



**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
MAY 16, 2023**

WASHINGTON COUNTY BOARD OF COMMISSIONERS CONVENES

The Washington County Board of Commissioners met in regular session at 9:00 a.m. in the Washington County Government Center, County Board Room.

Present: Commissioner Fran Miron, District 1
Commissioner Stan Karwoski, District 2
Commissioner Gary Kriesel, District 3
Commissioner Karla Bigham, District 4
Commissioner Michelle Clasen, District 5

Also Present: Kevin Corbid, County Administrator
Sue Tice, County Attorney Civil Division Chief
Holly Hess, Administrative Assistant

The Board recited the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC

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

CONSENT CALENDAR

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

1. Approval of the April 25, 2023, County Board meeting minutes.
2. Approval to reappoint Eric Peterson, to a second term as a Community Social Services Representative on the Community Corrections Advisory Board, with his term expiring December 31, 2024.
3. Approve Amendment No. 1 to Grant Contract No. 14137 between the Minnesota Department of Human Services and Washington County, adding additional Community Living Infrastructure grant funds for \$195,201 and extending the contract expiration date to June 30, 2025.
4. Approval of **Resolution No. 2023-052** as follows:

**RESOLUTION RECOMMENDING CONVEYANCE OF TAX
FORFEITED LAND BY CONDITIONAL USE DEED
TO THE CITY OF COTTAGE GROVE**



WHEREAS, Minnesota Statutes 282.01, Subd. 1a, para. (e) provides for the conveyance of tax forfeited land by the Minnesota Department of Revenue to a local governmental subdivision of the state for no compensation or consideration by conditional use deed upon favorable recommendation by the county board, and

WHEREAS, a request has been received from the City of Cottage Grove for conveyance of tax forfeited land by conditional use deed for authorized public use, and

WHEREAS, the parcel has been classified as non-conservation, and

WHEREAS, the request from the City of Cottage Grove meets the definition of authorized public uses as defined in M.S. 282.01, Subd. 1a, para. (e) as described below.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners recommend to the Commissioner of Revenue that the following conveyance by conditional use deed be approved as submitted by the governmental agencies below.

City of Cottage Grove

1. Parcel 08.027.21.43.0046, City of Cottage Grove, Use #1- a road, right-of-way for road

5. Approval of **Resolution No. 2023-053** as follows:

**RESOLUTION RECOMMENDING CONVEYANCE OF TAX
FORFEITED LAND TO WASHINGTON COUNTY**

WHEREAS, Minnesota Statutes 282.01, Subd. 1a, para. (b) States nonconservation tax-forfeited lands may be sold by the county board, for their market value as determined by the county board, to an organized or incorporated governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property, and

WHEREAS, a request has been received from Washington County for conveyance of tax forfeited land for a right-of-way, an authorized public purpose, and

WHEREAS, Washington County has agreed to pay \$1,800.00 plus the recording costs for the parcel, and

WHEREAS, the parcel has been classified as non-conservation, and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners recommend to the Commissioner of Revenue that the following conveyance be approved as submitted by the governmental agencies below.

Washington County

1. Parcel 32.028.21.13.0019, Washington County, right-of-way for a road

6. Approval of **Resolution No. 2023-054** as follows:

**RESOLUTION APPROVING AN APPLICATION
TO CONDUCT OFF-SITE GAMBLING FOR
BAYPORT AMERICAN LEGION POST 491**

WHEREAS, an application has been received from the Bayport American Legion Post 491 to conduct off-site gambling during the Yellow Ribbon Randy Kopesky Field of Bands Event at the Washington County Fairgrounds located in Baytown Township on September 16, 2023, and

WHEREAS, Minn. Stat. 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 off-site gambling, pull tabs, from the Bayport American Legion Post 491 at the Washington County Fairgrounds located in Baytown Township and for it to be remitted to the Minnesota Gambling Control Board for their consideration.

7. Approval of an application for a 1-4 day Temporary On-Sale Liquor License from Bayport American Legion Post 491 for the Yellow Ribbon Randy Kopesky Field of Bands at the Washington County Fairgrounds, located at 12300 40th Street North in Baytown Township on September 16, 2023.

