

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD
WASHINGTON COUNTY, MINNESOTA
JULY 7, 2020**

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 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, Administrative Assistant

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

Chair Miron indicated that item K has been requested to be pulled from the Consent Calendar. There has been a new development on the grant and the Request for Board Action will need to be revised and brought to the board at a later time.

Commissioner Karwoski moved, seconded by Commissioner Weik, to pull item K from today's Consent Calendar. The motion was adopted 5-0 with a Roll Call vote as follows: Ayes, Commissioners Weik, Kriesel, Johnson, Karwoski, and Miron. Nays, none.

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

- A. Approval of the June 16, 2020, County Board meeting minutes.
- B. Approval of Amendment No. 7 to Contract No. 3812 between the State of Minnesota Tenth Judicial District and Washington County related to Court Administration.
- C. Approval of **Resolution No. 2020-069** as follows:

**RESOLUTION TO APPROVE THE MINNESOTA DEPARTMENT OF
TRANSPORTATION 2020- 2021 SECTION 5310 (ENHANCED MOBILITY OF
SENIORS AND INDIVIDUALS WITH DISABILITIES) CONTRACT 1036703**

WHEREAS, the State of Minnesota has authorized the Section 5310 Elderly and Disabled Assistance grant for 2018; and

WHEREAS, the grant aims to improve access to transportation services and public transportation alternatives for persons with disabilities, seniors, and others with special transportation needs; and

WHEREAS, Washington County residents selected “ease of travel by public transit” as the most problematic issue during the 2013, 2016, and 2019 Washington County Resident Surveys; and

WHEREAS, Washington County sought financial assistance to support transit coordination to implement the Board approved recommendations from the 2016 Transit Needs Study, continues to gather data on the transportation needs in Washington County, and is collaborating with other local transit coordination efforts; and

WHEREAS, Washington County is duly qualified and agrees to perform all services described in the grant agreement to the satisfaction of the State of Minnesota; and

WHEREAS, Washington County Board of Commissioners authorized the submittal of a proposal to the State of Minnesota for the funding available through the Section 5310 Elderly and Disabled Assistance grant in 2018 to improve access to provide transportation services and public transportation alternatives for persons with disabilities, seniors, and others with special transportation needs; and

WHEREAS, Washington County was awarded a grant for \$100,000 by the Minnesota Department of Transportation (MnDOT), a grant whose terms and conditions were outlined in MnDOT Agreement 1029508; and

WHEREAS, Washington County Board of Commissioners authorized the submittal of a proposal to the State of Minnesota for 2020 and 2021 funding available through the Section 5310 Elderly and Disabled Assistance program to continue efforts to advance strategic priorities that will increase mobility for persons with disabilities, seniors, and others with special transportation needs in July 2019; and

WHEREAS, Washington County Board of Commissioners authorized a submission of up to \$400,000, of which 20%, or \$80,000, were comprised of committed local funds; and

WHEREAS, the Washington County Community Services Department received a Notice of Grant Award from MnDOT on January 24, 2020, committing up to \$320,000 in federal funds in 2020 and 2021; and

WHEREAS, the Washington County Community Services Department received MnDOT Agreement 1036703 which, upon its execution, will commit up to \$320,000 in federal funds for Section 5310 activities between the date of contract execution and December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners hereby approves and accepts MnDOT Agreement 1036703 and authorizes the expenditure of previously-committed county funds as the required local match in an amount not to exceed twenty percent (20%) of the grant amount.

- D. Approval to apply for additional Emergency Services Program (ESP) funds in the amount up to \$145,000 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, up to February, 28, 2021, and authorize its execution pursuant to Minn. Stat. 373.02.
- E. Approval of Amendment No. 1 to Contract No. 13162, between On-Demand Group and Washington County in the amount of \$50,000 for a total contract amount of \$145,000, and authorize its execution pursuant to Minn. Stat. 373.02.
- F. Approval of Contract No. 13504 with Metropolitan Council for the MetroGIS collaboration, for the period of January 1, 2021, through December 31, 2023, and authorize its execution pursuant to Minn. Stat. 373.02.
- G. Approval of Contract No. 13514 with Simacor in the amount of \$126,000, for the period of July 7, 2020, through December 31, 2020, and authorize its execution pursuant to Minn. Stat. 373.02.
- H. Approval of **Resolution No. 2020-070** as follows:

