeopardize that funding. Sales tax revenue impacts funding from Met Council.

Commissioner Karwoski moved that the County Board direct the Department of Public Works to take the following actions in response to the COVID-19 pandemic, subject to any future action the County Board deems necessary:

- that the opening of the county swim beaches at Square Lake Park, Point Douglas Park, and Big Marine Park Reserve be delayed until June 15, 2020;
- that the Lake Elmo Regional Park Reserve Swim Pond be closed for the 2020 season;
- that rentals for park pavilions, shelters, group campsites, and Historic Courthouse rentals, be cancelled through June 15, 2020;
- that county campgrounds at Lake Elmo Regional Park Reserve and St. Croix Bluffs Regional Park remain closed until May 21, 2020; and
- that county staff be authorized to refund all reservation fees for any cancellation resulting from the board's action to delay the opening of certain park activities.

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

County Parks Entrance Fees

Mr. Corbid noted that staff did not provide a draft motion to continue waiving fees for the parks as part of this week's material, and unless the board decides to continue to waive entrance fees, entrance to county parks would require a permit beginning April 29, 2020. Mr. Corbid reported that during the 40 days that the County Board waived park entrance fees, over 40,000 cars and 100,000 visitors utilized the county parks. Mr. Corbid stated there will be substantial financial impact to park fee revenue if the county continues to provide free access.

Commissioner Johnson moved to continue to waive parks entrance fees through May 5, 2020. Commissioner Weik seconded the motion.

Discussion ensued among the County Board about continuing to waive entrance fees and loss of revenue.

Public Works Director Don Theisen reported that lost revenue during this time was approximately \$60,000. Washington County and Anoka County are the only two counties within the metro that charge entrance fees to parks. Anoka County has not waived its fees during the Stay at Home order, and has seen an increase in ticket sales during this time, which shows that entrance fees have not deterred people from visiting parks.

Commissioner Weik asked if there was potential to include lost revenue in a reimbursement request package. Mr. Corbid reported that currently there are no funding streams that allow reimbursement for lost revenue to a county as part of the pandemic response. The county is hopeful

that this would occur through a federal stimulus bill or through the State sharing of its CARES Act funding.

Board Chair Miron acknowledged the dire times, and the positive public health impact of being able to provide opportunities for exercise during this time. Chair Miron said the board also considers the difficulty of continuing to waive fees due to the concerns of lost revenue. Chair Miron said the board will appreciate seeing the data and having an opportunity to review the financial impact.

Mr. Corbid said the board approving continuation to waive fees for another week would give time for staff to have the data prepared with information on revenue loss and impact.

The motion by Commissioners Johnson/Weik to continue to waive park entrance fees through May 5, 2020, was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

Pandemic Response Update

Public Health & Environment (PHE) Director Lowell Johnson reported that COVID-19 testing has been expanded in the state, and all persons who are symptomatic should be able to be tested. There is more contact tracing being done, and more isolation and quarantine for those identified as positive. PHE staff has volunteered to be part of the extended contact tracing and investigation. This week, PHE Epidemiologist Kris Keller will attend a three-day training at the state health department on the process and protocols for doing that contact tracing work. PHE will begin expanded hours very soon for these extended contact tracing services.

COMMISSIONER REPORTS

Commissioners reported on meetings and other events that they attended. Please see archived web streaming of the board meeting for full commissioner reports at www.co.washington.mn.us, under "County Board."

BOARD CORRESPONDENCE

No board correspondence was received.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Weik moved to adjourn, seconded by Commissioner Johnson, and it was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none. The County Board meeting adjourned at 12:07 p.m.

BOARD WORKSHOP – ADMINISTRATION

The Board met in workshop session for introduction of a Land and Water Legacy Program project for a potential conservation easement on the Kummer property in Denmark Township. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, outside agencies, and county staff.

Attest: 

Kevin Corbid
County Administrator



Fran Miron
County Board Chair