8. Approval of **Resolution No. 2023-055** as follows:

**RESOLUTION SUPPORTING SUBMITTAL OF AN
APPLICATION TO REQUEST FUNDING FROM THE UNITED
STATES DEPARTMENT OF TRANSPORTATION THROUGH
THE 2023 CHARGING AND FUELING INFRASTRUCTURE
DISCRETIONARY GRANT PROGRAM**

WHEREAS, the United States Department of Transportation (USDOT) has accepted project submissions for the Charging and Fueling Infrastructure (CFI) Discretionary Grant Program; and

WHEREAS, Washington County will submit a project application for grant funds to build electric vehicle (EV) charging infrastructure throughout Washington County at public facing facilities; and

WHEREAS, this infrastructure will make modern and sustainable infrastructure accessible to all drivers of electric vehicles; and

WHEREAS, the EV charging locations selected in Washington County were strategically chosen to provide public access in urban and rural communities, particularly seeking to serve underserved or disadvantaged communities; and

WHEREAS, the following criteria were used in evaluation for electric vehicle charger locations:

- Staff collaboration between Planning, Building Services, and Parks -
- to identify locations that best respond to the conditions of the grant and technical understanding of the location
- Sites that are county-owned or owned with a partner city
- Sites at existing or planned public parking, served by electricity year-round
- ADA accessibility at potential charging locations
- Availability and access to electrical power sources
- Planning for Level 2 charging infrastructure, where each charger serves two parking stalls
- Equitable county-wide distribution of locations; and

WHEREAS, Washington County is committed to providing the county share of the costs if the project is selected as part of the 2022-2023 CFI Discretionary Grant program.

NOW, THEREFORE, BE IT RESOLVED, that Washington County is requesting funding from the federal government through the CFI program and the county is committed to completing the projects identified above and proving the county share of funding.

9. Approval of Contract No. 15528 with Sir Lines-A-Lot for \$213,710 for the Washington County 2023 Latex Contract, for latex pavement marking striping on various county highways and local streets within Washington County during the year 2023.
10. Approve a letter of support for the University of Minnesota invasive cattail removal project to restore nearshore lake ecosystems at Big Marine Park Reserve.

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

PUBLIC WORKS

Contract for County State Aid Highway 15 (Manning Avenue) Safety Improvement Project

Engineer Eden Rogers presented a contract for a safety improvement project along County State Aid Highway (CSAH) 15, from CSAH 12 to 240th Street, through the cities of Stillwater, Grant, Scandia, Stillwater Township, and May Township. This project is identified as #RB-2673 in the Capital Improvement Plan.

Ms. Rogers reported that due to a history of serious and fatal crashes on CSAH 15, and to combat safety concerns, the county developed a plan to install sinusoidal rumble/mumble strips and striping along this corridor. In 2020, Washington County applied for a Highway Safety Improvement Program (HSIP) grant, administered by the Minnesota Department of Transportation, and was awarded funds to complete this project.

Ms. Rogers reported that the county began design in early 2022, and bid this project in early 2023. Two bids were received and Century Fence Company was selected as the lowest bid. This contract will be funded by HSIP grant funds and County Program Aid.

Commissioner Miron moved to approve Contract No. 15522 for \$137,498.31 with Century Fence Company for the CSAH 15 Safety Improvement Project. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

Change Orders for CSAH 15 Pavement Improvement Project

Assistant County Engineer Cory Slagle presented two change orders for the CSAH 15 Pavement Improvement Project. Mr. Slagle reported that the project involved resurfacing more than 11 miles of Manning Avenue, from Lynch Road to the North County Line. In addition to the pavement resurfacing, work included replacement of culverts, minor grading, new signs, and new pavement markings. Valley Paving Inc. was awarded the contract for \$7,199,922.67, and the project has been completed.

Mr. Slagle reported that during construction, there were 11 change orders necessary to complete the work. Nine of the change orders (1-7, 9, and 10) were approved administratively in accordance with county policy. Change Orders 8 and 11 require County Board authorization, due to the value.

Change Order 8 provides payment for incentives based on pavement test results. This encourages contractors to provide a higher-quality product that will perform better for a longer period of time. The testing of the pavement on this project resulted in an incentive of \$196,906.23 for the contractor.

Change Order 11 is the final quantity adjustment for the project. This contract is considered a unit price contract, in which the engineer calculates an estimate of the quantities of work needed to complete the project, and the contractor bids a unit price on each item. The construction inspector measures the actual quantities of work performed for payment to the contractor. A quantity adjustment change order is used to reconcile quantity overruns and underruns based on these

measurements. Change Order 11 includes adjustments based on field measurements for a total increase of \$340,277.95.

Change Orders 8 and 11 will require an additional \$309,036.05 beyond the budgeted 7% construction contingency. These costs are eligible for State Aid funding and will be paid from the Unused, Allocated State Aid Balance, which is budgeted construction contingency from other projects that was unused.