**RESOLUTION TO DELEGATE AUTHORITY TO THE WASHINGTON
COUNTY POLICY COMMITTEE REPRESENTATIVE FOR THE
LOWER ST. CROIX ONE WATERSHED, ONE PLAN TO VOTE ON
FINAL PLAN SUBMITTAL FOR BWSR REVIEW**

WHEREAS, the Minnesota Board of Soil and Water Resources (BWSR) has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan (1W1P), consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program;

WHEREAS, by Washington County Resolution 2017-115, adopted February 21, 2017, the Washington County Board of Commissioners entered into a cooperative effort, along with the other counties, soil and water conservation districts, and watershed management organizations within the Lower St. Croix Planning Boundary, as delineated in the One Watershed, One Plan Suggested Boundary Map (together, the “Parties”), to develop a coordinated, watershed-scale implementation framework for this area; and

WHEREAS, by Washington County Resolution 2018-118, adopted March 13, 2018, the Washington County Board of Commissioners entered into a Memorandum of Agreement with the same parties to establish a structure and procedural steps for plan development in the Lower St. Croix Planning Boundary; and directed staff to participate in the planning process, and appointed a Commissioner Fran Miron to the Policy Committee; and

WHEREAS, a draft Lower St. Croix Watershed Comprehensive Management Plan has been developed over an 18-month period to meet standards set forth in Minnesota Statutes, Chapter 103B.801 and includes implementation programs and priority activities for the entire watershed area with the mission to guide protection and restoration of priority natural resources over the next ten years.

WHEREAS, by Washington County Resolution 2020-032, adopted March 24, 2020, The Washington County Board of Commissioners agreed to delegate authority to the Washington County Policy Committee representative for the Lower St. Croix One Watershed, One Plan, Commissioner Fran Miron, to vote on whether the draft plan is to be submitted for a 60-day public comment period.

WHEREAS, by Washington County Resolution 2020-032, adopted March 24, 2020, The Washington County Board of Commissioners agreed to delegate authority to the Washington County Policy Committee representative for the Lower St. Croix One Watershed, One Plan, Commissioner Fran Miron, to vote in favor of the Policy Committee holding a public hearing on the Draft Lower St. Croix One Watershed, one Plan following the 60 days Review and Comment Period at a location to be determined by the Policy Committee.

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners delegates authority to the Washington County Policy Committee representative for the Lower St. Croix One Watershed, One Plan, Commissioner Fran Miron, to vote to submit the Final Lower St. Croix One Watershed, One Plan to the Board of Water and Soil Resources for approval or disapproval.

- I. Approval of Metropolitan Council Grant Agreement No. 13523 for Washington County's allocation of Regional Park & Trail Operation and Maintenance expenses.
- J. Approval of **Resolution No. 2020-071** as follows:

**RESOLUTION OF SUPPORT PROCLAIMING JULY 2020 AS
PARK & RECREATION MONTH AND CONTINUATION OF
FREE TUESDAYS IN THE PARKS**

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Washington County; and

WHEREAS, parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities aid in the prevention of chronic disease, provide therapeutic recreation services for those with mental or physical disabilities, and improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Park and Recreation Month; and

WHEREAS, Washington County recognizes the benefits derived from parks and recreation resources; and

WHEREAS, Washington County has traditionally endorsed the first Tuesday of the month as Free Tuesday; during this time a vehicle permit is not required.

NOW THEREFORE, BE IT RESOLVED that the Washington County Board of Commissioners recognizes July 2020 as Park and Recreation Month in the County of Washington and continue to allow the first non-holiday Tuesday of each month to be considered Free Tuesday. A day when vehicle permit fees are waived, allowing the public to enter Washington County Parks and Trails for free.

L. Approval of **Resolution No. 2020-072** as follows:

**JOINT POWERS AGREEMENT BETWEEN THE WASHINGTON
COUNTY SHERIFF'S OFFICE AND THE CITIES AND
TOWNSHIPS OF WASHINGTON COUNTY, MN**

BE IT RESOLVED, that the Washington County Sheriff's Office is authorized to enter into thirty two Joint Powers Agreements for the purpose of providing a Mass Emergency Notification System known as CodeRED to the following cities within Washington County: Afton, Birchwood, Bayport, Baytown Township, Cottage Grove, Dellwood, Denmark Township, Forest Lake, Grant, Grey Cloud Island, Hugo, Lake Elmo, Lake St. Croix Beach, Lakeland, Lakeland Shores, Landfall, Mahtomedi, Marine on St. Croix, May Township, Newport, Oak Park Heights, Oakdale, Pine Springs, Scandia, St. Mary's Point, St. Paul Park, Stillwater, Stillwater Township, West Lakeland Township, Willernie, White Bear Lake and Woodbury.

BE IT FURTHER RESOLVED, that the Washington County Sheriff, Dan Starry, is hereby authorized to execute and sign this agreement and any amendments thereto, as are necessary to implement this agreement on behalf of the Washington County Sheriff's Office.

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

HUMAN RESOURCES

Human Resources staff recognized and honored volunteers who created homemade masks that were donated to county staff.

Human Resources Deputy Director/Labor Relations Manager Paula Graff introduced Shirley Bebensee, a retired HealthPartners nurse practitioner, avid quilter, and also Ms. Graff's mother. Ms. Bebensee first made 15 masks for Human Resources, then donated another 150 masks for

county employees. Feeling the need to contribute more, she went on to sew another 250 masks from pre-assembled mask kits for Washington County, plus some special order masks for Public Works. When she first started sewing the kits, each mask was taking her 37 minutes. Ms. Bebensee has gone onto perfecting the amount of time it takes to sew masks and has contributed over 120 hours of her time to mask making since mid-April.

Human Resources Director Angie Nalezny introduced Human Resources Risk & Benefits Manager Julie Sorrem, whose family contributed their mask making talents and time. Ms. Sorrem's family helped sew 50 face masks, and laundered and ironed more than 700 masks.

The County Board thanked these volunteers on behalf of all the county employees for their generous donation of their time and talent in order to help protect county employees as we provide services to county residents.

ACCOUNTING AND FINANCE

Resolution – Declaring Intent to Retain a Certified Public Accounting Firm to Perform its Annual Financial Audit

Commissioner Kriesel moved to approve **Resolution No. 2020-073** as follows:

RESOLUTION DECLARING WASHINGTON COUNTY'S INTENT TO RETAIN A CERTIFIED PUBLIC ACCOUNTING (CPA) FIRM TO PERFORM ITS ANNUAL FINANCIAL AUDIT

WHEREAS, Minnesota Statutes, section 6.481, subdivision 2 requires counties to have an annual financial audit; and

WHEREAS, Minnesota Statutes, section 6.481, subdivision 2 permits counties to “choose to have the audit performed by the state auditor, or may choose to have the audit performed by a CPA firm”; and

WHEREAS, Washington County previously provided the required notice to the Office of State Auditor that it intends to utilize the services of a private audit firm, that meets the requirements in Minnesota Statutes 326A.05, for its audits for years 2018 through 2020 as provided for by Minnesota law; and

WHEREAS, Minnesota Statutes 6.481 subdivision 7 requires “A county that plans to change to or from the state auditor and a CPA firm must notify the state auditor of this change by August 1 of an even numbered year”, and

WHEREAS, Washington County has been pleased by the quality of the audits performed by the private audit firm and intends to retain the services of a private audit firm during the years of 2021, 2022 and 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby provides notice to the Office of State Auditor that it intends to utilize the services of a private audit firm, that meets the requirements in Minnesota Statutes 326A.05, for its audits for years 2021, 2022 and 2023 as provided for by Minnesota law.

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.