Commissioner Miron moved to approve Change Order #8 for \$196,906.23, and Change Order #11 for \$340,277.95 with Valley Paving Inc. for the CSAH 15 Pavement Improvement Project. Commissioner Karwoski seconded the motion, and it was adopted unanimously.

GENERAL ADMINISTRATION

National Association of County Engineers – Urban County Engineer of the Year Award

County Administrator Kevin Corbid announced that Public Works Director and County Engineer Wayne Sandberg has received the National Association of County Engineers (NACE) Urban County Engineer of the Year Award. The award recognizes an engineer working for a county with a population of more than 100,000, and recognizes Mr. Sandberg's exceptional application of efficient engineering management principles and standards for the economic design, construction, maintenance, and operation of public works facilities.

Brian Pogodzinski, Minnesota County Engineers Association President and Houston County Engineer, and Jodi Teich, Minnesota State Director for NACE and Stearns County Engineer, were present today to recognize Mr. Sandberg receiving this prestigious award.

Legislative Update

Deputy County Administrator Jan Lucke reported that the Minnesota legislative leaders hope to conclude the legislative session prior to the constitutional deadline of May 22. The following omnibus budget bills have been re-passed by both the House and Senate, and sent to Governor Tim Walz: Housing Finance; Veterans and Military Affairs Finance; Legacy Finance; Higher Education Finance; Agriculture Finance; and Judiciary and Public Safety. Ms. Lucke highlighted three of these bills and the impact on Washington County.

The Legacy Finance bill includes \$22 million for the Trust of Public Lands and the Department of Natural Resources to establish a Wildlife Management Area in May Township.

The Housing Finance bill includes a new 0.25% sales tax for housing, which brings three different layers of additional funding: \$3 million in rent assistance directly to the Washington County Community Development Agency; \$8.3 million in local affordable housing aid directly to Washington County; and local affordable housing aid directly to certain cities. This is preliminary, and staff are working through the numbers and eligible uses and will have all these details post session.

The Judiciary and Public Safety bill included a new community supervision funding formula that results in a more transparent, needs-based, and equitable model, and an additional \$43 million in funding to be distributed through that formula. Community Corrections Department Director Terry Thomas estimates this will include an additional \$1.5 million to Washington County.

Ms. Lucke reported that there are many more bills in play. One bill that county staff are following closely is a potential new $\frac{3}{4}$ cent sales tax for transportation, of which 30% of the revenue generated could be coming directly to counties based on need and population. The bill also includes the state paying the full cost of operations and maintenance for the regional transit system, including Gold Line Bus Rapid Transit, thereby relieving the county of an ongoing cost. Commissioners Bigham and Karwoski participated in several negotiations last week with other metropolitan commissioners and the committee chairs.

Ms. Lucke reported that the Minnesota County Attorney's Association and the Minnesota Sheriff's Association have expressed strong opposition to changing what is known as the 48-hour rule. County Attorney Kevin Magnuson, as president of the Urban County Attorney Association, participated in a press conference last night. The law currently requires the Minnesota Department of Human Services (DHS) to transfer inmates to a state-run facility within 48 hours of a civil commitment. The proposed change would remove the 48-hour requirement and require the transfer only when a bed becomes available. This significantly undermines the intent of the 48-hour rule, which was to protect vulnerable people in need.

National Association of Counties Annual Conference Voting Delegates

Mr. Corbid requested a board action to designate a single voting delegate for the 2023 National Association of Counties (NACo) Annual Conference occurring July 21-24, 2023, and a secondary delegate, in the event the first delegate would be unavailable.

Commissioner Karwoski moved to designate Commissioner Bigham as voting delegate, and Commissioner Clasen as an alternate voting delegate. Commissioner Miron seconded the motion, and it was adopted unanimously.

COMMISSIONER REPORTS

Commissioners reported on meetings and other events 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 Karwoski moved to adjourn. Commissioner Miron seconded the motion, and it was adopted unanimously.

The County Board meeting adjourned at 10:09 a.m.

BOARD WORKSHOP WITH ACCOUNTING AND FINANCE

The board met in workshop session to discuss the American Rescue Plan Act 2023 recovery plan. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

BOARD WORKSHOP WITH PUBLIC WORKS

The board met in workshop session to discuss Metro Transit's Network Now planning process. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

BOARD WORKSHOP WITH ADMINISTRATION

The board met in workshop session to discuss a potential Land and Water Legacy project in Denmark Township. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Bigham, and Clasen. Also present were Kevin Corbid, Jan Lucke, Jennifer Wagenius, and county staff.

Attest:

Kevin Corbid

Kevin Corbid
County Administrator

Gary Kriesel

Gary Kriesel
County Board Chair