PROPERTY RECORDS AND TAXPAYER SERVICES

Resolution – Providing for the Subdivision of Tax Forfeited Land

Commissioner Kriesel moved to approve **Resolution No. 2020-074** as follows:

RESOLUTION PROVIDING FOR THE SUBDIVISION OF TAX FORFEITED LAND

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

WHEREAS, the county board has the authority to either combine or split parcels of tax forfeited property when it is considered advantageous for sale purposes, and

WHEREAS, parcel 01.029.21.11.0008 with 33.5 acres described as; Outlot F, ST. CROIX SANCTUARY be split in to two parcels, parcel A and parcel B, and

WHEREAS, parcel A will consist of 9.64 acres, and further described on the attached Exhibit A, and

WHEREAS, parcel B will consist of 23.86 acres, and further described on the attached Exhibit B, and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby determines the parcel 01.029.21.11.0008 be subdivided into two parcels, parcel A with 9.64 acres and parcel B with 23.86 acres, and further described on the attached Exhibit A and Exhibit B.

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.

Resolution – Approving the Sale of Tax Forfeited Land to Washington County and the City of Lake Elmo

Commissioner Kriesel moved to approve **Resolution No. 2020-075** as follows:

**RESOLUTION APPROVING THE SALE OF TAX FORFEITED
LAND TO WASHINGTON COUNTY AND THE CITY OF LAKE
ELMO FOR AN AUTHORIZED PUBLIC PURPOSE**

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

WHEREAS, Minnesota Statute provides that tax forfeited land may be sold by the county board, for market value to a governmental subdivision of the state for any public purpose, and

WHEREAS, Washington County and the City of Lake Elmo have requested a parcel of tax forfeited land to be sold to them for an authorized public purpose, and

WHEREAS, Washington County Board of Commissioners has previously approved the split of parcel 01.029.21.11.0008 into two parcels, parcel A and parcel B with 33.5 acres and described as; Outlot F, ST. CROIX SANCTUARY, and further described on the attached Exhibit A and Exhibit B.

WHEREAS, Washington County Board of Commissioners hereby approves the sale of a portion of parcel 01.029.21.11.0008 described in Exhibit A to Washington County for the purchase price of \$2,500.00 plus the extra cost of \$159.25, and

WHEREAS, Washington County Board of Commissioners hereby approves the sale of a portion of parcel 01.029.21.11.0008 described in Exhibit B to the City of Lake Elmo for the purchase price of \$7,500.00 plus the extra cost of \$325.75, and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby determines the appraised value of parcel 01.029.21.11.0008 to be \$10,000.00

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Washington County Board of Commissioners hereby approves the sale of parcels A & B, further described on the attached Exhibit A and Exhibit B derived from the split of parcel 01.029.21.11.0008 to Washington County for the appraised value of \$2,500.00 plus extra cost of \$159.25 and to the City of Lake Elmo for the appraised value of \$7,500.00 plus the extra cost of \$324.75.

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.

Appointments to the 2020 County Canvass Board for State Primary and General Elections

Property Records and Taxpayer Services Director Deb Ledvina requested county board member appointments to the 2020 county canvass boards for the State Primary Election and State General Election. The canvass board is responsible to review vote totals, certify results, and declare nominees or winners. The county canvass board consists of the county auditor, the court administrator of the district court, the mayor of the town's most populous municipality, and two members of the county board who are not candidates at the election, or their designees.

The State Primary Election will occur on Tuesday, August 11, 2020, and the county canvass board will meet to certify those results on Friday, August 14, 2020, at 2:00 p.m. 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. All commissioners are eligible to serve, and Commissioners Karwoski and Weik have indicated availability.

The State General Election will occur on Tuesday, November 3, 2020, and the county canvass board will meet to certify those results on Thursday, November 12, 2020, at 2:00 p.m. 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. Commissioners eligible to serve on this board are Commissioners Johnson and Karwoski and both have indicated availability.

Commissioner Kriesel moved to appoint Commissioner Karwoski and Commissioner Weik to the 2020 county canvass board for the State Primary Election. Commissioner Johnson seconded the motion and it was adopted unanimously.

Commissioner Weik moved to appoint Commissioner Johnson and Commissioner Karwoski to the 2020 county canvass board for the State General Election. Commissioner Kriesel seconded the motion and it was adopted unanimously.

GENERAL ADMINISTRATION

County Administrator Kevin Corbid asked Public Works Deputy Director/County Engineer Wayne Sandberg to update the board about public infrastructure that is at risk with the recent flooding and a board item that will be brought forward next week related to a potential project on County Road 12 in the City of Grant.

Mr. Sandberg presented an aerial photo of County Road 12 at the intersection of Kimbro Avenue in the City of Grant. There are two ponds shown on the map and there is no natural outlet for the 1,200 acres of drainage that flows into these ponds.

Mr. Sandberg reported that 2019 was the wettest year on record in Washington County, and the 10th year of the wettest decade in the county. As a result, during the past decade, numerous basins across the county have continued to fill and rise up. These two basins have flooded out County Road 12 and it is closed to traffic. There is no indication that the water will recede substantially.

Mr. Sandberg stated County Road 12 is an important route. It carries 8,000 vehicles per day, and it is also the main emergency vehicle access route between Stillwater and Mahtomedi, and the City of Grant. The current detour is to use Highway 36, which is already a congested route and not suitable for long-term. As a result, the Public Works Department is recommending raising County Road 12 to above those flood waters. The department has been working on plans to raise the road surface 2.5 feet above the natural outlet to the south. The proposal would build a 44-foot wide pavement section with concrete barrier placed on the outer 2 feet, which will leave 40 feet of pavement. The department recommends using two 11-foot lanes and having wide shoulders to accommodate bicycles and pedestrians safely. Mr. Sandberg reported this is a high priority issue and the department is preparing plans, specifications, and cost estimates.

Mr. Sandberg reported on another high priority issue. In the last month, the county experienced some significant, high-intensity storm bursts which have created washouts in several areas, including a major washout at Farney Creek, located within Lake Elmo Park Reserve.

Mr. Sandberg said the Emergency Declaration that is being presented today will provide the county with an opportunity to bypass normal bidding and obtain quotes directly from contractors so the county can stabilize and repair these flooding issues as soon as possible.

Resolution – Declare a State of Emergency Related to 2020 County Flooding

Commissioner Kriesel moved to approve **Resolution No. 2020-068** as follows:

RESOLUTION DECLARING A STATE OF EMERGENCY

WHEREAS, Washington County has experienced in the last several years record levels of precipitation; and

WHEREAS, recent torrential rainfall from June 28th, 2020, has forced county staff to take decisive emergency actions; and

WHEREAS, actionable flood threats currently exist throughout the county and within several cities; and

WHEREAS, Washington County has exhausted its own resources to mitigate flooding threats to public infrastructure, and has hired contracted support; and

WHEREAS, Washington County is actively engaged in protective measures to mitigate flood effects to public infrastructure; and

WHEREAS, Washington County continues to partner with external agencies to develop strategies and solutions to reduce the county's risk; and

WHEREAS, Washington County Emergency Management recommends that due to the number of affected areas placing a demand on county resources, that the Washington County Board enter into a State of Emergency.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners, County of Washington, State of Minnesota, declares Washington County in a State of Emergency based on the current 2020 flood conditions; and

BE IT FURTHER RESOLVED, that this resolution is written and supported by the authority provided by Minnesota Statutes Section 12.29; and

BE IT FURTHER RESOLVED, that the State of Emergency will continue indefinitely until such time that emergency response or recovery efforts are no longer required; and

BE IT FURTHER RESOLVED, that by approval of this resolution, the county Emergency Operations Plan will be activated.

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.

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

Board correspondence was received and placed on file.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Weik moved to adjourn. 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. The County Board meeting adjourned at 10:30 a.m.

BOARD WORKSHOP – ACCOUNTING AND FINANCE

The Board met in workshop session to review potential Washington County CARES Act funding plan. Present for the workshop were Commissioners Miron, Karwoski, Kriesel, Johnson, and Weik. Also present were Kevin Corbid, Jennifer Wagenius, Jan, Lucke, and county staff.

Attest:



Kevin Corbid
County Administrator



Fran Miron
County Board Chair